

Executive Summary

Agency: Commission on Higher Education

Code: H03

Section: 11

Statewide Mission:

Describe the agency's mission.

The S.C. Commission on Higher Education will promote quality and efficiency in the state system of higher education with the goal of fostering economic growth and human development in S.C.

CHE serves as the coordinating board for S.C.'s 33 public institutions of higher learning and is responsible for serving a dual role within state government, acting both as an advocate for higher education and an oversight entity on behalf of the General Assembly. The agency's primary value to the state lies in the benefit of having an entity responsible for bringing to light and working through myriad issues to assure a balance between student and taxpayer interests and institutional policies, aspirations, and needs.

CHE carries out its mission through statewide planning and working with institutions to promote quality, access, and efficiency in the state's higher education system while balancing advocacy, stewardship, and accountability. The major functions of CHE can be categorized broadly into four areas including: advocacy and coordination, information services, accountability, and administration. These functions are carried out through activities of CHE and each of its divisions – Academic Affairs and Licensing; Finance, Facilities, and Management Information Systems; Student Services; and Planning and Access. In performing its responsibilities, CHE works closely with institutions to expand educational opportunities for the state's citizens, to invest in research for economic development and a better quality of life, and to increase cooperation and collaboration for higher levels of efficiency and quality in higher education opportunities in the state.

Number of Proviso Changes:

Indicate the number of proviso changes included in the package.

Nine.

Agency Contacts/Telephone Numbers:

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Agency Director Signature:



Print Name:

