

STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

STATEMENT OF POLICY

POLICY NUMBER: 8-2-111

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POLICY TITLE: EMPLOYMENT/COMPENSATION PLAN FOR COLLEGE PRESIDENTS

LEGAL AUTHORITY: Section 59-53-10, 59-53-20, and 59-53-52 of the 1976 Code of Laws of South Carolina, As Amended; Section 19-706 of the Division of State Human Resources Regulations

DIVISION OF RESPONSIBILITY: Human Resource Services

DATE APPROVED BY BOARD: August 19, 2014

DATE OF LAST REVISION: July 25, 2023

DISCLAIMER

PURSUANT TO SECTION 41-1-110 OF THE CODE OF LAWS OF SC, AS AMENDED, THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE SC STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION / THE SC TECHNICAL COLLEGE SYSTEM. THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION/THE SC TECHNICAL COLLEGE SYSTEM RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

In accordance with the provisions of Section 59-53-52 (8) of the 1976 South Carolina Code of Laws, as amended, it is the policy of the State Board for Technical and Comprehensive Education (SBTCE) that college presidents shall be employed **at the will** of the respective College Area Commission. Further, Section 8-11-162 and the other provisions related to the authority of the Agency Head Salary Commission, South Carolina Technical College System Presidents are covered by the authority of the Agency Head Salary Commission.

Individuals appointed to college presidential positions must possess at least a Master's degree, with an earned doctorate preferred, plus ten (10) years of experience as an academic executive and/or administrative leader; preferably in a technical or community college setting. Upon the selection of a president, the Area Commission, upon securing necessary approvals, shall communicate to the selected candidate a letter of appointment (*see addendums*) which addresses all applicable terms, conditions, and provisions of employment.

Date of last review: July 25, 2023

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I. APPOINTMENT AND COMPENSATION

- A. In the event of a college president vacancy, the governing board (College Area Commission) must have the prior favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for a college president at a rate that exceeds the minimum of the salary range established by the Agency Head Salary Commission. No college president shall be paid a salary higher than that recommended by the Agency Head Salary Commission. The Agency Head Salary Commission shall have final approval authority for college presidential salaries.
- B. College president salary ranges are determined by the Agency Head Salary Commission. The establishment of an initial appointment salary shall be determined by such factors as the extent to which the selected candidate's related education and related work experience exceed the required position qualifications, market conditions, and internal/external salary equity. Consultation with the System Office Human Resource Services is encouraged.
- C. No college president shall be paid less than the minimum of the salary pay range nor receive an increase that would have the effect of raising the salary above the maximum of the pay range. No lump sum bonus or base pay increase is permitted without the concurrence of the Agency Head Salary Commission.
- D. No president of a technical college may receive a salary in excess of ninety-five (95) percent of the agency head salary range or the agency head actual salary, whichever is greater, except on approval of the Agency Head Salary Commission.
- E. Holiday, annual, sick and other leave for college presidents will be administered in accordance with the procedures set forth in SBTCE leave procedures.

II. MOVING EXPENSES

In accordance with Section 8-11-135; Payment of Moving Expenses, newly hired presidents may be awarded moving expenses provided the following conditions are met:

- (a) The new employee's place of residence is outside of the State of South Carolina at the time of employment by the agency.
- (b) The agency can demonstrate that paying these costs is necessary to fill the position.
- (c) The maximum payment in any instance to any new employee may not exceed five thousand dollars.
- (d) The payment is certified by the Commission Chair as the total paid by the college toward the total moving cost incurred by the new president.

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III. PRESIDENTIAL SALARY INCREASES

- A. The Agency Head Salary Commission must approve all presidential salary increases.
- B. Requests for Presidential salary increases may be made to the Agency Head Salary Commission at any time. All presidential salary increases must be approved by the Agency Head Salary Commission. Requests for presidential salary increases may be submitted to the Agency Head Salary Commission by the Area Commission Chair at any time. All salary increases for presidents must be justified and based on recommendations submitted to the Agency Head Salary Commission by the respective Area Commission.
- C. The State Fiscal Accountability Authority shall contract every four years for a study of Agency Head and College President compensation during the current year. The cost of the study must be shared by the participating agencies.

IV. EVALUATION

- A. All South Carolina Technical College System Presidents are required to participate in the Agency Head Salary Commission Evaluation process.
- B. Each college president is required to have a planning document and an evaluation completed on a fiscal year basis by the respective Area Commission. The planning documents are submitted on a prescribed date in the fall of each year, while final evaluation documents are normally due in August of each fiscal year, unless an alternative date is established by the Agency Head Salary Commission.
- C. The performance evaluations may serve as a factor in the determination of any salary increase for college presidents.

V. DISCRETIONARY PROVISIONS

- A. College presidents may be authorized by their respective Area Commission to receive salary supplements from non-public funds, in accordance with the provisions of SBTCE Policy No. 8-2-107 and accompanying Procedure No. 8-2-107.1 (Salary Supplement: College Presidents).
- B. College presidents may be provided an automobile in accordance with all applicable state, federal and/or local laws and regulations.
- C. The presidents of those state institutions of higher learning authorized to provide on-campus residential facilities for students may be permitted to occupy residences on the

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grounds of such institutions without charge. Any state institution of higher learning may provide a housing allowance to the president in lieu of a residential facility, the amount must be approved by the State Fiscal Accountability Authority.

- D. Travel and subsistence expenses, whether paid from state appropriated, federal, local or other funds are allowed in accordance with the provisions of Proviso 117.20 and the State's procurement and travel guidelines.

