

DRAFT

SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION

1122 Lady Street, Suite 300, Columbia, SC 29201

Minutes of the Meeting

September 5, 2013

Commission Members Attending

General John Finan, Chair
Dr. Bettie Rose Horne, Vice-chair
Ms. Natasha Hanna
Ms. Elizabeth Jackson
Dr. Raghu Korrapati
Ms. Leah Moody
Admiral Charles Munns
Mr. Bill Scarborough
Dr. Jennifer Settlemyer
Mr. Hood Temple

Mr. Gerrick Hampton
Ms. Trena Houpp
Mr. Rick Moul (PASCAL)
Mr. Frank Myers
Ms. Yolanda Myers
Ms. Beth Rogers
Ms. Tanya Rogers
Ms. Edna Strange
Dr. Karen Woodfaulk

Commission Members Absent

Mr. Kim Phillips
Hon. Lewis Vaughn

Staff Attending

Dr. Richard Sutton, Executive Director
Dr. Argentini Anderson
Ms. Laura Belcher
Ms. Courtney Blake
Ms. Camille Brown
Ms. Saundra Carr
Ms. Julie Carullo
Ms. Stephanie Charbonneau
Ms. Lorinda Copeland
Ms. Renea Eshleman
Mr. Gary Glenn
Ms. Lane Goodwin
Dr. Paula Gregg

Guests

Ms. Ashley Batson, Charleston School of Law
Board
Mr. Tim Drueke, Winthrop University
Mr. Daniel Dukes, Francis Marion University
Dr. Kris Finnigan, USC Columbia
Dr. Charles Harrington, USC Upstate
Dr. George Hynd, College of Charleston
Dr. Debra Jackson, Clemson University
Ms. Michelle Jones, Charleston School of Law
Alumna
Ms. Diane Knich, The Post & Courier
Mr. Mike LeFever, SC Independent Colleges
Ms. Sallie Lyon, Charleston School of Law
Parent
Ms. Beth McInnis, Clemson University
Mr. Jeff Priest, USC Aiken
Mr. Bob Smith, J.P. Morgan
Mr. Adam Taylor, Lander University
Mr. Trey Walker, USC Columbia
Col. Ben Wham, The Citadel

The meeting was held in accordance with the Freedom of Information Act.

1. Introductions

- Courtney Blake

Ms. Blake introduced the guests in attendance as listed above.

2. Approval of Minutes

- John Finan

A **motion** was made (Munns), **seconded** (Korrapati) to approve the minutes of the August 14, 2013, CHE meeting. Commissioner Horne noted a needed correction, after which the minutes were approved. It was subsequently determined that the correction Commissioner Horne noted applied to the minutes of the May 2, 2013, CAAL meeting rather than to the August 14 CHE meeting.

3. Chairman's Report

- John Finan

Chairman Finan reminded Commissioners of the CHE retreat on October 13-14. Dr. Sutton stated that the location of the retreat was the Lake House at the Clemson Sandhill Research and Education Center and that additional details about that event would be forwarded to Commissioners. Chairman Finan reported he had received a letter from the Governor, a copy of which may be found in **Attachment I**, in which she requested that the CHE analyze and evaluate the proposal prompted by the USC "On Your Time" initiative to allow a student to receive a third semester of lottery funded scholarship money during a single year. The CHE's report on this topic is to be completed and delivered to the Governor by December 1, 2013. Combining his Executive Committee report with his Chairman's report, Chairman Finan stated that the Executive Committee had met by teleconference on Thursday, August 29, to plan the agenda for this Commission meeting. He stated that a lengthy discussion took place about the Charleston School of Law during that meeting and that an update on that topic would be delivered as **Agenda Item 6**.

4. Report of the Executive Director

- Richard Sutton

Dr. Sutton reported on his work as Executive Director since the August 14, 2013, CHE meeting. He provided information about current activities taking place as well as those projected for the near future. A copy of Dr. Sutton's remarks may be found in **Attachment II**.

5. Legislative Report

- Julie Carullo

Ms. Carullo briefed Commissioners on the most recent meetings of the Board of Economic Advisors (BEA) and the K-16 Building Need and Utilization Study Committee. She reported on the status of Senate and House bills related to tuition and residency with regard to members of the military and their dependents. Ms. Carullo stated that the CHE's annual Accountability Report was being compiled and will be submitted to the Governor's Office by September 15. A copy of Ms. Carullo's report may be found in **Attachment III**. In response to Commissioner Munns' question about whether there are any other upcoming reports that the CHE must submit, Ms. Carullo stated that one report, due in December, requires that the CHE produce an inventory of state reporting requirements for the colleges and universities. This report will be brought to the Commission for their review in November. One additional required report relates to the study of parity and is due at the beginning of January 2014.

6. Update on Charleston School of Law

-Richard Sutton

Dr. Sutton briefed Commissioners on what has transpired with regard to the sale of the Charleston School of Law (CSOL) to the InfiLaw System. He reported on a meeting with the Courts, Laws and Rules Committee of the Charleston legislative delegation and referred to a letter from Representative Leon Stavrinakis, a copy of which may found in **Attachment IV**, which expresses the Committee's concerns about this matter. Dr. Sutton stated he, Ms. Carullo, and Ms. Eshleman met with representatives of the Charleston School of Law and InfiLaw on August 29 and that information about this meeting is posted on the CHE website. A copy of those documents may be found in **Attachment V**. He reported that a letter of intention from InfiLaw to seek licensure from CHE was received on August 30, and that this request

may be reviewed in the next upcoming cycle of CHE licensing consideration. At Chairman Finan's request, Dr. Sutton explained that the CSOL's initial license from CHE included, as requested by one of the owners, a prohibition of any attempt to merge the CSOL with a public institution. He stated further that the CSOL license is not transferrable to a new owner, and that CHE would therefore consider the licensure application from Infilaw after it has been received.