Julie J. Carullo

Funded Program Name	Line	2012-2013 Appropriations (Actual)					2013-2014 Agency Request					Adjustments																
		GF	eOF	rOF	FF	Total	GF	eOF	rOF	FF	Total	Check	GF	GF%	eOF	eOF%	rOF	rOF%	FF	FF%	Total	Total%						
I. Administration																												
	Executive Director	\$ 154,840	\$ -	\$ -	\$ -	\$ 154,840	\$ 154,840	\$ -	\$ -	\$ -	\$ 154,840	TRUE																
	Classified Positions	\$ 973,830	\$ -	\$ -	\$ -	\$ 973,830	\$ 1,169,879	\$ -	\$ -	\$ -	\$ 1,169,879	TRUE	\$ 196,049	0.0%														
	Unclassified Positions	\$ -	\$ -	\$ -	\$ 54,646	\$ 54,646	\$ -	\$ -	\$ -	\$ -	\$ -	TRUE																
	Other Personal Services	\$ 60,765	\$ -	\$ -	\$ -	\$ 60,765	\$ 60,765	\$ -	\$ -	\$ -	\$ 60,765	TRUE																
	Other Operating	\$ 264,083	\$ -	\$ -	\$ -	\$ 264,083	\$ 264,083	\$ -	\$ -	\$ -	\$ 264,083	TRUE																
	Total	\$ 1,453,518	\$ -	\$ -	\$ 54,646	\$ 1,508,164	\$ 1,649,567	\$ -	\$ -	\$ -	\$ 1,649,567		\$ 196,049	13.5%	\$ -		\$ -											
III. Other Agencies and Entities																												
	Greenville Tech-University Center	\$ 594,390	\$ -	\$ -	\$ -	\$ 594,390	\$ 594,390	\$ -	\$ -	\$ -	\$ 594,390	TRUE																
	University Center Of Greenville	\$ 1,084,899	\$ -	\$ -	\$ -	\$ 1,084,899	\$ 1,084,899	\$ -	\$ -	\$ -	\$ 1,084,899	TRUE																
	Lowcountry Graduate Center	\$ 785,099	\$ -	\$ -	\$ -	\$ 785,099	\$ 785,099	\$ -	\$ -	\$ -	\$ 785,099	TRUE																
	Academic Endowment	\$ 160,592	\$ -	\$ -	\$ -	\$ 160,592	\$ 160,592	\$ -	\$ -	\$ -	\$ 160,592	TRUE																
	EPSCOR	\$ 161,314	\$ -	\$ -	\$ -	\$ 161,314	\$ 161,314	\$ -	\$ -	\$ -	\$ 161,314	TRUE																
	African-American Loan Program	\$ 119,300	\$ -	\$ -	\$ -	\$ 119,300	\$ 119,300	\$ -	\$ -	\$ -	\$ 119,300	TRUE																
	Performance Funding	\$ 1,397,520	\$ -	\$ -	\$ -	\$ 1,397,520	\$ 1,397,520	\$ -	\$ -	\$ -	\$ 1,397,520	TRUE																
	Charleston Transition College	\$ 179,178	\$ -	\$ -	\$ -	\$ 179,178	\$ 179,178	\$ -	\$ -	\$ -	\$ 179,178	TRUE																
	State Electronic Library	\$ 164,289	\$ 2,186,577	\$ -	\$ -	\$ 2,350,866	\$ 164,289	\$ 2,186,577	\$ 1,500,000	\$ -	\$ 3,850,866	TRUE					\$ 1,500,000											
	Total	\$ 4,646,581	\$ 2,186,577	\$ -	\$ -	\$ 6,833,158	\$ 4,646,581	\$ 2,186,577	\$ 1,500,000	\$ -	\$ 8,333,158	TRUE	\$ -	0.0%	\$ -	0.0%	\$ 1,500,000											
V. Licensing																												
	Classified Positions	\$ 45,962	\$ 131,680	\$ -	\$ -	\$ 177,642	\$ 47,032	\$ 191,562	\$ -	\$ -	\$ 238,594	TRUE	\$ 1,070	2.3%	\$ 59,882	45.5%												
	Other Operating	\$ -	\$ 52,776	\$ -	\$ -	\$ 52,776	\$ -	\$ 59,929	\$ -	\$ -	\$ 59,929	TRUE			\$ 7,153	13.6%												
	Total	\$ 45,962	\$ 184,456	\$ -	\$ -	\$ 230,418	\$ 47,032	\$ 251,491	\$ -	\$ -	\$ 298,523	TRUE	\$ 1,070	2.3%	\$ 67,035	36.3%	\$ -											
VI. State Approving Section																												
	Unclassified Positions	\$ -	\$ -	\$ -	\$ 32,788	\$ 32,788	\$ -	\$ -	\$ -	\$ 32,788	\$ 32,788	TRUE																
	Other Personal Services	\$ -	\$ -	\$ -	\$ 162,129	\$ 162,129	\$ -	\$ -	\$ -	\$ 162,129	\$ 162,129	TRUE																
	Other Operating	\$ -	\$ -	\$ -	\$ 66,723	\$ 66,723	\$ -	\$ -	\$ -	\$ 66,723	\$ 66,723	TRUE																
	Total	\$ -	\$ -	\$ -	\$ 261,640	\$ 261,640	\$ -	\$ -	\$ -	\$ 261,640	\$ 261,640	TRUE	\$ -		\$ -		\$ -											
VIII. CHE Grants and Other Collaboration																												
	EEEA	\$ 1,180,576	\$ 15,501	\$ -	\$ -	\$ 1,196,077	\$ 1,180,576	\$ -	\$ -	\$ -	\$ 1,180,576	TRUE			\$ (15,501)	-100.0%												
	Improving Teacher Quality (ITQ)	\$ -	\$ -	\$ -	\$ 876,879	\$ 876,879	\$ -	\$ -	\$ -	\$ 876,879	\$ 876,879	TRUE																
	Gear Up	\$ 177,201	\$ -	\$ -	\$ 3,410,812	\$ 3,588,013	\$ 177,201	\$ -	\$ -	\$ 3,443,600	\$ 3,620,801	TRUE																
	College Access Challenge Grant	\$ -	\$ -	\$ -	\$ 1,920,258	\$ 1,920,258	\$ -	\$ -	\$ -	\$ 1,942,116	\$ 1,942,116	TRUE																
	College Goal Sunday	\$ -	\$ 35,000	\$ -	\$ -	\$ 35,000	\$ -	\$ 35,000	\$ -	\$ -	\$ 35,000	TRUE				0.0%												
	Statewide Longitudinal Data System	\$ -	\$ -	\$ -	\$ 1,404,133	\$ 1,404,133	\$ -	\$ -	\$ -	\$ 1,404,133	\$ 1,404,133	TRUE																
	Centers Of Excellence	\$ -	\$ -	\$ 849,284	\$ -	\$ 849,284	\$ -	\$ -	\$ 849,284	\$ -	\$ 849,284	TRUE																
	Total	\$ 1,357,777	\$ 50,501	\$ 849,284	\$ 7,612,082	\$ 9,869,644	\$ 1,357,777	\$ 35,000	\$ 849,284	\$ 7,666,728	\$ 9,908,789	TRUE	\$ -	0.0%	\$ (15,501)	-30.7%	\$ -	0.0%	\$ 54,646	0.7%	\$ 39,145	0.4%						
X. Scholarships and Assistance																												
	National Guard Tuition Repay	\$ 89,968	\$ -	\$ -	\$ -	\$ 89,968	\$ 89,968	\$ -	\$ -	\$ -	\$ 89,968	TRUE																
	Life Scholarships	\$ 65,154,048	\$ -	\$ -	\$ -	\$ 65,154,048	\$ 65,154,048	\$ -	\$ -	\$ -	\$ 65,154,048	TRUE																
	Palmetto Fellows	\$ 7,109,427	\$ -	\$ -	\$ -	\$ 7,109,427	\$ 7,109,427	\$ -	\$ -	\$ -	\$ 7,109,427	TRUE																
	Hope Scholarships	\$ 231,727	\$ -	\$ -	\$ -	\$ 231,727	\$ 231,727	\$ -	\$ -	\$ -	\$ 231,727	TRUE																
	SREB Contract Program & Assessments	\$ 3,430,040	\$ -	\$ -	\$ -	\$ 3,430,040	\$ 3,509,750	\$ -	\$ -	\$ -	\$ 3,509,750	TRUE	\$ 79,710	2.3%														
	Arts Program	\$ 7,177	\$ -	\$ -	\$ -	\$ 7,177	\$ 7,177	\$ -	\$ -	\$ -	\$ 7,177	TRUE																
	Educational Endowment	\$ 24,000,000	\$ -	\$ -	\$ -	\$ 24,000,000	\$ 24,000,000	\$ -	\$ -	\$ -	\$ 24,000,000	TRUE																
	Total	\$ 100,022,387	\$ -	\$ -	\$ -	\$ 100,022,387	\$ 100,102,097	\$ -	\$ -	\$ -	\$ 100,102,097	TRUE	\$ 79,710	0.1%	\$ -		\$ -											
IX. Employee Benefits																												
	Employer Contributions	\$ 398,425	\$ 36,871	\$ -	\$ 147,713	\$ 581,009	\$ 442,579	\$ 54,836	\$ -	\$ 147,713	\$ 645,128	TRUE	\$ 46,154	11.6%	\$ 17,965	48.7%												
	Employee Pay Increase	\$ 43,273	\$ -	\$ -	\$ -	\$ 43,273	\$ -	\$ -	\$ -	\$ -	\$ -	TRUE	\$ (43,273)	-100.0%														
	Total	\$ 439,698	\$ 36,871	\$ -	\$ 147,713	\$ 624,282	\$ 442,579	\$ 54,836	\$ -	\$ 147,713	\$ 645,128	TRUE	\$ 2,881	0.7%	\$ 17,965	48.7%	\$ -											
Agency Total																												
		\$ 107,965,923	\$ 2,458,405	\$ 849,284	\$ 8,076,081	\$ 119,349,693	\$ 108,245,633	\$ 2,527,904	\$ 2,349,284	\$ 8,076,081	\$ 121,198,902	TRUE	\$ 279,710	0.3%	\$ 69,499	2.8%	\$ 1,500,000	176.8%	\$ -	0.0%	\$ 1,849,209	1.5%						
IF NEEDED:																												
New Recurring Items																												
Funded Program Name	Line																											
Need-based Grants	Need-based Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000	\$ -	\$ 4,000,000	TRUE					\$ 4,000,000											
		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	TRUE																
	Please Insert New Lines Above This Line																											
	Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000	\$ -	\$ 4,000,000	TRUE	\$ -		\$ -		\$ 4,000,000											
New Non-recurring Items																												
EIA Centers of Excellence		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 36,000	\$ -	\$ 36,000	TRUE																

Appropriations Change Request

Agency: Commission on Higher Education

Code: H03

Section: 11

A. Budget Program Number and Name

- I. Administration – Classified Positions
- IX. Employee Benefits – Employer Contributions

B. Service Delivery and Audience

As a coordinating board for higher education, CHE provides services to the public, colleges and universities, the State Legislature and Governor, other state and private entities, and the federal government. This program provides overall administrative support for agency activities not otherwise specifically appropriated. The inability to fund vacated positions have led to staffing shortages and increases in staff workload that are not sustainable in most effectively fulfilling the agency's mission. Funding for additional positions is needed throughout the agency with the greatest staffing need presently in the Academic Affairs Division which carries out policy work and regulatory functions relating to academic programs. Mission critical activities include ensuring institutional and program quality of SC's public institutions through reviewing and approving institutional mission statements, reviewing and approving new academic programs and evaluating existing degree programs, reviewing admissions standards and minimum undergraduate admissions standards for in-state and out-of-state students. Responsibilities also include providing direction at the state-level in the area of academic quality by developing state-level policies and best practices guidance for such items as: minimum admissions standards, dual enrollment, transfer and articulation, program productivity, remedial education, quality standards for professional development courses for teachers, post-tenure review, and annual review of faculty.

