

**Minutes of the SC Commission on Higher Education
EXECUTIVE COMMITTEE Meeting
January 25, 2019**

In attendance:

Executive Committee Members Present

Mr. R. Wes Hayes, Chair (phone)
Mr. Charles Munns, Vice Chair (phone)
Mr. Paul Batson (phone)
Ms. Dianne Kuhl (phone)
Ms. Terry Seckinger (phone)

CHE Staff Present

Mr. Mike LeFever, Interim President & Exec.
Director
Dr. Argentini Anderson, Assoc. Director of
Academic Affairs
Ms. Laura Belcher, Operations Director
Mr. Andrew Roof, Administrative Coordinator
Mr. Georges Tippens, Program Manager
Mr. Bryce Wilson, Director of Fiscal Affairs
Dr. Karen Woodfaulk, Director of Student Affairs
(phone)

Executive Committee Members Absent

None

Chair Hayes convened the meeting at 10:30 a.m. It was confirmed that the meeting was being held in accordance with the Freedom of Information Act.

1. Approval of Minutes (November 27, 2018, & December 18, 2018)

Wes Hayes

Commissioner Batson moved, and Commissioner Seckinger seconded, to approve the minutes of the November 27, 2018, and December 18, 2018, meetings. The motion was unanimously carried, and the minutes were approved.

2. Review of the February 07, 2019, CHE Draft Meeting Agenda

Wes Hayes

The Committee discussed the proposed agenda for the Commission's upcoming meeting on Thursday, February 7th. Chair Hayes asked if anyone had any suggested changes to the agenda. Interim President and Executive Director LeFever responded that neither he nor staff had any changes to suggest.

Chair Hayes then reviewed the meetings for February 7th. He announced that the Search Committee for the Next President & Executive Director would convene at 10:00 a.m.; the Committee on Finance & Facilities would follow at 11:00 a.m.; the full Commission would commence its business at noon, immediately entering executive session and at 1:00 p.m. opening the meeting to the public; and the Committee on Access & Equity and Student Services, upon adjournment of the full Commission, would convene.

Commissioner Batson inquired about the anticipated length of the Commission's meeting, as he was trying to estimate the time at which his Committee's meeting would begin. Chair Hayes expected his report to the Commission to be brief. Mr. LeFever had similar expectations for his report and noted he would present the Interim President and Executive Director and Legislative reports together. Furthermore, Mr. LeFever estimated the meeting would conclude at latest by 2:30 p.m. Chair Hayes expressed no concern with the schedule of meetings as proposed and gathered that the Committee agreed accordingly.

Commissioner Kuhl voiced her concern that the Committee on Finance & Facilities' meeting might be lengthier than anticipated due to its scheduled discussion of abatements and fee waivers. Chair Hayes asked if Commissioner Kuhl would provide during her Committee's report a synopsis of its discussion of

abatements and fee waivers, which Commissioner Kuhl affirmed. Ultimately, she estimated the Committee on Finance & Facilities' report to the Commission would last no more than ten minutes.

Commissioner Seckinger suggested the Commission invite legal counsel to its meeting to clarify the distinction between abatements and fee waivers and the ramifications of those distinctions for separate parties. Chair Hayes was not amenable to this suggestion and advised caution. Commissioner Munns raised a point of order: if the Committee on Finance & Facilities would report to the Commission its discussion of abatements and fee waivers, an item describing such should be added to the agenda.

Commissioner Kuhl thanked Commissioner Munns and asked that the item be added to the agenda. Mr. LeFever recounted Representative Finlay's public inquiry into the University of South Carolina's use of abatements, and he noted increasing interest in the general usage of such from the Senate. Subsequently, he stated that it would be highly useful for the Commission to furnish legislators with facts regarding abatement usage and thought it unnecessary to have legal counsel attend the Commission's meeting.

Regarding legal counsel, Mr. LeFever informed the Commission that its current associate attorney was not rendering services in a timely fashion, and consequently, he was seeking new counsel through the Attorney General's office.

Transitioning, Chair Hayes asked for a general update on some matters the Commission would review during its upcoming executive session. Mr. LeFever informed him and other Committee members that Senator Leatherman's request, which concerned emails pertaining to the promotion and corresponding salary increase of the agency's previous interim president and executive director, was on hold. Chair Hayes inferred that the findings of the Inspector General's investigation into the affair may have been decisive, at least in-part, for the abeyance of the request. Mr. LeFever relayed the opinion of Ms. Brenda Hart, staff person for the Senate Finance Committee, that Senator Leatherman would revise his request to be more concentrated than it was initially.

Chair Hayes announced that members of the House Ways & Means Committee conveyed to him praise of Mr. LeFever's presentation of CHE's budget request. Chair Hayes then mentioned a Senate Education Committee meeting scheduled for Wednesday, January 30th to discuss S.298, also known as the Higher Education Opportunity Act. Mr. LeFever confirmed he was aware of the upcoming meeting and stated he was asked by the Committee to provide the Commission's thoughts on the legislation.

Commissioner Kuhl asked Mr. LeFever to convey the Committee on Finance & Facilities' concern with the legislation's removal of the Commission from the oversight and recommendation process for capital projects. Commissioner Munns cautioned Committee members to be mindful of the legislation's benefits, and Mr. LeFever agreed that, as the bill is in its preliminary stages, the Commission's message should be generally supportive of the process. Commissioner Seckinger supported Commissioner Kuhl's perspective.

Chair Hayes asked Mr. LeFever to inform the Committee of the status of the Commission's recommended change to regulation 62-6(D). Mr. LeFever informed the Committee that a joint resolution, which was introduced by the House Education and Public Works Committee, was quickly passed by the House and awaited approval by the Senate. Until the resolution could be passed, Mr. LeFever apprised the Committee of an emergency regulation implemented to exempt students affected by the closures of Virginia College and Golf Academy of America schools from the 25% credit-completion requirement. He further noted the emergency regulation would persist for 90 days and was set to expire on April 23, 2019.

Commissioner Munns asked if institutions were aware of the emergency regulation's approval. Mr. LeFever confirmed they were aware, as CHE communicated its passage to institutions' provosts. He added that the regulation only applied to institutions licensed by CHE.

Chair Hayes asked Mr. LeFever if recent information on the Higher Education Foundation needed to be addressed. Mr. LeFever responded that the matter would be addressed during the Commission's upcoming executive session, as legal and personnel information would be discussed.

Commissioner Batson recommended someone who could serve as an associate counsel to the Commission.

Chair Hayes announced he was invited to speak at a luncheon being hosted by Clemson on February 26th in honor of Clemson Day at the State House.

3. Other Business

There was no other business.

4. Adjournment

A **motion** was made and **seconded** for the Executive Committee to adjourn the meeting at 11:09 a.m.