Dr. Sutton also reported that the Charleston legislative delegation has requested an opinion from the Attorney General with regard to CHE's obligation to institute new licensure proceedings for change of ownership when two of the five original owners of CSOL redeemed their membership shares of the school. In response to Chairman Finan's question about when the CSOL's existing license is no longer valid, Ms. Eshleman stated that the current license continues until the CHE takes action to revoke it or put it in probationary status. She stated further that it would be in the best interest of CSOL's current students to continue the license until the process of licensing the CSOL under the new owners has been completed.

Commissioner Munns stated that the issue of a more vigorous monitoring approach to the licenses of for-profit institutions should be a topic of discussion at the Commission's October 13-14 retreat. He stated further that a parallel approach of the CHE's taking a stronger role in the monitoring of public institutions should also be discussed. Commissioner Horne commented that Commissioner Munns suggestions provided an excellent example of the CHE taking a broader perspective with regard to the consideration of and planning for the future needs of higher education in the state. Brief discussion took place about whether a change in legislation would be necessary to enable the CHE to take a stronger role in monitoring the licenses of for-profit institutions. Commissioner Hanna then encouraged the CHE to continue to pursue getting a copy of the asset purchase agreement between the CSOL and InfiLaw in order to ensure that these negotiations are being handled with complete transparency.

7. Committee Reports

7.01 Report of the Executive Committee

- John Finan

Chairman Finan had delivered information from the Executive Committee during his Chairman's Report.

7.02 Report of the Committee on Academic Affairs and Licensing

- Bettie Rose Horne

There was no report from the Committee on Academic Affairs and Licensing.

7.03 Report of Committee on Access & Equity and Student Services

- Hood Temple

CONSENT AGENDA

A. Consideration of FY 2014-15 Appropriation Request for the Center for Educator Recruitment, Retention, Advancement and FY 2012-2013 Annual Reports For EIA-Funded Teacher Recruitment Projects:

1. Center for Educator Recruitment, Retention, & Advancement (CERRA)
2. SC Program for the Recruitment & Retention of Minority Teachers (SCPRRMT): SC State University

Commissioner Temple reported that the Committee on Access & Equity and Student Services had met on August 27 and reviewed the above-referenced items. He stated that the FY 2014-15 Appropriation Request for CERRA, details about which may be found in **Attachment VI**, was brought from the Committee by way of a **motion** to the full Commission for approval. The **motion** was voted on and **carried**.

Commissioner Temple reported that the Committee tabled consideration of the FY 2014-15 Appropriation Request for SCPRRMT until some revisions could be made with regard to the forgivable loan line item in that request. The concerns involve costs, the low number of graduates produced by this program, and the relatively low percentage of those graduates who go on to teach in the critical subject and geographic areas of the state as required for forgiveness of a student loan. Commissioner Temple reported that the Committee would continue to be in communication with SC State as they work to make revisions to the PRRMT program's FY 14-15 Appropriation Request and that it is anticipated that the revised version will be brought to the full Commission at its meeting on October 3. Commissioner Horne commented that this program is inherently more expensive because the students recruited to participate may require greater financial support to assist them in moving through and completing it. Commissioner Horne also commended CERRA for making its 2012-2013 Annual Report briefer and more to the point than it had been in years past, and encouraged SCPRRMT to also strive for that complete and concise format. Copies of both the SCPRRMT and CERRA annual reports may be found in **Attachment VII**.

7.04 Report of Committee on Finance and Facilities

- Y. W. Scarborough

A. Preliminary FY15 Budget Request

(For Information, No Action Required)

Commissioner Scarborough reported that the Committee on Finance and Facilities had met earlier in the morning prior to the CHE meeting to discuss the preliminary FY15 budget request, the theme of which is "Innovations for Student Affordability." He stated that thoughts were being formulated to give the Commissioner a more defined, targeted approach to some new funding requests from the state.

Chairman Finan changed the order of the agenda to consider Agenda Item 9 prior to Agenda Item 8.

8. Executive Session (personnel issues)

The Commission went into Executive Session to consider personnel issues at approximately 11:25 a.m.

9. Other Business

Commissioner Horne referenced a document entitled "Residency Determinations for Instate Tuition and Fee Purposes" (**Attachment VIII**), which had been distributed to Commissioners as a supplement to Ms. Carullo's Legislative Report and also in response to Commissioner Munns' request for additional information about military tuition and residency requirements. Brief discussion followed about institutions being defined as "military friendly." Dr. Woodfaulk reported that work was currently taking place to further and more clearly define that term.

10. Adjournment of Business Meeting

The Commission returned to regular session and ended its business portion of the meeting at approximately 11:45 a.m.

Respectfully submitted,

Beth B. Rogers

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Recording Secretary

Attachments (I-VIII)

*Attachments are not included in this mailing, but will be filed with the permanent record of these minutes and are available for review on the CHE website and in paper copy upon request.