C. Performance Measurement and Evaluation

See FY 2011-12 Annual Agency Accountability report pages 48-50 for trend information concerning programs ensuring academic quality and additional information on program accomplishments as reported on pages 5-12 under Key Strategic Goals for Present and Future Years.

D. Enabling Authority and Related Programs

Agency authorizing legislation, SC Code of Laws Section 59-103-5 et seq (in particular -20, -35, -45, -90, -140) and relevant sections in Section 59-104-10 et seq.

E. Program Adequacy and Sustainability

Staffing in Academic Affairs has been significantly reduced due to the retirement of key personnel who have not been replaced during the economic downturn and associated agency budget reductions.

F. Requested Appropriation Change

Mark all that apply:

New Initiative: _____ *Increase* X _____ *Decrease* _____ *Reallocation* _____

Please refer to Submission Guidelines for specific instructions.

Appropriations Change Request

Additional funds are needed to meet legislative mandates related to academic program approvals and evaluation and to conduct important necessary state-level policy work in carrying out the mission and responsibilities of the agency. The funds requested provide for 2 professional positions estimated at \$76,923 each with fringe benefits calculated at 30%.

G. Revenue Estimate

Provide detail on sources of revenue for any increased expenditures for this program, identified by SAP fund number (8-digit sub-fund).

SAP Fund Number	Source Name	General Fund	Earmarked (Other)	Restricted (Other)	Federal
10010000	General Fund	\$200,000			

Appropriations Change Request

Agency: Commission on Higher Education

Code: H03

Section: 11

A. Budget Program Number and Name

X. Scholarships and Assistance – Special Items – SREB Contract Program & Assessments

B. Service Delivery and Audience

Participation in the Southern Regional Education Board (SREB) Contract Programs support optometry and veterinary students by providing admission to schools in other states for the price of in-state tuition at public institutions or reduced tuition at private institutions. Support for this ongoing program mitigates the cost of initiating and operating these expensive professional programs in South Carolina. A total of 24 slots in optometry and 104 slots in veterinary medicine are provided at five partner institutions.

C. Performance Measurement and Evaluation

SC students are able to participate in professional programs not otherwise available in SC at reduced rates in out-of-state institutions.

D. Enabling Authority and Related Programs

SC Code of Laws Section 59-103-10 et seq and Provisos 11.1 and 11.8

E. Program Adequacy and Sustainability

Demand for this program remains high and the slots remain full with the exception of occasional student stop-outs which may occur during the year. In FY 2012-13, all slots in were filled except for four slots in the optometry program at Southern College of Optometry. Carry forward funds may result in any year if all available SC contract seats are not filled. Any funds remaining due to seats not being filled are carried over per proviso and are used in the following year for the same purpose. The request for FY 2013-14 anticipates all seats being filled and factors in the estimated carry forward from any seats not filled in FY 2012-13. (The funds requested in FY 2013-14 are net of the carryover and a 3% increase in contract slots FY 2013-14.)

F. Requested Appropriation Change

Mark all that apply:

New Initiative: _____ *Increase* X *Decrease* _____ *Reallocation* _____

Please refer to Submission Guidelines for specific instructions.

Additional funding of \$79,710 will be needed to meet the SREB contract for FY 2013-14 based on current allocations of optometry and veterinary slots available to SC’s students.

G. Revenue Estimate

Provide detail on sources of revenue for any increased expenditures for this program, identified by SAP fund number (8-digit sub-fund).

SAP Fund Number	Source Name	General Fund	Earmarked (Other)	Restricted (Other)	Federal
	General Fund	\$79,710			

Appropriations Change Request

Agency: Commission on Higher Education

Code: H03

Section: 11

A. Budget Program Number and Name

V. Licensing

B. Service Delivery and Audience

CHE is the sole authority for licensing of degree- and non-degree-granting institutions both for profit and not-for-profit seeking to operate in South Carolina. This process is designed to provide consumer protection by ensuring minimum standards which have been increasingly aligned to standards of the regional accrediting body, the Southern Association of Colleges and Schools (SACS).

An increasing number of institutions, especially those that offer online programs that originate in the State, continue to operate in defiance of efforts by the staff. Staff is closely monitoring changes initiated by the U.S. Department of Education for State Authorization and increased accountability in deceptive recruiting practices. Staff has responded to approximately 500 requests about licensing requirements in light of out-of-state institutions that enroll S.C. residents in distance learning; several have applied and several more have indicated that they will apply for licensing to recruit S.C. residents into distance learning courses or programs. The staff also continues to review and develop consumer protection information to assist individuals in making informed decisions about school choice. CHE will continue to pursue ways to inform the public about making wise education choices and to ensure the public is protected from statutory changes, as deemed prudent, such as the one pursued in past years to make it unlawful for a person to knowingly issue, manufacture, or use an illegitimate academic credential.

C. Performance Measurement and Evaluation

During the most recent ended fiscal year, the Licensing section approved 296 new agent permits, 3 initial licenses and 5 amendments to licenses for degree granting institutions, and 196 licenses to non-degree granting entities, and processed the termination of 4 licenses, responded to 72 student complaints, and provided 248 transcripts for students who had attended institutions that no longer operate in the state.

D. Enabling Authority and Related Programs

SC Code of Laws Section 59-58-10 et seq.

E. Program Adequacy and Sustainability

The workload far exceeds the current staffing level consisting of 3.05 FTEs. Accordingly, an additional Program Coordinator position and corresponding administrative support is being requested to supplement the existing staff. As the functions of this unit are unique to CHE and the state, adding to staff at this juncture also provides sufficient time for the requisite on-the-job training associated with myriad compliance requirements associated with ensuring consumer protection and other legal responsibilities. Licensing is a fee-based revenue activity. The current fee structure can support the increase associated with this request.

F. Requested Appropriation Change

Mark all that apply:

Appropriations Change Request

New Initiative: _____ *Increase* X *Decrease* _____ *Reallocation* _____

Please refer to Submission Guidelines for specific instructions.

G. Revenue Estimate

Provide detail on sources of revenue for any increased expenditures for this program, identified by SAP fund number (8-digit sub-fund).

