

CR 2.2 - Governing Board

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. Both the presiding officer of the board and the majority of other voting members of the board are free of any contractual employment, or personal or familial interest in the institution. (Non applicable) A military institution authorized and operated by the federal government to award degrees has a public board... (*See Core Requirements for continuation of this statement.*)

Compliance Finding: In Compliance

Narrative:

Governing Board

The University of South Carolina Beaufort (USC Beaufort) is governed by the Board of Trustees of the University of South Carolina (USC) system which includes the Columbia Campus, three Senior Campuses (USC Aiken, USC Beaufort, USC Upstate) and four regional campuses (USC Lancaster, USC Salkehatchie, USC Sumter, USC Union) that comprise the USC system. The USC System Organizational Chart [\[i\]](#) and the USC Beaufort Organizational Chart [\[ii\]](#) illustrate the USC System structure and the USC Beaufort structure.

Membership

The South Carolina Code of Laws Title 59 Section 59-117-10 [\[iii\]](#) describes the composition of the Board of Trustees of the University of South Carolina and states that The Board of Trustees of the University of South Carolina shall be composed of the Governor of the State (or his designee), the State Superintendent of Education, and the President of the Greater University of South Carolina Alumni Association, which three shall be members ex officio of the board and seventeen other members including one member from each of the sixteen judicial circuits to be 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 current secretary of the board is an employee of USC and also serves as the University Secretary and Treasurer. The names and occupations of each board member are listed below, with links to brief biographies of each. Neither the presiding officer of the board nor any of the other voting members has contractual, employment, personal, or familial financial interest in the institution.

Compensation

Each member of the Board shall draw such per diem and expenses as from time to time may be allowed other boards, commissions and committees of the State or its agencies.[\[iv\]](#)

Board of Trustees Biographies, Terms of Office, Committee Assignments

Mark Sanford [\[v\]](#) , Governor of South Carolina

B.A., Business, Furman University

M.B.A., University of Virginia

The Governor is the ex officio Chairman of the Board and serves for the duration of his tenure as Governor.

Herbert C. Adams [\[vi\]](#), Chairman

8th Judicial Circuit

Consulting Agent, Correll Insurance Group

B.S., Business Management, USC, 1964

Board member since 1984; current term, 2004-2008

Committees: Chairman, Executive Committee; ex officio of all Committees.

Miles Loadholt [\[vii\]](#), Vice Chairman

2nd Judicial Circuit

Attorney

B.S., Marketing, USC, 1965

J.D., USC School of Law, 1968

Board member since 1996; current term, 2004-2008

Committees: Chairman, Ad Hoc Committee on Advancement; Executive Committee; ex officio of all Committees.

Arthur S. Bahnmueller [\[viii\]](#)

3rd Judicial Circuit

Attorney

B.S., Civil Engineering, USC, 1953

LL.B, USC School of Law, 1960

Board member since 1990; current term, 2006-2010

Committees: Buildings and Grounds Committee; Health Affairs Committee; Intercollegiate Athletics Committee.

William L. Bethea, Jr. [\[ix\]](#), president, USC Alumni Association

Attorney

B.A., English, Newberry College, 1962

J.D., USC School of Law, 1969

Board member, ex officio; current term, 2006-2008

Committees: Academic Affairs and Faculty Liaison Committee; Health Affairs Committee; Student-Trustee Liaison Committee.

James Bradley [\[x\]](#)

6th Judicial Circuit

Chairman, Springs Company

Honorary Doctor of Law degree, USC, 1971

Graduate School of Banking, Rutgers University

Executive Program, UNC at Chapel Hill

Board member since 1979; current term, 2004-2008

Committees: Executive Committee; Academic Affairs and Faculty Liaison Committee; Buildings and Grounds Committee.

Mark W. Buyck, Jr. [\[xi\]](#) , Governor's Designee

Attorney

B.A., Journalism, USC, 1956

J.D., USC School of Law, 1959

Board member 1987-1999; current term, 2003-2007

Committees: Academic Affairs and Faculty Liaison Committee; Buildings and Grounds Committee; Intercollegiate Athletics Committee.

