

**PROVISO SUBCOMMITTEE
HIGHER EDUCATION
RECOMMENDATIONS FOR FY 2020-21
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 11 - H030 - COMMISSION ON HIGHER EDUCATION

11.18 **AMEND** (Suspend Governor’s Professor of the Year Award) Suspend the Governor’s Professor of the Year Award for FY 2019-20.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2020-21.”

11.18. (CHE: Suspend Governor’s Professor of the Year Award) The requirements of Section 59-104-220 of the 1976 Code pertaining to the Governor’s Professor of the Year Award shall be suspended for Fiscal Year ~~2019-20~~ 2020-21.

11.dpc **NEW** (Doctoral/Professional University Classifications) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct CHE to study and implement a classification system in the current fiscal year for public institutions of higher learning to include a Doctoral/Professional University. Allows the institutions to offer college-level baccalaureate, master’s, and no more than five terminal professional or Ph.D. degrees that will lead to continued education or employment.

11.dpc. (CHE: Doctoral/Professional University Classification) In the current fiscal year, the Commission on Higher Education is directed to study and implement a classification system for South Carolina public institutions of higher learning that includes a classification of a Doctoral/Professional University. Institutions in this classification shall have a mission or focus to advance the post-secondary educational opportunities for South Carolina citizens. These institutions shall be permitted to offer college-level baccalaureate, master’s, and no more than a combined five terminal professional or Ph.D. degrees that lead to continued education or employment.

SECTION 15 - H150 - UNIVERSITY OF CHARLESTON

15.icr **ADD** (Institutional Capital Resources) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to allow the university to use any institutional capital resources to make repairs to McAlister Hall. Direct that any recovery from ongoing litigation must first be used to repay allocations made from the university’s capital improvement fee for this renovation.

15.icr. (UOC: Institutional Capital Resources) In the current fiscal year, the University of Charleston may use any institutional capital resources necessary to make repairs to McAlister Hall. Any recovery from ongoing litigation must first be used to repay allocations made from the institution’s capital improvement fee for this renovation.

SECTION 19 - H240 - SOUTH CAROLINA STATE UNIVERSITY

19.1 **DELETE** (Enrollment Loan Forgiveness) Directs that references to full-time student enrollment at S.C. State University related to loan forgiveness to the state shall mean total headcount enrollment as determined by CHE.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

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19.1. (SCSU: Enrollment Loan Forgiveness) ~~Any reference to full time student enrollment at South Carolina State University that is related to a loan forgiveness to the state, shall mean total headcount enrollment, as determined by the Commission on Higher Education.~~

SECTION 20 - H450 - UNIVERSITY OF SOUTH CAROLINA

20.isc **ADD** (In-State Enrollment) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that for the current fiscal year, enrollment for the University of South Carolina Columbia's freshman class must be at least 53% in-state students.

20.isc. (USC: In-State Enrollment) For the current fiscal year, the University of South Carolina Columbia's freshman class enrollment must be at least fifty-three percent in-state students.

SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

25.8 **DELETE** (Tech Awareness and Education) Directs the state board to used \$500,000 to develop and implement a comprehensive awareness and education campaign to enhance the perception of technical education and opportunities it affords South Carolinians. Requires the state board to obtain a 2:1 private entity match before using these funds. Requires a report be submitted on the proposed expenditure of funds and outcome measures to the House Ways and Means and Senate Finance Committees by June 30th.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**25.8.** (TEC: Tech Awareness and Education) Of the funds appropriated to the State Board for Technical and Comprehensive Education, \$500,000 shall be used to enhance the perception of technical education and the opportunities it can afford South Carolinians across the state. Prior to utilizing these funds for this purpose, the State Board for Technical and Comprehensive Education shall be required to obtain a 2:1 private entity match. The funds shall be used to develop and implement a comprehensive awareness and education campaign. The State Board for Technical and Comprehensive Education shall submit a report by June 30th of the current fiscal year to the House Ways and Means Committee and the Senate Finance Committee. This report shall include information on the proposed expenditure of funds and outcome measures.~~

25.dtfr **ADD** (Denmark Tech Fund Repurpose) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to redirect the expenditure of funds remaining from previous appropriations in Fiscal Years 2015 and 2016 to Denmark Technical College for specific projects. Direct that these funds shall be used for campus renovations, improvements, and equipment for job skills training and authorize these funds to be carried forward and spent for the same purpose.

