

MEMORANDUM

To: Conservative Clemson Alumni

From: Jameson C. Broggi

Date: March 30, 2020

Re: Clemson Violating State Law – Not Teaching Students the U.S. Constitution

Many of you have asked me to draft you a memo detailing Clemson's effort to ignore and repeal the South Carolina law that mandates public colleges require students to complete a yearlong class on America's founding documents. This memo will first present the state college founding documents law. Then, it will detail how Clemson is choosing to violate this state law. The General Assembly is considering legislation to update this state law. The memo will describe how this pending legislation, if passed, would update the law. Finally, emails of Clemson lobbyists—obtained through a request made under the South Carolina Freedom of Information Act—will reveal Clemson's efforts to “kill” the legislation and Clemson's effort to “repeal in its entirety” the existing law that Clemson actively violates.

Introduction

Clemson is currently violating state law by not requiring students to complete a yearlong class on America's founding documents. Current state law mandates all public colleges to require students to complete a yearlong class on the U.S. Constitution, the Declaration of Independence, and the Federalist Papers. Clemson violates this law by not requiring students to take a class on America's founding documents. Instead of complying with the law's “one year” class requirement, Clemson requires students to watch a 60-minute video. Clemson claims this 60-minute video complies with the law's requirement that the class be “one year.” Finally, Clemson Provost Robert Jones ordered Clemson lobbyists to “kill” a bill pending in the General Assembly seeking to update this state law.

Current state law

Current state law mandates all public colleges to require students to complete a yearlong class on the U.S. Constitution, the Declaration of Independence, and the Federalist Papers.

S.C. Code Ann. § 59-29-120(A): Required College Class on Founding Documents

All high schools, colleges, and universities in this State that are sustained or in any manner supported by public funds shall give instruction in the essentials of the United States Constitution, the Declaration of Independence, and the Federalist Papers, including the study of and devotion to American institutions and ideals, and no student in any such school, college, or university may receive a certificate of graduation without previously passing a satisfactory examination upon the provisions and principles of the United States Constitution, the Declaration of Independence, and the Federalist Papers, and, if a citizen of the United States, satisfying the examining power of his loyalty thereto.

S.C. Code Ann. § 59-29-130: College Class “One Year” in Duration

The instruction provided for in Section § 59-29-120 shall be given for at least one year of the high school, college and university grades, respectively.

S.C. Code Ann. § 59-29-150: Removal of College President for Noncompliance

Willful neglect or failure on the part of any public school superintendent, principal or teacher or the president, teacher or other officer of any high school, normal school, university or college to observe and carry out the requirements of Sections 59-29-120 to 59-29-140 shall be sufficient cause for the dismissal or removal of such person from his position.

Clemson violates state law – Clemson feigns compliance

State law mandates that public colleges require students to complete a “one year” class on America’s founding documents. But Clemson chooses to break this law and does not require this course as part of its general education requirements.¹

Further, Clemson specifically attempts to deceive lawmakers about its compliance with state law. Instead of complying with the law’s requirement of a yearlong class, Clemson pretends to comply by having students watch a 60-minute online video about the Constitution. Clemson claims this 60-minute video complies with the law’s “one year” requirement.

CU 1000

CU 1000 is the delivery mechanism where Clemson claims it complies with state law.² CU 1000 is a no credit pass/fail course all Clemson freshmen are required to take. This no credit pass/fail course covers a broad range of topics including modules on “Community Dialogue,” “Library Resources,” “Academic Advising” and “Aspire to Be Well.” The length of these module lessons range from 30 minutes to 3 hours.

One module within CU 1000 is a 60-minute online video module titled “Our Nation’s Founding Documents.” After students watch the 60-minute video, they have an unlimited number of attempts to pass a 20-question quiz. Clemson claims this 60-minute online video complies with law’s requirement of a “one year” class, and the 20-question quiz with unlimited attempts satisfies the law’s requirement of a “satisfactory examination.”³

¹ CLEMSON UNIVERSITY, 2019-2020 General Education, https://www.clemson.edu/academics/advising/documents/Final_2019_5_General%20Education.pdf (last visited Mar. 29, 2020).