John W. Fields [\[xii\]](#)

10th Judicial Circuit

Attorney

B.S., Marketing, USC, 1970

J.D., USC School of Law, 1973

Board member since 2005; current term, 2005-2008

Committees: Fiscal Policy Committee; Health Affairs Committee; Student-Trustee Liaison Committee; Ad Hoc Committee on Advancement.

C. Edward Floyd [\[xiii\]](#)

12th Judicial Circuit

Surgeon

B.A., Business Administration, USC, 1956

M.D., Medical University of South Carolina, 1957-60

Board member since 1982; current term, 2006-2010

Board Chairman, 1992-1996

Committees: Executive Committee; Health Affairs Committee; Student-Trustee Liaison Committee.

Samuel R. Foster, II [\[xiv\]](#)

16th Judicial Circuit

Businessman

B.S., Business Administration, USC, 1980

Board member since 1984; current term, 2004-2008

Committees: Academic Affairs and Faculty Liaison Committee; Buildings and Grounds Committee; Intercollegiate Athletics Committee.

William C. Hubbard [\[xv\]](#)

5th Judicial Circuit

Attorney

B.A., History, USC, 1974

J.D., USC School of Law, 1977

Board member since 1986; current term, 2006-2010

Board Chairman, 1996-2000

Chairman, Presidential Search Committee, 2001-2002

Committees: Chairman, Buildings and Grounds Committee; Academic Affairs and Faculty Liaison Committee; Intercollegiate Athletics Committee; Ad Hoc Committee on Advancement.

William W. Jones, Jr. [\[xvi\]](#)

14th Judicial Circuit

Attorney

Citadel, 1968

J.D., USC School of Law, 1971

Board member since 2004; current term, 2004-2008

Committees: Chairman, Student-Trustee Liaison Committee; Buildings and Grounds Committee; Health Affairs Committee; Ad Hoc Committee on Advancement.

Toney J. Lister [\[xvii\]](#)

7th Judicial Circuit

Attorney

B.S., Business Administration, USC, 1968

J.D., USC School of Law, 1974

Board member since 1994; current term, 2006-2010

Committees: Chairman, Health Affairs Committee; Buildings and Grounds Committee; Intercollegiate Athletics Committee.

Darla D. Moore, [\[xviii\]](#) Governor's appointee

Investment firm executive vice president

B.A., Political Science, USC, 1975

M.B.A., George Washington University, 1981

Board member since 1999; current term, 2003-2007

Committees: Academic Affairs and Faculty Liaison Committee; Fiscal Policy Committee.

Michael J. Mungo [\[xix\]](#)

11th Judicial Circuit

Real estate development company chairman

B.A., Government, USC, 1950

Graduate Studies, Government, USC, 1952-53

Taught American Government, USC, 1952-53

Board member 1969-78, 1982-present; current term, 2006-2010

Committees: Executive Committee; Fiscal Policy Committee; Intercollegiate Athletics Committee.

James H. Rex, [\[xx\]](#) State Superintendent of Education

Elected Superintendent in 2006, he serves ex officio on the board for the duration of his tenure in office.

M. Wayne Staton [\[xxi\]](#)

15th Judicial Circuit

Bank senior vice president

B.S., Management, USC, 1977

Louisiana State University School of Banking, Certificate, 1981

Board member since 1996; current term, 2004-2008

Committees: Health Affairs Committee; Intercollegiate Athletics Committee; Student-Trustee Liaison Committee; Ad Hoc Committee on Advancement.

John C. von Lehe, Jr. [\[xxii\]](#)

9th Judicial Circuit

Attorney

B.S., Psychology, USC, 1965

J.D., USC School of Law, 1968

Board member since 1998; current term, 2006-2010

Committees: Chairman, Academic Affairs and Faculty Liaison Committee; Fiscal Policy Committee; Health Affairs Committee.

Eugene P. Warr, Jr. [\[xxiii\]](#)

4th Judicial Circuit

Attorney

B.S., Accounting, USC, 1981, magna cum laude

J.D., USC School of Law, 1985

Board member since 2003; current term, 2004-2008

Committees: Chairman, Fiscal Policy Committee; Building and Grounds Committee; Student-Trustee Liaison Committee; Ad Hoc Committee on Advancement.

