

**Agenda Item #8: Update on the Charleston School of Law  
Remarks by Richard C. Sutton, Executive Director  
South Carolina Commission on Higher Education  
9 January 2014**

Last month as part of my director's report I gave you a quick update on the Charleston School of Law.

In September and October I presented my updates on CSOL as separate agenda items.

I put this again as a separate agenda item on this month's calendar, unintentionally creating unwarranted expectations in some quarters about the comments that I would be issuing.

My update simply confirms for the record that CHE staff are continuing to perform their due diligence, strict scrutiny, and impartial evaluation of this application, as they have done from its inception.

This continues to be a straightforward processing of an application for an initial license to operate an existing proprietary school by a potential new proprietary owner.

We are striving to ensure that we adhere to the Commission's existing statutes, regulations, criteria, standards, policies, and procedures in evaluating this application.

Given the public attention that this application has received, we are also striving to ensure that we exercise a transparent and inclusive process.

As a result, it's taking longer than we thought.

Some projected dates for meetings, decision points, and other actions have been just that—projections—and we will adjust them as necessary.

I continue to advocate that this review process is best supported by a careful review unfettered by arbitrary deadlines.

We will take as much time as we need in order to prepare the information that you, as Commissioners, will require in order to make your determination on this application.

Our review process will continue to include, as previously indicated:

- a preliminary internal staff report on findings of fact related to InfiLaw's application for a new license;
- a period for solicited public comment including written and oral testimony (aided by technology) on factual information relevant to the Commission's criteria for evaluating non-public post-secondary licenses;
- an external review team to consider the relevant information, conduct interviews, pursue investigatory questions, and issue findings;
- review by the Committee on Academic Affairs and Licensing of all relevant reports, information, findings, and recommendations;
- full Commission action subsequent to the recommendations of its Committee.

We continue to receive communications from many constituencies expressing their opinions about this application for license. We very much appreciate the civic engagement of all of these individuals and parties in sharing their thoughts and observations, which we will duly consider within the parameters of the Commission's licensing guidelines.

As I have stated before, it is essential that the Commission, its members and staff, exercise the highest standards of impartiality and evidence-based judgment. Our responsibility is to deal with the issues at hand with utmost fairness and objectivity.

This concludes my update on the Charleston School of Law.