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A BILL

H.xxxx is amended by striking all and inserting:

/ SECTION 1. This act must be known and may be cited as the “South Carolina Higher Education Governance Act”.

SECTION 2. Deferred.

SECTION 3. Section 2-47-40(A) and (B), as last amended by Act 121 of 2014, is further amended to read:

“(A) To assist the authority and the Joint Bond Review Committee in carrying out their respective responsibilities, any agency or institution requesting or receiving funds from any source for use in the financing of any permanent improvement project, as a minimum, shall provide to the authority, in such form and at such times as the authority, after review by the committee, may prescribe:

- (1) a complete description of the proposed project;
- (2) a statement of justification for the proposed project;
- (3) a statement of the purposes and intended uses of the proposed project;
- (4) the estimated total cost of the proposed project;
- (5) an estimate of the additional future annual operating costs associated with the proposed project;
- (6) a statement of the expected impact of the proposed project on the five-year operating plan of the agency or institution proposing the project; and

1 (7) a proposed plan of financing the project,
2 specifically identifying funds proposed from sources other than
3 capital improvement bond authorizations; and

4 ~~(8) the specification of the priority of each~~
5 ~~project among those proposed.~~

6 (B)(1) All institutions of higher learning shall submit
7 permanent improvement project proposal and justification
8 statements to the authority, through the Commission on Higher
9 Education, which shall forward all such statements and all
10 supporting documentation received to the authority together with
11 its comments and recommendations. ~~The recommendations of the~~
12 ~~Commission on Higher Education, among other things, shall~~
13 ~~include all of the permanent improvement projects requested by~~
14 ~~the several institutions listed in the order of priority deemed~~
15 ~~appropriate by the Commission on Higher Education without~~
16 ~~regard to the sources of funds proposed for the financing of the~~
17 ~~projects requested.~~

18 (2) The authority shall forward a copy of each
19 project proposal and justification statement and supporting
20 documentation received together with the authority's
21 recommendations on such projects to the committee for its review
22 and action. The recommendations of the Commission on Higher
23 Education shall be included in the materials forwarded to the
24 committee by the authority.”

25
26 SECTION 4. Section 8-17-380 of the 1976 Code is
27 amended to read:

28
29 “Section 8-17-380. (A) With respect to the
30 teaching and research faculty, professional librarians, academic
31 administrators, and all other persons holding faculty appointments
32 at any post-secondary educational institutions described in ~~item~~
33 ~~(4)~~ of Section 8-17-370(10), each such institution, subject to the
34 approval of the Director of the Department of Administration or its
35 designee ~~and the Commission on Higher Education~~, shall establish
36 in writing:

37 (a1) a performance appraisal procedure which
38 shall assure:

39 (1a) annual review and evaluation of
40 such employees;

41 (2b) written findings;

42 (3c) review of evaluations with each

43 covered employee; and

1 (4d) retention of performance
2 appraisals and written comments of such employee, if any, in a
3 permanent file with right of full disclosure to the employee.; and
4 (b2) a grievance procedure which ~~shall~~ must at
5 an appropriate stage provide a hearing for such employees before
6 an individual or committee designated for such purposes, at which
7 the employee shall have the right to representation by counsel and
8 the opportunity to present evidence in his behalf. Any such
9 procedure shall include the right of the employee to appeal the
10 post-hearing decision to the governing board of the institution, or a
11 committee designated by the board for this purpose, such appeal to
12 be limited to the record of the hearing. Discrimination in
13 compensation, promotion, and work assignment shall be subjects
14 for consideration by such grievance procedure. Dismissal of
15 tenured or other permanent employees and dismissal prior to the
16 end of an employment contract term ~~shall be only~~ must be for
17 cause, and ~~shall be~~ is subject for consideration by such grievance
18 procedure. The granting or the failure to grant tenured status to
19 such employees or nonrenewal of employment contracts at the end
20 of the contract term shall not be subjects for consideration by such
21 grievance procedure.

