



South Carolina Commission on Higher Education

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Dr. Richard C. Sutton
Executive Director

November 27, 2013

The Honorable Nikki R. Haley
Governor, State of South Carolina
1205 Pendleton Street
Columbia, S.C. 29201

The Honorable Hugh K. Leatherman, Sr.
Chairman, Senate Finance Committee
South Carolina Senate
111 Gressette Building
Columbia, S.C. 29201

The Honorable W. Brian White
Chairman, House Ways & Means Committee
South Carolina House of Representatives
525 Blatt Building
Columbia, S.C. 29201

Dear Governor Haley, Chairman Leatherman, and Chairman White:

Enclosed please find the report of the Commission on Higher Education that is submitted in compliance with Part 1B, Proviso 11.21 (CHE: Inventory of State-Mandated Reporting Requirements) of Act 101 of 2013. This proviso required the Commission to work with the state's colleges and universities to prepare a report by December 1 inventorying all state-mandated reporting requirements imposed on South Carolina's public colleges and universities.

In producing this report, a survey of reporting requirements was conducted and subsequently reviewed with institutions. The resulting inventory lists reporting required by the General Assembly, the Commission on Higher Education, and other state agencies. A brief description, information about the reporting cycle, and statutory, regulatory or other references requiring the reporting are provided for each item. The focus is limited to state-mandated reporting. Federal reporting requirements and other non-state-mandated reports are not addressed unless such reporting is required through a state agency in conjunction with its state responsibilities.

We appreciate your interest in exploring these obligations. CHE remains supportive of efforts to provide regulatory relief that will result in greater efficiency and effectiveness of the state's higher education system while maintaining appropriate and necessary levels of accountability. We look forward to working with you in these endeavors. Should you have questions about the report or need additional information, please contact me or Deputy Executive Director Julie Carullo (jcarullo@che.sc.gov/ 803-737-2292).

Thank you on behalf of the Commission for the important work you do to move South Carolina forward and improve the quality of life for all South Carolinians.

Sincerely,

A handwritten signature in black ink that reads "Richard C. Sutton". The signature is written in a cursive style.

Richard C. Sutton, Ph.D.
Executive Director

cc: Chairman John L. Finan and Members, S.C. Commission on Higher Education
Presidents, Chancellors and Deans, S.C. Public Colleges and Universities
Dr. James Hudgins, Senior Consultant, State Board of Technical & Comprehensive Education

INVENTORY OF STATE-MANDATED REPORTING REQUIREMENTS FOR PUBLIC COLLEGES AND UNIVERSITIES

27 November 2013

During the 2013 session, Proviso 11.21 (below) was adopted as part of Act 101 of 2013, the FY 2013-14 Appropriations Act, directing the Commission on Higher Education (CHE) to work with the state's public colleges and universities to inventory state-mandated reporting requirements for higher education. The enclosed report is delivered to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee in fulfillment of the proviso requirements.

11.21. (CHE: Inventory of State-Mandated Reporting Requirements) *To help reduce the cost of higher education and institutions' compliance burdens by eliminating conflicting, redundant, or other excessive reporting requirements, the Commission on Higher Education is directed to work with the state's colleges and universities to prepare a report inventorying all state mandated reporting requirements, including those of the Commission on Higher Education, imposed on South Carolina's institutions of higher education. This report shall be provided to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by December 1, 2013.*

Pursuant to the proviso, the enclosed inventory focuses on state reporting that is required of the state's 33 public colleges and universities. Reports included are those mandated by state law or regulation or required routinely by policy. One-time or occasional special reports have not been included, except as noted in the attached for recent reports that have been requested relating to financial information collected during the budget process and a requirement this fall for reporting of facility information to the Budget and Control Board.

The inventory was compiled by CHE staff based on a review of the South Carolina Code of Laws, as amended, Part 1B provisos of the FY 2013-14 Appropriations Act, and regulatory requirements of state agencies including CHE reporting requirements. Once compiled, institutions were asked to review the listing and provide input concerning any omissions or clarifications. The institutional input was integrated, and a final review of the inventory by the institutions was requested prior to the submission of the report.

The list of reports is organized according to the following categories of reporting:

- Institutional Reports to the General Assembly
- Institutional Reports submitted pursuant to FY 2013-14 Provisions of the Appropriations Act
- Institutional Reports to the SC Commission on Higher Education
- Institutional Reports to Other State Agencies or the Public

Appendix A of the report includes copies of relevant statutory and regulatory provisions.

For questions about the enclosed inventory or its development, please contact Julie Carullo, CHE Deputy Director of Administration and Director of External Relations, jcarullo@che.sc.gov or 803-737-2292.

INVENTORY OF STATE-MANDATED REPORTING REQUIREMENTS FOR PUBLIC COLLEGES AND UNIVERSITIES

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Institutional Reports to the General Assembly

1) Agency Accountability Reports

Description: Report submitted each September by state agencies and higher education. Until 2006, the annual Institutional Effectiveness (IE) report submitted by CHE served to meet this requirement. Beginning in 2006, institutions were required to submit an annual accountability report. Current reports are available at [CLICK HERE](#).

Report Cycle: Annual submitted by September 15.

Statutory or Other Provision Requiring the Report: §1-1-810, §1-1-820, Proviso 117.31

NOTE: In January 2013, pursuant to the Higher Education Efficiency and Administrative Procedures Act of 2011, a committee of institutional representatives submitted recommendations for administrative relief with respect to state Human Resources requirements. Included in the report to the General Assembly was a recommendation to exempt higher education institutions from this requirement (§1-1-810). The recommendation from higher education institutions has not been acted upon.

2) Annual Reporting in State Code Specific to Select Institutions

Description: A number of sections exist in state code which are historical and have required annual reporting by select institutions. The following lists these statutory provisions.

Clemson: Annual Report by the board to the General Assembly relating to farming operations, tests and experiments (§59-119-140); annual report by December 1 each year to the Department of Education on use of transferred federal funds for Agricultural Education to Clemson PSA (§59-119-165); Annual Report by the board to the General Assembly on the Municipal Corporation (§59-119-360).

MUSC: Annual report on the university by the board to the General Assembly (§59-123-70).

The Citadel: Annual report on the university by the board to the General Assembly (§59-121-70).

Annual reporting by the State Technical College Board including: Annual report on activities (§59-53-50) and on oversight and benefit of administrative efficiency provisions that were authorized as part of Act 74 of 2011 (§59-53-168).

Periodic or annual reports of technical college area commissions to legislative delegations including: Commissions generally (§59-53-52); Trident Technical College (§59-53-410); Horry Georgetown

Technical College (§59-53-850); Orangeburg Calhoun Technical College (§59-53-1050); Spartanburg Community College (§59-53-1110); York Technical College (§59-53-1310); Central Carolina Technical College (59-53-1460); and Midlands Technical College (§59-53-1750).

