

SC Commission on Higher Education Law Recommendations

Revised 5/17/23

LAW CHANGE # 1			
Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
59-103-50	<p><u>Current Law:</u> Establishes an advisory council of independent institution presidents</p> <p><u>Recommendation:</u> Repeal</p>	<p>There exists an advisory council, the South Carolina Independent Colleges and Universities (SCICU), to manage these functions. The Commission currently does not have underneath it an advisory council of private colleges and university presidents because of SCICU.</p>	<p><u>Presented and approved by agency's governing body:</u> Yes</p> <p><u>Other entities potentially impacted:</u> Independent colleges and universities</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u></p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>There shall be established, under the auspices of the commission, an Advisory Council of Private College Presidents to counsel with and advise the commission with regard to matters concerning nonpublic colleges and their role in overall programs of higher education in the State. The council shall consist of eight members selected by the South Carolina College Council. Terms of members shall be for two years. A chairman shall be elected by the members. The council shall meet upon the call of the chairman and shall meet at least once annually with the commission. The members of the council serving on this section's effective date may continue to serve until the expiration of their terms.</p>		<p>None. Repeal.</p>	

Commented [A1]: Did the CHE ever constitute this advisory council as required by statute?

What is the nature of the CHE's relationship with SCICU? Does this relationship fulfill the intent of 59-103-50?

LAW CHANGE # 2

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
59-54-20	<p><u>Current Law:</u> Advisory Committee tasked with improving coordination of adult and career technological education.</p> <p><u>Recommendation:</u> Repeal</p>	<p>Staff believe this council has been defunct for quite some time. Adult education has been the purview of the State Department of Education, and current legislation would move that responsibility to the State Technical College System.</p>	<p><u>Presented and approved by agency's governing body:</u> Yes</p> <p><u>Other entities potentially impacted:</u> State Board of Education, State Board of Comprehensive and Technical Education, Governor's Office</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> N/A</p>
Current Law Wording	Proposed Revisions to Law Wording		
<p>SECTION 59-54-20. State Occupational Training Advisory Committee; duties and recommendations.</p> <p>(A) The State Council on Vocational and Technical Education membership shall comply with all requirements of Section 112 of the Carl D. Perkins Vocational and Applied Technology Education Act of 1990. In addition, a majority of the council membership appointed by the Governor must be members of the Commission on Higher Education, provided that members of the commission meet the federal requirements of the establishment of the council. Further, at least four members of the council shall represent secondary career and technology education.</p> <p>(B) The Commission on Higher Education shall serve as the State Occupational Training Advisory Committee and in this regard shall make recommendations to the State Board of Education, the State Board for Technical and Comprehensive Education, the Governor's Office, and the public for:</p> <p>(1) improving the coordination among the state's plans and programs for adult career and technology education, adult basic and adult secondary education, post-secondary technical education, and secondary career and technology education;</p> <p>(2) assuring the compatibility of these educational plans and programs with the state's economic development strategies;</p> <p>(3) improving the articulation between secondary career and technology education and post-secondary technical education and between post-secondary technical education and four-year degree programs;</p> <p>(4) improving service to groups or communities in the State which are unserved or</p>	<p>Repeal.</p>		

Commented [A2]: How long, approximately, has this council been defunct? Did the council cease to function due to the CHE no longer choosing to operate it?

The reference of "current legislation", please provide additional information about this legislation and its intent.

underserved and need additional training and education to be employed or to move into the work force and off of public assistance;

(5) improving the accountability systems and effectiveness of the adult career and technology education, adult basic and adult secondary education, post-secondary technical education, and secondary career and technology education programs;

(6) improving the implementation of the South Carolina Employment Revitalization Act of 1986.

HISTORY: 1986 Act No. 394, Section 5; 1993 Act No. 164, Part II, Section 82A; 2005 Act No. 49, Section 12, eff May 3, 2005.

LAW CHANGE # 4

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
59-103-162	<p><u>Current Law:</u> Requires the Commission to annually review budget and allocate funds for the S.C. Manufacturing Partnership.</p> <p><u>Recommendation:</u> Repeal</p>	<p>Administration and funding of the SC Manufacturing Extension Partnership was transferred to the SC Department of Commerce in FY2013 per Proviso 40.19.</p>	<p><u>Presented and approved by agency's governing body:</u> Yes</p> <p><u>Other entities potentially impacted:</u> Former partner agencies(?)</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> N/A</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>SECTION 59-103-162. South Carolina Manufacturing Extension Partnership; review of activities and board membership; budget recommendations.</p> <p>The South Carolina Commission on Higher Education shall review annually the activities of the South Carolina Manufacturing Extension Partnership, make a budget recommendation to the General Assembly, and coordinate the allocation of funds among each participating institution. The funds appropriated to the University of South Carolina-Columbia for the South Carolina Manufacturing Extension Partnership may not be used for any other purpose. The Commission shall review the membership of the South Carolina Manufacturing Extension Partnership board to insure appropriate representation of each participating institution.</p>		<p>Repeal.</p>	