SAP Fund Number	Source Name	General Fund	Earmarked (Other)	Restricted (Other)	Federal
30350000	Licensing		\$85,000		

Appropriations Change Request

Agency:

Code:

Section:

A. Budget Program Number and Name

EIA – Centers of Excellence (CHE, H03)

Program funds flow through South Carolina Department of Education (H63) XII. Education Improvement Act, F. Partnerships, 2. Other Agencies and Entities, Centers of Excellence (H03)

B. Service Delivery and Audience

The purpose of the Centers of Excellence program is to enable eligible institutions or groupings of institutions to serve as "state of the art" resource centers for South Carolina in a specific area related to the improvement of teacher education. The Centers concentrate on assisting low-performing schools and districts by providing training and support to teachers in those schools and districts. A proposed Center must demonstrate a substantial likelihood of achieving success with its K-12 partners and developing a reputation for excellence within the five-year funding period. Two of the currently funded Centers (Clemson University, USC-Aiken) received their initial awards in FY 2008-09. One new Center (Newberry College) was funded in FY 2010-11. A new Center was funded for FY 2011-12 at Claflin University to work with professional development in training teachers to work with English Language Learners (ELL). One new Center at The Citadel was recommended for funding for FY 2012-13, but due to current funding levels, the Center funding was deferred until FY 2013-14.

C. Performance Measurement and Evaluation

Current annual objectives, data sources, and results for each Center are summarized in data charts that have been provided as part of the required annual EIA Program Reports submitted through EOC. In its proposal, each center must also define its purpose, goals, and objectives. A plan for achieving the goals and objectives and an evaluation plan are required from each Center. Centers are required to submit interim and final reports each year to the Commission that demonstrate how the Center is meeting goals and objectives. An external evaluator submits a final evaluation report on the success of the Centers meeting the goals and objectives.

D. Enabling Authority and Related Programs

SC Code of Laws, Section 59-103-140
FY 2012-13 Appropriations Act, Part 1B Provisos 1A.11 and 1A.47

E. Program Adequacy and Sustainability

The Centers of Excellence Program was an original initiative of the Education Improvement Act of 1994. Funds are used to support existing and new centers for teacher professional development support that are determined through a competitive process. Each funded Center is provided 5-years of funding with a goal of Centers being self-supporting by the end of the fifth year. Centers receive \$150,000 the first year of funding, \$132,000 the second year of funding, and \$112,500 in years 3-5.

Appropriations Change Request

F. Requested Appropriation Change

Mark all that apply:

New Initiative: _____ *Increase* *X* *Decrease* _____ *Reallocation* _____

Please refer to Submission Guidelines for specific instructions.

Program is EIA-funded and in FY 2012-13 received \$887,536 of which \$537,536 is allocated to CHE for the Centers of Excellence program and \$350,000 for the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty. The requested increase of \$36,000 is needed in order to bring a new on-line in FY 2013-14 that will focus on College and Career Readiness and to fully fund the two continuing Centers at Newberry College and Claflin University and the Center at The Citadel that was approved in FY 2012-13 for start up in FY 2013-14. CHE is submitting this request through the EOC process as required for consideration.

G. Revenue Estimate

Provide detail on sources of revenue for any increased expenditures for this program, identified by SAP fund number (8-digit sub-fund).

SAP Fund Number	Source Name	General Fund	Earmarked (Other)	Restricted (Other)	Federal
49730000	EIA-funds			\$36,000	

Appropriations Change Request

Agency: Commission on Higher Education

Code: H03

Section: 11

A. Budget Program Number and Name

X. Scholarships and Assistance – Special Items – Need-based Grants

B. Service Delivery and Audience

With current economic conditions and increased college costs, support for need-based grants remains critical in improving the number of South Carolinians who enter college and graduate. Need-based financial aid is essential to any state that seeks to enhance the participation of students who have limited financial means. In recent years, funding for merit-based scholarships has grown to keep pace with increased numbers of eligible students, but funding for need-based grants has not. As of FY 2012-13 appropriations, the state's merit programs (Palmetto Fellows, LIFE and S.C. HOPE) continue to represent 70% of approximately \$330 million in dollars appropriated, whereas state need-based aid programs (CHE Need-Based and Tuition Grants) represent 16%, and Lottery Tuition Assistance at two-year institutions represents 14%.

C. Performance Measurement and Evaluation

In the 2011-12 academic year, 28,952 awards totaling \$23.45M were made to South Carolina residents attending public and independent colleges and universities in South Carolina. A relatively recent change to the legislation allows additional funds beyond the level provided in FY 2008 to be distributed to institutions demonstrating the most need. This change provides academically qualified but financially challenged students an opportunity to attend the college of their choice rather than the college of their neighborhood by equalizing to the extent possible their level of need-based support compared to the cost of tuition and fees.

D. Enabling Authority and Related Programs

SC Code of Laws Section 59-142-20 and Regulation 62-450 – 62-505

E. Program Adequacy and Sustainability

As stated above, support for Need-based aid has not kept pace with support for merit-based aid. In FY 2012-13, the legislature provided an additional \$4M from lottery FY 2011-12 surplus funds to support the very important program. Need-based grant funds are provided for students at public institutions and per statute, South Carolina's independent institutions receive a share of these funds based on their share of enrollment. Due to a change in allocation methodology approved by the General Assembly several years ago, increased funds are allocated based on student need across the public institutions. Funding is being requested to continue need-based support at the increased FY 2012-13 level.

F. Requested Appropriation Change

Mark all that apply:

New Initiative: _____ *Increase* X *Decrease* _____ *Reallocation* _____

Please refer to Submission Guidelines for specific instructions.

In FY 2012-13, Need-based grants are funded through the Educational Endowment (\$12,000,000 in FY 2012-13) and lottery (\$11,631,566 in certified lottery and \$4,000,000 in lottery surplus). The requested funding of \$4 million provides for funding level with FY 13.

Appropriations Change Request

G. Revenue Estimate

Provide detail on sources of revenue for any increased expenditures for this program, identified by SAP fund number (8-digit sub-fund).

SAP Fund Number	Source Name	General Fund	Earmarked (Other)	Restricted (Other)	Federal
	Lottery – Need-based Grants			\$4,000,000	

Appropriations Change Request

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A. Budget Program Number and Name

III. Other Agencies and Entities – State Electronic Library

B. Service Delivery and Audience

The State Electronic Library, also referred to as the Partnership Among S.C. Academic Libraries (PASCAL) includes participation of 53 public and private institutions. In January 2012, PASCAL libraries agreed to participate with the South Carolina State Library in a joint procurement for core electronic resources. PASCAL libraries agreed to support a cornerstone element of the DISCUS package using institutional funds. This allowed the State Library to upgrade resources available to citizens through public and school libraries and should allow academic libraries to reduce their expenditures for core resources through PASCAL in FY 2012-13. While this agreement is remarkable and historic for South Carolina libraries, it should be noted that this consolidation of resources takes place within the context of large losses absorbed by all libraries since 2009. Indeed, when the full costs related to the joint procurement are analyzed, PASCAL libraries will likely expend the same overall amount for slightly more content as some expenditures are shifted back to the institutional level. Further, while the new content is important for supporting core undergraduate education, it is not in the same domain as the research and disciplinary material which were cut in 2009.

