

MINUTES OF MEETING  
OF  
SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION

April 4, 1985  
10:15 a.m. - 12:00 noon

MEMBERS PRESENT

Mr. Fred R. Sheheen, Chairman  
Mr. George L. Brighttharp  
Dr. Willa J. DeWitt  
Mr. W. Jerry Fedder  
Mr. B. P. Gordon III  
Mr. Robert E. Graham  
Mr. Harold W. Jacobs  
Dr. Alba M. Lewis  
Mr. David B. Smith  
Mr. Mortimer F. Smith  
Mrs. Nelle H. Taylor  
Mr. William J. Whitener  
Dr. Robert F. Williams  
Mr. Robert L. Wynn III

MEMBERS ABSENT

Mr. Robert C. Gallagher  
Mr. Roosevelt Gilliam, Jr.  
Mrs. Nanette H. Smyth  
Mr. Robert L. Utsey, Jr.

MEMBERS OF THE PRESS

Mr. Bill Baker  
Ms. Jennifer Burke  
Mr. John Norton

GUESTS

Dr. John Austell  
Dr. Larry A. Jackson  
Mr. J. Lacy McLean  
Dr. W. David Maxwell  
Dr. Oscar C. Page  
Dr. George M. Reeves  
Mr. David P. Rinker  
Mr. Rallie M. Seigler  
Mr. William E. Troublefield

STAFF

Dr. Howard R. Boozer  
Mr. Charles A. Brooks, Jr.  
Ms. Saundra E. Carr  
Dr. Jeanette A. Deas  
Dr. Frank E. Kinard  
Mr. Alan S. Krech  
Ms. Lynn W. Metcalf  
Dr. Gail M. Morrison  
Mr. John E. Smalls  
Ms. Joy E. Sovde  
Dr. Leonard P. Sternbach  
Dr. John C. Sutusky  
Ms. Gaylon Syrett  
Ms. Julia E. Wells

I. Welcoming Remarks

President Larry A. Jackson welcomed the Commission to Lander College and invited members of the Commission, guests, and staff to a luncheon and tour of the campus following the meeting.

II. Approval of Minutes of Meeting of March 7, 1985

It was moved (Taylor), seconded (DeWitt), and voted that the minutes of the meeting of March 7, 1985, be adopted as written.

III. Report of Executive Committee

Proposals for Study of Higher Education in South Carolina. Dr. Boozer reported that eight proposals to conduct a study of higher education in South Carolina were received before the March 25 deadline for submission. The Executive Committee, appointed by Mr. Sheheen as the evaluation panel, is in the process of reviewing the proposals and will report to the Commission on May 2, 1985.

#### IV. Report of Committee on Academic Affairs

##### Notice to Promulgate Proposed Regulations for Teachers Loan Program.

Mrs. Taylor, chairman of the Committee on Academic Affairs, reported that the Commission adopted regulations for operation of the Teachers Loan Program for fiscal years 1984-85 and 1985-86 on November 1, 1984, and December 6, 1984, respectively. The Attorney General's Office has advised that it would be advisable to publish these regulations in the State Register, inviting public comment.

The first step in the process is to file a formal Notice of Proposed Regulations, allowing for public reaction and providing for a public hearing, if necessary. The second step, which may follow immediately on the completion of the first without further Commission action, provided no changes in the regulations result from the first step, is publication in the Register of the regulations as adopted. The General Assembly then has 90 days to either approve or disapprove the regulations. If no action is taken by that body within the time limit, the regulations are approved. The Committee recommends that the Notice of Proposed Regulations be published in the State Register. It was moved (Taylor), seconded (Fedder), and voted that the recommendation be adopted.

#### V. Report of Committee on Business and Finance

In the absence of Mr. Gallager, chairman of the Committee on Business and Finance, Mr. Wynn reported on the following matters:

a. Ratification of Mail Ballot on 1984-85 Supplemental Appropriation Requests. On March 1, 1985, the Executive Committee discussed the need for supplemental funding for one-time expenditures at the colleges and universities. The staff was requested to secure as soon as possible from each institution its top priority request for 1984-85 supplemental funding. These requests were considered by the Committee on Business and Finance and recommendations were forwarded to members of the Commission for vote by mail ballot. Mr. Wynn reported that, of the 12 ballots received, 11 were affirmative and one was negative. It was moved (Wynn), seconded (Jacobs), and voted that the vote by mail ballot be ratified.

b. Consideration of 1985 Schedule for Review of College and University 1986-87 Appropriation Requests. The Committee recommends that the tentative 1985 schedule for review of college and university 1986-87 appropriation requests be adopted. It was moved (Wynn), seconded (Taylor), and voted that the recommendation of the Committee be adopted. The schedule is attached as Exhibit A.

