

**SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION**

Meeting held at  
1122 Lady Street, Suite 300  
Columbia, S.C. 29201  
12:00 p.m.

***Minutes of the Meeting***  
**April 4, 2019**

**Commissioners Attending**

Mr. Wes Hayes, Chair	Mr. Charles Dalton	Ms. Terrye Seckinger
Mr. Chuck Munns, Vice Chair	Ms. Linda Dolny	Mr. Patrick White
Mr. Paul Batson	Mr. Edgar Dyer	
Mr. Jim Battle	Dr. Bettie Rose Horne	
Ms. Julie Godshall Brown	Mr. Ben Satcher*	

**Commissioners Absent**

Mr. Devron Edwards (excused)  
Dr. Mark Smith (excused)

**Guests Attending**

Ms. Beth Bell, Clemson University	Mr. Tim Druke, Winthrop University
Dr. Ralph Byington, Coastal Carolina University*	Dr. Jeff Perez, SC Independent Colleges & Universities
Dr. Tena Crews, University of South Carolina*	Ms. Karen Roof, The Citadel*

\*Attended by phone

**Commission Staff Present**

Mr. Mike LeFever	Dr. John Lane
Dr. Jennifer Almeda	Mr. Rick Moul
Dr. Argentini Anderson	Ms. Yolanda Myers
Ms. Laura Belcher	Mr. Andrew Roof
Dr. Saundra Carr	Dr. Regine Rucker
Ms. Lane Goodwin	Mr. Georges Tippens
Dr. Samuel Grubbs	Mr. Bryce Wilson
Ms. DaVaris Hatten	Dr. Karen Woodfaulk
Ms. Whitney Jett	Dr. Lishu Yin

Chair Hayes convened the meeting at 12:08 p.m. and welcomed all in attendance. It was confirmed that the meeting was being held in accordance with the Freedom of Information Act.

**1. Introductions**

Ms. Belcher introduced the guests in attendance. Commissioner Horne motioned at 12:23 p.m. to enter executive session for the purpose of discussing legal and personnel matters. The motion was seconded by Commissioner Seckinger and was carried. The Commission exited executive session at 1:13 p.m. and resumed its regularly scheduled business.

## **2. Approval of Minutes**

**Wes Hayes**

Chair Hayes then called for a motion to approve the minutes of the Commission's March 7th meeting. Commissioner Dyer noted one needed correction: the minutes needed to be changed to reflect his representation of the 7th congressional district, not the 5th as was written. Hearing no other suggested corrections, Chair Hayes called for a motion of approval. Commissioner Seckinger moved to approve the minutes of the March 7th meeting with Commissioner Dyer's requested correction. Commissioner Dalton seconded this motion, and with a unanimous vote, the minutes were approved.

## **3. Chairman's Report**

**Wes Hayes**

Chair Hayes announced that Commissioner Edward's and Commissioner Smith's absences were excused. Next, he welcomed Mrs. Julie Godshall Brown and Mr. Patrick White, both of whom were appointed as Commissioners to respectively represent the 4th and 5th Congressional Districts. Chair Hayes then asked each to briefly introduce themselves.

Commissioner Brown announced that she currently resides in Greenville, South Carolina, where she operates a professional staffing firm and serves on the boards of several local organizations. She stated she received her undergraduate education from Clemson University and her graduate degree from the University of South Carolina. Lastly, she proudly informed the Commission that she and her husband of 22 years have two sons, one of whom attends Clemson University while the other The Citadel.

Commissioner White stated he was a native of Fort Mill, South Carolina, where he now works as the Vice President of Supply Chain for Comporium Communications after previously working in supply chain management for Spring Industries. He announced that he is a graduate of The Citadel and happily married with two children, with one attending the College of Charleston and the other the University of South Carolina. Adding to Commissioner White's introduction, Chair Hayes informed the Commission that Commissioner White had served for fourteen years as chairman of the Fort Mill School Board.

Following these introductions, Chair Hayes congratulated Commissioners Satcher and Dalton for their appointment's favorable recommendation by the Senate Education Committee on March 27, 2019. Chair Hayes recounted that at the end of the Commission's previous meeting, he appointed Commissioners Satcher and Dyer to trustee positions on the Higher Education Foundation's board. He noted Commissioner Satcher would provide later in the meeting a report of the Foundation's recent activities.

