

**PROVISO SUBCOMMITTEE  
HIGHER EDUCATION  
RECOMMENDATIONS FOR FY 2022-23  
TO THE HOUSE WAYS AND MEANS COMMITTEE**

**SECTION 11 - H030 - COMMISSION ON HIGHER EDUCATION**

- 11.18 AMEND** (CHE: Suspend Governor’s Professor of the Year Award) Suspends the Governor’s Professor of the Year Award for FY 2021-22.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to update fiscal year reference to “2022-23.”

**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 ~~2021-22~~ 2022-23.

**SECTION 18 - H210 - LANDER UNIVERSITY**

- 18.1 DELETE** (LU: Lander Fund Repurpose) Redirects funds remaining of the \$3,313,400 appropriated in Act 92 of 2019 for Lander University - Roof Replacement to be used for campus renovations and improvements. Directs that unexpended funds may be carried forward for the same purpose.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso.

**18.1.** (LU: Lander Fund Repurpose) ~~Funds remaining of the \$3,313,400 appropriated in Act No. 92 of 2019, Section 2, Item (9) to Lander University - Roof Replacements shall be redirected to be used for campus renovations and improvements. Unexpended funds may be carried forward to be expended for the same purpose.~~

**SECTION 20 - H450 - UNIVERSITY OF SOUTH CAROLINA**

- 20.4 DELETE** (USC: Beaufort Fund Repurpose) Directs that funds remaining from the \$1,750,000 appropriated in the 2018 CRF and the \$4,500,000 appropriated in the 2019 CRF for USC Beaufort Library/Classroom Building Expansion be redirected and used for a new commencement/convocation center. Allows unexpended funds to be carried forward and used for the same purpose.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso.

**20.4.** (USC: Beaufort Fund Repurpose) ~~Funds remaining of the \$1,750,000 appropriated in Act 268 of 2018, Section 1, Item (21) and \$4,500,000 appropriated in Act No. 92 of 2019, Section 2, Item (16) to the University of South Carolina Beaufort for the Library/Classroom Building Expansion shall be redirected to be used for a new commencement/convocation center. Unexpended funds may be carried forward to be expended for the same purpose.~~

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

- 25.5 DELETE** (TEC: Aiken Fund Repurpose) Directs that the \$640,000 appropriated for the Aiken Technical College Academic Building in Support of STEM and Engineering in Act 104 of 2013 be redirected for campus renovations and improvements and authorize unexpended funds to be carried forward and used for the same purpose.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso.

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~~25.5. (TEC: Aiken Fund Repurpose) Funds remaining of the \$640,000 appropriated in Act No. 104 of 2013, Section 1, Item (29) to the State Board for Technical and Comprehensive Education for the Aiken Technical College Academic Building in Support of STEM and Engineering shall be redirected to be used for campus renovations and improvements. Unexpended funds may be carried forward to be expended for the same purpose.~~

**SECTION 117 - X900 - GENERAL PROVISIONS**

**117.139 DELETE** (GP: Transfer Student Credits) Directs CHE to work in consultation with the State Board for Technical and Comprehensive Education and public institutions of higher learning, to develop policies by March 1, 2022, 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 and are given a junior status at a public 4-year college or university. Directs that course prerequisites and minimum credit requirements for awarding degrees still apply. Directs that the effective date for implementation is June 1, 2022.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso.

~~117.139.(GP: Transfer Student Credits) The Commission on Higher Education shall work in consultation with the State Board for Technical and Comprehensive Education and the public institutions of higher learning to develop policies by March 1, 2022, to guarantee students who have earned an Associate of Arts or Associate of Science degree from a public two year institution of higher learning shall receive a minimum of sixty transfer credit hours at a public four year college or 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 the provisions shall be effective beginning June 1, 2022.~~

**117.140 AMEND** (GP: Permanent Improvement Projects) Exempts 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. Directs that a project is not considered approved unless the institution's governing board has voted for approval in a public session. Requires institutions provide a report of approved projects to the CHE Chairman, to JBRC, and to SFAA by September 30th.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to change reporting date from "September 30th" to "November 15th".

**117.140.(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, 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 ~~September 30th~~ November 15th of the current fiscal year.