² CLEMSON UNIVERSITY, CU 1000 Syllabus Fall 2018 <https://syllabus.app.clemson.edu/data/fall2018/whorton87431fall2018.pdf> (last visited Mar. 29, 2020).

³ In October of 2018, I requested from the Clemson director of CU 1000, Ms. Sue Whorton, access to this video. After weeks of not receiving a response to this request after multiple emails and calls, I asked more than one state legislator for assistance in obtaining this information from Clemson. After the involvement of state legislators, Dr. Sue Whorton met with me in Clemson’s legislative affairs office in Columbia, SC on December 17, 2018. At that meeting, I was allowed access to view the 60-minute online video and Dr. Sue Whorton informed me that students have an unlimited number of attempts to take the 20-question quiz.

State Law	Clemson Practice in CU 1000
“one year”	60-minute online video
“satisfactory examination”	Unlimited number of attempts to pass 20 question multiple choice online quiz

Clemson does not use CU 1000 as a tool to comply with the law. Rather, Clemson uses CU 1000 as a tool to mislead state legislators about Clemson’s noncompliance with the law.

In 2013, Senator Larry Grooms wrote a letter to Clemson President James Barker asking Clemson to comply with the law.⁴ Since that time, many other legislators have since asked Clemson to comply. Under pressure for its violation of state law, Clemson began requiring the 60-minute video on the founding documents so that, when asked by legislators, it could feign compliance with the law.

As recently as October 3, 2019, Clemson’s Vice President for External Relations, Angie Leiding, stated in an email to Rep. Kirkman Finlay, regarding CU 1000:

*This is a required course that all new students must complete during their first term of enrollment at Clemson University. This course has eight required modules including one titled, Our Nation’s Founding Documents.*⁵ (emphasis in original)

Instead of stating students are only required to watch a 60-minute video, Leiding refers to the requirement as part of a “course” with “eight modules,” implying that students are required to take a comprehensive course on America’s founding documents. When in reality, only one of those eight modules is about the founding documents.

At a February 4, 2020 subcommittee hearing on S.35, Rep. Finlay stated that both President Jim Clements and Provost Robert Jones testified to him that Clemson complies with the state founding documents law. When Rep. Finlay was asked by a fellow legislator if Clemson misled him, Finlay stated:

*The President of Clemson, and the Provost, attested to us at our Ways and Means hearing that they were in compliance. I suppose that they could be misleading me, but I would argue that to willfully mislead me when I ask you a very specific question in front of God and Country is probably a high-risk maneuver. They could be, but I don’t see the upside for doing so.*⁶

⁴ Letter from Lawrence K. Grooms, Senator, S. Carolina Senate to James Barker, President, Clemson Univ., (Dec. 23, 2013).

⁵ Email from Angie Leiding to Rep. Kirkman Finlay, (Oct. 3, 2019), FOIA document #2, page 19, <https://clemsonemails.wixsite.com/foia>.

⁶ Rep. Kirkman Finlay, Testimony at House Higher Education Subcommittee (Feb. 4, 2020), YOUTUBE.COM, <https://www.youtube.com/watch?v=vHTle3s0PBA>.

Clemson general education requirements

Clemson requires many courses in its general education requirements. State law, meanwhile, requires just one course. Yet, Clemson chooses to ignore the only course state law requires.