Dr. Boozer suggested, and it was agreed, that the July meeting of the Commission be held on July 11, 1985.

c. Status Report on 1985-86 Appropriation Bill. Mr. Wynn reported on the status of the 1985-86 Appropriation Bill. Mr. Brooks noted that a proviso, added to the 1985-86 Appropriation Bill by the House Ways and Means Committee, states that recurring appropriations contained in the Bill "for institutions of higher education and technical colleges represent 100% of full formula funding and the Commission is directed to utilize the 1985-86 funding level as a 100% funded baseline in the development of the 1986-87 formula."

Mr. Sheheen expressed concern with respect to such fluctuations in appropriations, and stated that the Commission should take a position opposing the proviso. He suggested that the matter be referred to the Committee on Business and Finance for a report to the Commission as soon as possible.

Dr. Williams stated that some members of the General Assembly interpret the funding for higher education in the Appropriation Bill as 98.9% of full formula funding when in fact the House-passed Appropriation Bill provides only 95.5% of full formula funding for continuing operations. The additional funds in the Bill totaling \$11.9 million for one-time non-recurring expenditures are separate from formula funding. Dr. Williams also noted that the Commission has stated that its first priority is full formula funding on a continuing basis for the institutions.

It was moved (Jacobs), seconded (M. Smith), and voted that the Executive Committee, in conjunction with the Council of Presidents, fashion an appropriate statement to the Governor and the General Assembly on full formula funding to be considered by the Executive Committee on April 12, 1985, and presented to appropriate State agencies.

Mr. Brooks reported that a second proviso in the Bill states that "of the funds appropriated herein for SREB Contract Programs, \$30,000 shall be expended to implement a program, administered by the Commission, which will offset the difference between the out-of-state costs and in-state costs for artistically talented high school and college students at the North Carolina School for the Arts." The Committee recommends that the Commission endorse this proviso. It was moved (Wynn), seconded (D. Smith), and voted that the recommendation of the Committee be adopted.

#### VI. Report of Committee on Facilities

##### Consideration of Procedures for Approval of Permanent Improvement Requests.

Mr. Graham, chairman of the Committee on Facilities, reported that the Committee for some time has been in the process of reviewing the procedures for approval of permanent improvement projects. The Committee has explored a number of possibilities and has compiled a background paper (Exhibit B) summarizing previous actions of the Commission regarding facilities. He noted that the Budget and Control Board, the Joint Bond Review Committee, the college and university business officers, and the Facility Advisory Committee have made suggestions and support the recommendations developed by the Committee, as stated below:

All permanent improvement projects costing \$30,000 or more must be included in the Annual Permanent Improvement Plan (APIP) and submitted by the institutions for approval by the Commission at its June meeting. These projects are to be funded from the institution's formula appropriation and/or their renovation reserve accounts and their excess debt service funds.

In order that an institution not experience delays in performing its capital improvement programs, it is important that the institution include all of its anticipated permanent improvement projects in its APIP. Failure to do so could result in delays of up to three months for action on the institution's requests by the Commission.

Upon action by the Commission in June on an institution's APIP, the institution could implement its plan without further approval by the Commission, as long as there were no changes.

During the course of the year there may be a need for modification of various projects in an APIP, or there may be a need to establish a new project. In the event this need occurs, the following procedures will be followed:

1. All project requests (whether new projects or modification to previously approved projects) costing \$30,000 or more will be sent to the office of the Commission for approval prior to going to the Budget & Control Board and the Joint Bond Review Committee.

A. If the request is a modification to a project which has been previously approved by the Commission, and the cost adjustment is less than \$250,000, the staff of the Commission will act on the request.

B. If the request is for the establishment of a new project which was not included in the APIP, and the cost is \$250,000 or less, the Facilities Committee will be consulted on the request.

C. For project requests of more than \$250,000, whether a modification or the establishment of a new project, Commission approval will be required.

2. The Budget & Control Board staff will be notified in writing of any action taken by the Commission on items A, B, & C in #1 above.

3. The action taken by the staff of the Commission on item 1-A, and the action of the Facilities Committee on item 1-B will be sent to all members of the Commission with the monthly mail-out following the actions.

4. The following items, regardless of dollar amount, will continue to require full Commission approval:

- A. All leases
- B. Land acquisition

5. The following items will continue to require full Commission approval:

A. All projects over \$250,000, inclusive of construction, renovations, maintenance, demolitions, architectural & engineering and acquisitions of buildings and other structures.

B. Any permanent improvement project in excess of \$30,000 that has programmatic implications.

6. Emergency requests up to \$250,000 will be given top priority and processed when the institution notifies the Commission and action will be taken upon receipt of the project request package.

It was moved (Gordon), seconded (M. Smith), and voted that 1.B above be amended to read, "If the request is for the establishment of a new project which was not included in the APIP, and the cost is \$250,000 or less, the Facilities Committee will act on the request." It was moved (Graham) and seconded (M. Smith) that the recommendations of the Committee, as amended, be adopted.

