



South Carolina's Flagship University

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**Core Requirement 2.2**

The institution has a governing board of at least five members that is the legal body with specific authority over the institution. The board is an active policy-making body for the institution and is ultimately responsible for ensuring that the financial resources of the institution are adequate to provide a sound educational program. The board is not controlled by a minority of board members or by organizations or interests separate from it. Neither the presiding officer of the board nor the majority of other voting members of the board have contractual, employment, or personal or familial financial interest in the institution.

A military institution authorized and operated by the federal government to award degrees has a public board in which neither the presiding officer nor a majority of the other members are civilian employees of the military or active/retired military. The board has broad and significant influence upon the institutions programs and operations, plays an active role in policy-making, and ensures that the financial resources of the institution are used to provide a sound educational program. The board is not controlled by a minority of board members or by organizations or interests separate from the board except as specified by the authorizing legislation. Neither the presiding officer of the board nor the majority of other voting board members have contractual, employment, or personal or familial financial interest in the institution.

**Judgment:** Compliant**Response:**

The final authority and responsibility for the governance of the University of South Carolina is vested in its Board of Trustees ("Board") in accordance with the statutes of the State of South Carolina. South Carolina Code of Laws Sections 59-101-185 and 59-117-40 as well as the Board of Trustees **By-Laws** and Board Policy **BTRU 1.00** clearly delineate the powers and responsibilities of the University of South Carolina Board of Trustees. These responsibilities include:

1. Elect a President of the University to serve at the will of the Board or for such term and compensation as the Board may prescribe;
2. Elect a Secretary of the University and of the Board to serve at the will of the Board or for such term and compensation as the Board may prescribe;
3. Elect a Treasurer of the University to serve at the will of the Board or for such term and compensation as the Board may prescribe;
4. Establish policies and goals of the University and direct the President to implement and achieve those policies and goals;
5. Review and approve academic plans, including new programs and new units, and major modifications or deletions in existing programs and units;
6. Approve, upon recommendation of faculties and the President, the earned degrees awarded;
7. Designate academic chairs and professorships, award honorary degrees and name buildings or major portions thereof, other structures, outdoor spaces, streets and geographic areas;
8. Levy fees and charges and examine from time to time admissions policies as established by the faculties and the administration;
9. Review and approve requests for appropriations;
10. Review and approve annual budgets and budget changes;
11. Approve all gifts where restrictions are indicated, designate the use of unrestricted gifts, and approve and designate the use of testamentary gifts;
12. Approve all loans, borrowing, and issuance of bonds;
13. Approve appointments and salaries of principal officials which shall be defined as those persons elected by the Board as provided in Paragraphs A, B, and C above, as well as University officers having the rank of Vice President or Chancellor or equivalent rank;
14. Approve compensation policy for faculty and staff;
15. Approve all long-range development plans for the University including major capital projects;
16. Approve or delegate authority for approval of all major contractual relationships and other major legal obligations executed in the name of the University;
17. Approve all sales or purchases of real property, and ensure that all properties of the University are preserved and maintained;
18. Establish investment policies and procedures which will provide for the prudent investment and preservation of funds entrusted to the University;
19. Establish auditing policies and standards and appoint independent auditors; and
20. Establish and maintain within the administrative procedures of the University the policy and practice that the administrators of the University covered under Paragraphs A, B, and C above shall serve in such capacities at the will and pleasure of the Board; that the administrators of the University having the rank of Vice President, Chancellor, University Campus Dean, Academic Dean, Director or the equivalent thereof and any other person reporting directly to the President shall serve in such capacities at the will and pleasure of the President. It is understood that the employment of such administrators shall be on customary terms of University employment and there shall be no separate employment agreements; provided, however, it is further understood that no Athletics Department administrators will be given employment agreements in excess of one year without prior approval of a majority (eleven) vote of the entire Board of Trustees (14 or more).



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Another duty of the Board as mandated by the Agency Head Salary Commission in the State Office of Human Resources ([OHR19-715.01](#)) is to evaluate the President annually using the [Agency Head Performance Evaluation form](#).

The composition of the Board is defined in Article II, Section 1, of the Board's bylaws which states as follows:

Pursuant to Section 59-117-10, Code of Laws of South Carolina (1976), as amended the Board of the University of South Carolina shall be composed of the Governor of this State (or his designee), the State Superintendent of Education, and the President of the Greater University of South Carolina Alumni Association, which three members shall be *ex officio* members of the Board, and seventeen other members, including one from each of the sixteen judicial circuits, elected by the general vote of the General Assembly as hereinafter provided, and one at-large member appointed by the Governor. The Governor shall make the appointment based on merit regardless of race, color, creed or gender and shall strive to assure that the membership of the Board is representative of all citizens of the State of South Carolina.

The terms of office for members of the Board are defined in Article II, Section 2, of the Board's bylaws which states as follows:

Pursuant to Section 59-117-20, Code of Laws of South Carolina (1976), as amended the regular term of office for each member elected by the General Assembly, shall be four years with the terms commencing on July 1 of the year of election and expiring on June 30 four years thereafter; provided, however, that such member shall continue to serve after his term expires until his successor shall have been elected and qualified. The terms are staggered by Judicial Circuits as prescribed by the Legislature. Currently, members from the 1st, 3rd, 5th, 7th, 9th, 11th, 12th and 13th Judicial Circuits are elected at one time and members from the 2nd, 4th, 6th, 8th, 10th, 14th, 15th and 16th Judicial Circuits are elected two years thereafter. The General Assembly holds regular elections every two years for the purpose of selecting successors of those members whose terms are then expiring which elections shall not be earlier than the first day of April of the year the term expires.