Clemson Core <i>Not</i> Mandated State Law	Clemson Core Mandated by State Law
<ul style="list-style-type: none"> • Cross-Cultural Awareness (3 credits) • English Composition (3 credits) • Oral Communication (3 credits) • Mathematics (3 credits) • Natural Science with Lab (4 credits) • Math or Natural Science (3 credits) • Literature (3 credits) • Non-Literature (3 credits) • Social Sciences (6 credits) • Science and Technology (3 credits) 	<ul style="list-style-type: none"> • American government (“one year”)

Further, Clemson claims a class on the U.S. Constitution would cost \$1.3 million.⁷ Meanwhile, unimportant classes on which Clemson currently spends tax dollars to offer include: Turkey Hunting, Jazz Dance, Sexuality and Cinema, Alpine Skiing, Windsurfing, Philosophy in Ancient China, Sacred and Profane Bodies, Cosmopolis: The Myth of the city, and Faces of Evil.⁸

Perhaps Clemson could redirect existing funds wasted on these unimportant courses to a required course America’s founding documents to comply with state law.

In response to the claimed \$1.3 million figure, State Treasurer Curtis Loftis said:

*As Clemson’s banker, I can tell you that 1. They can afford these classes on the founding documents and 2. They can save the \$1.3 million dollars in a week if they choose to. Mr. Broggi is doing excellent work.*⁹

Legislation to Update State Law

In 2019, the South Carolina Senate passed S.35, by a vote of 29-7. Titled the *Reinforcing College Education on America’s Constitutional Heritage Act* (REACH Act), S.35 seeks to **update** the current state founding documents law.¹⁰

⁷ Jameson Broggi, *Clemson U Works With Liberal Lawmakers to ‘Kill’ Requirement to Teach Constitution*, THE DAILY SIGNAL, March 25, 2020, <https://www.dailysignal.com/2020/03/25/clemson-u-works-with-liberal-lawmakers-to-kill-requirement-to-teach-constitution/>.

⁸ CLEMSON UNIVERSITY, 2019-2020 Undergraduate Course Catalog.

⁹ Curtis Loftis, Treas., S. Carolina, FACEBOOK (March 29, 2020), https://www.facebook.com/groups/210182802329709/3319635758051049/?comment_id=3319652038049421&reply_comment_id=3324171520930806¬if_id=1585502067156611¬if_t=group_comment_mention.

¹⁰ South Carolina Legislative Services Agency, *Senate Bill 35 “Reinforcing College Education on America’s Constitutional Heritage Act” or the “REACH Act”*, WWW.SCSTATEHOUSE.GOV, https://www.scstatehouse.gov/sess123_2019-2020/bills/35.htm.

Intended to make it easier for colleges to follow the law, the bill, if passed, would **reduce** the length of required instruction from “one year” to “three semester credit hours” and delete the current law’s antiquated loyalty oath.¹¹ The Senate passed legislation and sent it to the House of Representatives on February 13, 2019.¹²

Clemson lobbyists ask Democrat senators to “repeal” the law and “hold” the bill

Clemson has a government affairs team which lobbies the General Assembly on legislation that affect Clemson. Two of these Clemson lobbyists, Angie Leidinger and Mark Cothran, have lobbied against S.35.

On January 28, 2019, Clemson lobbyist Mark Cothran emailed Clemson lobbyist Angie Leidinger informing her that he asked “a couple of members to place a hold on the bill.”¹³ As a result, Democrat senators contested S.35.¹⁴

On January 29, 2019, Leidinger emailed DeAnne Gray (Senate Democrat Staffer) and asked for an amendment to S.35 to “repeal in its entirety that portion of the bill that relates to higher education and have the burden solely upon K-12.”¹⁵

In the same email, Leidinger asked if not granted a complete repeal of the law, then, in the alternative, that the law be amended to legalize Clemson’s current practice of having students watch a 60-minute video on the Constitution: “if none of the above, then institutions would have to report to CHE how they will satisfy this requirement as a part of a minimum 1 hour course (this is the current Clemson practice).”¹⁶

“[Sen. Brad Hutto] is not interested in trying to make [the] bill tolerable so is not interested in further amendments,” Democrat staffer Deanne Gray, emailed back to Leidinger. “He wants the bill killed.”¹⁷

