



SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION
RUTLEDGE BUILDING
1429 SENATE STREET
COLUMBIA, S.C. 29201

HOWARD R. BOOZER
EXECUTIVE DIRECTOR

TELEPHONE
803/758-2407

Minutes of Public Hearing
of
South Carolina Commission on Higher Education

10:00 A.M. - December 16, 1977
Room 1101, Rutledge Building

Present: Howard R. Boozer, James R. Michael, Frank E. Kinard,
Alan S. Krech, and Judi R. Tillman

In accordance with the provisions of Act 176 of 1977, Dr. Boozer convened a public hearing to receive and consider comments pertaining to Proposed Regulations for Licensing Nonpublic Educational Institutions to Confer Degrees. A Notice of Proposed Hearing (attachment 1) had been published in the State Register on November 23, 1977, and written comments had been solicited through notice in The News and Courier (Charleston), The State (Columbia), and The Greenville News (Greenville) at least 30 days prior to the hearing (attachment 2). In addition, comments had been solicited directly from a number of agencies and institutions which had assisted in the preparation or would be affected by the implementation of the law.

No persons requested or made an appearance at the hearing; therefore, the staff reviewed written comments (attachments 3 through 10), carefully considering the suggestions contained in those letters.

Comments in attachments 3 and 4 were totally favorable. Suggestions

contained in attachment 5 pertained to Act 201 of 1977 (the licensing Act) rather than to the proposed regulations. These comments will be kept on file and considered later when the Act comes up for review and possible amendment.

The primary concern contained in attachments 6 through 10 related to the assurance that "any institution established in South Carolina which is accredited by any association or organization recognized by the Council on Postsecondary Accreditation for conducting institutional or specialized accreditation or which is approved for teacher certification by the State Board of Education shall be considered to have given satisfactory evidence that the minimum standards for licensure have been met." Several respondents indicated a concern that this statement be given more prominence in the document. The staff determined that the intent of both the law and the regulations were clear, but reordered the regulations, renumbering Section 62-13, 14, and 15 as 62-2, 3, and 4, thus giving greater prominence to the above quoted assurances. An additional sentence was also inserted in Section 62-19 to provide reassurance that maintenance of accreditation or teacher certification provide sufficient evidence of compliance with minimum standards for those institutions which seek to offer a degree at a new level and which are licensed under the provisions of the new Section 62-2 of the regulations.

Those comments concerning the bond requirement and the possibility of inspections (paragraphs 2 and 4 of attachment 6) were considered to have been clarified by the prominence given to the new Section 62-2.

The concern with respect to required statistical reporting expressed in paragraph 5 of attachment 6 was noted. Except as required for planning purposes, the staff intends to keep required statistical reporting from the proprietary schools to a minimum. A degree of flexibility, however, is

necessary and desirable.

In response to the comment in paragraph 6 of attachment 6, the staff noted that the purpose of Section 62-21 is to minimize involvement of the Commission in consumer complaints, while providing an avenue whereby the Commission can be made aware of potential problems. As stated in the section, the Commission limits its role to "facilitating settlement through negotiation."



Alan S. Krech
Recording Secretary

/esb

STATE OF SOUTH CAROLINA

DEPARTMENT OF EDUCATION

CYRIL B. BUSBEE
STATE SUPERINTENDENT OF EDUCATION

COLUMBIA

December 15, 1977

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DEC 15 1977
H. R. BOOZER

Dr. Howard R. Boozer
Executive Director
Commission on Higher Education
Rutledge Building
Columbia, South Carolina 29201

Dear Dr. Boozer:

The staff of the State Department of Education has joined me in reviewing the proposed regulations to provide minimum standards and procedures for licensing non-public educational institutions to confer degrees.

We find the proposed regulations fully acceptable and will lend our support to their institution.

Sincerely yours,

Handwritten signature of Cyril B. Busbee in cursive script.

Cyril B. Busbee
State Superintendent of Education

CBB:mb

Anderson • Baptist College at Charleston • Benedict •
 Claflin • Coker • Columbia • Converse • Erskine • Furman •
 Limestone • Newberry • North Greenville •
 Presbyterian • Spartanburg
 Methodist • Voorhees • Wofford

SOUTH CAROLINA COLLEGE COUNCIL, INC.