25.dtfr. (TEC: Denmark Tech Fund Repurpose) Funds remaining of the \$1,400,000 appropriated in Act No. 93 of 2015, Section 1, Item (25) to the State Board for Technical and Comprehensive Education for the Denmark Technical College - Building #200 and #300 Renovations, the \$950,000 appropriated in Act No. 284 of 2016, by proviso 118.16, Item (B)(23)(h) to the State Board for Technical and Comprehensive Education for the Denmark Technical College - Barnwell Workforce Center, and the \$550,000 appropriated in Act No. 285 of 2016, Section 1, Item (23) to the State Board for Technical and Comprehensive Education for

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the Denmark Technical College - Barnwell Workforce Center shall be redirected to be used for campus renovations, improvements and equipment for job skills training. Unexpended funds may be carried forward to be expended for the same purpose.

SECTION 117 - X900 - GENERAL PROVISIONS

117.69 AMEND (Printed Report Requirements) Directs that for Fiscal Year 2019-20, certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically and waives the submission of certain reports. Authorizes DOT to combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references to “2020-21.”

117.69. (GP: Printed Report Requirements) (A) For Fiscal Year 2019-20, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year ~~2019-20~~ 2020-21, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year ~~2019-20~~ 2020-21, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents electronically.

(D) For Fiscal Year ~~2019-20~~ 2020-21, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

117.140 DELETE (Higher Education Tuition Mitigation) States that specific recurring funds have been appropriated in Part IA to institutions of higher education to mitigate tuition and mandatory fee increases for in-state undergraduate students. Requires institutions, in order to retain these funds, to certify to CHE by August 1, 2019 that, except for tuition increases due to required pension and state health plan increases, there is no in-state tuition or mandatory fee increase for the 2019-20 academic year. Directs CHE to develop a certification process and require any institution that is unable to provide the certification to remit their recurring allocation listed in this provision to the General Fund by September 1, 2019. Directs CHE, by October 1, 2019, to report to the House Ways and Means and Senate Finance Committees and to EBO the institutions that did not meet the certification requirement and directs EBO to reduce the recurring appropriation for non-compliant institutions.

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PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

117.140. (GP: Higher Education Tuition Mitigation) ~~The following recurring funds have been appropriated in Part IA to institutions of higher education to mitigate tuition and mandatory fee increases for in-state undergraduate students:~~

(1) The Citadel	\$ 764,651;
(2) Clemson University	\$ 5,716,806;
(3) University of Charleston	\$ 2,659,523;
(4) Coastal Carolina University	\$ 2,145,346;
(5) Francis Marion University	\$ 1,464,038;
(6) Lander University	\$ 1,200,335;
(7) South Carolina State University	\$ 919,875;
(8) University of South Carolina Columbia	\$ 8,313,496;
(9) University of South Carolina Aiken	\$ 1,262,954;
(10) University of South Carolina Upstate	\$ 2,498,567;
(11) University of South Carolina Beaufort	\$ 780,527;
(12) University of South Carolina Lancaster	\$ 649,998;
(13) University of South Carolina Salkehatchie	\$ 384,972;
(14) University of South Carolina Sumter	\$ 454,205;
(15) University of South Carolina Union	\$ 471,844;
(16) Winthrop University	\$ 1,958,372; and
(17) Medical University of South Carolina	\$ 4,523,265.

~~In order to retain the above appropriations, each institution of higher education listed above must certify to the Commission on Higher Education by August 1, 2019, that, excluding tuition increases due to pension increases required by the provisions of Sections 9-1-1085 and 9-11-225 of the 1976 Code and any state health plan increase, there is no in-state tuition or mandatory fee increase for the 2019-2020 academic year.~~

~~The Commission on Higher Education shall develop the process by which institutions provide the certification. Any institution unable to provide such certification to the commission shall remit their respective above recurring allocation to the General Fund by September 1, 2019.~~

~~By October 1, 2019, the Commission on Higher Education shall report to the House Ways and Means Committee, the Senate Finance Committee, and the Executive Budget Office the institutions that failed to certify that the in-state tuition increase met the guidelines outlined in this provision. The Executive Budget Office is directed to reduce the recurring appropriation of any institution found to be non-compliant with the certification.~~

117.tsc ADD (Transfer Student Credits) PROVISO SUBCOMMITTEE RECOMMENDATION: ADD new proviso to direct the State Board for Technical and Comprehensive Education, in consultation with CHE and public institutions of higher learning, to develop policies by October 31, 2020, to guarantee students who have earned an Associate of Arts or Science degree from a public 2-year institution receive at least 60 transfer credits are given a junior status at the 4-year college or university. Direct that course prerequisites and minimum credit requirements for awarding degrees still apply. Direct that the effective date for implementation is January 1, 2021.

