

4.3 Multi-level governance

If an institution's governing board does not retain sole legal authority and operating control in a multiple-level governance system, then the institution clearly defines the following areas within its governance structure: (a) institution's mission, (b) fiscal stability of the institution, and (c) institutional policy.

Compliance Judgment: In Compliance

Rationale

Legally Authorized Boards with Oversight of the University. There is only one governing board of the University of South Carolina Aiken, but it does not retain sole legal authority and operating control over the institution. There are two legally appointed boards in South Carolina with some degree of oversight of the institution: the South Carolina Commission on Higher Education and the University of South Carolina Board of Trustees.

South Carolina Commission on Higher Education. The South Carolina Commission on Higher Education (CHE) serves as the coordinating board for all institutions of higher education in the state. It acts both as an advocate for higher education and an oversight entity on behalf of the General Assembly. The Commission is responsible for assuring a balance between student and taxpayer interests and institutional policies, aspirations, and needs. CHE operates pursuant to the South Carolina Code of Laws [§59-103-5, et seq.](#)^[1] CHE carries out its mission through statewide planning and approval authority, working with institutions to promote quality, access, and efficiency in the state's higher education enterprise, while balancing advocacy, stewardship, and accountability.

University of South Carolina Board of Trustees. As presented in the narrative to [Standard 4.1 – Governing board characteristics](#),^[2] the Board of Trustees of the University of South Carolina was created on in 1801 by virtue of [§59-117-10 et seq.](#)^[3], Code of Laws of South Carolina to govern all institutions in the University of South

Carolina system. The institutions that constitute the University of South Carolina are delineated in the [Bylaws of the USC Board of Trustees](#) ^[4] and include a research institution (USC Columbia), three comprehensive institutions (USC Aiken, USC Beaufort, USC Upstate) and four 2-year regional campuses (USC Lancaster, USC Salkehatchie, USC Sumter, USC Union). Within the USC System, there are four separately accredited institutions: USC Aiken, USC Beaufort, USC Columbia, and USC Upstate. The four 2-year regional campuses are branches of USC Columbia and fall under its accreditation.

Role of Boards with Respect to the Institution's Mission. Among the fundamental responsibilities of the USC Board of Trustees as stipulated in [Section 1, Article IV of the Board's Bylaws](#) ^[5] is the duty to define the mission, role and scope of the University System and each of its major component institutions. As presented in the narrative response to [Standard 4.2a – Mission review](#), ^[6] the mission of USC Aiken was last reviewed and approved by the Board of Trustees in [December of 2016](#).^[7]

In accordance with [§59-103-45](#) ^[8] of the South Carolina Code of Laws, the South Carolina Commission on Higher Education is charged with the responsibility to review and approve each institutional mission statement to ensure it is within the overall mission of that particular type of institution as stipulated by [§59-103-15](#).^[9] This process was last completed in [February of 2017](#).^[10]

Role of Boards with Respect to the Fiscal Stability of the Institution. The duties and responsibilities of the Board of Trustees outlined in the [Board of Trustees Bylaws, Article IV, Section 1](#) ^[5] and prescribed by the provisions of the [South Carolina Code of Laws §59-117-40](#) ^[11] include fiscal responsibilities related to financing (e.g., establishing an annual budget, reviewing and approving requests for state appropriations, issuing bonds and approving institutional loans, and establishing investment policies and procedures); building and grounds (e.g., purchasing, selling, or leasing property; and approving capital projects); and planning and gifts (e.g., engaging in strategic planning, receiving gifts for use by the University). Further, South Carolina Code of Laws provides authority to the Board of Trustees in the areas of [setting tuition and fees](#) ^[12], [procuring liability insurance](#) ^[13], [selling and disposing of real property](#) ^[14],

[maintaining financial management and accounting systems](#) ^[15], [eminent domain](#) ^[16], and [oversight of an annual audit and quality review process](#).^[17]

By virtue of South Carolina Code of Laws, the South Carolina Commission on Higher Education administers need-based grants (e.g., [§59-142-20](#) ^[18]), scholarships (e.g., [§59-149-10 et seq.](#) ^[19]; [§59-104-20 through §59-104-25](#) ^[20]), and loan programs (e.g., [§59-26-20\(j\)](#) ^[21] and [§59-110-10 et seq.](#) ^[22]). The Commission also reviews and approves permanent improvement projects, land purchases, and new facilities for public institutions of higher education in the state in accordance with [§59-103-110](#).^[23]

Role of Boards with Respect to the Institutional Policy. As the governing body with operating control over USC Aiken, the University of South Carolina Board of Trustees has authority to set institutional policies and to approve program offerings, including those at remote sites and via online. As presented in the [narrative to Standard 4.2.b](#), ^[24] the board has established an [internal control policy and has specified personnel with delegated authority over specific policy areas](#).^[25] State-wide policies set by the South Carolina Commission on Higher Education are consulted when establishing institutional policies to ensure adherence to state regulations and guidelines. The South Carolina Commission on Higher Education has established broad guidelines for all public institutions in the state in the areas of [facilities](#) ^[26] and academics (e.g., [distance education](#) ^[27], [program productivity](#) ^[28], [new academic program approval and program termination](#) ^[29], and [credit transfer](#) ^[30]).

Supporting Documentation

1. [South Carolina Code of Laws §59-103-5 et seq.](#)
2. [Narrative to Standard 4.1 – Governing board characteristics](#)
3. [South Carolina Code of Laws §59-117-10 et seq.](#)
4. [Bylaws of the USC Board of Trustees](#)
5. [Section 1, Article IV of the Board's Bylaws](#)
6. [Narrative to Standard 4.2a – Mission review](#)
7. [Board of Trustees Meeting Minutes of December 2016](#)
8. [South Carolina Code of Laws §59-103-45](#)

9. [South Carolina Code of Laws §59-103-15](#)
10. [SC CHE Meeting Minutes of February 2017](#)
11. [South Carolina Code of Laws §59-117-40](#)
12. [South Carolina Code of Laws §59-112](#)
13. [South Carolina Code of Laws §59-101-170](#)
14. [South Carolina Code of Laws §59-101-180](#)
15. [South Carolina Code of Laws §59-101-185](#)
16. [South Carolina Code of Laws §59-101-650](#)
17. [South Carolina Code of Laws §59-101-660](#)
18. [South Carolina Code of Laws §59-142-20](#)
19. [South Carolina Code of Laws §59-149-10 et seq.](#)
20. [South Carolina Code of Laws §59-104-20 through §59-104-25](#)
21. [South Carolina Code of Laws §59-26-20\(j\)](#)
22. [South Carolina Code of Laws §59-110-10 et seq.](#)
23. [South Carolina Code of Laws §59-103-110](#)
24. [Narrative to Standard 4.2.b – Board-administrative distinction](#)
25. [Board of Trustees Internal Control Policy](#)
26. [SC CHE Facilities Policies](#)
27. [SC CHE Distance Education Guidelines](#)
28. [SC CHE Academic Program Productivity](#)
29. [SC CHE Academic Policies](#)
30. [SC CHE Transfer Policy](#)