Leidinger responded: “Understood. Thank you for your help on this!”¹⁸

On February 13, 2019, on the Senate Floor, Sen. Brad Hutto led the Democrat Caucus in a three-hour filibuster against S.35.¹⁹ But the Republican Caucus overrode the Democrat filibuster and passed S.35 anyway.²⁰

¹¹ *Id.*

¹² South Carolina Legislative Services Agency, *South Carolina General Assembly 123rd Session, 2019-2020 Senate Roll Call Vote Number 53*, February 13, 2019, WWW.SCSTATEHOUSE.GOV, <https://www.scstatehouse.gov/votehistory.php?KEY=15667>.

¹³ Email from Mark Cothran to Angie Leidinger (Jan. 28, 2019), FOIA document #2, page 14: <https://clemsonemails.wixsite.com/foia>.

¹⁴ South Carolina Legislative Services Agency, *South Carolina General Assembly 123rd Session, 2019-2020 Calendars of the Senate*, February 13, 2019, WWW.SCSTATEHOUSE.GOV, https://www.scstatehouse.gov/sess123_2019-2020/scal19/20190213.htm.

¹⁵ Email from Angie Leidinger to DeAnne Gray, Director of Senate Minority Research (Jan. 29, 2019), FOIA document #2, page 41, <https://clemsonemails.wixsite.com/foia>.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Sen. Brad Hutto, Filibuster Against S.35 on Senate Floor (Feb. 13, 2019), YOUTUBE.COM, <https://www.youtube.com/watch?v=FOMpw1afEz4>.

²⁰ South Carolina Legislative Services Agency, *South Carolina General Assembly 123rd Session, 2019-2020 Senate Roll Call Vote Number 53*, February 13, 2019, WWW.SCSTATEHOUSE.GOV, <https://www.scstatehouse.gov/votehistory.php?KEY=15667>.

Clemson concern over “optics” of breaking law while requiring “cross cultural awareness”

On March 19, 2019, a few hours before a House subcommittee met on S.35, Cothran emailed Associate Provost Jeremy King to inquire if “cross cultural awareness” was a Clemson general education requirement.²¹ Cothran said legislators had been pointing out the hypocrisy of imposing on students the financial burden of “cross cultural awareness” while simultaneously breaking state law by not requiring a class on the founding documents.²²

King replied to Cothran, “It is a general education requirement. I can already envision the optics regarding this.”²³ King then instructed Cothran to defend the cross cultural awareness requirement because Clemson has a “need to give our students global perspectives.”

To which Cothran responded: “Thank you. I concur with your explanation completely.”²⁴

The House subcommittee passed S.35 anyway on March 19, 2019.²⁵

Clemson Provost Robert Jones orders Clemson lobbyists to “kill” S.35

On April 2, 2019, the morning of the full House Education and Public Works Committee met on S.35, Leidinger emailed Clemson Provost Robert Jones and King, “can you all take a look ASAP and let me know if you are okay with the changes as suggested. This bill is coming up today on Committee.”²⁶

King emailed back saying Clemson opposes a three-credit hour class in American government: “I worry that this will tie our hands if the course must be a HIST or POSC or PAS course specifically.”²⁷ He then stated Clemson’s position is to repeal the law by amending it to legalize Clemson’s 60-minute video on the U.S. Constitution: “we would want to continue offering it through a CU 1000 or 1010 vehicle.”²⁸

Provost Jones emailed Leidinger and Cothran to “kill” the bill: “did it come up and pass committee? What would be our next steps to try to kill or amend it if it passed?”²⁹

²¹ Email from Mark Cothran to Jeremy King (March 19, 2019), FOIA document #1, page 76, <https://clemsonemails.wixsite.com/foia>.

²² *Id.*

²³ Email from Jeremy King to Mark Cothran (March 19, 2019), FOIA document #1, page 75, <https://clemsonemails.wixsite.com/foia>.