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H. R. BOOZER

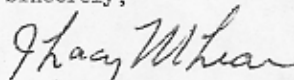
November 22, 1977

Dr. Howard R. Boozer
 Executive Director
 South Carolina Commission
 on Higher Education
 1429 Senate Street
 Columbia, South Carolina 29201

Dear Howard:

The regulations for administering ACT 201 of 1977 seem to me to be fair to all concerned and complete as regards the intent and the letter of the law. The Commission is to be commended on satisfactory completion of an intricate and delicate task.

Sincerely,



J. Lacy McLean
 Executive Vice President

JLM/sl

CLEMSON
UNIVERSITY

PRESIDENT

December 8, 1977

Dr. Howard R. Boozer
Executive Director
S. C. Commission on Higher Education
1429 Senate Street
Columbia, South Carolina 29201

Dear Dr. Boozer:

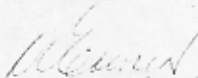
On November 10, you sent me a Notice of Proposed Regulations relative to minimum standards and procedures for licensing nonpublic educational institutions to confer degrees and requested that any comments be directed to you on or before December 14. I have several comments which I am enumerating below.

By limiting this act to be applied to nonpublic institutions, we still have the problem of public institutions from other states offering programs on campuses or military installations in a manner which is competitive to South Carolina institutions. Just recently we were asked to give graduate credit for an education course that was being beamed from the University of Kentucky via a satellite to the Greenville Tec campus. We have refused to give credit on the basis that what is being offered duplicates what is already being offered on our campus. We feel also that it is unfortunate that the legislation exempts Bible institutions and theological schools. It so happens that there are a number of diploma mills operating in Kentucky, Alabama, Missouri, and elsewhere which claim some religious affiliation but offer many non-religious degrees in addition to their theology degrees. We don't look upon this as quality education and this again runs in a competitive fashion with some of the programs offered in this State.

Finally, although the act states that, "Any institution established in this State which is accredited by any association or organization recognized by the Council on Postsecondary Accreditation for conducting institutional or specialized accreditation or which is approved for teacher certification by the State Board of Education shall be considered to have given satisfactory evidence that the standards have been met," it would have been well to have added to this the Office of Education of the Department of Health, Education, and Welfare.

Thank you for giving us the opportunity to express opinions regarding these matters.

Sincerely yours,


Robert C. Edwards
President

RCE:ak

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DEC 13 1977

H. R. BOOZER

*South Carolina Organization
of
Private Post-Secondary Schools*

*Myers Branch, Box 6086
Charleston, South Carolina 29405
Telephone 803-722-2344*

December 12, 1977

Howard R. Boozer, Executive Director
South Carolina Commission on Higher Education
Rutledge Building; 1429 Senate Street
Columbia, South Carolina 29201

Dear Dr. Boozer:

Thank you for the opportunity to comment on the proposed regulations for Act 201. In this connection, input as to their effectiveness was gathered from three schools conferring degrees. Several telephone calls were received by me from these schools and some very lengthy explanations were required due to the specific location in the regulation of the exemption, due to recognition by the Council on Post-Secondary Accreditation.

One school for example, who is accredited and would meet the minimum standards, objected very strongly to the bond. It took some time to assure him that the regulation did not apply to his school.

Another school felt that when going to a higher level degree, that approval of the accrediting body, when submitted as was initially required in exempting minimum standards, should also be accepted without any visits by the Commission on Higher Education.... "Section 3 of Act 201 has been met."

Another commenter was critical of the possible misinterpretation of the regulations insofar as inspections could be made of a school even though the school was accredited and therefore was considered to have met the minimum standards.

All commenters asked that the annual statistical reporting be specifically written into the regulation as a method of preventing private schools from being caught up in expensive reporting and further "red tape."

One commenter questioned the Commission's authority under Act 201 to involve itself in consumer affairs as they would apply to private institutions. Consumer complaints are as a matter of course handled either by the appropriate accrediting body, or the plaintiff resorts to the courts for relief.

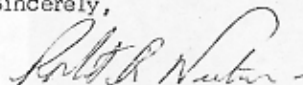
December 12, 1977... to Dr. Boozer.... Page II; continued.....

The major problem as we see it with the regulations is that the location of the exemption to meet minimum standards section is out of place. Confusion caused by this misplacement could be eliminated simply by placing the statement in the very front of the regulations and making it perfectly clear that the "following regulations do not apply to those qualifying under this definition." Further, specify that if accreditation is lost, the minimum standards shall be applicable for the institution effective with cancellation of such accreditation.

Because of the numerous telephone discussions and my promise to comment upon them, the major complaint was singularly forwarded to me in writing by the affected schools. I have enclosed copies of those comments for your inspection.