Annual reports on Technical College Enterprise Campus to the State Technical College Board, Budget and Control Board and House and Senate finance committee chairs by the following: Trident Technical College (§59-53-490); Midlands Technical College (§59-53-1786); and others technical colleges authorized for Enterprise Campuses as outlined in §59-53-2450.

Report Cycle: Annual Reports by various institutions as described above.

Statutory or Other Provision Requiring the Report: See Description for code citations and as listed on pages 31-33 of the attached Appendix A.

3) Annual reporting of out-of-state undergraduate student population and policy

Description: Requires institutions to report annually the number of out-of-state undergraduate students in attendance for fall and spring and the institutional out-of-state undergraduate student policy. The report is to be submitted to the General Assembly each year by September 15.

Report Cycle: Annual.

Information on out-of-state students is reported by institutions to CHE as part of CHEMIS. Institutions may include this information in their annual agency accountability reports.

Statutory or Other Provision Requiring the Report: §59-101-420

4) Reporting of financial information for medical school receiving state appropriations

Description: Section, enacted in 1995, that requires a report to the General Assembly by September 1 each year from a medical school receiving an appropriation from the state. Information to be reported includes various compensation data and the number of out-of-state and total students in each academic program.

Report Cycle: Annual. Information reported to State Human Resources as required for reporting of supplemental salaries. See State Human Resources Item 39 below.

Statutory or Other Provision Requiring the Report: §59-101-197, Proviso 101.5

5) Special Reports collected by Higher Education Budget Subcommittee of Senate Finance

A. College and University Survey – Higher Education Subcommittee of Senate Finance. A survey instrument was used initially in 2009 to collect information about institutional revenue, tuition and fees, and related budgetary information of interest for the Senate Finance Higher Education Budget Subcommittee. Data collection is coordinated by CHE at the request of the subcommittee. Information available at the Commission (enrollment, tuition and fees) is provided by CHE for already reported data with institutions providing information not centrally available. Special Report collected annually.

B. Agency Subfund Balances: Data reported annually by institutions to the subcommittee in February.

C. Survey on Higher Education Capital and Facilities - One time survey conducted in fall 2012 by a special committee of Senate Finance convened to review higher education facilities and processes. For information about the special committee, [CLICK HERE](#).

Statutory or Other Provision Requiring the Report: Request of the Senate Finance Committee

6) **Special Reports collected by the House Ways and Means Committee Higher Education, Technical and Cultural Resources Budget Subcommittee**

Description: During the past two years, the budget subcommittee has requested information pertaining to other fund revenues.

Report Cycle: Special Report collected annually during the session as noted.

Statutory or Other Provision Requiring the Report: Request of the House Ways and Means Committee.

Institutional Reports submitted pursuant to FY 2013-14 Appropriations Act Provisions

7) **Proviso 3.5, Lottery Funding**

Description: In FY 2013-14, institutions were provided lottery funds for maintenance. CHE is required to submit a report not later than 120 days after the close of the fiscal year regarding the utilization of this provision as well as the amount spent in the current fiscal year by each institution, by source of funds, on repair and maintenance projects generally, including restoration and renewal of existing facilities or infrastructure and the amount of repair and maintenance including restoration and renewal projects, deferred to a subsequent fiscal year by each institution, if any, and the reasons for deferral.

Report Cycle: CHE is required to report on use of maintenance funds provided to Research Institutions, Comprehensive 4-year Institutions, and 2-year USC Regional Campuses. Institutions will report needed data, and CHE will provide the report as required. Unless continued in future years, the reporting is one-time for the FY 2013-14 allocations.

Statutory or Other Provision Requiring the Report: Proviso 3.5 New provision included in FY 2013-14.

8) **91.21. (LEG: Other Funds Oversight Committee)**

Description: Institutions and agencies are required to provide a disclosure of changes report and requests for any interim changes.

Report Cycle: Annual and as required.

Statutory of Other Provision Requiring the Report: Proviso 91.21. Proviso in effect since FY 2010-11.

9) **117.1 (GP: Revenues, Deposits Credited to General Fund)**

Description: This proviso relates to the remittance of state revenues to the State Treasurer and requires with each such remittance a report or statement detailing the sources of the income be submitted to the State Treasurer with a copy to the State Comptroller General and the Budget and Control Board.

Report Cycle: On-going.

Statutory or Other Provision Requiring the Report: Proviso 117.1

10) **117.5 (GP: Judicial & Involuntary Commitment, Defense of Indigents)**

Description: Provides that state agencies must furnish to the Judicial Department a list of employees who are competent to serve as court examiners.

Report Cycle: Annual, as applicable.

Statutory or Other Provision Requiring the Report: Proviso 117.5

11) 117.9 (GP: Transfers of Appropriations)

Description: Requires agencies and institutions to notify the Division of Budget and Analyses and the Comptroller General of transfers of appropriations within programs and within the agency, with no such transfer exceeding 20%.

Reporting Cycle: On-going. However, it was noted that while the proviso does not exclude institutions, the Office of State Budget has noted that the provision does not apply to higher education as lump sum funded agencies.

Statutory or Other Provision Requiring the Report: Proviso 117.9

12) 117.14 (GP: Discrimination Policy)

Description: Requires each agency to report to State Human Affairs Commission employment and filled vacancy data by race and sex by October 31 of each year. In accordance with 1-13-110 the Human Affairs Commission shall submit a report on agencies Affirmative Action Plans and Programs to the General Assembly by February 1. State agencies not in compliance with goals must submit a detailed explanation to the Commission by February 15.

Report Cycle: Annual.

Statutory or Other Provision Requiring the Report: Proviso 117.14

13) 117.15 (GP: Personal Service Reconciliation, FTEs)

Description: This proviso requires agencies and institutions to report on filled and vacant FTEs within thirty days of the passage of the Appropriation Act or by August 1 whichever comes later.

Report Cycle: Annual

Statutory or Other Provision Requiring the Report: Proviso 117.15

14) 117.28 (GP: Travel Report)

Description: Agencies and institutions must file reports with the Comptroller General on employee travel expenses from all sources and to a specified level of detail.

Report Cycle: Annual.

Statutory or Other Provision Requiring the Report: Proviso 117.28

15) 117.38 (GP: Debt Collection Reports)

Description: Requires state agencies and institutions to report on the amount of outstanding debt and all methods it has used to collect the debt. Reports are to be submitted to the Senate and House finance committee chairman and the Inspector General by the last day of February for the previous calendar year.

Report Cycle: Annual.