Chair Hayes announced to the Commission that he participated in a Leadership Fellows Training Dinner on higher education partnerships with USC President Dr. Pastides on Thursday, March 28, 2019. Furthermore, he informed the Commission that he would also participate in the Council of Presidents meeting scheduled for April 9th at the University of South Carolina's Alumni Center.

Chair Hayes thanked members of search committee for their efforts in finding a permanent president and executive director.

Chair Hayes briefly discussed several pieces of legislation. He estimated the proposed budget was the strongest for higher education in a long time, and he thanked Representative Simrill, Senator Peeler, and Governor McMaster for their attention and leadership. Finally, he noted that several key bills currently remained on the Senate floor, but he expressed uncertainty of their possibly meeting the crossover date.

## **4. & 5. Interim President and Executive Director's and Legislative Reports**

**Mike LeFever**

Interim President and Executive Director Mike LeFever informed the Commission that he and key staff participated in an entrance conference on April 3rd with state auditors who will perform an audit of the agency's previous fiscal year. Transitioning, he announced that the agency is currently interviewing candidates for the vacant government affairs manager position, and he thanked Dr. Woodfaulk, Dr. Lane, and Mr. Rick Moul for their assistance in conducting the interviews. Lastly, he reviewed the CHE Priorities Report, which describes the activities undertaken by the agency during the preceding month to advance each of the agency's five priorities: College Readiness, College Planning & Affordability, Educational Attainment, Economic & Workforce Development, and Teacher Advocacy.

Mr. LeFever then commenced the Legislative Report and reminded Commissioners they each had a copy of the Legislative Tracking Report.

Mr. LeFever informed the Commission that S.35, the REACH Act, passed the Senate and was committed to the House Education and Public Works Committee, which adjourned debate on the legislation until a later date. He announced that S.276, which increases penalties for people who vandalize university property or injure persons within, was recommended favorably by the Senate Judiciary Committee and is due for second reading on the Senate Floor. He explained that S.283, the Higher Education Enterprise Act, after being passed by the Senate Education Committee, was receiving its second reading in the Senate, where it is being contested by Senator Leatherman. He informed the Commission that S.298, the Higher Education Opportunity Act, was up for second reading in the Senate but was currently contested by Senators Hembree and Sheheen. He stated that the SC Career Opportunity and Access for All Act's two companion bills, S.419 and H.3759, had essentially merged. The latter, Mr. LeFever stated, passed the House and was committed to the Senate Education Committee, which he noted was still deliberating S.419.

Mr. LeFever then drew Commissioners' attention to H.3197, a bill proposed by Representative Govan to establish a student loan bill of rights. Mr. LeFever explained the bill would institute a student loans ombudsman and charge the Commission on Higher Education with serving as a regulatory agency for student loan providers and collectors. Mr. LeFever informed the Commission that he spoke with Representative Govan and an official from the S.C. Department of Consumer Affairs, who agreed that a student loan ombudsman would best be housed within Consumer Affairs instead of the Commission. Mr. LeFever stated the bill is still in subcommittee.

Mr. LeFever stated that H.4398, the Tucker Hipps Transparency Act, was passed by the House and the Senate Education Subcommittee and will next be committed to the Senate Education Committee before going to the Senate Floor. He summarized H.3577 as legislation enabling higher education teacher preparation programs to have separate certification processes for teachers. He noted H.3757 aimed to further advance the development of longitudinal data within the state. He stated the bill was up for second reading in House.

Mr. LeFever explained that H.3936 would allow Palmetto Fellows scholarship recipients to apply their award at two-year schools. He stated it received a favorable recommendation from the House Education and Public Works Committee and was referred to the House Floor. He briefly mentioned H.4000 and H.4001, which are the budget and capital reserve, respectively. He described that H.4368 set forth pending regulations on the Palmetto Fellows scholarship, and he noted that the legislation allows for a recipient of the scholarship to defer their award for one year. The bill, he stated, was out of committee and placed on the House calendar.