22 (B) The grievance and performance appraisal
23 procedure provided for herein ~~shall~~ must be submitted to the
24 Department of Administration or its designee ~~and the Commission~~
25 ~~on Higher Education~~ for approval within six months after the
26 establishment of any a new institution.”

27
28 SECTION 5. Deferred.

29
30 SECTION 6. Section 59-59-190(A) of the 1976 Code,
31 as last amended by Act 149 of 2014, is further amended to read:

32
33 “(A) The South Carolina Department of Employment
34 and Workforce, ~~in collaboration with~~ shall assist the State Board
35 for Technical and Comprehensive Education ~~and the Commission~~
36 ~~on Higher Education, shall assist,~~ the Department of Education,
37 and the Commission on Higher Education in planning and
38 promoting the career information and employment options and
39 preparation programs provided for in this chapter by:

- 40 (1) identifying potential employers to
41 participate in the career-oriented learning programs;
42 (2) serving as a contact point for employees
43 seeking career information and training;

- 1 (3) providing labor market information
2 including, but not limited to, supply and demand;
3 (4) promoting increased career awareness and
4 career counseling through the management and promotion of the
5 South Carolina Occupational Information System;
6 (5) collaborating with local agencies and
7 businesses to stimulate funds; and
8 (6) cooperating in the creation and
9 coordination of workforce education programs.”

10

11 SECTION 7. Section 59-59-210 of the 1976 Code, as
12 added by Act 88 of 2005, is amended to read:

13

14 “Section 59-59-210. (A) ~~By September 2005, the~~
15 ~~Commission on Higher Education shall convene the Advisory~~
16 ~~Committee on Academic Programs to address articulation~~
17 ~~agreements between school districts and public institutions of~~
18 ~~higher education in South Carolina to provide seamless pathways~~
19 ~~for adequately prepared students to move from high school directly~~
20 ~~into institutions of higher education. The committee shall review,~~
21 ~~revise, and recommend secondary to postsecondary articulation~~
22 ~~agreements and promote the development of measures to certify~~
23 ~~equivalency in content and rigor for all courses included in~~
24 ~~articulation agreements. The advisory committee shall include~~
25 ~~representatives from the research institutions, four-year~~
26 ~~comprehensive teaching institutions, two-year regional campuses,~~
27 ~~and technical colleges. The committee, for purposes pursuant to~~
28 ~~this chapter, shall include representation from the State~~
29 ~~Department of Education, and school district administrators, to~~
30 ~~include curriculum coordinators and guidance personnel.~~

31 ~~———— (B) ——— By July 2006, the Advisory Committee on~~
32 ~~Academic Programs shall make recommendations to the~~
33 ~~Commission on Higher Education regarding coursework that is~~
34 ~~acceptable statewide for dual enrollment to be accepted in transfer~~
35 ~~within a related course of study. Dual enrollment college courses~~
36 ~~offered to high school students by two-year and four-year colleges~~
37 ~~and universities must be equivalent in content and rigor to the~~
38 ~~equivalent college courses offered to college students and taught~~
39 ~~by appropriately credentialed faculty. Related policies and~~
40 ~~procedures established by the Commission on Higher Education~~
41 ~~for dual enrollment and guidelines for offering dual enrollment~~
42 ~~coursework and articulation to two-year and four-year colleges and~~
43 ~~universities for awarding of credit must be followed.~~

1 (EB) ~~The advisory committee~~ Commission on Higher
2 Education, in collaboration with the Department of Education,
3 shall coordinate work to study the content and rigor of high school
4 courses in order to provide a seamless pathway to postsecondary
5 education.

