

**PROVISO SUBCOMMITTEE  
HIGHER EDUCATION  
RECOMMENDATIONS FOR FY 2021-22  
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) Suspends the Governor's Professor of the Year Award for FY 2020-21.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** AMEND proviso to update fiscal year reference to "2021-22."

**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 ~~2020-21~~ 2021-22.

**11.dpuc ADD** (Doctoral/Professional University Classification) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct CHE to study and implement a classification system for public institutions of higher education that includes a Doctoral/Professional classification.

*11.dpuc. (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 education 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 of Charleston to use institutional capital resources to make repairs to McAlister Hall. Require recoveries from ongoing litigation to first be used to repay allocations made from their capital improvement fee for the 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 18 - H210 - LANDER UNIVERSITY**

**18.lfr ADD** (Lander Fund Repurpose) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to redirect 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. Direct that unexpended funds may be carried forward for the same purpose.

*18.lfr. (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.*

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**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. Requested by South Carolina State University.

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

- 25.5 DELETE** (Aeronautics Training Center) Authorizes the State Board for Tec and Comp Education to carry forward S.C. Aeronautics Training Center funds and to use the funds for the same purpose.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. Requested by State Board for Technical and Comprehensive Education.

~~25.5. (TEC: Aeronautics Training Center) Funds appropriated for the S.C. Aeronautics Training Center may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose.~~

- 25.6 DELETE** (Florence Darlington Fund Repurposed) Directs that funds previously appropriated in Fiscal Years 2015 and 2016 for the Academic and Workforce Development Building be redirected and used for campus renovations and improvements and authorizes these funds to be carried forward.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. Requested by State Board for Technical and Comprehensive Education.

~~25.6. (TEC: Florence Darlington Fund Repurpose) Funds remaining of the \$1,000,000 appropriated in Act No. 91 of 2015, by proviso 118.14, Item (B)(19)(f) to the State Board for Technical and Comprehensive Education for the Florence Darlington Technical College Academic and Workforce Development Building, the \$3,500,000 appropriated in Act No. 284 of 2016, by proviso 118.16, Item (B)(23)(j) to the State Board for Technical and Comprehensive Education for the Florence Darlington Technical College Academic Building, and the \$2,000,000 appropriated in Act No. 285 of 2016, Section 1, Item (24) to the State Board for Technical and Comprehensive Education for the Florence Darlington Technical College Academic Building shall be redirected to be used for campus renovations and improvements. Unexpended funds may be carried forward to be expended for the same purpose.~~

- 25.7 DELETE** (Health Science Capital Project) Directs that funds appropriated for the Technical College of the Lowcountry - New River Workforce Development Center be redirected and used for the Beaufort campus Health Science capital project and authorizes the funds to be carried forward.  
**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. Requested by State Board for Technical and Comprehensive Education.

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~~25.7. (TEC: Health Science Capital Project) Funds remaining of the \$3,500,000 appropriated in Act No. 285 of 2016, Section 1, Item (31) to the State Board for Technical and Comprehensive Education for the Technical College of the Lowcountry—New River Workforce Development Center shall be redirected to be used for the Health Science capital project at the Technical College of the Lowcountry—Beaufort campus. Unexpended funds may be carried forward to be expended for the Health Science capital project.~~

- 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. Requested by State Board for Technical and Comprehensive Education.

~~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.~~

- 25.9 DELETE** (Northeastern Tech Repurpose) Directs that the \$3,500,000 appropriated for the Northeastern Technical College-Instructional Building in Act 284 of 2016 be redirected for construction and renovation of critical industry training space and authorizes the funds to be carried forward and used for the same purpose.

**PROVISO SUBCOMMITTEE RECOMMENDATION:** DELETE proviso. Requested by State Board for Technical and Comprehensive Education.

~~25.9. (TEC: Northeastern Tech Repurpose) The \$3,500,000 appropriated in Act No. 284 of 2016, by Proviso 118.16, Item (B)(23)(n) to the State Board for Technical and Comprehensive Education for the Northeastern Technical College—Instructional Building shall be redirected to be used to construct and renovate space for critical industry training. Unexpended funds may be carried forward and expended for the same purpose.~~

**SECTION 117 - X900 - GENERAL PROVISIONS**

- 117.69 AMEND** (Printed Report Requirements) Directs that for Fiscal Year 2020-21, 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 “2021-22.”

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**117.69.** (GP: Printed Report Requirements) (A) For Fiscal Year ~~2020-21~~ 2021-22, 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 ~~2020-21~~ 2021-22, 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 ~~2020-21~~ 2021-22, 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 ~~2020-21~~ 2021-22, 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.tsc** **ADD** (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 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. Direct that course prerequisites and minimum credit requirements for awarding degrees still apply. Direct that the effective date for implementation is June 1, 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 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.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

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session. Require institutions provide a report of approved projects to the CHE Chairman, to JBRC, and to SFAA by September 30th. Requested by University of South Carolina.

**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, 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 higher education institutions 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.pmh** **ADD** (Public Mobile Health Units Statewide Coordination Project) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the SC Center for Rural and Primary Healthcare to oversee public mobile units which shall partner with SC public higher education institutions to coordinate statewide delivery of services to increase access to preventative and diagnostic health care and to reduce health inequalities for rural, vulnerable, underserved and displaced populations. Direct that a coordinating system be developed to provide organization and collaboration among units. Direct USC Salkehatchie and Denmark Technical College provide training and health education awareness.

**117.pmh.** (GP: Public Mobile Health Units Statewide Coordination Project) For the current fiscal year, the South Carolina Center for Rural and Primary Healthcare shall oversee public mobile health units in South Carolina which shall partner with South Carolina public institutions of higher education to coordinate statewide delivery of services to increase access to preventative and diagnostic health care, and reduce health inequalities for rural, vulnerable, underserved, and displaced populations in South Carolina. The public mobile health units, in consultation with appropriate health care organizations, under the direction of the South Carolina Center for Rural and Primary Healthcare, shall collaborate with South Carolina public institutions of higher education and relevant stakeholders identified by the center to develop a coordinating

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system to provide organization and collaboration among those units and any units that may begin operating in the future. The University of South Carolina Salkehatchie and Denmark Technical College shall provide training and health education awareness to assist and support implementation strategies driven by local, regional, and state data and research and aligned efforts.

- 117.etc ADD** (CARES Act Federal Employment Tax Credits) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize colleges, universities, and entities that provide medical and hospital care to contract directly with private parties to provide services related to federal employment tax credits under the Federal CARES Act of 2020 if their employees are state employees or employees of a political subdivision.

**117.etc.(GP: CARES Act Federal Employment Tax Credits)** Colleges, universities, and entities that provide medical and hospital care, whose employees are employees of the State of South Carolina or any political subdivision thereof, shall be authorized to contract directly with private parties to provide services related to federal employment tax credits under the Federal CARES Act of 2020 as extended to such state employees under Section 207 of the Taxpayer Certainty and Disaster Tax Relief Act of 2020.

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