Statutory or Other Provision Requiring the Report: Proviso 117.38 Report Required since FY 2001-02.

16) 117.68 (GP: LightRail)

Description: Authorizes Clemson, USC, and MUSC to plan, procure, administer, oversee, and manage all functions associated with the SC LightRail. It requires that on February 1, the entity managing the network must submit a report to the chairman of the House and Senate finance committees identifying each entity with access to the network and any payment that each such organization is making for access to the network.

Report Cycle: Annual. Report currently submitted on behalf of the 3 Research Universities by Interim Director of SC LightRail who is at MUSC.

Statutory or Other Provision Requiring the Report: Proviso 117.89 Report required since FY 2007-08.

17) 117.81 (GP: Fines and Fees Report)

Description: Requires each state agency and institutions to provide a report on the agencies website of all aggregated amounts of fines and fees that were charged or collected by the agency in the prior year. The report must be posted online by September 1 and delivered to the chairman of the House and Senate finance committees.

Report Cycle: Annual.

Statutory or Other Provision Requiring the Report: Proviso 117.81 Report required since FY 2009-10.

18) 117.96 (GP: Recovery Audits)

Description: Requires each state agency, including institutions, to provide information necessary for state conducted recovery audits on purchased goods and services as applicable.

Report Cycle: Annual.

Statutory or Other Provision Requiring the Report: Proviso 117.96. Report required since FY 2010-11.

19) 117.123 (GP: Annual Audit of Court Fees and Fines Reports)

Description: As applicable, agencies, including institutions must provide information necessary for audits conducted pursuant to the required audit of court fees and fines conducted by the State Auditor in consultation with the State Treasurer.

Report Cycle: Annual

Statutory or Other Provision Requiring the Report: Proviso 117.123, new in FY 2013-14.

Institutional Reports to the SC Commission on Higher Education

20) SC Commission on Higher Education Management Information System (CHEMIS)

Description: CHE maintains a higher education database used for state and/or federal reporting requirements. The data provides for uniform reporting that is used in meeting data requirements and in responding to inquiries. Data are collected from both public and independent institutions. The state's public institutions report on Enrollment, Courses, Completions, State Scholarship and Grant Disbursement, Faculty, and Facilities.

For CHEMIS technical documentation and requirements, [CLICK HERE](#).

Report Cycle: The state's public institutions report data by semester with reports on summer due in late August, on fall due in October/November, and on spring due in March/April.

Statutory or Other Provision Requiring the Report:

CHE Higher Education Data Collection

21) CHE 14 A, B, C Credit Hour Report

Description: Data collected annually from public institutions pursuant to statutory provisions of CHE policy which require certain credit hours to be excluded from the funding formula. These hours include those allowable free credit hours for permanent faculty and staff and for those 60 years old and older. In March 1989, CHE adopted a policy on funding of out-of-state and off-shore courses and programs that provided that hours generated outside of the state would be included in funding considerations to the extent that these hours are not funded from external sources and required separate reporting of these hours.

Report Cycle: Annual. Institutions report with qualifying credit hours report as required.

Statutory or Other Provision Requiring the Report: §59-111-15, §59-111-350, CHE Policy

22) Information for purpose of updating the Mission Resource Requirement (MRR) for Higher Education including: MRR Academic Fee Report, MRR CHE 150 Report, and for Technical Colleges annual allocation of funding by college.

Description: Data collected annually for purposes of calculating the Mission Resource Requirement (MRR). The MRR is a formula used to calculate the amount needed by institutions for Educational and General (E&G) Operations and recommended state share of funding.

Institutions report fiscal year collection of academic fees by residency (in-state/out-of-state), student level (undergraduate/graduate). Data for the CHE 150 report include: total sponsored research expenditures, public service expenditures, number of employees enrolled in retirement system, utility expenditures (actual and contract), and number of acres maintained. The State Technical College System also provides for purposes of the MRR, annual allocation of funding by college and annual local funding.

Report Cycle: Annual. (*Academic Fee data were not requested in 2012 but will be collected in 2013-14.*)

Statutory or Other Provision Requiring the Report: CHE Data Report.

23) Facilities Building and Infrastructure Maintenance Condition Survey

Description: Data collected every three years on building and infrastructure needs for educational and general facilities of the public colleges and universities. Information is used in coordination with facilities approval process and requirements – see [CHE Facilities Procedures and Policies Manual](#) .

Report Cycle: Every 3 years, and interim updates upon closure of each capital renovation or maintenance project.

Statutory or Other Provision Requiring the Report: CHE Data Report.

24) Annual Tuition and Required Fees (CHE 100 Report)

Description: Institutions report to CHE in late summer on the annual tuition and required fees to be assessed students during the academic year. Adjustments, if any, are reported in spring and CHE updates the information. Technical Colleges provide additional information on out-of-district tuition and fees necessary for administration and reporting for LIFE Scholarships.

Data are made available on CHE’s website at [CLICK HERE](#) including trend reports and annual detail.

Report Cycle: Annual. Reported for the Academic Year prior to the fall semester with updates provided as of spring if changes.

Statutory or Other Provision Requiring the Report: CHE Data Report.

25) Academic Program Approval

Description: CHE is required to approve new academic programs. Information about approved programs such as terminations, notification of changes, and modifications, is required to be reported subsequent to approval. CHE’s policy on new academic programs and centers, program modification and termination is available at [CLICK HERE](#). CHE maintains an on-line, searchable inventory of academic programs which is made available in a searchable format. The inventory is accessible from the above link or directly at [CLICK HERE](#).

Report Cycle: On-going as institutions add, modify or close programs.

Statutory or Other Provision Requiring the Report: §59-103-35, §59-101-150

26) Annual Report on Admission Standards of First-time Freshmen

Description: Act 629 of 1988 required CHE in consultation with institutions to ensure that minimal admission standards are maintained by institutions and required CHE to monitor compliance with admission prerequisites that are effective. The report is produced annually. CHEMIS data are used, supplemented by data from institutions on their admissions policies and the number of first-time freshmen who applied and were accepted. (MUSC has no freshmen and the report is not applicable.)

For a copy of the latest annual report see, [CLICK HERE](#)

Report Cycle: Annual.

Statutory or Other Provision Requiring the Report: §59-104-10(A), §59-103-45(3)

27) Institutions are required to report certain data for program management purposes not otherwise collected or referenced in this report including:

Description:

- A. **EIA-funded Center of Excellence Grants and Federal Improving Teacher Quality Grants** – Funded institutions are required to submit reports on activities completed, expenditures of funds and how the goals and project objectives are being met.
- B. **EIA-funded Teacher Recruitment Programs** – CERRA which is housed at Winthrop and the SC State University PRRMT. Annual program reporting to CHE from CERRA, which is housed at Winthrop, and SC State.
- C. **Academic Endowment Incentive** – Information reported is necessary for determining the distribution of state funds (\$160,592 as of FY 2013-14) appropriated as an incentive for academic endowment investment.