6 ~~(D) — The Commission on Higher Education shall report~~
7 ~~annually to the Education and Economic Development~~
8 ~~Coordinating Council regarding the committee's progress."~~

9
10 SECTION 8. Section 59-101-345 of the 1976 Code is
11 amended to read:

12
13 “Section 59-101-345. ~~In instances where the equal~~
14 ~~division of the appropriated funds between need-based grants and~~
15 ~~the Palmetto Fellows Program exceeds the capacity to make~~
16 ~~awards in either program, the Commission on Higher Education~~
17 ~~has the authority to reallocate the remaining funds between the two~~
18 ~~programs.~~ Public and independent higher education institutions
19 must give first priority for need-based grants to children and young
20 adults in the custody of the State Department of Social Services.
21 Institutions and the Commission on Higher Education shall accept
22 written verification from the Department of Social Services that
23 the child or young adult is in the custody of the Department of
24 Social Services, and must provide the maximum amount allowed
25 by law for that need-based grant.”

26
27 SECTION 9. Section 59-101-190 of the 1976 Code is
28 amended to read:

29
30 “Section 59-101-190. (A) There is created a Deans’
31 Committee on Medical Education consisting of nine members as
32 follows:

- 33 (1) President, University of South Carolina or his
34 designee;
35 (2) President, Medical University of South Carolina or
36 his designee;
37 (3) Dean or acting dean, School of Medicine,
38 University of South Carolina;
39 (4) Dean or acting dean, School of Medicine, Medical
40 University of South Carolina;
41 (5) two members appointed by the Commission on
42 Higher Education, one of whom must be a physician with

1 experience in medical education and one of whom must be a
2 representative of the business community; and

3 (6) three members of the Area Health Education
4 Consortium medical education director's committee, who shall
5 represent graduate medical education, to be appointed by the
6 Commission on Higher Education.

7 (B)(1) The terms of the members selected under ~~items~~
8 subsection (A)(5) and (6) above shall be are for four years and
9 until their successors are appointed and qualify. In making these
10 appointments, the Commission on Higher Education, to the extent
11 possible, shall ensure geographic representation of all regions of
12 the State.

13 (2) Vacancies ~~shall~~ must be filled in the
14 manner of original appointment.

15 (C) The Deans' Committee on Medical Education also
16 may also contain nonvoting members invited to attend meetings by
17 the committee on an ad hoc basis. The chairmanship of the deans'
18 committee ~~shall~~ must alternate between the Dean of the School of
19 Medicine of the University of South Carolina and the Dean of the
20 College of Medicine of the Medical University of South Carolina.
21 The term of the chairman ~~shall be~~ is two years, and the committee
22 at its first meeting after the effective date of this provision shall
23 determine by majority vote the person who will first serve as
24 chairman. Meetings shall must be held ~~at least quarterly during~~
25 each year at the call of the chair and not less than annually.

26 (D) The purpose of the committee is to ensure and
27 coordinate the development and implementation of a strategic plan
28 for effective and efficient medical education, research, and related
29 clinical service programs to best meet the needs of the State of
30 South Carolina. Adoption of the strategic plan ~~shall require~~
31 requires at least one vote of a member representing USC and
32 MUSC and a total of at least seven votes of the entire committee.
33 Any A strategic plan approved by the deans' committee also must
34 be approved by the Commission on Higher Education if it contains
35 any proposal for the consolidation, elimination, or change of
36 medical education programs.

37 (E) The committee shall report to the Commission on
38 Higher Education through the commission's Committee on
39 Academic Affairs. The deans' committee shall provide oversight
40 of the Area Health Education Consortium and the consortium of
41 teaching hospitals by reviewing and approving its strategic plan
42 and budget. The Commission on Higher Education shall furnish

1 adequate meeting space and professional and secretarial assistance
2 for the committee.”