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**117.145 DELETE** (GP: COVID-19 Proof of Vaccination Restriction - Institutions) Directs that any state supported institution of higher learning that receives appropriated funds shall be restricted from requiring proof of COVID-19 vaccination for any student. Requires that if third party program providers require proof of vaccination for off-campus learning events, the third party requirements shall apply.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso.

~~117.145.(GP: COVID-19 Proof of Vaccination Restriction - Institutions) For the current fiscal year, state supported institutions of higher learning that directly or indirectly receive funds appropriated or authorized through the general appropriations act shall be restricted from requiring proof of COVID-19 vaccination for any student as a condition of enrollment, attendance at on-campus instruction, or residence on campus. In instances of off-campus learning events for which third party program providers require proof of vaccination, the third party requirements shall apply.~~

**117.152 DELETE** (GP: Longitudinal Funding Report) Directs the Commission on Higher Education to work with the public institutions of higher education and the State Board for Technical and Comprehensive Education to collect and analyze data for their longitudinal state and federal funding. Requires the commission to submit a report that includes each public institution for higher learnings' and technical colleges' state appropriation and federal formula-based funding data no later than January 31, 2022.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso.

~~117.152.(GP: Longitudinal Funding Report) In the current fiscal year, the Commission on Higher Education shall work in consultation with the public institutions of higher education and the State Board for Technical and Comprehensive Education to collect and analyze longitudinal state and federal funding data for these institutions. The Commission on Higher Education shall submit a report that includes for each public institution of higher education and technical college, at a minimum, state appropriation and federal formula based funding data in the aggregate and by full-time equivalent student to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee no later than January 31, 2022.~~

**117.159 DELETE** (GP: Masks at Higher Education Facilities) Directs that a public institution of higher learning or technical college may not use appropriated or authorized funds to require students to have been vaccinated for COVID-19 in order to be present at the institution's facilities without being required to wear a facemask.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso.

~~117.159.(GP: Masks at Higher Education Facilities) A public institution of higher learning, including a technical college, may not use any funds appropriated or authorized pursuant to this act to require that its students have received the COVID-19 vaccination in order to be present at the institution's facilities without being required to wear a facemask. This prohibition extends to the announcement or enforcement of any such policy.~~

**117.tsc. ADD** (GP: Transfer Student Credits) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct CHE to work in consultation with the State Board for Technical and Comprehensive Education and public institutions of higher learning, to develop policies 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 and are given

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a junior status at a public 4-year college or university. Directs that course prerequisites and minimum credit requirements for awarding degrees still apply. Directs that the effective date for implementation is November 15, 2022.

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

*Graduates covered under this agreement are defined as students who have:*

*(1) earned an Associate in Arts (AA) or Associate in Science (AS) degree from one of the sixteen colleges within the South Carolina Technical College System (SCTCS);*

*(2) earned a grade of "C" or better in each course applicable to the AA or AS degree; and*

*(3) expressed intent to transfer to a public four-year institution.*

*Graduates from a South Carolina technical college will be granted admission to the public four-year institution and shall expect the following:*

*(1) students who have completed the AA or AS degree shall enter the public four-year institution with Junior academic standing and will have satisfied the public four-year institution's general education program requirements;*

*(2) all transfer courses that are accepted by the public four-year institution will be applied to the attainment of the baccalaureate degree as appropriate to the student's major; and*

*(3) all transfer students must meet specific admission requirements for their desired major and must take junior and senior seminar courses.*

*The public four-year institution shall facilitate a reverse transfer option for South Carolina technical college students who enroll in their institution without completing the Associate of Arts or Associate of Science degree. Upon successful completion of coursework and hours at the public four-year institution, credits earned at the institution may be transferred back to the originating South Carolina technical college and applied toward an associate degree. Course prerequisites and minimum credit requirements for awarding degrees shall still apply. Implementation of the provisions shall be effective no later than November 15, 2022.*

**117.rc ADD (GP: Retained Counsel) PROVISO SUBCOMMITTEE RECOMMENDATION:**  
ADD new proviso to direct colleges, universities, and technical school to adopt policies allowing students facing a disciplinary proceeding to retain counsel for representation at the student's expense.

*117.rc. (GP: Retained Counsel) In the current fiscal year, from the funds appropriated, colleges and universities, including technical schools, shall adopt policies to allow a student facing a disciplinary proceeding to retain counsel, at the student's expense, to provide full representation including, but not limited to, speaking on behalf of the student and participating in the proceedings.*