

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

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DATE APPROVED BY BOARD: August 19, 2014

DATE OF LAST REVISION: June 15, 2018

**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.

Individuals appointed to college presidential positions must possess at least a master's degree, with an earned doctorate preferred, plus ten (10) years of progressively responsible teaching and/or senior level administrative experience. Upon the selection of a president, the Area Commission, upon securing necessary approvals, shall communicate to the selected candidate a letter of appointment (*see addendum*) which addresses all applicable terms, conditions, and provisions of employment.

*Date of last review: June 15, 2018*

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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. 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.
- F. 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.
- G. All salary increases for presidents must be justified and based on recommendations submitted to the Agency Head Salary Commission by the respective Area Commission.

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The Agency Head Salary Commission must approve all salary increases. The performance evaluations will serve as a factor in the determination of any salary increase for college presidents.

- H. Holiday, annual, sick and other leave for college presidents will be administered in accordance with the procedures set forth in SBTCE leave procedures.
- I. 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.

### **II. 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 II, Parts A, B, and C. These policies and procedures must be consistent with SBTCE policy.

### **III. DISCRETIONARY PROVISIONS**

- A. College presidents may be authorized by his/her 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).

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B. College presidents may be provided an automobile in accordance with all applicable state, federal and/or local laws and regulations.

**IV. 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 at the minimum of the respective salary range.

# ADDENDUM

## Sample Letter

President Elect  
[address]

Dear \_\_\_\_\_:

On behalf of the \_\_\_\_\_ Area Commission, we are very pleased that you have accepted the position of President of \_\_\_\_\_ College, effective \_\_\_\_\_, 201\_. South Carolina Technical College System (SCTCS) Presidents are employed pursuant to State Board for Technical and Comprehensive Education Policy No. 8-2-111 and other applicable policies. 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 \_\_\_\_\_ Area Commission. As discussed during the interview process, 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 to writing in accordance with the South Carolina Payment of Wages Act and do not constitute an employment contract.

This letter is to confirm that you have accepted the position of President of \_\_\_\_\_ College. Your initial annual salary will be \_\_\_\_\_. Additionally, any future increases or adjustments to your salary may be at the request of the Area Commission, but determined by the Agency Head Salary Commission with final approval by the Budget and Control Board.

As President, you will be paid on a \_\_\_\_\_ basis, along with all 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 the South Carolina State Retirement Systems. Additional payroll deductions may also be made for voluntary participation in group insurance and/or any other supplemental insurance programs or other voluntary deductions offered through the college. You may contact \_\_\_\_\_, Director of Human Resources, who will discuss these matters in further detail with you at your convenience. \_\_\_\_\_'s telephone number is \_\_\_\_\_.

The Area Commission is confident that ... (insert statement of Commission confidence). 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 \_\_\_\_\_ (insert telephone number).

Sincerely,

Chairman

cc: Members of the Area Commission  
System President, State Board for Technical and Comprehensive Education  
Human Resource Officer, \_\_\_\_\_ College  
Vice President and Chief Human Resource Officer, State Board for Technical and Comprehensive Education

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