3
4 SECTION 10. Section 59-101-350 (B) and (C) of the
5 1976 Code is amended to read:

6
7 “(B) Each four-year, post-secondary institution shall
8 submit to the commission the following information for inclusion
9 in the report, with the South Carolina Department of Corrections’
10 students identified and reported separately:

11 (1) the number and percentage of accredited
12 programs and the number and percentage of programs eligible for
13 accreditation;

14 (2) the number and percentage of
15 undergraduate and graduate students who completed their degree
16 program;

17 (3) the percent of lower division instructional
18 courses taught by full-time faculty, part-time faculty, and graduate
19 assistants;

20 (4) ~~the percent and number of students~~
21 ~~enrolled in remedial courses and the number of students exiting~~
22 ~~remedial courses and successfully completing entry level~~
23 ~~curriculum courses;~~

24 ~~_____ (5)~~ the percent of graduate and upper division
25 undergraduate students participating in sponsored research
26 programs;

27 (65) placement data on graduates;

28 (76) the percent change in the enrollment rate
29 of students from minority groups and the change in the total
30 number of minority students enrolled over the past five years;

31 (87) the percent of graduate students who
32 received undergraduate degrees at the institution, within the State,
33 within the United States, and from other nations;

34 (98) the number of full-time students who have
35 transferred from a two-year, post-secondary institution and the
36 number of full-time students who have transferred to two-year,
37 post-secondary institutions;

38 (109) student scores on professional
39 examinations with detailed information on state and national
40 means, passing scores, and pass rates, as available, and with
41 information on such scores over time, and the number of students
42 taking each exam;

1 (~~4110~~) assessment information for the
2 institution's Title II of the federal Higher Education Act of 1998
3 report that collects and analyzes data on applicant qualifications
4 and the performance of the candidates and graduates;
5 (~~4211~~) appropriate information relating to each
6 institution's role and mission to include policies and procedures to
7 ensure that academic programs support the economic development
8 needs in the State by providing a technologically skilled
9 workforce; and
10 (~~4312~~) any information required by the
11 commission in order for it to measure and determine the
12 institution's standard of achievement in regard to the performance
13 indicators for quality academic success enumerated in Section
14 59-103-30.
15 (C) Each two-year, post-secondary institution shall
16 submit to the commission the following information for inclusion
17 in the report:
18 (1) the number and percentage of accredited
19 programs and the number and percentage of programs eligible for
20 accreditation;
21 (2) the number and percentage of
22 undergraduate students who completed their degree program;
23 (3) the percent of courses taught by full-time
24 faculty members, part-time faculty, and graduate assistants;
25 (4) placement rate on graduates;
26 (5) the percent change in the enrollment rate
27 of students from minority groups, the number of minority students
28 enrolled, and the change in the total number of minority students
29 enrolled over the past five years;
30 (6) the number of students who have
31 transferred into a four-year, post- secondary institution and the
32 number of students who have transferred from four-year,
33 post-secondary institutions;
34 (7) appropriate information relating to the
35 institution's role and mission to include policies and procedures to
36 ensure that academic programs support the economic development
37 needs in the State by providing a technologically skilled
38 workforce;
39 (8) any information required by the
40 commission in order for it to measure and determine the
41 institution's standard of achievement in regard to the performance
42 indicators for quality academic success enumerated in Section
43 59-103-30; and

1 (9) the percent and number of students
2 enrolled in remedial courses and the number of students exiting
3 remedial courses and successfully completing entry-level
4 curriculum courses.”

5
6 SECTION 11. Deferred.

7
8 SECTION 12. Deferred.

9
10 SECTION 13. Section 59-103-40 of the 1976 Code is
11 amended to read:

12
13 “Section 59-103-40. The commission shall establish a
14 council of presidents consisting of the presidents of the State
15 institutions of higher learning. The council of presidents shall
16 appoint a chairman and such other officers and committees as it
17 may see fit. ~~It shall meet at least four times a year, of which two~~
18 ~~meetings will be held jointly with the Commission. The council~~
19 shall meet upon the call of the chair and shall meet at least once
20 annually with the commission. The council of presidents shall
21 establish committees consisting of qualified personnel representing
22 the various State-supported institutions of higher learning, either
23 upon request of the commission or upon its own initiative, to
24 investigate, study and report to the commission on such subjects
25 as:

26 (Ⓐ) academic planning;

27 (Ⓑ) business and financial coordination; and

28 (Ⓒ) library utilization and coordination.”