117.tsc. (GP: Transfer Student Credits) The State Board for Technical and Comprehensive Education, in consultation with the Commission on Higher Education and the public institutions of higher learning, shall develop policies by October 31, 2020, to guarantee students who have earned an Associate of Arts or Associate of Science degree from a public two-year institution of higher learning receive a minimum of sixty transfer credit hours at a public four-year college or

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university and shall be given a junior status at the college or university. Course prerequisites and minimum credit requirements for awarding degrees shall still apply. Implementation of this provision shall be effective beginning January 1, 2021.

- 117.pip** **ADD** (Permanent Improvement Projects) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to exempt permanent improvement projects from the requirements of Section 2-47-50 [JBRC: ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY AUTHORITY; REVIEW OF PROPOSED REVISIONS; "PERMANENT IMPROVEMENT PROJECT" DEFINED] where the project cost is at least \$1,000,000 but not greater than \$5,000,000 at public research universities and not greater than \$2,000,000 at all other public institutions of higher learning. Direct that a project is not considered approved unless the institution's governing board has voted for approval in a public session. Require institutions provide a report of approved projects to the CHE Chairman, to JBRC, and to SFAA by September 30th.

117.pip. (GP: Permanent Improvement Projects) For the current fiscal year, permanent improvement projects, as defined in Title 2, Chapter 47 of the 1976 Code, where the cost is at least one million dollars but not greater than five million dollars for public research universities and not greater than two million dollars for all other public institutions of higher learning, shall be exempt from the requirements of Section 2-47-50, of the 1976 Code, except that a project shall not be considered approved without an institution's governing board having first voted to approve the project in a public session. Institutions shall provide a report of projects approved by their governing boards pursuant to this provision to the Chairman of the Commission on Higher Education, the Joint Bond Review Committee, and the State Fiscal Accountability Authority by September 30th of the current fiscal year.

- 117.frc** **ADD** (Fixed Rate Compensation) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize public institutions of higher learning to compensate nonpermanent, non-FTE adjunct, temporary, or part-time instructors/faculty on a fixed rate basis. Direct that these employees are non-covered employees who may exceed twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement System or Health Care Plan if eligible under the Affordable Care Act guidelines.

117.frc. (GP: Fixed Rate Compensation) The South Carolina public institutions of higher learning are authorized to compensate nonpermanent, non-FTE adjunct, temporary or part-time instructors/faculty on a fixed rate basis. These individuals shall provide classroom and related instructional activities on an as needed basis depending on student enrollment per semester or academic term. Institutions may pay exempt or non-exempt employees as defined by the Fair Labor Standards Act only when they are needed to work. Adjunct, temporary or part-time instructors/faculty employed in this category are non-covered employees who may exceed twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement System or Health Care Plan if eligible under the Affordable Care Act guidelines.

- 117.ncp** **ADD** (Non-Compliance Penalty) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require all public institutions of higher learning to be compliant with state law by June 29th of the current fiscal year. Direct that if an institution is not compliant by that date it must remit \$100 per in-state student to the General Fund.

117.ncp. (GP: Non-Compliance Penalty) By June 29 of the current fiscal year, all public institutions of higher learning must be compliant with state law. If an institution is found in non-

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compliance by this date, the institution shall remit one hundred dollars per in-state student to the General Fund.

- 117.efw** ADD (Educational Fee Waivers) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize institutions of higher learning to offer up to an additional 4% of educational fee waivers allowed by law, to undergraduate resident students whose family income is 200% or less than federal poverty guidelines. Require institutions that offer these waivers to report the number and amount of additional waivers offered to the Chairmen of the House Ways and Means, House Education and Public Works, Senate Finance, and Senate Education Committees, the Chairman of CHE, and the Governor by December 31st.

117.efw. (GP: Educational Fee Waivers) For the current fiscal year institutions of higher learning may offer up to, but may not exceed, an additional four percent of educational fee waivers allowed by law provided that additional waivers, if any, are limited exclusively to the benefit of undergraduate resident students whose family income is two hundred percent or less than federal poverty guidelines. Institutions utilizing this provision shall report the number and amount of additional waivers offered to undergraduate resident students to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the Commission on Higher Education and the Governor on or before December 31st of the current fiscal year.

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