C. Performance Measurement and Evaluation

Developing the collections of our higher education libraries at a statewide level transforms the resources into a powerful component in the state's knowledge infrastructure, supporting research learning and economic development. Collaboration (Public/Private, Two-Year/Four Year) is promoted and duplicated expenditures are avoided. Central licensing of essential academic research content is an effective way to equalize access to new resources statewide and level the playing field for smaller higher education institutions, while helping large institutions fill research gaps by expanding access in core areas.

Historically, each dollar spent centrally on electronic resources returned \$6 – 8 dollars in value when compared to single library licensing of the same materials. Over 5 years, \$6.2 million invested returned \$49 million worth of material. Licensing fees for most of these electronic research sources are annual; requiring continued funding to sustain benefits. The benefits of cost-effective collection sharing through rapid delivery are comparable.

D. Enabling Authority and Related Programs

SC Code of Laws Section 59-103-10 et seq & 59-104-260

E. Program Adequacy and Sustainability

After being funded initially in FY 2004-05 with \$2 million in non-recurring funds and in each year until FY 2008-09, PASCAL saw its recurring funding reduced in FY 2008-09 to \$200,000 and ultimately to \$169,674 (current FY13 level). This figure represents more than a 90% reduction in original funding. In light of the budget reduction and lack of restored state funding in recent years, member institutions have been asked to pay increased assessments in order to maintain essential PASCAL services. Budget reductions coupled with the fee assessment have exacted a heavy toll on individual institution library budgets, resulting in significant permanent collection funding losses statewide. Despite this toll on institutional collections, member

Appropriations Change Request

institutions have maintained participation in the program, a fact which underscores both the importance of PASCAL resources and the significance of collaboration among the state’s higher education institutions. In FY 2011-12, the General Assembly authorized \$1.5 million for PASCAL if available from excess unclaimed lottery prize funds. At fiscal year-end 2011-12, PASCAL received \$1.25 million. These one-time funds will enable PASCAL in FY 2012-13 to expand content access through a combination of creative one-time purchases and/or multi-year licenses for essential discipline materials that were previously cut, as well as to modernize elements of its discovery and delivery infrastructure in order to improve the scope of services and increase efficiencies in academic library operations. In FY 2012-13, PASCAL received level Part 1A funds (\$169,674), and as with FY 2011-12 was placed in the first priority position on the excess unclaimed lottery prize funds list for \$1.5 million should excess unclaimed prize funds above the certified funds of \$12.4 million become available. While PASCAL is in a good position to realize the additional funding in FY 2012-13, the outcome will not be known until nearer the end of the fiscal year. Along with the colleges and universities, CHE will continue to seek from the state a stable funding source for this important statewide project.

F. Requested Appropriation Change

Mark all that apply:

New Initiative: _____ *Increase* X *Decrease* _____ *Reallocation* _____

Please refer to Submission Guidelines for specific instructions.

Program is currently funded with Part 1A General Funds of \$169,674, revenue of \$2,186,577 from member fees, and other funding from the SC Education Lottery that is contingent upon the realization of uncertified excess unclaimed prize funds of \$1.5M. In addition to level base funds, CHE is requesting \$1.5M from lottery or general funds or a combination of these sources for this very important collaborative program.

G. Revenue Estimate

Provide detail on sources of revenue for any increased expenditures for this program, identified by SAP fund number (8-digit sub-fund).

SAP Fund Number	Source Name	General Fund	Earmarked (Other)	Restricted (Other)	Federal
	Lottery or General Fund			\$1,500,000	

Capital or Non-Recurring Appropriations Request

Agency: Commission on Higher Education Code: H03 Section: 11

A. Project Name:

The Commission on Higher Education is not requesting Capital or Non-recurring appropriations but fully supports the continued funding of levels that are at least on par with funding provided for maintenance/deferred maintenance projects at our public colleges and universities in each of the past two years.

B. Statement of Need:

Higher education has received almost nothing for its capital projects needs since 2000 which puts increased pressure on resources and the need for increased tuition and fees. Capital is a normal operating cost—not an exceptional or unusual one. Recognizing that a bond bill is not likely again in FY 2013-14, CHE has not advanced capital priorities for higher education.

For the past two years, the General Assembly has provided one-time funds for our colleges and universities to address deferred maintenance¹ needs and targeted facilities projects and renovation. In FY 2011-12, higher education greatly appreciated the General Assembly’s investment of one-time Capital Reserve Fund of \$39 million for deferred maintenance needs and in FY 2012-13, \$32.5 for deferred maintenance and another approximately \$30 million for other facilities needs from the Capital Reserve Fund and lottery funds.

Continued investment of one-time funds at least at levels of FY 2012-13 would continue to provide much needed support for our 33 public colleges and universities toward campus maintenance and facilities needs and help reduce costs that must otherwise be supported by students and families through tuition and fees. CHE is working with institutions to recommend an allocation plan to provide for equitable distribution of funds across institutions based on E&G facilities needs and space/age considerations.

¹“Deferred maintenance” is a generic term used to include projects that have truly been deferred as a result of limited financial resources as well as accumulating maintenance needs associated with routine care and life-cycle replacement of the myriad systems in and between our educational and general (E&G) classrooms and buildings. Calculations by the Commission to measure maintenance needs, often referred to as “deferred maintenance”, are based on building surveys from the institutions and include 3% of building replacement costs needed to support preventive maintenance of existing E&G buildings and infrastructure so that the building systems do not deteriorate at an accelerated pace and 5% of the accumulated maintenance needs based on system life-cycle analyses to replace systems that have reached the end of their useful life or are no longer functioning in an efficient and/or effective manner. The latest data (available upon request) reflect nearly one billion in maintenance and infrastructure repair and renovation needs across the state’s public colleges and universities.

C. Budget Program Number and Name:

Note: If more than one budget program, sub-program, element, or sub-element maps to this project provide all program numbers, names, and approximate funding amounts.