29
30 SECTION 14. Section 59-103-45(3) of the 1976 Code is
31 amended to read:

32
33 “(3) ~~review~~ ensure minimum undergraduate admissions
34 standards for in-state and out-of-state students;”

35
36 SECTION 15. Deferred.

37
38 SECTION 16. Section 59-103-80 of the 1976 Code is
39 amended to read:

40
41 “Section 59-103-80. Funds for the necessary technical,
42 administrative and clerical assistance and other expenses of the
43 commission, including stationery, shall be carried in the annual

1 appropriation act for the State. The members of the commission
2 shall ~~must~~ be allowed such per diem and mileage as authorized by
3 law for members of boards, commissions, and committees. The
4 sum appropriated for the use of the commission shall be expended
5 upon warrants signed by the chairman.”

6
7 SECTION 17. Section 59-103-160 of the 1976 Code is
8 amended to read:

9
10 “Section 59-103-160. (A) This section may be cited
11 as the English Fluency in Higher Learning Act.

12 (B) The following words and phrases when used in
13 this section have the meanings given to them unless the context
14 clearly indicates otherwise:

15 ‘Instructional faculty’ means every member of a
16 public institution of higher learning whose first language is not
17 English, other than visiting faculty but including graduate teaching
18 assistants, who teaches one or more undergraduate credit courses
19 at a campus of that institution within this State except:

20 (1) courses that are designed to be
21 taught predominately in a foreign language;

22 (2) student participatory and activity
23 courses such as clinics, studios, and seminars;

24 (3) special arrangement courses such
25 as individualized instruction and independent study courses; and

26 (4) continuing education courses.

27 (C) Each public institution of higher learning shall
28 establish policies to:

29 (1) ensure that the instructional faculty whose
30 second language is English possess adequate proficiency in both
31 the written and spoken English language. Student and faculty input
32 is required in establishing these policies.

33 (2) provide students with a grievance
34 procedure regarding an instructor who is not able to write or speak
35 the English language.

36 ~~(D)(1) Each institution of higher learning must submit its~~
37 ~~policy or amendments to the Commission on Higher Education~~
38 ~~within six months from the effective date of this section. Any~~
39 ~~amendments to the policy must be promptly forwarded to the~~
40 ~~commission. The commission shall notify the chairmen of the~~
41 ~~Senate and House Education Committees of those institutions not~~
42 ~~submitting plans and any amendment to the commission.~~

1 ~~_____ (2) _____~~ Each institution of higher learning must
2 report annually to the Commission on Higher Education and the
3 chairmen of the Senate and House of Representatives Education
4 Committees grievances filed by students under the requirement of
5 subsection (C)(2) and the disposition of those grievances.”
6

7 SECTION 18. Section 59-103-162 of the 1976 Code is
8 amended to read:
9

10 “Section 59-103-162. The South Carolina ~~Commission~~
11 ~~on Higher Education~~ Department of Commerce annually shall
12 review annually the activities of the South Carolina Manufacturing
13 Extension Partnership, make a budget recommendation to the
14 General Assembly, and coordinate the allocation of funds among
15 each participating institution. The funds appropriated to the
16 University of South Carolina - Columbia for the South Carolina
17 Manufacturing Extension Partnership may not be used for any
18 other purpose. The ~~Commission~~ department also shall review the
19 membership of the South Carolina Manufacturing Extension
20 Partnership board to insure appropriate representation of each
21 participating institution.”
22

23 SECTION 19. Section 59-103-165 of the 1976 Code is
24 amended to read:
25

26 “Section 59-103-165. The Commission on Higher
27 Education is directed to work with the state’s public institutions of
28 higher education, and ~~private~~ independent institutions of higher
29 education which wish to participate, to develop information
30 ~~packages~~ materials for ~~eighth grade~~ middle school and high school
31 students and their parents or guardians on the options of
32 post-secondary education available in South Carolina, the courses
33 required to attend South Carolina public colleges and universities,
34 and the financial requirements and assistance available for students
35 pursuing additional education after high school.