LAW CHANGE #:			
Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
59-104-40	<p><u>Current Law:</u> Requires the technical colleges to convert from quarter to semester-based system. Required the CHE to request funds for the purpose.</p> <p><u>Recommendation:</u> Repeal because it is obsolete.</p>	Technical Colleges have already converted to a semester-based system	<p><u>Presented and approved by agency's governing body:</u> Yes</p> <p><u>Other entities potentially impacted:</u> Technical Colleges</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> N/A</p>
<u>Current Law Wording</u>		<u>Proposed Revisions to Law Wording</u>	
<p>Technical education system shall convert to semester calendar; limitation on offering of certain courses.</p> <p>(A) The technical education system in this State shall convert from the quarter calendar to the semester calendar, if funds are appropriated for this purpose. The Commission on Higher Education shall request state appropriations for the conversion to be funded and completed over a two-year period.</p> <p>(B) The State Board for Technical and Comprehensive Education, in consultation with the commission, shall limit the offering of courses designed for college transfer in those technical colleges that do not have approved college transfer programs. The offering of "college parallel" general education courses in institutions not authorized to award the associate in arts or associate in science degree is limited to those necessary to support approved nontransfer programs. The commission, after consultation with the State Board for Technical and Comprehensive Education and with public senior colleges and universities, shall establish rules and procedures by which this limitation must be regulated. The commission shall establish procedures concerning courses acceptable for transfer as provided in Section 59-103-45(1).</p>		Repeal.	

Commented [A3]: The General Assembly intends for the Tech system to operate using a semester-based system. If this statute were repealed, would it open the door for the implementation of some other system?

LAW CHANGE #6

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
59-104-250	<p><u>Current Law:</u> Requires the Commission to ask for appropriations for the technical colleges to convert to a computer-based system.</p> <p><u>Recommendation:</u> Repeal</p>	The Partnership Amount State College Academic Libraries (PASCAL) provides a computer-based system for the two-year college libraries.	<p><u>Presented and approved by agency's governing body:</u> Yes</p> <p><u>Other entities potentially impacted:</u> Technical Colleges</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> N/A</p>
Current Law Wording		Proposed Revisions to Law Wording	
All libraries in the technical colleges in this State shall convert to a computer-based automated system that is compatible with existing state library systems and allows for appropriate networking with public colleges and universities if funds are appropriated for this purpose. The Commission on Higher Education shall request special appropriations to accomplish the conversion.		Repeal.	

LAW CHANGE #7

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
59-103-120	<p><u>Current Law:</u></p> <p><u>Recommendation:</u> Repeal</p>	No longer relevant. There is a national accreditation body for chiropractic schools. In addition, there currently is only one licensed chiropractic college in South Carolina. As a prerequisite of licensure, degree-granting institutions must be accredited.	<p>Presented and approved by agency's governing body: Yes</p> <p><u>Other entities potentially impacted:</u></p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u> N/A</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>SECTION 59-103-120. Accreditation and chartering of chiropractic colleges.</p> <p>One hundred and eighty days from the effective date of this act, the State Commission on Higher Education shall publish a list of the accrediting agency or agencies, which may include itself, approved by it for accreditation of chiropractic colleges or schools doing business in this State. Any chiropractic college or school doing business in this State shall, upon publication of said list of such accrediting agency or agencies, forthwith apply for such accreditation or candidate status and furnish the State Commission on Higher Education documented evidence of such application.</p> <p>Failure to obtain such accreditation or candidate status within nineteen months after publication of the list of approved agencies shall result in the Commission on Higher Education revoking the status of such college or school as a recognized college or school of chiropractic.</p> <p>Provided, further, any college of chiropractic applying for a South Carolina charter must furnish the Commission on Higher Education with sufficient evidence that such school will qualify for required accreditation. Upon certification by the Commission on Higher Education to the Secretary of State, the Secretary of State may issue a charter; provided, further, however, that any college now chartered must attain required licensure before one hundred eighty days after the effective date of this act or have its charter revoked upon a finding by the Attorney General that such licensure has not been attained by such date. In addition to other existing criteria, licensure of all chiropractic colleges shall be renewable annually contingent upon supplying semiannual reports as to the progress of accreditation to the Commission on Higher Education and the Commission shall make a determination if such progress is satisfactory.</p> <p>HISTORY: 1980 Act No. 307, Section 1; 1981 Act No. 178, Part II, Section 6.</p>		Repeal.	