²⁴ Email from Mark Cothran to Jeremy King (March 19, 2019), FOIA document #1, page 74, <https://clemsonemails.wixsite.com/foia>.

²⁵ Anders Hagstrom, *South Carolina Dems Fighting To Prevent Universities From Teaching The Constitution*, THE DAILY CALLER, March 20, 2019, <https://dailycaller.com/2019/03/20/dems-fight-teaching-constitution/>.

²⁶ Email Angie Leidinger to Bob Jones and Jeremy King (April 2, 2019), FOIA document #2, page 8, <https://clemsonemails.wixsite.com/foia>.

²⁷ Email Jeremy King to Bob Jones and Angie Leidinger (April 2, 2019), FOIA document #2, page 7, <https://clemsonemails.wixsite.com/foia>.

²⁸ *Id.*

²⁹ Email Robert Jones to Angie Leidinger and Mark Cothran (April 2, 2019), FOIA document #2, page 7, <https://clemsonemails.wixsite.com/foia>.

Leidinger responded that Clemson successfully stalled the bill in House Committee and that she and Cothran would continue to oppose S.35:

*The Committee’s decision was to adjourn debate on the bill which effectively ‘carries over’ the debate. Mark and I will be doing some due diligence with committee staff to determine the next steps.*³⁰

Conclusion

Since 1924, South Carolina law has mandated that public colleges require students to complete a “one year” class on the U.S. Constitution, Declaration of Independence, and the Federalist Papers. Clemson consciously violates this law by not requiring a yearlong class on America’s founding documents. Clemson feigns compliance by requiring students to watch a 60-minute video on the founding documents.

The Senate, in passing S.35, has generously proposed to **reduce** the required instruction from “one year” to “three semester credit hours.” Meanwhile, Clemson opposes this compromise and works to “kill” this legislation and wants to “repeal in its entirety that portion of the bill that relates to higher education and have the burden solely upon K-12.”

I hope this memo was helpful to you. I love our country and its ideals upon which it was founded. Because knowledge of America’s first principles is not something with which Americans are born—but rather taught and learned—America cannot continue to flourish as a free society without a citizenry grounded in these first principles and the founding documents in which they are enshrined. Therefore, it is critical that each generation has a firm understanding of the U.S. Constitution, the Declaration of Independence, and the Federalist Papers.

I hope by getting the word out about Clemson’s lobbying against our country’s founding documents being taught to college students as mandated by law, we can put a stop to this and ensure college students learn about our country’s founding documents. Please let me know if you have any questions.

³⁰ Email Angie Leidinger to Bob Jones and Jeremy King (April 3, 2019), FOIA document #2, page 7, <https://clemsonemails.wixsite.com/foia>.

Appendix: Emails

Angela Leidinger

From: Mark Cothran
Sent: Monday, January 28, 2019 11:29 AM
To: Angela Leidinger
Subject: Brief Updates on S.33 and S.35

Senator Larry Grooms was named as the new Senate Education Higher Ed Subcommittee Chairman this session. As a result, two bills in which he has been passionate about the past couple of years were quickly introduced and given hearings before his subcommittee.

S.35

<https://www.scstatehouse.gov/billsearch.php?billnumbers=35>

This legislation was drafted by Senators Grooms and Campsen and would change a state law which requires all colleges/universities to teach the U.S. Constitution and founding documents to all undergraduate students for the duration of one year. Their change would require three credit hours of instruction vs. the current one year of instruction. Both Senator feel strongly that colleges and universities in S.C. are non-compliant with the current law.