Mr. LeFever then briefly commented on H.3639 and H.3697, both of which had been more thoroughly discussed at previous meetings. Noting both had been signed by the Governor, he explained that the former extends in-state tuition to veterans and their families who are taking advantage of vocational rehabilitation, while the latter addresses concerns about the 25% credit completion regulation raised by the recent closure of Virginia Colleges.

Commissioner Batson asked Mr. LeFever about H.3404, a bill concerning residency status for licensure purposes. Mr. LeFever responded that the bill had no real traction in the legislature, and if it were to pass as currently written, he stated it would permit more students to apply for merit-based scholarships.

Vice Chair Munns asked if the courses prescribed by S.35 were acceptable to accreditors. Mr. LeFever informed Vice Chair Munns that the legislation enjoined the Commission on Higher Education to submit to the Southern Association of College and Schools Commission on Colleges (SACSCOC) a copy of the enacted bill for a determination on whether it would violate any of the accreditor's rules.

Vice Chair Munns inquired about H.3940's definition of "active war time," which he said was the terminology used in the bill's summary, and he asked if the bill was making any legislative progress. Mr. LeFever responded that he was unaware of any progress made by the bill and added he would need to more thoroughly read its summary to develop a better understanding of the usage and meaning of "active war time."

Commissioner Seckinger commented on S.35. She expressed that it was her understanding that SACSCOC would have no qualms with the legislation, so long as the General Assembly passed it in statute. Vice Chair Munns voiced that some institutions' presidents did not agree, as they hold the perspective that specific courses should not be legislatively prescribed.

Mr. LeFever then invited Mr. Tippens to present to the Commission an overview of S.283 and its implications for CHE and the permanent improvement project process.

The legislation, Mr. Tippens explained, would authorize schools to establish enterprise divisions for auxiliary programs, thus permitting bypass of procurement and approval processes, and adjusted each sector's cost thresholds for review by the Commission. Furthermore, he stated it would remove the Commission from the capital project review process. He emphasized the proposed changes to the bill only applied to research and four-year comprehensive universities.

During the presentation, Commissioner Dolny asked once where funding—e.g. student fees—was sourced for a particular auxiliary once an enterprise zone for that auxiliary had been established. Mr. Tippens answered that funding for the auxiliary enterprise would derive from the revenue it generates.

Commissioner Batson asked if the administrative process within institutions would change when applied to auxiliary divisions and how these divisions would be incorporated into the institution's organizational structure. Mr. Tippens responded that such divisions would be created by an institution's board of trustees and would operate uniquely as separate but highly affiliated extensions of the institution.

Commissioner Brown asked how long the million-dollar project review threshold had been instituted and if the threshold itself was tethered to inflation. Mr. Tippens replied that the threshold is a fixed amount and is not related to inflation, and he was not immediately aware of how long it had been in place.

Prompted by Mr. Tippens' information that the Joint Bond Review Committee (JBRC) would be more greatly extricated from the project approval process, Vice Chair Munns asked how the chairman of the JBRC, who by the legislation is permitted to request and receive information on projects, would know that a project is underway.

Commissioner Seckinger requested Mr. Tippens' presentation be made readily available to the Commission.

## **6. Committee Reports**

### **6.01 Report of the Executive Committee**

**Wes Hayes**

The Committee had no report.

**6.02 Report of Committee on Academic Affairs and Licensing**

**Terrye Seckinger**

Commissioner Seckinger stated the Committee on Academic Affairs and Licensing had no report, and instead asked Dr. Lane to explain to the Commission a May 2017 Executive Order from President Trump which aimed to uphold the intent of liberties expressed on university and college campuses. He announced that the order is displayed on the front page of the agency’s website.

**6.03 Report of Committee on Access & Equity and Student Services**

**Paul Batson**

Commissioner Batson stated the Committee on Access & Equity and Student Services had no report, but he announced and invited Commissioners, staff, and guests to attend a panel on student debt the Committee would host during its meeting following the Commission’s adjournment.