Report Cycle: Annual. Funded institutions for EIA Centers/ITQ grants, CERRA and SC State only for teacher recruitment programs, and all institutions for Academic Endowment.

Statutory or Other Provision Requiring the Report: §59-103-140, Proviso 1A.9, §59-118-10 *et seq.*, R.62-820 – 900

28) SmartState® Centers of Economic Excellence Annual Report and Audit

Description: Research institutions report information on Centers and funding to CHE for the required annual program report due to the General Assembly and Budget and Control Board each year by November 30. Submitted with the report as required is an annual program audit which must be performed by an independent auditor. CHE provides staff support for the SmartState Review Board.

For a copy of the 2012 report, [CLICK HERE](#). The 2013 report will be available on-line shortly.

Report Cycle: Annual, Report and Audit to be submitted by November 30.

Statutory or Other Provision Requiring the Report: §2-75-10

29) Submission of Budget

Description: Requires institutions to submit annual budget requests to CHE. However, budgets are not submitted through CHE but directly to the Governor and Office of State Budget as required. Current (FY 2014-15) budget plans are available at [CLICK HERE](#).

Report Cycle: Budget requests are submitted annually.

Statutory or Other Provision Requiring the Report: §59-103-35. Institutions do not submit budgets to CHE annually. Institutions submit budget requests to the Governor and General Assembly annually through the Office of State Budget as is the case with all state agencies.

30) Performance Funding

Description: Act 359 of 1996 required the development of a performance-based funding formula. A list of indicators by critical success factor was outlined in statute for use in development of the system. Funding was not provided for more than six years and reporting for indicators where data were not otherwise required was eventually suspended in 2007 as the system was re-evaluated.

Report Cycle: REPORTING SUSPENDED

Statutory or Other Provision Requiring the Report: §59-103-30, §59-103-45(4). Reporting suspended since 2007 as the system was being re-evaluated and funding was not made available. A provision included in the Appropriations Act since FY 2009-10 has suspended reporting – see Proviso 117.89 (GP: Printed Report Requirements).

31) Institutional Effectiveness (IE) Reporting

Description: Act 255 of 1992 required institutional data reporting on certain data elements and required CHE to provide a report to the General Assembly each January. With the passage of Act 359 of 1996, CHE was also required to include in its report information on institutional achievement on performance indicators. The required annual report of CHE and related reporting not otherwise collected except for student pass rates on professional examinations was suspended effective FY 2009-10. For a copy of the last report submitted in January 2009, [CLICK HERE](#).

Report Cycle: REPORTING SUSPENDED, except for student pass rates on professional examinations which is collected annually and information that would otherwise be submitted on CHEMIS.

Statutory or Other Provision Requiring the Report: §59-101-350 Reporting (institutional and CHE annual report) deferred since FY 2009-10 pursuant to a provision included in the Appropriations Act – See Proviso 117.89 (GP: Printed Report Requirements). The proviso defers all IE reporting except institutions must continue to report student pass rates on professional examinations and data elements otherwise required for CHEMIS.

32) English Fluency Act

Description: Legislation passed in 1991 that required institutions to adopt policies to ensure instructional faculty whose second language is English possess adequate proficiency in written and spoken English and to provide for a student grievance procedure. The legislation requires annual reporting to CHE regarding student grievances filed and the disposition of those grievances.

For a copy of the last report submitted in FY 2007-08, [CLICK HERE](#).

Report Cycle: REPORTING SUSPENDED.

Statutory or Other Provision Requiring the Report: §59-103-160 (D) Reporting deferred pursuant to a provision included in the Appropriations Act since FY 2009-10. The current provision is Proviso 117.89 (GP: Printed Report Requirements) in FY 2013-14.

Institutional Reports to Other State Agencies or the Public

33) Transaction Register of Funds Expended

Description: In 2011 higher education institutions were required to develop and maintain an online transaction register on the institution's website for viewing and downloading. The register is required to include three years of data and be updated at least monthly. Additionally, institutions must include on their website a link to the internet website of any agency that posts on its website the institution's monthly state procurement card statements. (The Comptroller General posts credit card information. All other state agencies are also required to provide a link to these statements from their websites.)

Report Cycle: On-going. Report made available by institutions on their websites and updated at least monthly

Statutory or Other Provision Requiring the Report: §59-101-670, Proviso 117.92

34) Comprehensive Annual Financial Report

Description: Annual Financial report submitted to the Comptroller General Annually

Report Cycle: Annual, due in September.

Statutory or Other Provision Requiring the Report: §11-7-20, §59-101-185, and 117.64

35) Dual Employment Report

Description: Information reported for purposes of required dual employment reporting of the Comptroller General. The Comptroller General is required to report to the finance committees each year after the end of the fiscal year all employees receiving dual compensation and the amounts received.

Report Cycle: Annual

Statutory or Other Provision Requiring the Report: §8-11-35

36) State Human Resource Reporting – Leave Transfer Pool Program

Description: Requires state agencies, including higher education institutions, to report each year to the State Office of Human Resources the amount of sick and annual leave transferred to the leave pool and the use of donated leave by employees.

Report Cycle: Annual, by March 1.

Statutory or Other Provision Requiring the Report: §8-11-770, State HR Regulation 19-711.02

37) State Human Resource Reporting – Organizational Charts

Description: Requires state agencies, including higher education institutions, to report organizational charts. Updated organizational charts are submitted to the State Division of Human Resources annually per proviso but not later than September 1. Changes are to be submitted within 30 days.

Report Cycle: Annual, no later than August 15 with changes affecting employee grievance rights submitted within 30 days.

Statutory or Other Provision Requiring the Report: §1-1-970, Proviso 117.54

NOTE: In January 2013, pursuant to the Higher Education Efficiency and Administrative Procedures Act of 2011, a committee of institutional representatives submitted recommendations for administrative relief with respect to state Human Resources requirements. Included in the report to the General Assembly was a recommendation to enable electronic reports provided on an institution's website to be recognized in fulfilling this reporting requirement.

38) State Human Resource Reporting – Bonuses

Description: Agencies, including institutions, must report each year to the State Office of Human Resources information by employee for bonuses awarded pursuant to provisions regarding the award of bonuses per Budget and Control Board guidelines.

Report Cycle: Annual, by August 15.

Statutory or Other Provision Requiring the Report: Proviso 117.61

39) State Human Resource Reporting – Monetary Awards

Description: Agencies, including institutions, must report each year to the State Office of Human Resources information by employee information on monetary awards awarded pursuant to provisions.