Mr. Fedder suggested that item 6 above would be properly addressed in 1.B. Mr. David P. Rinker, System Vice President for Physical Facilities at the University of South Carolina, suggested that a mechanism be established for addressing emergency requests over the \$250,000 limitation in item 6. A substitute motion was made (M. Smith) and seconded (DeWitt) that item 6 be included in item 1.B and that the \$250,000 limitation be deleted. The substitute motion was amended (Graham) to provide that item 6 be retained and that the \$250,000 limitation be deleted. Mr. M. Smith accepted the amendment. The substitute motion was adopted. The procedures, as adopted, are attached as Exhibit C.

#### VII. Report of Committee on Implementation of the State Desegregation Plan

In the absence of Mr. Gilliam, chairman of the Committee on Implementation of the State Desegregation Plan, Mr. M. Smith reported on the following matters:

a. Meeting with Board of Trustees of South Carolina State College. In accordance with the Commission's instructions on March 7, 1985, the Committee has arranged to meet with the Board of Trustees of South Carolina State College in an effort to resolve questions concerning SCSC's Ed.D. program in educational administration.

b. Ad Hoc Committee on Desegregation. Mr. Smith noted that the Committee wishes to commend the USC Board of Trustees for recently establishing an ad hoc committee on desegregation, thereby demonstrating the interest and commitment of that Board and of USC's administration to the State Desegregation Plan. It was moved (M. Smith), seconded (Lewis), and voted that the the Commission adopt a resolution commending the USC Board for its continuing support of the goals of Plan. The resolution is attached as Exhibit D.

#### VIII. Report of Committee on Legislative Relations

Mr. M. Smith, chairman of the Committee on Legislative Relations, reported on the following matters:

a. Amendment of Proviso in 1985-86 Appropriation Bill. A proviso in the House Ways and Means version of the 1985-86 Appropriation Bill states that the Commission shall distribute the \$11,952,760 appropriation for higher education to the institutions of higher education in an equitable manner "similar to the higher education formula for the purposes of purchasing equipment and library acquisitions and such funds shall not be considered recurring for the purposes of budget requests."

Upon the recommendation of the Committee on Business and Finance, the proviso has been amended as follows:

"Provided, Further, That the Commission on Higher Education shall use up to \$400,000 of the \$11,952,760 appropriated herein for the purpose of its study of higher education and shall distribute the remainder to the institutions of Higher Education on an equitable manner similar to the higher education formula for the purposes of purchasing equipment and library acquisitions and such funds shall not be considered recurring for the purposes of budget requests."

Mr. M. Smith reported that the amendment will be introduced on the floor of the House on April 8. He suggested that all members of the Commission urge members of the House of Representatives from their respective Congressional Districts to support the amendment.

b. Proviso Concerning a Study of Licensure. Mr. M. Smith reported that at its March 7 meeting the Commission considered a detailed memorandum on licensure of out-of-State institutions in South Carolina, with particular reference to Nova University. It adopted a recommendation that by January 1986 a study be made of licensing criteria used in other states, with particular attention to whether needs and site specific criteria should be included.

Subsequently, it was suggested by several members of the Ways and Means Committee that a proviso relating to licensure be included in the Commission's section of the Appropriation Act. The Commission staff drafted such a proviso based on the recommendation approved by the Commission in March. The proviso, which was adopted by the Ways and Means Committee and is in the Appropriation Bill, reads as follows:

"Provided, that the Commission on Higher Education conduct a study of the criteria now used for licensure of institutions to operate in or grant degrees in South Carolina. The study shall consider the criteria currently used in other states, and whether needs, site specific, or other criteria impacting on educational efforts should be adopted. Provided, Further, that the Commission submit its report of the study to the Education Committees of the General Assembly in November, 1985."

IX. Report of the Executive Director

Membership in the Southern Association of Colleges and Schools. Dr. Boozer reported that higher education agencies such as the Commission are eligible for active membership in the Southern Association of Colleges and Schools (SACS). Such membership would entitle the Commission's representative to participate and vote at general meetings of SACS and at meetings of the College Delegate Assembly of the Commission on Colleges of SACS. The Commission on Colleges is responsible for regional accreditation of degree-granting colleges and universities. Although colleges and universities pay annual dues and special fees for membership, education agencies are not charged such dues or fees. Two state higher education agencies, the Alabama Commission on Higher Education and the Kentucky Council on Higher Education, currently are members.

With the appointment of a new Executive Director of the Association in 1982 and the expected appointment of a new Executive Director of the Commission on Colleges this year, there is a developing view among higher education agency directors in the region that these agencies should work more directly than in the past with the Association and the Commission on Colleges. Dr. Boozer expressed the view that this will improve the accreditation process and possibly minimize duplicative institutional visits by various accrediting, licensing, and approval agencies. He requested authorization, on behalf of the Commission, to apply for active membership in the Southern Association of Colleges and Schools. It was moved (DeWitt), seconded (D. Smith), and voted that this request be approved.

The meeting was adjourned at 12:00 noon.

Respectfully submitted,

*Gaylon Syrett*  
Gaylon Syrett  
Recording Secretary