The term of the office of the at-large members appointed by the Governor is effective upon certification to the Secretary of State and is four years. If the Governor chooses to designate a member to serve in his stead as permitted by Section 1 hereinabove, the appointment is effective upon certification to the Secretary of State and shall continue at the pleasure of the Governor. The term of the President of the Greater University of South Carolina Alumni Association is for the active term of office as President.

Article II, Section 3 of the Board's bylaws contains a provision regarding vacancies of board positions.

The current members of the Board may be found on the ["Biographical Summaries"](#) section of the Board of Trustees website.

The Board By-laws further delineate the financial responsibility of the Board when defining the duties of the Executive Committee. The Executive Committee shall function as a continuous planning and financial committee of the Board, exercising general supervision of the finances of the University; shall review in advance the proposed budget for the succeeding year; and shall review in advance the proposed application for appropriations for the succeeding fiscal year in light of overall University plans. In shall make reports to the Board at each meeting on all such matters occurring since the previous meeting.

The Board is required by State law to meet not less frequently than quarterly in each calendar year, and all meetings are conducted in full compliance with the South Carolina Freedom of Information Act. Besides the regular meetings, the *ex officio* Chairman of the Board, the permanent Chairman of the Board, the President, or any five Board members may call special meetings of the board. A special meeting may also be called by the Chair upon the written request of three members of the Board or of the President of the College. Eleven members of the Board constitute a quorum for the transaction of business. Three Board members of any committee constitute a quorum for the transaction of business for committee meetings. [Meeting Minutes](#) for the Board may be found at the Board of Trustees website.

At the August meeting of even-numbered years, the Board elects its officers: a Chair and a Vice Chair. Officers are elected to serve a two-year term and must stand for election every two years. The Chair and the Vice Chair are eligible to succeed himself or herself for not more than one additional, consecutive term.

Article V of the Board's Bylaws details the officers of the Board, namely the positions of Ex Officio Chairman (Section 1), Permanent Chairman (Section 2), Vice-Chairman (Section 3), Chairman Emeritus (Section 4), Temporary Chairman (Section 5), and the Secretary of the University and the Board (Section 6).

The manner in which Board members are selected ensures that all regions in South Carolina are equally represented on the Board, and guards against the possibility of a minority of Board members or outside organizations gaining control of the Board. In addition, all meetings are conducted in compliance with the South Carolina Freedom of Information Act, and the Board [Meeting Schedule](#) and [Minutes](#) are available online. This transparency assures that the Board is focused on the responsibilities bestowed upon it by the South Carolina Legislature to control the University and that the Board is operating within its designated powers. Finally, as evidenced by [SACS Standard 2.2 template](#), neither the Chair of the Board nor a majority of other voting members of the Board have contractual, employment, or personal or familial financial interest in the institution.

The Board is charged with setting policy for the institution and is ultimately responsible for ensuring that the financial resources of the institution are adequate to provide a sound educational program. The powers and responsibilities of the Board are clearly delineated in the Articles III and IV of the [Board of Trustees By-Laws](#) and the South Carolina Code of Laws (1976) [Sections 59-117-40, et seq.](#), as amended. Specifically, the Board is responsible for, among other functions, the election of a President, a Secretary and a Treasurer of the University, establishing "policies and goals of the University and

directing the President to implement and achieve those policies and goals", approving degrees awarded, designating academic chairs and professorships, levying fees and charges, reviewing and approving budgets, and approving appointments and salaries of principal officials.

**Supporting Documentation:**

Description	Source
<b>State of South Carolina</b>	
Code of Laws	<a href="http://www.scstatehouse.gov/CODE/statmast.htm">http://www.scstatehouse.gov/CODE/statmast.htm</a>
Section 59-101-185, <i>et seq.</i>	<a href="http://www.scstatehouse.gov/CODE/t59c101.htm">http://www.scstatehouse.gov/CODE/t59c101.htm</a>
Section 59-117-40, <i>et seq.</i>	<a href="http://www.scstatehouse.gov/CODE/t59c117.htm">http://www.scstatehouse.gov/CODE/t59c117.htm</a>
State Office of Human Resources	<a href="http://ipr.sc.edu/pdf/evaluations/EPMSPolicy.pdf">http://ipr.sc.edu/pdf/evaluations/EPMSPolicy.pdf</a>
Agency Head Performance Evaluation Form	<a href="http://ipr.sc.edu/pdf/evaluations/AgencyHeadEval.pdf">http://ipr.sc.edu/pdf/evaluations/AgencyHeadEval.pdf</a>
<b>University Policies &amp; Procedures Manual</b>	
Board of Trustees BTRU Policy 100	<a href="http://www.sc.edu/policies/btru100.pdf">http://www.sc.edu/policies/btru100.pdf</a>
<b>Board of Trustees Website</b>	
By-laws	<a href="http://trustees.sc.edu/bylaws.html">http://trustees.sc.edu/bylaws.html</a>
Meeting Minutes	<a href="http://trustees.sc.edu/minutes.html">http://trustees.sc.edu/minutes.html</a>
Members	<a href="http://trustees.sc.edu/biographies.html">http://trustees.sc.edu/biographies.html</a>
Meeting Schedule	<a href="http://trustees.sc.edu/schedule.html">http://trustees.sc.edu/schedule.html</a>
<b>Supporting Document</b>	
Information on Board Members	<a href="http://ipr.sc.edu/pdf/CoreReq2.2.pdf">http://ipr.sc.edu/pdf/CoreReq2.2.pdf</a>

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