The CU Govt. Affairs team met with Subcommittee Chairman Larry Grooms prior to and after the subcommittee hearing and have had additional discussions with members of the Subcommittee and full Senate Ed Committee. Senator Grooms is insistent that colleges and universities are not in compliance with state law which currently mandates one year of instruction of the U.S. Constitution and founding documents. He feels strongly that his legislation actually makes it easier on colleges/universities by changing the one year requirement of instruction to a 3 hour required credit course. The CU Govt Affairs team is working with the General Counsel's Office, Provost's Office, etc to draft amendment language that will reaffirm what we are doing now (teaching of these documents through our CU1000 course which includes a pass/fail test on the materials). We are also working with other S.C. institutions on this issue as they have similar concerns. The bill is on the Senate calendar and we have asked a couple of members to place a hold on the bill until amended language is finalized and an amendment can be offered.

From: Deanne Gray <DeanneGray@scsenate.gov>
Sent: Tuesday, January 29, 2019 9:20 AM
To: Angela Leidinger <angiel@clemson.edu>; Craig Parks
<cparks2@mailbox.sc.edu> <cparks2@mailbox.sc.edu>; Mark Sweatman
<sweatmmc@musc.edu>
Subject: S35 - Constitution Bill
Importance: High

The bill can have 24 hour point today.

I am working on amendment for Hutto to consider after talking to CHE that would have the bill NOT be effective until an advisory opinion is received from SACS insuring that the bill does not infringe upon accreditation standards - which of course it does. I will see how Sen. Hutto wants to proceed when he gets here today and will share amendment language with you so you can work getting support for.

Accreditation standard 10.4 requires for courses offered for academic credit that "The institution (a) publishes and implements policies on the authority of faculty in academic and governance matters, (b) demonstrated that educational programs for which academic credit is awarded are approved consistent with institutional policy, and (c) places primary responsibility for the content, quality, and effectiveness with its faculty."

On Jan 29, 2019, at 1:46 PM, Angela Leidinger <angiel@clemson.edu> wrote:

Deanne,

Thank you for sending this language. We are of the opinion that we would like consideration of the following options:

- 1) Repeal in its entirety that portion of the bill that relates to higher education and have the burden solely upon K-12 OR
- 2) Adopt language that accomplishes the following:
--Allows AP credit to satisfy the requirement (this bill already addresses this)

--If a current student is in a major that will ensure this is taught (i.e. political science, history) then the requirement would be satisfied

--If none of the above, then institutions would have to report to CHE how they will satisfy this requirement as a part of a minimum 1 hour course (this is the current Clemson practice)

We putting language together that we are happy to share. Happy to discuss.

Thank you, Angie

CAUTION: External

Angie -

Sen Hutto is going to put up an amendment that would have CHE get an advisory opinion from SACS and the bill doesn't go into effect unless it comes back in the affirmative that it is acceptable to them.

He is not interested in trying to make bill tolerable so is not interested in further amendments. He wants the bill killed.

I will share his amendment once finalized.

❄️❄️❄️ Sent from my iPhone ❄️❄️❄️

Angela Leidinger

From: Angela Leidinger
Sent: Tuesday, January 29, 2019 3:28 PM
To: Sweatman, Mark
Cc: Deanne Gray; Craig Parks (cparks2@mailbox.sc.edu)
Subject: Re: S35 - Constitution Bill

Understood. Thank you for your help on this!

Sent from my iPhone

On Jan 29, 2019, at 3:22 PM, Sweatman, Mark <sweatmmc@musc.edu> wrote:

This message was sent securely by MUSC

Great, thanks Deanne!

Sent from my iPhone

On Jan 29, 2019, at 3:19 PM, Deanne Gray <DeanneGray@scsenate.gov> wrote:

Mark Cothran

From: Mark Cothran
Sent: Tuesday, March 19, 2019 12:59 PM
To: Jeremy King
Subject: Quick question

We have been talking to legislators this morning regarding S.35 (Constitution, founding documents) and a question came up about a required 3 hour credit around "cross cultural awareness." Is that a general education requirement? Thanks.
Mark

Mark Cothran

From: Jeremy King
Sent: Tuesday, March 19, 2019 1:07 PM
To: Mark Cothran
Subject: Re: Quick question

It is a general education requirement.