Program Number	Program Name	State Non-Recurring Funds	State Recurring Funds	Federal Funds	Other Funds	Total Funds

Proviso Change Request Summary

Agency **SC Commission On Higher Education**

Code **H03**

Section **11**

FY 2012-13 Number	FY 2013-14 Renumbered	Proviso Title	Action	Explanation	Fiscal Impact of Provisos					
					N/R	GF	eOF	rOF	FF	Total
6.3	11.3	CHE: Access & Equity Programs	Delete	There are no funds appropriated for this program as of FY 2013-14. Line item funding totaling \$416,336 for FY10-11 was vetoed by the Governor and the veto was sustained. If funding is not restored, proviso is unnecessary and can be deleted.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6.5	11.4	CHE: African-American Loan Program	Amend - Conform to Funding	Conform proviso to funding level that is provided. This proviso directs allocation of appropriated state funds to intended recipients. The funding appropriated for this proviso has been reduced and as of FY12-13 totaled \$119,300. The available funding is allocated on a pro rata basis per the percentages indicated in the proviso with \$87,924 (73.7% of the available funding) provided SC State and \$31,376 (26.3%) to Benedict.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6.9	11.8	CHE: Performance Improvement Pool Allocation	Amend - Conform to Funding	Proviso should be amended to conform to funding as the included amounts are not consistent with appropriated funding.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6.10	11.9	CHE: Troop-to-Teachers	Codify	This proviso (established in FY02-03) allows in-state rates for military who are participating in the Troops-to-Teacher Alternative Certification program. The program was housed at CHE, but was moved to the Department of Education several years ago. State statute and regulation enumerate residency requirements for eligibility and provide for limited exceptions for the purpose of in-state tuition and fees for nonresidents. The proviso enables an additional exception to provide residency status for the purpose of tuition and fees for non-resident military participants in the Troops-to-Teachers program.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6.14	11.10	CHE: Need-Based Grants for Foster Youth	Codify	Proviso has been in existence since FY 05-06 and could be codified.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6.15	11.11	CHE: Grants and Scholarships	Delete	Delete as the provision is consistent with permanent law and the provisions that were enacted with the passage of the state's Illegal Immigration Reform Act (Act 280 of 2008).	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6.17	11.12	CHE: Tuition Age	Codify	Codify - CHE has not consulted with the Division of Veterans Affairs which manages the provision and provides certification for eligible students, but finds that the proviso which has been in effect for several years could be codified.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6.19	11.13	CHE: LIFE and Palmetto Fellows Enhancement Stipends	Codify	The proviso was added in FY 10-11 to provide clarification to existing programs and could be codified.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
89.83	117.79	GP: Printed Report Requirements	Amend	Amend – continue proviso but with dates updated to provide for applicability in FY13-14	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Please Insert Any Additional Rows Above This Row										
Total Fiscal Impact					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

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FY 2013-14

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Code: H03

Section: 11

A. Proviso Number

Using the renumbered 2013-14 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

11.3. (CHE: Access & Equity Programs) Of the funds appropriated herein for Access and Equity Programs, the Commission on Higher Education shall distribute at least \$98,313 to South Carolina State University, \$24,559 to Denmark Technical College, and \$588,741 to the Access and Equity Program. With these funds the colleges and universities shall supplement their access and equity programs so as to provide, at a minimum, the same level of minority recruitment activities as provided during the prior fiscal year. Any additional funds appropriated herein for the Access and Equity Program shall be used for Commission on Higher Education implementation of statewide program priorities.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

Proviso is no longer associated with a budget category because the line item program appropriation was lost in FY 2010-11 after a gubernatorial veto was sustained. Funds have not been restored as of FY 2012-13.

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Delete if funding not restored.

E. Title

Descriptive Proviso Title: CHE: Access & Equity Programs

F. Summary

Summary of Existing or New Proviso:

The proviso (in existence since at least FY91-92) designates the amount of the appropriation for Access and Equity that is to be provided to public Historically Black Colleges and Universities and that the balance be distributed among the state's other public institutions in support of their Access and Equity programs. The Access and Equity program was implemented beginning in 1989-90 and is part of the state's on-going effort to eliminate the persistence of patterns of uneven investment in education and serious disparities in outcomes. The majority of funding that had been provided was typically expended by institutions on minority scholarships and recruitment/retention programs. The proviso allowed for additional program funds to be used for a competitive grants program to address statewide goals and priorities in support of the program. Any additional funding for this purpose would be distributed based on the merit of proposals submitted by the state's public institutions of higher learning as related to statewide priorities as opposed to the "across-the-board" methodology used for the existing program funds. The proviso

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is no longer applicable as funding has not been provided since the funding was vetoed for FY 2010-11.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

There are no funds appropriated for this program as of FY 2013-14. Line item funding totaling \$416,336 for FY10-11 was vetoed by the Governor and the veto was sustained.

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other

N/A. See summary explanation above.

I. Proposed Proviso Text

~~6.3. (CHE: Access & Equity Programs) Of the funds appropriated herein for Access and Equity Programs, the Commission on Higher Education shall distribute at least \$98,313 to South Carolina State University, \$24,559 to Denmark Technical College, and \$588,741 to the Access and Equity Program. With these funds the colleges and universities shall supplement their access and equity programs so as to provide, at a minimum, the same level of minority recruitment activities as provided during the prior fiscal year. Any additional funds appropriated herein for the Access and Equity Program shall be used for Commission on Higher Education implementation of statewide program priorities.~~

**Note: As stated above, proviso is needed unless program funds are restored.*

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A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

11.4. (CHE: African-American Loan Program) Of the funds appropriated to the Commission on Higher Education for the African-American Loan Program, \$149,485 shall be distributed to South Carolina State University and \$53,389 shall be distributed to Benedict College, and must be used for a loan program with the major focus of attracting African-American males to the teaching profession. The Commission of Higher Education shall act as the monitoring and reporting agency for the African-American Loan Program. Of the funds allocated according to this proviso, no more than ten percent shall be used for administrative purposes.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

III. Other Agencies & Entities
African American Loan Prog

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific. The proviso is in CHE's Agency Section but it affects a higher education program for which funds flow through CHE to the intended recipients.

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Amend by Conforming to Funding -- Continuation of the program is at the discretion of the General Assembly and the proviso is needed provided the program funding is continued. The proviso should be amended to conform to the appropriated level of funding.

E. Title

Descriptive Proviso Title: CHE: African-American Loan Program

F. Summary

Summary of Existing or New Proviso:

This proviso (established in FY95-96) directs funds to institutions for the purpose of African American teacher education loan programs at Benedict College and South Carolina State University. By providing a substantial level of educational financial assistance to its minority residents, it is expected that the state will produce greater numbers of teachers who are from underrepresented populations and reflective of minority enrollment in K-12.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

Conform proviso to funding level that is provided. This proviso directs allocation of appropriated state funds to intended recipients. The funding appropriated for this proviso has been reduced and

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as of FY12-13 totaled \$119,300. The available funding is allocated on a pro rata basis per the percentages indicated in the proviso with \$87,924 (73.7% of the available funding) provided SC State and \$31,376 (26.3%) to Benedict.

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

None. Recommendation is to Conform to Funding,

I. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(For a copy of the existing proviso, see A. above.)

CONFORM TO FUNDING

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A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

11.8. (CHE: Performance Improvement Pool Allocation) Of the funds appropriated to the Commission on Higher Education under Section XI. Special Items: Performance Funding, \$1,642,536 will be allocated to the EPSCoR program under the Commission on Higher Education to improve South Carolina's research capabilities and \$410,635 will be allocated to support the management education programs of the School of Business at South Carolina State University.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

III. Other Agencies & Entities
Performance Funding

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific. The proviso is in CHE's Agency Section but affects higher education programs for which funds flow through CHE to the intended recipient.