36 ~~During 1991-92, the commission shall develop the~~
37 ~~information packages, and to the extent that funds are appropriated~~
38 ~~by the General Assembly, pilot test the program in a number of~~
39 ~~school districts. The commission shall report to the Senate~~
40 ~~Education Committee and the Education and Public Works~~
41 ~~Committee of the House on the pilot testing.”~~
42

1 SECTION 20. Section 59-103-180 of the 1976 Code is
2 amended to read:

3
4 “Section 59-103-180. The State Board of Education, the
5 State Department of Education, and the state’s public school
6 districts and schools shall cooperate with the Commission on
7 Higher Education and the public and independent institutions of
8 higher education in providing the ~~counseling~~ post-secondary
9 information materials and shall assist in any manner considered
10 appropriate by them. The schools shall make special efforts to
11 ensure that as many students and parents or guardians as possible
12 are made aware of the opportunity; ~~are urged to attend the sessions,~~
13 ~~and receive the information to participate in post-secondary~~
14 education.”

15
16 SECTION 21. Section 59-104-20 of the 1976 Code, as
17 last amended by Act 353 of 2008, is further amended to read:

18
19 “Section 59-104-20. (A) The Palmetto Fellows
20 Scholarship Program is established to foster scholarship among the
21 state’s post-secondary students and retain outstanding South
22 Carolina high school graduates in the State through awards based
23 on scholarship and achievement. Measures must be taken to ensure
24 equitable minority participation in this program. Recipients of
25 these scholarships are designated Palmetto Fellows. Each Palmetto
26 Fellow shall receive a scholarship in an amount not to exceed six
27 thousand seven hundred dollars. These scholarships in
28 combination with all other grants and scholarships shall not exceed
29 the cost of attendance at the institution attended. The commission
30 shall promulgate regulations and establish procedures to administer
31 the program and request annual state appropriations for the
32 program.

33 (B) Students, either new or continuing, must not have
34 been adjudicated delinquent or been convicted or pled guilty or
35 nolo contendere to any felonies or any second or subsequent
36 alcohol or drug-related offenses under the laws of this or any other
37 state or under the laws of the United States in order to be eligible
38 for a Palmetto Fellows Scholarship, except that a high school or
39 college student otherwise qualified who has been adjudicated
40 delinquent or has been convicted or pled guilty or nolo contendere
41 to a second or subsequent alcohol or drug-related misdemeanor
42 offense nevertheless shall be eligible or continue to be eligible for

1 such scholarships after the expiration of one academic year from
2 the date of the adjudication, conviction, or plea.

3 ~~(C) Of the funds made available for higher education~~
4 ~~Palmetto Fellows Scholarships for any year, a percentage thereof~~
5 ~~must be allocated for students attending South Carolina~~
6 ~~independent colleges of higher learning in this State. This~~
7 ~~percentage must be equivalent to the percentage of the independent~~
8 ~~colleges' share of the total South Carolina resident undergraduate~~
9 ~~full-time enrollment (FTE) of all public and independent higher~~
10 ~~education institutions in South Carolina based on the previous~~
11 ~~year's data as determined by the Commission on Higher Education~~
12 ~~and the South Carolina Tuition Grants Commission.~~

13 ~~(D)~~ After expending funds appropriated for Palmetto
14 Fellows Scholarships from all other sources, there is automatically
15 appropriated from the general fund of the State whatever amount is
16 necessary to provide Palmetto Fellows Scholarships to all persons
17 meeting the requirements of this section.