I can already envision the [optics](#) regarding this, and would only say that let us not forget about the global market our students are going to compete in, the global partners that we have, and the big global corporate presence in SC and the ongoing efforts to attract more of those companies to the State, and the need to give our students global (which could be in both space and time) perspectives without the expensive necessity of studying abroad that would represent additional costs that would have to be assumed by SC students and their families.

I don't know if this is important or not, but our general education curriculum is undergoing a formal review and change process now with some concrete decisions expected (and needed) probably by the end of this academic year. Whether this requirement (or any other) will persist in its present form is still unclear why the formal general education committees are still at work.

Jeremy

Mark Cothran

From: Mark Cothran
Sent: Tuesday, March 19, 2019 1:35 PM
To: Jeremy King
Subject: Re: Quick question

Thank you. I concur with your explanation completely as would most reasonable Members. Just wanted to have facts straight if we receive another question.

From: Angela Leidinger <angiel@clemson.edu>
Date: Tuesday, April 2, 2019 at 10:57 AM
To: Bob Jones <provost@clemson.edu>, Jeremy King <jking2@clemson.edu>
Cc: Mark Cothran <mscothr@clemson.edu>
Subject: Fwd: S.35 Proposed Amendment Draft

Bob and Jeremy,

Please see the attached suggested amendment to S35, the Constitution bill. Can you all take a look **ASAP** and let me know if you are okay with the changes as suggested. This bill is coming up today on Committee. Thanks, Angie

Sent from my iPhone

Begin forwarded message:

From: "Mark Cothran" <mscothr@clemson.edu>
To: "Angela Leidinger" <angiel@clemson.edu>
Subject: FW: S.35 Proposed Amendment Draft

Good morning. Please see attachment and let me know your thoughts whenever you have a moment. These are the proposed changes by USC to S.35 (Constitution bill).
Thank you. Mark

On Apr 2, 2019, at 4:54 PM, Jeremy King <jking2@clemson.edu> wrote:

I'm not sure how strict the interpretation of the language is, but I worry that this will tie our hands if the course must be a HIST or POSC or PAS course specifically. It could be, for example, we would want to continue offering it through a CU 1000 or 1010 vehicle, and I don't know if this language would allow that or not. It seems to me that if the point is to provide maximum flexibility, the amended language would just allow any course that meets requirements a,b,c,d on lines 31-34

A better amendment might have been changing line 35's "and" to an "or" ...allowing students to satisfy the requirement by demonstration via testing instead of (rather than in addition to) coursework.

An interesting question for us is whether our internal Clemson credit by examination policy would still cover this. I don't see any restriction in the language that would not allow us to offer the course P/F (since, I'm assuming P would be accepted as a passing grade...by definition), which is good.

Jeremy

From: Bob Jones
Sent: Tuesday, April 2, 2019 10:27 PM
To: Jeremy King <jking2@clemson.edu>
Cc: Angela Leidinger <angiel@clemson.edu>; Mark Cothran <mcothr@clemson.edu>
Subject: Re: S.35 Proposed Amendment Draft

Angie and Mark,

Thanks for the heads up.
Did it come up and pass committee? What would be our next steps to try to kill or amend it if it passed?

Bob

Sent from my iPhone

Angela Leidinger

From: Angela Leidinger
Sent: Wednesday, April 3, 2019 7:45 AM
To: Bob Jones; Jeremy King
Cc: Mark Cothran
Subject: RE: S.35 Proposed Amendment Draft

Bob and Jeremy,

Thank you for the responses. The bill was debated yesterday afternoon in the House Education and Public Works Committee. The Committee's decision was to adjourn debate on the bill which effectively "carries over" the debate. Mark and I will be doing some due diligence with committee staff to determine the next steps. I think we need to be prepared that something will pass if not this session, the next. This seems to be an issue that continues to come up year after year. Happy to discuss with you both thoughts to deal with this issue. Thank you, Angie



Curtis Loftis Jr. As Clemson's banker, I can tell you that 1. They can afford these classes on the founding documents and 2. They can save the \$1.3 million dollars in a week if they choose too. Mr. Broggi is doing excellent work.