**6.04 Report of Committee on Finance and Facilities**

**Dianne Kuhl**

<p><b>CONSENT AGENDA</b></p> <p><b>A. Interim Capital Projects</b></p> <ul style="list-style-type: none"><li>1. The Citadel<ul style="list-style-type: none"><li>A. Johnson Hagood Stadium CRC Exterior Repairs<ul style="list-style-type: none"><li>- Establish Project – CPIP</li></ul></li><li>B. Johnson Hagood Stadium Sansom Field Turf Replacement<ul style="list-style-type: none"><li>- Establish Project</li></ul></li></ul></li><li>2. Clemson University<ul style="list-style-type: none"><li>A. Lehotsky Hall renovation<ul style="list-style-type: none"><li>- Establish Project – CPIP</li></ul></li></ul></li><li>3. Greenville Technical College<ul style="list-style-type: none"><li>A. Bldg. 102 Renovation – Barton Campus<ul style="list-style-type: none"><li>- Increase Budget</li></ul></li></ul></li><li>4. Medical University of South Carolina<ul style="list-style-type: none"><li>A. Basic Science Building Air Handler Units 3 and 5 Replacement<ul style="list-style-type: none"><li>- Increase Budget</li></ul></li><li>B. Basic Science Building Air Handler Units 4 and 4A Replacement<ul style="list-style-type: none"><li>- Establish Project</li></ul></li><li>C. Storm Eye Institute Chiller Replacement<ul style="list-style-type: none"><li>- Increase Budget</li></ul></li></ul></li><li>5. University of South Carolina Aiken<ul style="list-style-type: none"><li>A. USC Aiken Scholars Academy Renovation<ul style="list-style-type: none"><li>- Increase Budget</li></ul></li></ul></li><li>6. University of South Carolina Columbia<ul style="list-style-type: none"><li>A. LeConte College Maintenance Renovation<ul style="list-style-type: none"><li>- Increase Budget</li></ul></li><li>B. Swearingen Roof Replacement<ul style="list-style-type: none"><li>- Increase Budget</li></ul></li></ul></li></ul> <p><b>B. Policy Change Related to Technical Colleges Projects</b></p>
---

Commissioner Dalton discussed the purposes, costs, and funding sources of the ten proposed capital projects.

Mr. Tippens explained a proposed change to a Committee on Finance and Facilities' policy related to capital projects proposed by technical colleges. Mr. Tippens explained the change would authorize the Committee on Finance and Facilities to review and issue a determination for technical colleges' proposed permanent improvement projects and lease requests without prior approval, but conditioned on later approval, from the State Board of Technical and Comprehensive Education (SBTCE). He explained the impetus for the policy change came from the Joint Bond Review Committee's meeting schedule, which would be onerous for technical colleges considering the current policy of requiring prior approval by the SBTCE.

The consent agenda, which was brought forward as a motion from the committee and therefore did not require a second, passed unanimously.

### **C. Other Business**

#### **1. Capital Projects & Leases Processed by Staff, March 2019**

The item was presented for information purposes only.

### **6.05 Report of the Search Committee for the next President & Executive Director**

Commissioner Dalton informed the Commission that the Search Committee convened the previous day to review and pare down applicants and that first-round interviews would commence later in April. He expected the Search Committee would be able to make a recommendation to the Commission by mid-May.

### **7. Other Business**

**Ben Satcher**

#### **A. Update on the South Carolina Higher Education Foundation (SCHEF Presentation)**

Commissioner Satcher updated the Commission on developments regarding the South Carolina Higher Education Foundation (SCHEF), as he was recently elected as its president. In addition to electing officers, Commissioner Satcher announced the Foundation signed a memorandum of understanding with the agency to receive permission to use its staff and meeting spaces, authorized the payment of outstanding bills, and requested an audit of its finances.

Lastly, Commissioner Satcher stated that the Higher Education Foundation recognized that restricted money, which was contributed several years ago for the Know Too program by Beaufort, Marlboro and Cherokee counties, remained untouched in an account. He stated only Cherokee County was still operating the program, and the Foundation had contacted the county to invite them to submit a grant request for some or all of the program funds.

### **8. Public Comment**

Commissioner Horne appreciated the rapid dissemination of post-meeting updates by staff.

### **11. End of Business Meeting**

With a motion (Seckinger), second (Dalton), and unanimous vote, the meeting adjourned at 2:13 p.m.