18 ~~(E)~~ A Palmetto Fellows Scholarship is available to an
19 eligible resident student who attends or will attend an eligible
20 four-year public or independent institution.

21 ~~(F)~~ For purposes of subsection (E):

22 (1) 'Public or independent institution' means
23 a:

24 (a) South Carolina public institution
25 defined in Section 59-103-5, excluding a public two-year or
26 technical institution, and an independent institution as defined in
27 Section 59-113-50, excluding an eleemosynary junior or
28 independent two-year institution; or

29 (b) public or independent bachelor's
30 level institution chartered before 1962 whose major campus and
31 headquarters are located within South Carolina.

32 (2) 'Resident student' means a:

33 (a) student who is either a member of
34 a class graduating from a high school located in this State, a home
35 school student who has successfully completed a high school home
36 school program in this State in the manner required by law, or a
37 student graduating from a preparatory high school outside this
38 State, while a dependent of a parent or guardian who is a legal
39 resident of this State and has custody of the dependent; and

40 (b) student classified as a resident of
41 South Carolina for in-state tuition purposes under Chapter 112 of
42 this title at the time of enrollment at the institution.

1 (1) In addition to qualifications established by
2 regulation, to qualify for a Palmetto Fellows Scholarship, a student
3 shall:

4 (1a) meet the following three criteria:

5 (ai) a minimum score of 1200
6 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score;

7 (bii) a cumulative 3.5 grade
8 point ratio on the Uniform Grading Scale at the end of the junior or
9 senior year; and

10 (eiii) rank in the top six percent
11 of the class at the end of the sophomore, junior, or senior year.

12 When calculating eligibility for Palmetto Fellows Scholarships in
13 schools where the top six percent of the graduating class is two
14 students or less, the top two students must be considered for the
15 scholarship regardless of class rank. The top six percent of the
16 graduating class must meet all Palmetto Fellows Scholarship
17 eligibility requirements in order to receive a scholarship. If the top
18 six percent of the class is not a whole number of students, the
19 Commission on Higher Education shall round up to the next whole
20 number of students eligible; or

21 (2b) meet the following two criteria:

22 (ai) a minimum score of 1400
23 on the Scholastic Aptitude Test (SAT) or an equivalent ACT score;
24 and

25 (bii) a cumulative 4.0 grade
26 point ratio on the Uniform Grading Scale at the end of the junior or
27 senior year.

28 (2) Qualifying scores must be certified by the
29 high school on the Palmetto Fellows Scholarship application by
30 the scholarship application deadline. For the purposes of meeting
31 the rank criteria pursuant to this subsection, the existing high
32 school rank of a South Carolina resident attending an out-of-state
33 high school may be used provided it is calculated pursuant to a
34 state-approved, standardized grading scale at the respective
35 out-of-state high school. If the Commission on Higher Education
36 determines that a state-approved standardized grading scale
37 substantially deviates from the South Carolina Uniform Grading
38 Scale, the state-approved standardized grading scale shall not be
39 used to meet the eligibility requirements for the Palmetto Fellows
40 Scholarship.

41 (HG) Notwithstanding another provision of law, a
42 student who met the initial eligibility requirements to receive a
43 Palmetto Fellows Scholarship Award as a senior in high school

1 and has met the continuing eligibility requirements shall receive
2 the award. A student who received a Palmetto Fellows Scholarship
3 Award as a senior in high school but declined the award is eligible
4 to reapply for the annual scholarship, providing he meets all of the
5 initial and continuing academic eligibility requirements of the
6 Palmetto Fellows program, if he transfers to a qualifying South
7 Carolina institution of higher learning. The number of semesters or
8 academic years a student attended an out-of-state institution are to
9 be deducted from the number of semesters or academic years a
10 student is eligible for the scholarship. All funding provided for
11 Palmetto Fellows Scholarships regardless of its source or
12 allocation must be used to implement the provisions of this
13 subsection.