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7h · Edited



Angela Leidinger

From: Angela Leidinger
Sent: Thursday, October 3, 2019 11:49 AM
To: 'Kirkman Finlay'
Subject: Follow Up - Teaching the Constitution

Dear Representative Finlay,

Thank you for the call a couple of weeks ago to discuss Clemson University's compliance with the requirement to teach the Founding Documents. I very much appreciate your patience in receiving this information as I wanted to be accurate in our response, but also indicate our plans for next steps.

Clemson University continues to make a good faith effort to comply with the statute while also acknowledging the need to bring clarity to and update portions of the current statute.

Specifically, Clemson University currently requires that **all** new students (to include freshman and transfers) complete during their first term of enrollment a teaching module related to the Founding Documents. A description of that course is outlined here:

- **CU 1000**

This is a required course that ALL new students (freshman and transfers) must complete during their first term of enrollment at Clemson University. This course has eight required modules including one titled, Our Nation's Founding Documents. In this module, students learn about the principles that undergird our nation's founding documents – the Declaration of Independence, Federalist Papers and Constitution. Required learning activities for this module include primary and secondary text reading assignments, watching a video on historical forces that shaped our nation's founding documents, and completing the module quiz. In order to earn a grade of P (Pass) for this course, students must earn a score of 80% or higher on this quiz.

In addition to the CU 1000 course, Clemson University also teaches the Founding Documents as a part of numerous courses, however, these would not be required of every student.

At your recommendation, Clemson University is working on a plan that will implement additional instructional materials for the Spring semester. Once this plan is finalized, I will make sure you are aware of those details.

As we discussed, Clemson University would like to work with you during the upcoming legislative session to offer an amendment to the statute that would bring the clarity desired by our University on this issue.

Please feel free to call me to discuss.

Thank you, Angie

Angie Leidinger CLEMSON UNIVERSITY
Vice President of External Affairs
and Executive Secretary to the Board of Trustees
1201 Main Street, Suite 1950
Columbia, SC 29201
803.737.0690
803.331.0578 cell



February 18, 2020

VIA EMAIL: jamesonbroggi@gmail.com

Jameson C. Broggi
jamesonbroggi@gmail.com

RE: FOIA Request to Clemson University dated December 30, 2019

Dear Mr. Broggi:

OFFICE of
GENERAL COUNSEL

Clemson University
207 Sikes Hall
Clemson, SC
29634-5003

On behalf of Clemson University, I am responding to your South Carolina Freedom of Information Act ("FOIA") request dated December 30, 2020. You have requested the following:

"... all emails, text messages, and/or notes regarding Clemson's communications, lobbying, and advocacy pertaining to South Carolina Senate Bill 35 (the REACH Act) and ask all fees be waived because this request is in the public interest."

P 864-656-3414
F 864-656-7739

I request any and all communications from or to any Clemson officer regarding Senate Bill 35, including emails, notes, and text messages:

- *This includes (but is in no means limited to) communications between Clemson lobbyist Mark Cothran and USC lobbyist Derrick Meggie.*
- *This includes (but is in no means limited to) instructions from Clemson officers (including the provost's office and other senior and mid-level leaders) to Clemson lobbyist as to what positions to take regarding legislative advocacy and suggestions to the legislature or USC on Senate Bill 35."*

All responsive documents can be found at the following link:

<https://clemson.box.com/s/fd1nwm4bbtcp86s93mqae7skva13ras3>. This link will be available until March 4, 2020. Certain email correspondence and other documents have been withheld pursuant to S.C. Code Ann. §30-4-40(7) (correspondence or work product of legal counsel for a public body or other material subject to the attorney-client privilege).

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Robert W. Wilkins
Assistant General Counsel