Report Cycle: Annual, by August 15.

Statutory or Other Provision Requiring the Report: Proviso 117.16

40) State Human Resource Reporting – Voluntary Separation Incentive Program

Description: Agencies, including institutions, must report information each year to the State Office of Human Resources in the aggregate (costs, expenditures, cost savings, and number of employees applied, participated and rehired) and by employee regarding the use of the state's Voluntary Separation Incentive Program.

Report Cycle: Annual, by August 15.

Statutory or Other Provision Requiring the Report: Proviso 117.36

41) State Human Resource Reporting – Salary Supplements

Description: Agencies, including institutions, must report each year to the State Office of Human Resources any supplemental salary received by employee during the preceding year.

Report Cycle: Annual, by August 15.

Statutory or Other Provision Requiring the Report: Proviso 101.5

42) State Human Resource Reporting – Telecommuting

Description: Agencies, including institutions, must report each year to the State Office of Human Resources whether the agency used the state's telecommuting program and the numbers of employees by classification code telecommuting

Report Cycle: Annual, by August 15.

Statutory or Other Provision Requiring the Report: State Employee Telecommuting Guidelines.

43) State Human Resource Reporting – Retirement Incentive Program

Description: Agencies, including institutions, must report information in the aggregate (costs, expenditures, cost savings, number of employees applied, participated and rehired, and the number of FTE's to be re-filled) and by employee regarding the use of the state's Retirement Incentive Program.

Report Cycle: Annual, by August 15.

Statutory or Other Provision Requiring the Report: §9-1-1140(H) and §9-1-50(H)

44) State Human Resource Reporting – Mandatory Furlough

Description: Agencies, including institutions, must report each year to the State Office of Human Resources information for the agency and employees on any mandatory furloughs.

Report Cycle: Annual, by August 15.

Statutory or Other Provision Requiring the Report: §8-11-192, §8-11-193

45) State Human Resource Reporting – Fair Market Rental Value of Residences

Description: Agencies, including institutions, furnishing a residence to an employee must report each year to the State Office of Human Resources on the fair market rental value of such residences.

Report Cycle: : Annual, by August 15.

Statutory or Other Provision Requiring the Report: Proviso 117.16

46) Information Technology (IT) Planning

Description: State agencies and institutions are required to submit master information technology plans and reports and coordinate IT procurement through the Budget and Control Board [Division of State Information Technology](#).

Report Cycle: Annual.

Statutory or Other Provision Requiring the Report: §11-35-820, R.19-445.2115

47) Annual Security Reports

Description: In 2002, the State required public institutions to include in their annual security report published pursuant to Section 485 of the federal Higher Education Act of 1965 as amended (20 U.S.C. Section 1092(f)) a statement which advises the campus community where law enforcement information concerning registered sex offenders may be obtained.

Report Cycle: Annual

Statutory or Other Provision Requiring the Report: §59-106-20

48) College Freshman Report

Description: SDE is required to report annually on high school graduates, their subsequent enrollment in college, and courses passed/failed in the first semester in college. Data have been collected from higher education institutions, except MUSC which has no freshmen, by survey. Institutions report each spring after the first semester. With the implementation of SDE's State Longitudinal Data System reports, CHE is collaborating with SDE to use where possible CHEMIS information.

For a copy of the SDE report, see [CLICK HERE](#).

Report Cycle: Annual

Statutory or Other Provision Requiring the Report: §59-101-130, §59-101-140

49) Annual Reporting for the State Education Report Card - Required Title II Reports on Teacher Preparation Programs

Description: Federal legislation requires states, as recipients of Higher Education Act (HEA) funds, to and all higher education institutions with teacher preparation programs that enroll students receiving federal financial assistance to prepare annual reports on teacher preparation and licensing.

The state report card requires information about three basic areas: state certification requirements, the institutions and alternative routes that prepare teachers and their success in doing so as measured by pass rates on certification tests, and the numbers of teachers in the state, both those who are and those who are not fully certified to teach. The state report also must rank order institutions and alternative

preparation routes in quartiles in each of seven categories by percent of candidates passing the assessments. Finally, the state is required to provide a description of state efforts to improve teacher quality. The institutional report card must contain the percentage of its students who complete the program who pass each certification assessment as well as the percent who pass in each of the following categories: basic skills, professional knowledge and pedagogy, academic content areas, teaching special populations, other content areas, performance assessments, as well as an overall summary pass rate. The report also must contain a comparison of that institution's average pass rate with others in the state, the total number of students in the program, the average number of hours of supervised practice teaching, the faculty/student ratio in supervised practice teaching, the institution's accreditation status and the institution's designation as "low performing," if applicable (after first year).

For details, [CLICK HERE](#) for information posted on the SC Department of Education website.

Report Cycle: Annual

Statutory or Other Provision Requiring the Report: Required state reporting, HEA Title II, Section 207.

50) State Library to receive statistical reports from libraries

Description: Requires all public colleges and universities to make an annual statistical report to the SC State Library in a form as may be required and any other reports necessary from libraries receiving state and federal grants participating in the statewide library network. Statutory provision enacted in 1985.

Report Cycle: Annual

Statutory or Other Provision Requiring the Report: §60-1-160

51) Three-Year Funding Forecast

Description: Information provided annually to the Budget and Control Board Office of State Budget for purposes of developing a required three-year funding forecast. A copy of the latest forecast is available at [CLICK HERE](#).

Report Cycle: Annual.

Statutory or Other Provision Requiring the Report: §11-11-350

52) Capital Project Spending – SPIRS Reporting

Description: Monthly report to the Budget and Control Board Capital Budgeting Unit on capital project spending. The Capital Budgeting Unit of the Office of State Budget maintains the Statewide Permanent Improvement Reporting System (SPIRS) for tracking the budgets and expenditures of permanent improvement projects and distributes monthly reports to agencies on project activity.

Report Cycle: On-going, monthly reporting.

Statutory or Other Provision Requiring the Report: §11-25-3240, [BCB Capital Budgeting Unit, Part I Manual-Chapter8 SPIRS Reporting](#).

53) Annual inventory and report; review; sale of surplus property

Description: Statutory provisions require annual reporting of agencies to inventory and prepare a report of all residential and surplus properties. The reports are submitted to the Office of General Services annually. However, higher education institutions have been exempted from reporting since FY 2004-05. In fall 2013, the Governor issued an executive order requiring the reporting of all agencies including higher education institutions.

Report Cycle: Since FY 2004-05, a budget proviso has exempted public colleges and universities from this reporting. However, reporting has been required in fall 2013 per [Executive Order 2013-9](#) of the Governor.