VI. DUAL EMPLOYMENT

In accordance with Section 8-11-170, no college president may be dually employed by another state agency or institution of higher education without prior approval by the Agency Head Salary Commission.

VII. SUSPENSION AND TERMINATION

- A. A college Area Commission may, at its discretion, suspend (without pay) and/or terminate the employment of a college president for any reason or no reason, and without regard to the existence of just cause or lack thereof.
- B. The college president shall be entitled to notice (either orally or in writing) by the Area Commission of the Commission's intent to suspend and/or terminate (a president's employment) and given an opportunity to be heard. The type of notice and the procedures for a hearing shall be at the sole discretion of the Area Commission.
- C. The Chairman of the State Board for Technical and Comprehensive Education will be informed (either orally or in writing) of an Area Commission's intent to suspend and/or terminate the employment of a college president.
- D. A college Area Commission may develop local policies and procedures, which further define the process the Area Commission will utilize in implementing the provisions included in Section VII, Parts A, B, and C. These policies and procedures must be consistent with SBTCE policy.

VIII. RETIREMENT

College presidents who retire due to either full retirement or early retirement in either of the state retirement system programs may be re-hired. Any salary above the minimum of the respective salary range must be approved by the Agency Head Salary Commission.

ADDENDUMS

Sample Letter 1

WITH SALARY

President Elect
[address]

Dear _____,

On behalf of the _____ College Area Commission, we are pleased to offer you the position of President effective _____. South Carolina Technical College System (SCTCS) Presidents are employed pursuant to State Board for Technical and Comprehensive Education Policy No. 8-2-111 (Employment/Compensation Plan for Technical College Presidents) and other applicable policies, provisos, and statutes. In accordance with Section 59-53-52 (8) of the 1976 South Carolina Code of Laws, as amended, your employment is at the will of the _____ College Area Commission. Area Commissions, which govern SCTCS colleges, are without authority to enter into employment contracts with college presidents. Accordingly, the terms and conditions explained below are being reduced in writing in accordance with the South Carolina Payment of Wages Act and do not constitute an employment contract.

Your annual base salary will be _____, as approved by the Agency Head Salary Commission. Additionally, you will be provided reasonable moving expenses to assist you with the transition from _[insert state]_ to South Carolina. Future base pay increases will be at the recommendation of the Agency Head Salary Commission or upon request of the _____ Area Commission with final approval by the Agency Head Salary Commission.

As President, you will be paid on a _____ basis, along with other _____ college employees. Automatic/direct bank deposits are available, and after commencing your employment, you will be advised of that procedure. Regular withholdings will be made for State and Federal Income Taxes, FICA, and one of the South Carolina State Retirement Systems' plans (State Retirement Plan or State Optional Retirement Plan). Additional payroll deductions may also be made for voluntary participation in group health, dental, life insurance, or any other supplemental insurance programs or other voluntary deductions offered through the college. You may contact _____, Director of Human Resources, to discuss these matters in further detail. _____ may be reached at (____) _____.

The Area Commission is confident that we have selected the right person to lead the college to greater heights. We look forward to working with you and ask that you confirm your acceptance of this appointment in writing as soon as possible.

Should you have questions, please do not hesitate to contact me at (____) _____.

Sincerely,

Chair, _____ College Area Commission

ADDENDUMS

cc: Members, _____ College Area Commission
System President, State Board for Technical and Comprehensive Education
_____, Director of Human Resources, _____ College
_____, Vice President for Human Resources, SCTCS

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ADDENDUMS

Sample Letter 2

WITHOUT APPROVED SALARY

President Elect
[address]

Dear _____,

On behalf of the _____ College Area Commission, we are pleased to offer you the position of President. South Carolina Technical College System Presidents are employed pursuant to State Board for Technical and Comprehensive Education policy 8-2-111 (Employment/Compensation Plan for Technical College Presidents) and other applicable policy. In accordance with Section 59-53-52 (8) of the 1976 South Carolina Code of Laws, as amended, your employment is at the will of the _____ College Area Commission. Area Commissions, which govern technical colleges in South Carolina, are without authority to enter into employment contracts with college presidents. Accordingly, the terms and conditions explained below are being reduced in writing in accordance with the South Carolina Payment of Wages Act and do not constitute an employment contract.

Your annual base salary will be determined by the Agency Head Salary Commission. Future base pay increases will be at the recommendation of the Agency Head Salary Commission or upon request of the _____ College Area Commission with final approval by the Agency Head Salary Commission.

As President, you will be paid on a _____ basis along with other _____ College employees. Automatic/direct bank deposits are available, and after commencing your employment, you will be advised of that process. Regular withholdings will be made for State and Federal Income Taxes, FICA, and one of the South Carolina Retirement Systems' plans (State Retirement Plan or State Optional Retirement Plan). Additional payroll deductions may also be made for voluntary participation in group health, dental, life insurance, or any other supplemental insurance programs or other voluntary deductions offered through the college. You may contact _____, Director of Human Resources to discuss these matters in further detail. _____ can be reached at (____) _____.

The _____ College Area Commission is confident that we have selected the right person to lead the college to greater heights. We look forward to working with you and ask that you confirm your acceptance of this appointment in writing and effective date as soon as possible.

Should you have questions, please do not hesitate to contact me at (____) _____.

Sincerely,

Chair, _____ College Area Commission

ADDENDUMS

cc: Members, _____ Area Commission
System President, State Board for Technical and Comprehensive Education
_____, Director of Human Resources, _____ College
_____, Vice President for Human Resources, SCTCS

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