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Amend the proviso to conform to funding.

E. Title

Descriptive Proviso Title: CHE: Performance Improvement Pool Allocation

F. Summary

Summary of Existing or New Proviso:

This proviso presently directs flow-through funds to the state's federal EPSCOR program and for a program at SC State University. It is noted that the line for the funds appropriated from this proviso were at one time related to performance funding allocations for performance improvement. Since 2002-03, however, these funds have been re-directed by the General Assembly per the proviso for use for the stated purposes. The proviso was amended effective in FY2011-12 and limited the programs supported from three (current two plus SC State's Transportation Center) to the two referenced in the current proviso.

It is noted that the line for this budget item has been reduced but the proviso has not been conformed to current funding levels. Assuming the funding is to be continued, the proviso should be amended to conform to appropriated dollars.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

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Proviso should be amended to conform to funding as the included amounts are not consistent with appropriated funding.

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

None. The proviso directs an allocation for FY2011-12 that totals \$1,397,520. The available funds are allocated on a pro-rata basis proportionate to the distribution of allocated dollars as included in the proviso with EPSCOR to receive \$1,118,016 of the available funds and SC State \$279,504.

I. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(For a copy of the existing proviso, see A. above.)

CONFORM TO FUNDING

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Section: 11

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

11.9. (CHE: Troop-to-Teachers) Members of the Armed Forces either active-duty, retired, or separated who are admitted to and enrolled in the South Carolina Troop-to-Teachers Alternative Route to Certification program are entitled to pay in-state rates at participating state institutions for requisite program work.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

N/A

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

The proviso is in CHE's Agency Section but affects a program that is no longer housed at CHE. The Troops-to-Teachers program was under the State Department of Education for administration almost ten years ago.

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Proviso has been in existence since FY 2002-03 and could be codified.

E. Title

Descriptive Proviso Title: CHE: Troop-to-Teachers

F. Summary

Summary of Existing or New Proviso:

This proviso (established in FY02-03) allows in-state rates for military who are participating in the Troops-to-Teacher Alternative Certification program. The program was housed at CHE, but was moved to the Department of Education several years ago. State statute and regulation enumerate residency requirements for eligibility and provide for limited exceptions for the purpose of in-state tuition and fees for nonresidents. The proviso enables an additional exception to provide residency status for the purpose of tuition and fees for non-resident military participants in the Troops-to-Teachers program.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

See D above.

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

N/A.

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- I. **Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline**

(For a copy of the existing proviso, see A. above.)

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Section: 11

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

11.10. (CHE: Need-Based Grants for Foster Youth) For the current academic year, youth in the custody of the Department of Social Services and attending a higher education institution in South Carolina are eligible for additional need-based grants funding of up to \$2,000 above the \$2,500 maximum. Foster youth must apply for these funds no later than May first, of the preceding year. All other grants, both state and federal, for which these foster youth are eligible must be applied first to the cost of attendance prior to using the additional need-based grant funding. If the cost of attendance for a foster youth is met with other grants and scholarships, then no additional need-based grant may be used. The Department of Social Services, in cooperation with the Commission on Higher Education, will track the numbers of recipients of this additional need-based grant to determine its effectiveness in encouraging more foster youth to pursue a secondary education. No more than \$100,000 may be expended from currently appropriated need-based grants funding for this additional assistance.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

X. Scholarships and Assist

Educational Endowment (Need-based Grants component of the Educational Endowment)

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Codify - Proviso has been in existence since FY 05-06 and could be codified.

E. Title

Descriptive Proviso Title: CHE: Need-Based Grants for Foster Youth

F. Summary

Summary of Existing or New Proviso:

This proviso (in existence since FY05-06) enables foster youth to qualify for greater need based grant awards than currently allowed through the program. As indicated, foster youth must apply this year for the funds to be awarded in the following year for college. The proviso provides for an exception for foster youth to enable greater state support for these students and directs the Department of Social Service working with CHE to track the provision in order to determine its effectiveness. The proviso affects the direction of available need based funds to provide up to \$100,000 of the appropriated need-based funds to provide the opportunity for increased grants for foster youth.

G. Explanation of Amendment to/or Deletion of Existing Proviso

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(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

Proviso continues to assist South Carolina's foster youth by providing the opportunity for additional need-based grant funds to assist these students with the cost of college. In FY 13, Need-based grants is appropriated \$12,000,000 through the Education Endowment and \$15,631,566 from the lottery. A portion of the Need-based grant program funding relative to percentage of enrollment in independent institutions is directed by statute to supplement the SC Tuition Grant Program with the balance distributed to public institutions. The public institutions are responsible for awarding students need-based grants with the available program funds provided in accordance with program regulation.

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

N/A. Existing proviso that requires \$100,000 of state appropriated Need-based grant program funds to be set aside for the intended purpose.

I. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(For a copy of the existing proviso, see A. above.)

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FY 2013-14

Agency: SC Commission on Higher Education

Code: H03

Section: 11

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

11.11. (CHE: Grants and Scholarships) No state or other appropriated funds authorized in this act or authorized in any state law may be used to provide illegal aliens tuition assistance, scholarships, or any form of reimbursement of student expenses for enrolling in or attending an institution of higher learning in this State. The Commission on Higher Education, the Higher Education Tuition Grants Commission, the South Carolina Student Loan Corporation, and the individual public institutions of higher learning are responsible for ensuring compliance with this provision.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

N/A

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific. (Provision is in CHE's section and relates to student assistance programs for which funds flow through CHE but also any higher education programs that may be funded beyond CHE's section affecting students in our higher education institutions.)

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Delete as the provision is consistent with permanent law and the provisions that were enacted with the passage of the state's Illegal Immigration Reform Act (Act 280 of 2008).

E. Title

Descriptive Proviso Title: CHE: Grants and Scholarships

F. Summary

Summary of Existing or New Proviso:

This proviso stipulates that no state, federal or other funds appropriated under the annual appropriations act may be used to provide any type of tuition assistance to illegal aliens and provides that CHE, Tuition Grants, Student Loan Corp. and the state's colleges shall ensure compliance with the proviso. It is noted that a related provision, 59-101-430 (copied below), was enacted in permanent code with the passage of Act 280 of 2008 that prohibits unlawful aliens from enrolling in public institutions, requires verification of immigration status, and prohibits public benefits for unlawful aliens including but not limited to scholarships, financial aid, grants and resident tuition.

Excerpt:

State Code of Law, Section 59-101-430, Unlawful aliens; eligibility to attend public institution of higher learning; development of process for verifying lawful presence; eligibility for public benefits on basis of residence.