Statutory or Other Provision Requiring the Report: §1-11-58, Proviso 118.2, [Executive Order 2013-9](#)

54) Information to be furnished by agencies and institutions with respect to permanent improvement projects.

Description: Data are reported through CHE to the Joint Bond Review Committee and State Budget and Control Board.

Report Cycle: Annual. Reporting has been affected by a budget proviso adopted in FY2009-10. Pursuant to the proviso, institutions of higher learning and agencies were required to submit documents for §2-47-40 and §2-47-50 in electronic format only. The proviso deferred annual CPIP reporting per §2-47-55 except for Year 1 for institutions of higher learning. The Year 1 information was used by CHE to expedite the approval process. Effective in FY 2013-14, the proviso was amended to restore the annual reporting of CPIP for Years 1-5 for all agencies including institutions.

Statutory or Other Provision Requiring the Report: §2-47-40, §2-47-50, §2-47-55, Proviso 117.89

55) Archives and History Programmatic Agreement Compliance Report - State-Owned or Leased Historical Properties

Description: Annual compliance reports are required of agencies that have a negotiated programmatic agreement with the Department of Archives and History pursuant to Title 60 Chapter 12, Protection of State-owned or leased historic properties.

Report Cycle: Annual, applies to any agency that owns or leases historic properties under program agreement with Archives and History.

Statutory or Other Provision Requiring the Report: Regulatory pursuant to § 6 0-12-10, et seq.

56) Quarterly Procurement Reporting

Description: The [Consolidated Procurement Code](#) requires all state agencies, including higher education institutions, to report on a quarterly basis on all Sole Source, Emergency, Trade-in-Sale, and Unauthorized (Illegal) procurements, and those procurements based on preferences and 10% rule. Reporting to the Budget and Control Board [Procurement Services](#) is accomplished through an online quarterly reporting system. For additional information, see [Quarterly Reporting User's Guide](#).

Report Cycle: On-line Quarterly Reporting

Statutory or Other Provision Requiring the Report: §11-35-2440, §11-35-3830, §11-35-1220, R19-445.2000

57) Minority Business Enterprise Utilization Plan

Description: To emphasize the use of minority small businesses, each agency director shall develop a Minority Business Enterprise (MBE) Utilization Plan. MBE utilization plans must be submitted to the Office of Small and Minority Business Assistance (OSMBA) for approval no later than July thirtieth, annually. Upon petition by the governmental body, OSMBA may authorize an MBE utilization plan that establishes a goal of less than ten percent of the governmental body's total dollar amount of funds expended. Progress reports must be submitted to the OSMBA no later than thirty days after the end of each fiscal quarter.

Report Cycle: Annual and if applicable, quarterly progress reports.

Statutory or Other Provision Requiring the Report: §11-35-5240

58) Report on Recycling Activity

Description: Each year state agencies including higher education institutions are required to report to SC DHEC on recycling activities. SC DHEC, in turn, provides a report to the Governor and General Assembly. Agency reports are provided to SC DHEC Bureau of Land and Waste Management, Office of Solid Waste Reduction and Recycling annually by September 15.

Report Cycle: On-line Annual Report

Statutory or Other Provision Requiring the Report: §44-96-140

59) Environmental Compliance Reporting

Description: Various reports are required by the [Department of Health and Environmental Control](#) (DHEC) pertaining to environmental compliance including: a semi-annual campus emissions report, an annual campus emissions report, a quarterly hazardous material report, an annual report on waste minimizations, and an annual report on radiation safety.

Report Cycle: Varied. Annual, Semi-annual and quarterly reporting.

Statutory or Other Provision requiring the Report: Regulatory compliance.

DHEC Clean Air Operating Permit reporting, R.61-61.1, Section II(H), DHEC Form 2601 Notification of Regulated Waste Activity, R.61-79.262.13, 263.13, 264.5 and 265.5.

APPENDIX A**Statutory Provisions referenced in the Inventory of State-Mandated Reporting Requirements for Public Higher Education Institutions**

- Provisions excerpted during October 2013 from the online SC State Code of Laws and Act 101 of 2013, FY 2013-14 Appropriations Act, available at www.scstatehouse.gov.
- SC Code of Law citations are listed in order by Title and Chapter, except for reporting citations specific to particular institutions which are listed at the end of the statutes from the SC Code of Law. Part 1B Provisos from the FY 2013-14 Appropriations Act are listed in numeric order following the citations provided from the SC Code of Law.

SC CODE OF LAWS

The full Code of Laws is accessible online at <http://www.scstatehouse.gov/code/statmast.php>. Agency Regulations are not provided and the Code of Regulations may be accessed at <http://www.scstatehouse.gov/codereqs/statmast.php>

SECTION 1-1-810. Annual accountability reports by agencies and departments of state government. Each agency and department of state government shall submit an annual accountability report to the Governor and the General Assembly covering a period from July first to June thirtieth, unless otherwise directed by the specific statute governing the department or institution.

HISTORY: 1962 Code Section 1-44; 1952 Code Section 1-44; 1942 Code Section 2096; 1932 Code Section 2096; 1929 (36) 225; 1931 (37) 278; 1933 (38) 490; 1960 (51) 1746; 1995 Act No. 145, Part II, Section 43A.

SECTION 1-1-820. Contents of annual accountability reports. The annual accountability report required by Section 1-1-810 must contain the agency's or department's mission, objectives to accomplish the mission, and performance measures that show the degree to which objectives are being met.

HISTORY: 1962 Code Section 1-45; 1952 Code Section 1-45; 1942 Code Section 2097; 1932 Code Section 2097; Civ. C. '22 Section 58; Civ. C. '12 Section 48; Civ. C. '02 Section 45; 1896 (22) 202; 1960 (51) 1779; 1995 Act No. 145, Part II, Section 43B.

SECTION 1-1-970. Personnel data required to be furnished quarterly. All agencies, departments and institutions of state government shall furnish to the State Personnel Division not later than fifteen days following the close of the second quarter of each even-numbered year a current personnel organization chart in a form prescribed by the division showing all authorized positions, the personnel grade and compensation of each and indications as to whether such positions are filled or vacant.

All agencies, departments and institutions of state government shall furnish to the State Personnel Division not later than fifteen days following the close of each quarter except the second quarter of each even-numbered year any and all changes or alterations to the personnel organization chart in a form prescribed by the division.

The State Personnel Division shall ensure that all reports submitted to the division by agencies, departments and institutions of state government are accurate and up-to-date and, based on that information, shall furnish to the Legislative Audit Council organizational charts and alterations to existing charts for each such agency, department and institution in such form as the division and Audit Council shall determine.

