

4.2.e Board dismissal

The governing board has appropriate and fair processes for the dismissal of a board member.

Compliance Judgment: In Compliance

Rationale

As specified in the narrative addressing Standard 4.1, the [Board of Trustees of the University of South Carolina](#) ^[1] is composed of 20 members. There is one member from each of the sixteen judicial circuits in South Carolina, one at-large member appointed by the Governor, and three ex-officio members - 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. As stipulated in [Section 10 of the 59-117 Code of Laws](#) ^[2], members representing each of the judicial circuits are elected by a vote of the General Assembly.

The three ex-officio members of the Board serve by virtue of the positions they hold and accordingly their positions become vacant if they leave or are legally removed from office. The Governor's designee is a proxy and thus is removed if the Governor is removed by impeachment, election, or other means under the law. Upon certification by the Secretary of State, the at-large member appointed by the Governor serves a term of four years.

As public officials, all members of the Board of Trustees, regardless of how they came to office, can be removed in accordance with articles of impeachment as stipulated in [Article XV of the South Carolina Constitution](#).^[3] The articles of impeachment specify two means through which Board members may be removed from office. First, in cases of serious crimes or misconduct in office, an affirmative vote of two-thirds of all members of the House of Representatives is required for impeachment followed by a trial in the Senate. Second, in cases of "willful neglect of duty, or other reasonable cause" of insufficient grounds for 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. Both means through which members are removed from office include notification of cause or causes and an opportunity to offer a defense either in the form of a hearing or a trial.”

By [policy](#),^[4] the Board of Trustees may initiate the articles of impeachment if the Board determines, by a majority vote in public session, that the conduct of any member of the Board of Trustees meets the applicable standard for impeachment. There is no record of a Board member being removed from office.

Supporting Documentation

1. [Roster of the Board of Trustees](#)
2. [South Carolina Code of Laws: Section 59-117-10](#)
3. [Article XV of the South Carolina Constitution](#)
4. [BTRU Policy 2.03 – Removal of a Board of Trustees Member](#)