Mack I. Whittle, Jr. [\[xxiv\]](#)

13th Judicial Circuit

Bank president

B.S., Business Administration, USC, 1971

M.B.A., USC, 1975

Board member since 1990; current term, 2006-2010

Committees: Executive Committee; Academic Affairs and Faculty Liaison Committee; Fiscal Policy Committee; Ad Hoc Committee on Advancement.

Othniel H. Wienges, Jr. [\[xxv\]](#)

1st Judicial Circuit

Farmer

B.A., English, USC, 1947

Board member since 1975; current term, 2006-2010

Board chairman, 1984-88

Committees: Chairman, Intercollegiate Athletics Committee; Fiscal Policy Committee; Student-Trustee Liaison Committee.

Thomas L. Stepp, [\[xxvi\]](#) Secretary

Since 1987 Mr. Stepp has served as secretary of the University and of its Board of Trustees. In 2000 he was elected by the Board to the additional duties of Treasurer of the University. He is chair of the Gift Naming Opportunities Committee and the Commencement Committee, and also serves as Secretary of the Board of Visitors.

Terms of Office

Pursuant to the South Carolina Code of Laws Section 59-117-20 [\[xxvii\]](#) and the Board of Trustees Bylaws Article II Section 2 [\[xxviii\]](#), 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.

The Board of Trustees bylaws further state that "If a vacancy occurs among the sixteen members elected by the general Assembly when the general Assembly is not in session, the Governor may fill such vacancy by appointment until the next session of the General Assembly." [\[xxix\]](#)

Duties and Responsibilities

As outlined in the Board of Trustees Bylaws Article III Section 1 [\[xxx\]](#), The Board shall define the mission, role and scope of the University System and each of its major component institutions, shall establish the general policies of the University System, shall lay out the University Systems broad program of educational activity, shall approve the budget for the next fiscal year, and shall provide ultimate accountability to the public and the General Assembly. Within these fundamental responsibilities, the Board will perform, where appropriate, many essential functions, including but not limited to the following:

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 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.

Powers of the Board

The powers of the Board are prescribed by the provisions of the South Carolina Code of Laws Section 59-117-40 [xxx] which states that The Board of Trustees of the University of South Carolina is and is hereby constituted a body corporate and politic, in deed and in law under the name of the University of South Carolina. Such corporation has the following powers:

- (1) To have perpetual succession;
- (2) To sue and be sued by the corporate name;
- (3) To have a common seal and to alter it at pleasure;
- (4) To make contracts and to have, to hold, to purchase and to lease real estate and personal property for corporate purposes; and to sell and dispose of personal property and any buildings that are deemed by it as surplus property or not further needed and

any buildings that it may need to do away with for the purpose of making room for other construction. All such powers shall be exercised in a manner consistent with the provisions of the South Carolina 1976 Code of Laws Chapter 35 of Title 11.

(5) To appoint a chairman of the board of trustees and to appoint a University president, treasurer and secretary, and in the appointment of these latter three to prescribe their duties and their terms of office and to fix their compensation;

(6) To appoint or otherwise provide for the appointment of subordinate and assistant officers and agents, faculty members, instructors and other employees prescribing the terms of their employments, their duties, and fixing their compensations;

(7) To make bylaws and all rules and regulations deemed expedient for the management of its affairs and its own operations not inconsistent with the Constitution and laws of this State or of the United States;

(8) To condemn land for corporate purposes as provided in Section 59-117-70;

(9) To fix tuition fees and other charges for students attending the University, but these shall not be inconsistent with statutes where the legislature undertakes to fix such fees and charges;

(10) To confer degrees upon students and such other persons as in the opinion of the board of trustees may be qualified to receive them;

(11) To accept, receive and hold all moneys or other properties, real and personal, that may be given, conveyed, bequeathed or devised to the University and to use them for the benefit of the University but in those cases where such money or property is received charged with any trust then in every case such money or property shall be held and used strictly in accordance with the terms of such trust; provided, however, where the terms of any such trust would require something to be done other than merely to administer the trust no obligation in receiving the trust over and above merely its administration shall be binding upon the University or the State except such as are accepted by the General Assembly;