The charts prepared by the division shall be furnished to the Audit Council not later than thirty days following the end of each quarter.

HISTORY: 1976 Act No. 561, Section 7; 1977 Act No. 101, Section 3.

SECTION 1-11-58. Annual inventory and report; review; sale of surplus property.

(1) Every state agency, as defined by law, shall annually perform an inventory and prepare a report of all residential and surplus real property owned by it. The report shall be submitted to the State Budget and Control Board, Office of General Services, on or before June thirtieth and shall indicate current use, current value, and projected use of the property. Property not currently being utilized for necessary agency operations shall be made available for sale and funds received from the sale of the property shall revert to the general fund.

(2) The Office of General Services will review the annual reports addressing real property submitted to it and determine the real property which is surplus to the State. A central listing of such property will be maintained for reference in reviewing subsequent property acquisition needs of agencies.

(3) Upon receipt of a request by an agency to acquire additional property, the Office of General Services shall review the surplus property list to determine if the agency's needs can be met from existing state-owned property. If such property is identified, the Office of General Services shall act as broker in transferring the property to the requesting agency under terms and conditions that are mutually agreeable to the agencies involved.

(4) The Budget and Control Board may authorize the Office of General Services to sell any unassigned surplus real property. The Office of General Services shall have the discretion to determine the method of disposal to be used, which possible methods include: auction, sealed bids, listing the property with a private broker or any other method determined by the Office of General Services to be commercially reasonable considering the type and location of property involved.

HISTORY: 1997 Act No. 153, Section 2.

SECTION 2-47-40. Information to be furnished by agencies and institutions.

To assist the State Budget and Control Board (the Board) and the Joint Bond Review Committee (the Committee) in carrying out their respective responsibilities, any agency or institution requesting or receiving funds from any source for use in the financing of any permanent improvement project, as a minimum, shall provide to the Board, in such form and at such times as the Board, after review by the Committee, may prescribe: (a) a complete description of the proposed project; (b) a statement of justification for the proposed project; (c) a statement of the purposes and intended uses of the proposed project; (d) the estimated total cost of the proposed project; (e) an estimate of the additional future annual operating costs associated with the proposed project; (f) a statement of the expected impact of the proposed project on the five-year operating plan of the agency or institution proposing the project; (g) a proposed plan of financing the project, specifically identifying funds proposed from sources other than capital improvement bond authorizations; and (h) the specification of the priority of each project among those proposed.

All institutions of higher learning shall submit permanent improvement project proposal and justification statements to the Board through the Commission on Higher Education which shall forward all such statements and all supporting documentation received to the Board together with its comments and recommendations. The recommendations of the Commission on Higher Education, among other things, shall include all of the permanent improvement projects requested by the several institutions listed in the order of priority deemed appropriate by the Commission on Higher Education without regard to the sources of funds proposed for the financing of the projects requested.

The Board shall forward a copy of each project proposal and justification statement and supporting documentation received together with the Board's recommendations on such projects to the Committee for its review and action. The recommendations of the Commission on Higher Education shall be included in the materials forwarded to the Committee by the Board.

No provision in this section or elsewhere in this chapter, shall be construed to limit in any manner the prerogatives of the Committee and the General Assembly with regard to recommending or authorizing permanent improvement projects and the funding such projects may require.

HISTORY: 1980 Act No. 518, Section 11.

SECTION 2-47-50. Establishment of permanent improvement projects by Board; review of proposed revisions; "permanent improvement project" defined.

The board shall establish formally each permanent improvement project before actions of any sort which implement the project in any way may be undertaken and no expenditure of any funds for any services or for any other project purpose contracted for, delivered, or otherwise provided prior to the date of the formal action of the board to establish the project shall be approved. State agencies and institutions may advertise and interview for project architectural and engineering services for a pending project so long as the architectural and engineering

contract is not awarded until after a state project number is assigned. After the committee has reviewed the form to be used to request the establishment of permanent improvement projects and has reviewed the time schedule for considering such requests as proposed by the board, requests to establish permanent improvement projects shall be made in such form and at such times as the board may require.

Any proposal to finance all or any part of any project using any funds not previously authorized specifically for the project by the General Assembly or using any funds not previously approved for the project by the board and reviewed by the committee shall be referred to the committee for review prior to approval by the board.

Any proposed revision of the scope or of the budget of an established permanent improvement project deemed by the board to be substantial shall be referred to the committee for its review prior to any final action by the board. In making their determinations regarding changes in project scope, the board and the committee shall utilize the permanent improvement project proposal and justification statements, together with any supporting documentation, considered at the time the project was authorized or established originally. Any proposal to increase the budget of a previously approved project using any funds not previously approved for the project by the board and reviewed by the committee shall in all cases be deemed to be a substantial revision of a project budget which shall be referred to the committee for review. The committee shall be advised promptly of all actions taken by the board which approve revisions in the scope or of the budget of any previously established permanent improvement project not deemed substantial by the board.

For purposes of this chapter, with regard to all institutions of higher learning, permanent improvement project is defined as:

- (1) acquisition of land, regardless of cost, with staff level review of the committee and the Budget and Control Board, Capital Budget Office, up to two hundred fifty thousand dollars;
- (2) acquisition, as opposed to the construction, of buildings or other structures, regardless of cost, with staff level review of the committee and the Budget and Control Board, Capital Budget Office, up to two hundred fifty thousand dollars;
- (3) work on existing facilities for any given project including their renovation, repair, maintenance, alteration, or demolition in those instances in which the total cost of all work involved is one million dollars or more;
- (4) architectural and engineering and other types of planning and design work, regardless of cost, which is intended to result in a permanent improvement project. Master plans and feasibility studies are not permanent improvement projects and are not to be included;
- (5) capital lease purchase of a facility acquisition or construction in which the total cost is one million dollars or more;
- (6) equipment that either becomes a permanent fixture of a facility or does not become permanent but is included in the construction contract shall be included as a part of a project in which the total cost is one million dollars or more; and
- (7) new construction of a facility that exceeds a total cost of five hundred thousand dollars.

Any permanent improvement project that meets the above definition must become a project, regardless of the source of funds. However, an institution of higher learning that has been authorized or appropriated capital improvement bond funds, capital reserve funds or state appropriated funds, or state infrastructure bond funds by the General Assembly for capital improvements shall process a permanent improvement project, regardless of the amount.

For purposes of establishing permanent improvement projects, Clemson University Public Service Activities (Clemson-PSA) and South Carolina State University Public Service Activities (SC State-PSA) are subject to the provisions of this chapter.

HISTORY: 1980 Act No. 518, Section 11; 1993 Act No. 178, Section 4; 2004 Act No. 187, Section 10, eff March 17, 2004; 2005 Act No. 143, Section 3, eff June 7, 2005; 2011 Act No. 74, Pt IV, Section 4, eff August 1, 2011.

