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Comprehensive Standard 3.2.5

The governing board has a policy whereby members can be dismissed only for appropriate reasons and by a fair process.

Judgment: Compliant

Response:

As discussed in the narrative addressing Core Requirement 2.2, the Board consists of 20 members. 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.

Trustees elected by the General Assembly can only be dismissed according to Article XV, Section Three of the **Articles of Impeachment** of the South Carolina Constitution:

For any willful neglect of duty, or other reasonable cause, which shall not be sufficient ground of impeachment, the Governor shall remove any executive or judicial officer on the address of two thirds of each house of the General Assembly: Provided, that the cause or causes for which said removal may be required shall be stated at length in such address, and entered on the Journals of each house: And, provided, further, that the officer intended to be removed shall be notified of such cause or causes, and shall be admitted to a hearing in his own defense, or by his counsel, or by both, before any vote for such address; and in all cases the vote shall be taken by yeas and nays, and be entered on the Journal of each house respectively.

The Gubernatorial designee may be removed at the pleasure of the Governor. The Gubernatorial Appointee and the Alumni Association Representative are subject to removal according to the same process of removal described above. The Governor is subject to removal by impeachment as provided in the South Carolina Constitution.

There is no record of a Board member being dismissed. In 2010, a board member was indicted on felony charges, but the board member resigned from the Board, negating the need for gubernatorial removal.

Supporting Documentation:

SOURCE	LOCATION
State of South Carolina	
Constitution Articles of Impeachment	http://www.scstatehouse.net/scconstitution/a15.htm

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