(12) To assign any member of the faculty to additional duties in any other University department than that in which the faculty member may at the time be working and without additional salary;

(13) In all investigations touching the affairs of the University the board of trustees is invested with full powers to compel by subpoena, rule and attachment witnesses to appear and testify and papers to be produced and read before such board;

(14) To adopt such measures and make such regulations as may in the discretion of the board of trustees be necessary for the proper operation of the University;

(15) To appoint for the University a board of visitors of such number as the board of trustees may deem expedient, and to regulate the terms during which the members of such board shall serve, and to prescribe the functions of such board of visitors;

(16) To remove any officer, faculty member, agent or employee for incompetence, neglect of duty, violation of University regulations, or conduct unbecoming a person occupying such a position;

(17) To appoint an executive committee not exceeding six members of the board who have all the powers of the board during the interim between meetings of the board but not the power to do anything which is inconsistent with the policy or action taken by the board. The executive committee at each meeting of the board shall report fully all action taken by it during the interim;

(18) And to appoint committees of the board of trustees or officers or members of the faculty of the University, with such power and authority and for such purposes in connection with the operation of the University as the board of trustees may deem wise.

Articles of Incorporation and Bylaws

The Board of Trustees of the University of South Carolina was created on December 19, 1801, and constituted a body corporate and politic by virtue of the South Carolina Code of Laws Sections 59-117-10 through 59-117-110, (1976), as amended. The Board of Trustees authorization is documented in Sections 59-117-10 through 59-117-110. The Board of Trustees Bylaws [\[xxxii\]](#) outline composition (Article II, Section 1), terms of office (Article II, Section 2), and process for amendments to the bylaws (Article XVI).

Meetings of Board: Quorum

The University of South Carolina's Board of Trustees is an active policy-making body. Minutes of the proceedings of the board and each committee are kept by the Secretary, and as soon as practical after a meeting, a copy of the minutes is mailed to each member of the board. The minutes of executive sessions of the Board and its committees shall be recorded and maintained in accordance with the South Carolina Freedom of Information Act. Pursuant to the South Carolina Code of Laws Section 59-117-50, the Board shall meet no less than quarterly...a majority of the members of the Board of Trustees shall constitute a quorum for the transaction of all business of the Board but not less than a majority vote of the whole board shall be required for the election or removal of a president. The guidelines for the Board meetings, including the meeting schedule, agendas, minutes of the Board and committee proceedings are described in detail in the Board of Trustees Bylaw Article VIII [\[xxxiii\]](#) and may be found on the Board of Trustees website [\[xxxiv\]](#).

The University of South Carolina Board of Trustees has taken several actions relative to USC Beaufort that are recorded in the Board of Trustees meeting minutes. Examples of recent actions are:

- Approval of USC Beaufort Faculty Manual - August 10, 2007 B.O.T. Minutes [\[xxxv\]](#)
- Approval of FY 2007-2008 University System budget - June 28, 2007 B.O.T. Minutes [\[xxxvi\]](#)
- Approval of FY 2006-2007 University System budget - June 29, 2006 B.O.T. Minutes [\[xxxvii\]](#)

- Approval of FY 2005-2006 University System budget - June 23, 2005 B.O.T. Minutes [\[xxxviii\]](#)
- Approval to establish a BSN with two tracks: a Completer Track (RB-BSN) and a Generic BSN Track - April 20, 2006 B.O.T. Minutes [\[xxxix\]](#)
- Approval to modify the existing Liberal Studies program to include an option in Security Studies - April 20, 2006 B.O.T. Minutes [\[xl\]](#)
- Approval for USC Beaufort to establish a Sea Islands Institute - June 29, 2006 B.O.T. Minutes [\[xli\]](#)
- Approval of FY 2004-2005 University System budget - June 30, 2004 B.O.T. Minutes [\[xlii\]](#)
- Approval for USC Beaufort to award four new baccalaureate degrees - April 21, 2004 B.O.T. Minutes [\[xlili\]](#)
- Approval of USC Beaufort mission revision by USC Board of Trustees - April 21, 2004 B.O.T. Minutes [\[xliv\]](#)

Reporting Structure for the Chief Executive Officers

As detailed in the Board of Trustees Bylaws, Article III, Section 1 (M, T) [\[xlv\]](#), the Board of Trustees has the authority to approve appointments and salaries of principal officials which shall be defined as those persons elected by the Board as well as University officers having the rank of Vice President or Chancellor or equivalent rank. The Board will establish and maintain within the administrative procedures of the University the policy and practice that the administrators of the University 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.