14 (H) A student may receive a Palmetto Fellows or LIFE
15 scholarship award during the summer, in addition to fall and spring
16 semesters of an academic year, provided continued eligibility
17 requirements are met as of the end of the spring
18 semester. Students must enroll full-time, which for purposes of the
19 summer award will require enrollment in at least twelve hours over
20 the course of the summer. The summer is defined as the period
21 between the end of the spring term and prior to the opening of the
22 fall term. The total summer award per student may not exceed half
23 of the allowable academic year award up to the cost of attendance
24 and must be reimbursed if less than twelve hours for academic
25 credit are not attempted by the student during summer sessions. If
26 awarded in the summer, a student's total award during his or her
27 enrollment may not exceed the amount that would otherwise be
28 provided under current semester limits applied for the scholarship
29 awards. The Commission on Higher Education may provide
30 additional guidelines necessary to ensure uniform implementation.

31 (I) The Commission on Higher Education shall, by
32 regulation, define alternative qualifications for an exceptionally
33 gifted student who is a resident of South Carolina and is accepted
34 into an institution of higher learning without having attended or
35 graduated from high school.”

36
37 SECTION 22. Section 59-104-30 of the 1976 Code is
38 amended to read:

39
40 “Section 59-104-30. (A) ~~Each public institution of~~
41 ~~higher learning~~ The technical college system in this State shall
42 develop a plan for developmental education in accord with

1 provisions, procedures, and requirements developed by the
2 Commission on Higher Education.

3 (B) The commission shall:
4 (1) conduct a study as well as evaluations and
5 reviews of developmental education in this State. The commission
6 shall; and
7 (2) develop appropriate methods of funding
8 developmental education programs and courses.”

9
10 SECTION 23. Section 59-105-60 of the 1976 Code is
11 amended to read:

12
13 “Section 59-105-60. ~~The Commission on Higher~~
14 ~~Education shall develop, print, and distribute a model sexual~~
15 ~~assault policy for institutions of higher learning, which complies~~
16 ~~with the requirements herein. The model policy shall be distributed~~
17 ~~to all institutions of higher learning in the State for their use as a~~
18 ~~reference in formulating their sexual assault policy~~ Each public
19 institution of higher education shall develop and distribute a sexual
20 assault policy approved by its board of trustees. The policy, once
21 approved or modified, must be provided to the Commission on
22 Higher Education, which shall provide a link on the commission’s
23 Internet website to the policy as a service to the students, parents,
24 and guardians.”

25
26 SECTION 24. Section 59-142-20 of the 1976 Code is
27 amended to read:

28
29 “Section 59-142-20. (A) ~~Consistent with this~~
30 ~~section, the Commissioner of Higher Education shall be~~
31 ~~responsible for making guidelines available for FY 96-97 and shall~~
32 ~~promulgate regulations necessary to administer the need-based~~
33 ~~grants program in accordance with the Administrative Procedures~~
34 ~~Act for years after 1996-97. The need-based grants program must~~
35 ~~be administered at the campus level.~~

36 ~~———— Pursuant to Section 59-103-165, the commission shall~~
37 ~~incorporate information pertaining to the need-based grant~~
38 ~~program in the information packets concerning post-secondary~~
39 ~~education for eighth grade students and their parents or guardians.~~

40 (B) The commission shall promulgate regulations and
41 establish procedures to administer the program and request annual
42 appropriations for the program.”

43

1 SECTION 25. Sections 59-101-340, 59-103-36,
2 59-103-50, 59-103-120, 59-103-170, 59-104-40, 59-104-230,
3 59-104-240, 59-104-250, 59-104-410, 59-104-420, 59-104-430,
4 59-104-440, 59-104-620, and 59-104-640 of the 1976 Code are
5 repealed.

6
7 SECTION 26. This act takes effect upon approval by the
8 Governor. /

9

10

11 Renumber sections to conform.

12 Amend title to conform.

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