Again, thank you for this privilege to comment, and if I can be of further assistance, you have only to ask.

Sincerely,



Robert R. Nielsen, Sr.
President

enclosures:: (3) copies of letters received



**COLUMBIA
COMMERCIAL COLLEGE**

A Junior College of Business

1234 Hampton Street, Columbia, S. C. 29201 • Phone 803/799-9082



December 8, 1977

Mr. Robert R. Nielsen, President
South Carolina Organization of
Private Post-Secondary Schools
Myers Branch, Box 6086
Charleston, S.C. 29405

Dear Mr. Nielsen:

In reviewing the proposed regulations for licensing non-public educational institutions to award degrees, I found a matter which concerns me. Although surrounded by commission rules, standards, and duties, Section 3 of Act 201 does declare exempt from further evidence all institutions which are accredited by an association recognized by the Council on Postsecondary Accreditation. In reading the accompanying regulations, I do not get this impression.

This statement on meeting standards through accreditation should have prominent notice throughout the regulations. I read the regulations as additional criteria beyond those met by our accrediting agency. As an example, the renewal procedures found in 62-18 seem to give the Executive Director of the Commission on Higher Education authority to call for an examination under initial licensing guidelines even though accreditation is still maintained. If this be the case, I would say that this portion of the regulation is incongruous to Act 201.

I would appreciate your efforts in incorporating these thoughts with others from our membership in our Organization's position on the proposed regulations to Act 201.

Sincerely,

Michael Gorman
Vice President

RUTLEDGE COLLEGE

P. O. Box 4967, Spartanburg, S. C. 29303



December 6, 1977

Mr. Robert R. Nielsen, Sr.
President
SC Organization of Private
Post-Secondary Schools
Myers Branch, Box 6086
Charleston, SC 29405

Dear Bob:

I have reviewed the proposed regulations of Chapter 62 regarding the statutory authority of Act 201 of 1977. The overall regulations are good, and I believe will be comprehensive enough for proper control. The only suggestion I have would be to include the statement which we discussed via the telephone. The statement in the regulations would include protection for the institutions accredited by agencies recognized by COPA.

Thanks for the opportunity to respond and best wishes for the Holiday Season.

Sincerely,

James R. Couch, Ed.D
President

JRC/jyj



Rice College

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December 7, 1977

Mr. Robert R. Nielsen, Sr.
President
South Carolina Organization of Private
Post-Secondary Schools
Myers Branch, Box 6086
Charleston, SC 29405

Dear Mr. Nielsen,

In reviewing Act 201, I find one area that I feel is stated with a degree of ambiguity. The regulation appears vague in its statement of acceptance of standards of institutions accredited by an association or organization recognized by the Council on Post-secondary Accreditation.

I suggest that the acceptance by the Commission of the statement of standards as applies to institutions presently accredited by any organization recognized by the Council on Post-secondary Accreditation be placed in the front of the regulation with clarity that these institutions do not have to comply with the minimum standards for license as applies to non-accredited institutions.

Sincerely,

RICE COLLEGE

John H. Talbert, Jr.
John H. Talbert, Jr.
Director

JHTjr:bwd





House of Representatives - State of South Carolina - Columbia

December 12, 1977

PAUL GELEGOTIS
DISTRICT NO. 115-CHARLESTON COUNTY

HOME ADDRESS:
1731 MAYBANK HIGHWAY
CHARLESTON, S. C. 29412

COMMITTEE
MEDICAL, MILITARY, PUBLIC AND MUNICIPAL

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DEC 14 1977

H. R. BOOZER

Dr. Howard R. Boozer
Executive Director
South Carolina Commission on Higher Education
Rutledge Building
1429 Senate Street
Charleston, South Carolina 29201

Dear Dr. Boozer:

Thank you for the opportunity to comment on your proposed implementation for Act 201. After discussion with various institutions regarding your proposed implementation there seems to be a lot of confusion regarding the extent of applicability to institutions presently accredited and approved by the council on post secondary education. It would appear to me that the confusion could be eliminated by placing a statement in your proposed implementation that the following regulations do not apply to those institutions presently qualified and accredited.

To be repetitious in working with this legislation it was our intention to allow presently accredited institutions to function without any additional burdens by the government. Only for those institutions not accredited or if the accreditation was not met would the regulations apply.

Very truly yours,

Paul Gelegotis
Paul Gelegotis

PG:etk

CC: Rep. Nick Theodore, Chairman, House Education Committee
Senator Harry A. Chapman, Jr., Chairman, Senate Education Committee