Board of Trustees Supervision of Finances of the University

The Executive Committee, a standing committee of the Board of Trustees 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 the light of overall University plans. It shall make reports to the Board at each meeting on all such matters occurring since the previous meeting. The Executive Committee shall provide for an appropriate fidelity surety bond or bonds covering all officers, agents, and employees of the University who at any time shall hold any property or funds of the University and for appropriate officers and directors' insurance to insure the officers and members of the Board against liability arising by virtue of the acts of such officers or Board members in their official capacity with the University.” [\[xlvi\]](#)

The Fiscal Policy Committee shall “review and monitor the finance and fiscal policies and procedures of the University, its departments, and related entities; receive and evaluate reports and recommendations of internal and external auditors; advise the Executive Committee and the Board of the financial status of the University, its departments, and related entities; perform such studies of financial matters as the Executive Committee or the Board may request; and recommend fiscal policies to the Executive Committee and Board that will better serve the needs of the University of South Carolina and the public.” [\[xlvii\]](#)

Supporting Documentation

i	USC System Organizational Chart
ii	USC Beaufort Organizational Chart
iii	South Carolina Code of Laws Title 59 Section 59-117-10
iv	USC Board of Trustees Bylaws
v	Mark Sanford
vi	Herbert C. Adams
vii	Miles Loadholt
viii	Arthur S. Bahnmueller
ix	William L. Bethea, Jr.
x	James Bradley
xi	Mark W. Buyck, Jr.
xii	John W. Fields
xiii	C. Edward Floyd, M.D.
xiv	Samuel R. Foster, II
xv	William C. Hubbard
xvi	William W. Jones Jr.
xvii	Toney J. Lister
xviii	Darla D. Moore
xix	Michael J. Mungo
xx	James H. Rex
xxi	M. Wayne Staton
xxii	John C. von Lehe, Jr.
xxiii	Eugene P. Warr, Jr.
xxiv	Mack I. Whittle
xxv	Othniel H. Wienges, Jr.
xxvi	Sec. Thomas L. Stepp
xxvii	South Carolina Code of Laws Section 59-117-20
xxviii	Board of Trustees Bylaws Article II Section 2
xxix	Board of Trustees Bylaws Article II Section 3
xxx	Board of Trustees Bylaws Article III Section 1
xxxi	South Carolina Code of Laws Section 59-117-40
xxxii	Board of Trustees Bylaws
xxxiii	Board of Trustees Bylaws Article VIII
xxxiv	Board of Trustees website
xxxv	Board of Trustees meeting minutes August 10, 2007
xxxvi	Board of Trustees meeting minutes June 28, 2007
xxxvii	Board of Trustees meeting minutes June 29, 2006
xxxviii	Board of Trustees meeting minutes June 23, 2005
xxxix	Board of Trustees meeting minutes April 20, 2006
xl	Board of Trustees meeting minutes April 20, 2006

<u>xli</u>	<u>Board of Trustees meeting minutes June 29, 2006</u>
<u>xlii</u>	<u>Board of Trustees meeting minutes June 30, 2004</u>
<u>xliii</u>	<u>Board of Trustees meeting minutes April 21, 2004</u>
<u>xliv</u>	<u>Board of Trustees meeting minutes April 21, 2004</u>
<u>xlv</u>	<u>Board of Trustees Bylaws, Article III, Section 1</u>
<u>xlvi</u>	<u>Board of Trustees Bylaws Supervision of Finances of the University</u>
<u>xlvii</u>	<u>Board of Trustees Bylaws Fiscal Policy Committee</u>