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(A) An alien unlawfully present in the United States is not eligible to attend a public institution of higher learning in this State, as defined in Section 59-103-5. The trustees of a public institution of higher learning in this State shall develop and institute a process by which lawful presence in the United States is verified. In doing so, institution personnel shall not attempt to independently verify the immigration status of any alien, but shall verify any alien's immigration status with the federal government pursuant to 8 USC Section 1373(c).

(B) An alien unlawfully present in the United States is not eligible on the basis of residence for a public higher education benefit including, but not limited to, scholarships, financial aid, grants, or resident tuition.”

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

N/A

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

N/A Provision is also covered by permanent state law and .could be deleted without any impact.

I. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(For a copy of the existing proviso, see A. above.)

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Section: 11

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

11.12. (CHE: Tuition Age) For the current fiscal year, the age limitation for those children of certain war veterans who may be admitted to any state-supported college, university, or post high school technical education institution free of tuition is suspended for eligible children that successfully appeal the Division of Veterans Affairs on the grounds of a serious extenuating health condition.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

N/A

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific. Proviso is in CHE Agency Section but affects a higher education institutions and a program provided for in 59-111-20 that provides for free tuition to certain children of war veterans.

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Codify - CHE has not consulted with the Division of Veterans Affairs which manages the provision and provides certification for eligible students, but finds that the proviso which has been in effect for several years could be codified.

E. Title

Descriptive Proviso Title: CHE: Tuition Age

F. Summary

Summary of Existing or New Proviso:

SC Code of Laws, Section 59-111-20 provides free tuition to certain children of war veterans killed in action, ones that were POWs, etc., but limits the free tuition provision to students age 26 and younger. This proviso (established in FY08-09) waives the age limitation provided there is an extenuating health circumstance that is documented to, and verified by, the Division of Veterans Affairs.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

N/A

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

N/A This provision does not affect expenditure or appropriation of funds. The proviso is necessary should the exception outlined in the proviso be continued.

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- I. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline**
(For a copy of the existing proviso, see A. above.)

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A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

11.13. (CHE: LIFE and Palmetto Fellows Enhancement Stipends) In the current fiscal year before fall awards are made, to continue eligibility for LIFE and Palmetto Fellows Enhancement Stipends, students shall certify and the institutions shall verify that the student is meeting all requirements as stipulated by the policies established by the institution and the academic department to be enrolled as a declared major in an eligible program and is making academic progress toward completion of the student's declared eligible major. These determinations are subject to the verification and audit of the Commission on Higher Education. Institutions shall return funds determined to have been awarded to ineligible students.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

X. Scholarships and Assist

LIFE Scholarships

Palmetto Fellows

Educational Endowment (Portion dedicated to Palmetto Fellows)

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

Agency Specific

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Codify

E. Title

Descriptive Proviso Title: CHE: LIFE and Palmetto Fellows Enhancement Stipends

F. Summary

Summary of Existing or New Proviso:

In 2007, the General Assembly passed legislation (Act 115 in 2007) to establish new LIFE Scholarship and Palmetto Fellows Scholarship Enhancements. These scholarship enhancements are awarded to eligible students majoring in approved mathematics and science programs beginning in their second/sophomore year based on their date of initial college enrollment (freshman are not eligible for Enhancement funds). LIFE and Palmetto Fellows Scholarship and Scholarship Enhancements funds must be used toward the cost-of-attendance at an eligible four-year institution in South Carolina. Proviso 6.19 was added effective with FY10-11 to ensure that there is a verifiable protocol in place at institutions to ensure that students receiving the enhance stipends for LIFE and Palmetto Fellows allowable for certain science and math majors are fulfilling the requirements of the major thereby demonstrating intent to graduate in the major. The proviso emphasizes that students must be in the major and making progress as certified by students and reviewed by institutions.

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G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

The proviso was added to provide clarification to existing programs and could be codified.

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

N/A

I. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

(For a copy of the existing proviso, see A. above.)

Proviso Change Request Form
FY 2013-14

Agency: SC Commission on Higher Education

Code: H03

Section: 11

A. Proviso Number

Using the renumbered 2012-13 proviso base provided on the OSB website indicate the proviso number (*If new indicate "New #1", "New #2", etc.*):

117.79. (GP: Printed Report Requirements) (A) For Fiscal Year 2012-13, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2 47 50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 2-47-55, 59 101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report under 2-47-55 year one of the Comprehensive Permanent Improvement Plan, student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year 2012-13, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year 2012-13, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and the Provider Reimbursement Rate Report required pursuant to Proviso 33.11, and shall instead only submit the documents electronically.

(D) For Fiscal Year 2012-13, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

B. Appropriation

Related budget category, program, or non-recurring request (*Leave blank if not associated with funding priority*):

N/A

C. Agency Interest

Is this proviso agency-specific, a general proviso that affects the agency, or a proviso from another agency's section that has had consequences?

General proviso affecting CHE and other agency reporting requirements

D. Requested Action

(Indicate Add, Delete, Amend, or Codify):

Amend – continue proviso but with dates updated to provide for applicability in FY13-14

E. Title

Descriptive Proviso Title: GP: Printed Report Requirements

F. Summary

Summary of Existing or New Proviso:

Proviso Change Request Form

FY 2013-14

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Established in FY 2009-10, the proviso directs that for FY 2012-13 certain state agencies and higher education institutions shall not be required to submit statutorily required printed reports and data and provides for submission of some reports electronically only. For higher education, the proviso defers Comprehensive Permanent Improvement Plans (CPIP) except year 1, institutional effectiveness and performance funding reports (with the exception of certain data and reports necessary for federal or state related requirements), and a report on compliance with English language fluency.

G. Explanation of Amendment to/or Deletion of Existing Proviso

(If request to delete proviso is due to codification, note the section of the Code of Laws where the language has been codified):

Proviso implemented in FY 2009-10 by General Assembly to reduce reporting burdens in light of recent significant budget reductions and change continues this consideration. Update fiscal year references for continued applicability from “2012-13” to “current fiscal year” (2013-14).

H. Fiscal Impact (Include impact on each source of funds – state, federal, and other)

N/A

I. Text of New Proviso with Underline or Entire Existing Proviso Text with Strikeover and Underline

89.83. (GP: Printed Report Requirements) (A) For ~~Fiscal Year 2012-13~~ **the current fiscal year**, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2 47 50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 2-47-55, 59 101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report under 2-47-55 year one of the Comprehensive Permanent Improvement Plan, student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For ~~Fiscal Year 2012-13~~ **the current fiscal year**, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For ~~Fiscal Year 2012-13~~ **the current fiscal year**, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and the Provider Reimbursement Rate Report required pursuant to Proviso 21.11, and shall instead only submit the documents electronically.

(D) For ~~Fiscal Year 2012-13~~ **the current fiscal year**, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.