LAW CHANGE #

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
39-9-230	<p><u>Current Law</u> There is an advisory committee looking at implementing the metric system, which includes the executive director of the Commission on Higher Education.</p> <p><u>Recommendation.</u> Strike the Executive Director from this Commission.</p>	The agency head believes this section is antiquated.	<p><u>Presented and approved by agency's governing body:</u> Yes</p> <p><u>Other entities potentially impacted</u></p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly:</u></p>
<u>Current Law Wording</u>		<u>Proposed Revisions to Law Wording</u>	
<p>SECTION 39-9-230. Implementation of metric system; duties of Commissioner of Agriculture; advisory committee.</p> <p>The Commissioner of Agriculture has general advisory authority over the implementation of the metric system in this State. To assist in the implementation there is created a nine member advisory committee including the executive officers or their designated staff member from the State Law Enforcement Division, the State Commission on Higher Education, the State Board for Technical and Comprehensive Education, the State Department of Education, the South Carolina Department of Transportation, State Department of Public Safety, the Department of Commerce, one member appointed by the Governor who is associated with the textile industry and serves without compensation, and one member appointed by the Governor from his staff. If a designated member ceases to be on the staff of the state agencies provided in this section, he no longer is a member of the advisory committee, and the executive officer shall serve or designate another member of his staff to serve on the committee. Members of the committee serve until this section and Section 39-9-240 have been implemented fully. The Commissioner of Agriculture, with the assistance and recommendations of the committee, shall:</p> <p>(1) formulate a suggested program necessary to plan for the gradual implementation in the commerce of this State to the metric system;</p> <p>(2) provide to the General Assembly recommendations for achieving conversion of units of measurement as used in this State to the metric system;</p> <p>(3) encourage all state departments, divisions, agencies, boards, and commissions having authority or responsibility in matters concerning standards of weights and measurement to initiate planning for the gradual conversion to and implementation of the metric system of weights and measures of this State.</p>		<p>SECTION 39-9-230. Implementation of metric system; duties of Commissioner of Agriculture; advisory committee.</p> <p>The Commissioner of Agriculture has general advisory authority over the implementation of the metric system in this State. To assist in the implementation there is created a nine member advisory committee including the executive officers or their designated staff member from the State Law Enforcement Division, the State Commission on Higher Education, the State Board for Technical and Comprehensive Education, the State Department of Education, the South Carolina Department of Transportation, State Department of Public Safety, the Department of Commerce, one member appointed by the Governor who is associated with the textile industry and serves without compensation, and one member appointed by the Governor from his staff. If a designated member ceases to be on the staff of the state agencies provided in this section, he no longer is a member of the advisory committee, and the executive officer shall serve or designate another member of his staff to serve on the committee. Members of the committee serve until this section and Section 39-9-240 have been implemented fully. The Commissioner of Agriculture, with the assistance and recommendations of the committee, shall:</p> <p>(1) formulate a suggested program necessary to plan for the gradual implementation in the commerce of this State to the metric system;</p> <p>(2) provide to the General Assembly recommendations for achieving conversion of units of measurement as used in this State to the metric system;</p> <p>(3) encourage all state departments, divisions, agencies, boards, and commissions having authority or responsibility in matters concerning standards of weights and measurement to initiate planning for the gradual conversion to and implementation of the metric system of weights and measures of this State.</p>	

Commented [A4]: Is this advisory committee active? Was any consideration given to the repeal of this statute? There are eight other agencies assigned to this advisory committee. Did staff of the CHE contact these other agencies to inquire as whether the statute should be repealed?

LAW CHANGE #9

Law	Summary of Current Law(s) and Recommended Change(s)	Basis for Recommendation	Approval and Others Impacted
39-9-240	<p><u>Current Law</u></p> <p><u>Recommendation</u> Repeal.</p>	Staff believe that this law is antiquated and should no longer be included in statute.	<p>Presented and approved by agency's governing <u>body</u>: Yes</p> <p><u>Other entities potentially impacted</u>: State Board of Technical and Comprehensive Education, Superintendent of Education.</p> <p><u>If the law is a regulation, where agency is in the process of finalizing it and providing it to the General Assembly</u>:</p>
Current Law Wording		Proposed Revisions to Law Wording	
<p>SECTION 39-9-240. Metric Education Committee.</p> <p>A Metric Education Committee consisting of the Superintendent of the State Department of Education or his representative, the Chairman of the State Board for Technical and Comprehensive Education or his representative, and the Chairman of the State Commission on Higher Education or his representative shall develop and encourage implementation of a metric education plan within initial emphasis on the immediate requirements of the commercial and industrial community and a long-range plan of public education.</p>		None. Repeal.	