



House of Representatives

State of South Carolina

Eric M. Bedingfield

District No. 28 - Greenville County
945 Cooley Bridge Road
Belton, SC 29627

312-B Blatt Building
Columbia, SC 29201

Tel. (803) 734-2962
Cell. (864) 230-7044

Committee:

Labor Commerce & Industry

Subcommittees:

Banking & Consumer Affairs
Regulations
Insurance

February 7, 2014

Members of the Commission on Higher Education
and Dr. Richard C. Sutton, Executive Director
Commission on Higher Education
1122 Lady Street, Suite #300
Columbia, South Carolina 29201

Re: Charleston School of Law/InfiLaw

Dear Members of the Commission and Dr. Sutton:


We are writing to express our concerns with regard to the future of the Charleston School of Law. We understand that some parties are trying to use the licensing process to stop the sale of the Charleston School of Law to InfiLaw in order to clear the way for it to merge with a state-supported school. We do not believe it is appropriate for the Commission to interfere with a private transaction under any circumstances, especially these. Further, we firmly oppose expending public resources to purchase and operate a second publicly-funded law school in South Carolina.

InfiLaw and the Charleston School of Law are both privately-held companies. As such, the state should play only a very limited role with regard to the transaction. As you know, the Commission does not have any discretion to withhold a license if an applicant satisfies the statutorily prescribed standards for obtaining the license. "The granting of a license to engage in a trade, business or profession is a ministerial function," not one that permits an agency to make subjective judgments or exercise discretion regarding an application. *Bd. of Bank Control v. Thompson*, 236, S.C. 158, 165, 113 S.E.2d 544, 547 (1960). We have many private, for-profit colleges and educational institutions operating in South Carolina, and the InfiLaw - Charleston School of Law transaction will simply shift ownership of a single private institution from one set of owners to another. It is inappropriate for you to allow the administrative process to be

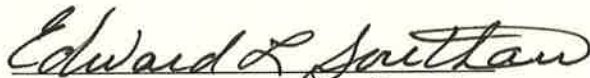
manipulated in order to further the desire of some who would prefer that the Charleston School of Law be merged with a state-supported school.

We oppose the use of public resources to purchase and operate another law school in South Carolina. Simply put, South Carolina does not need and cannot afford a second publicly-funded law school. We already fund more than 30 institutions of higher education, and we should not further expand an already bloated higher education system by purchasing and then subsidizing a second law school. We have great respect for the Charleston School of Law, and we have every confidence that, with InfiLaw's leadership and resources, the Charleston School of Law will continue to prosper as a private, not public, law school.

Sincerely,


Eric M. Bedingfield
House District 28


WE CONCUR:


Name: Edward L. Southard

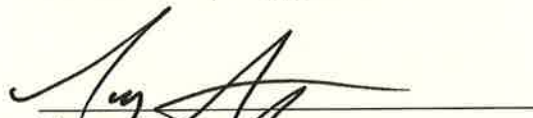

Name: Dwight Loftis


Name: Bill Chumley

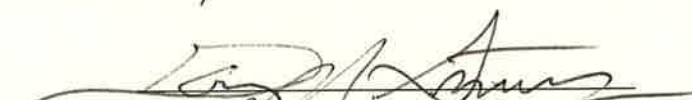

Name: Nathan Ballentine



Name: Mike Burns



Name: Kris Crawford


Name: Tommy Stringer


Name: Todd Rutherford


Name: Garry R. Smith


Name: Shannon Erickson


Name: Todd Atwater


Name: Dan Hamilton