SECTION 2-47-55. Comprehensive Permanent Improvement Plan.

(A) All state agencies responsible for providing and maintaining physical facilities are required to submit a Comprehensive Permanent Improvement Plan (CPIP) to the Joint Bond Review Committee and the Budget and Control Board. The CPIP must include all of the agency's permanent improvement projects anticipated and proposed over the next five years beginning with the fiscal year starting July 1 after submission. The purpose of the CPIP process is to provide the board and the committee with an outline of each agency's permanent improvement activities for the next five years. Agencies must submit a CPIP to the committee and the board on or before a date to be determined by the committee and the board. The CPIP for each higher education agency, including the technical colleges, must be submitted through the Commission on Higher Education which must review the CPIP

and provide its recommendations to the board and the committee. The board and the committee must approve the CPIP after submission and may develop policies and procedures to implement and accomplish the purposes of this section.

(B) The State shall define a permanent improvement only in terms of capital improvements, as defined by generally accepted accounting principles, for reporting purposes to the State.

HISTORY: 1993 Act No. 178, Section 5, eff July 1, 1993; 2003 Act No. 5, Section 1.

SECTION 2-75-10. Research Centers of Excellence Review Board; appointment of members; terms; responsibilities and duties.

. . . Members of the review board shall serve without compensation and must provide an annual report by November thirtieth of each calendar year to the General Assembly as well as the State Budget and Control Board, which shall include an audit performed by an independent auditor. This annual report must include, but not be limited to, a complete accounting for total state appropriations to the endowment and total proposals awarded up to the previous fiscal year.

HISTORY: 2002 Act No. 356, Section 3C; 2008 Act No. 355, Section 2, eff June 25, 2008; 2010 Act No. 290, Section 31, eff January 1, 2011.

SECTION 8-11-35. Salary payment schedule; maximum salaries; dual compensation; reports; exception.

(A) Except as otherwise provided by law, appropriations for compensation of state employees must be paid in twice-monthly installments to the person holding the position. To provide a regular and permanent schedule for payment of employees, the payroll period begins on June 2 of the prior fiscal year with the first pay period ending on June 16 of the prior fiscal year. The payroll period continues thereafter on a twice-monthly schedule as established by the State Budget and Control Board. This schedule must continue from one fiscal year to another without interruption, on a twice-monthly basis. The State Budget and Control Board may approve changes to this schedule where circumstances are considered justifiable.

(B) The appropriated salaries for specified positions means the maximum compensation for the position, except as specifically provided in other provisions of the annual general appropriations act or other provisions of law, and if the head of a department is able to secure the services for a particular position or work at a lower rate than the salary specified in the annual general appropriations act, the agency head is authorized to pay a lower salary.

(C) An employee of a state department or institution must not be paid any compensation from any other department of the state government except as approved under the provisions of Regulation 19-702.09 of the South Carolina Code of Regulations, and an employee of a department or institution must not be paid travel expenses by any other department or institution without approval of the agency by which he is regularly employed.

(D) The Comptroller General, after June thirtieth of each year, shall report to the Senate Finance Committee and the House Ways and Means Committee the names of all employees receiving dual compensation and the amounts received. The report shall list information under the primary employing agency, and in the format which lists employees under the requesting or secondary agency.

(E) The provisions of Regulation 19-707.02 of the South Carolina Code of Regulations and Section 8-13-750 do not apply to employees hired for one hundred twenty days or fewer.

HISTORY: 2002 Act No. 356, Section 1, Pt XI.H, eff July 1, 2002.

SECTION 8-11-192. Mandatory state agency furlough programs; consultation and guidance services.

In a fiscal year in which the general funds appropriated for a state agency are less than the general funds appropriated for that agency in the prior fiscal year, or in a fiscal year in which an agency that is funded by other funds projects other funds collections to be less than in the prior fiscal year, or whenever the General Assembly or the State Budget and Control Board implements a midyear across-the-board budget reduction, agency heads may institute employee furlough programs of not more than ten working days in the fiscal year in which the deficit is projected to occur.

The furlough program must be:

- (1) inclusive of all employees in an agency or within a designated department or program regardless of source of funds or place of work, including all classified and unclassified employees in the designated area; or
- (2) based upon pay band for classified employees and based upon pay rate for unclassified employees within the agency or designated department respectively.

If the state agency will incur costs for overtime under the federal Fair Labor Standards Act, law enforcement

employees and correctional employees may be exempted from a mandatory furlough. Employees who provide direct patient or client care and front-line employees who deliver direct customer services may be exempted from a mandatory furlough. The mandatory furlough must include the agency head. Constitutional officers are exempt from mandatory furlough. Scheduling of furlough days, or portions of days, shall be at the discretion of the agency head, but under no circumstances should the agency close completely.

During this furlough, affected employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits that require employer and employee contributions including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the state agencies, institutions, and departments are responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions.

Placement of an employee on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act.

In the event the reduction for the state agency, institution, or department is due solely to the General Assembly transferring or deleting a program, this section does not apply. The implementation of a furlough program authorized by this section shall be on an agency-by-agency basis. Agencies may allocate the employee's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. In the event that an agency implements both a voluntary furlough program and a mandatory furlough program during the fiscal year, furlough days taken voluntarily shall count toward furlough days required by the mandatory furlough.

The State Budget and Control Board shall promulgate guidelines and policies, as necessary, to implement the provisions of this section. State agencies shall report information regarding furloughs to the Office of Human Resources of the State Budget and Control Board.

The Office of Human Resources of the State Budget and Control Board must provide consultation and guidance to each state agency implementing a furlough or reduction in force regarding the long term career development of its employees and the potential financial benefit of implementing a furlough program or reduction in force.

The provisions of this section do not apply to employees of those state agencies or institutions covered by Section 8-11-193, and Section 8-11-193, rather than this section continues to apply to those employees in the manner provided by law.

HISTORY: 2009 Act No. 8, Section 1, eff May 6, 2009.

SECTION 8-11-193. Employee furloughs.

Notwithstanding any other provision of law, in a fiscal year in which the general funds appropriated for an institution of higher education are less than the general funds appropriated for that institution in the preceding fiscal year, or whenever the General Assembly or the State Budget and Control Board implements a midyear across-the-board budget reduction, agency heads for institutions of higher education and the State Board for Technical and Comprehensive Education through policy and procedure for the Technical College System may institute employee furlough programs of not more than twenty working days in the fiscal year in which the deficit is projected to occur. The furlough must be inclusive of all employees regardless of source of funds, place of work, or tenure status, and must include employees in classified positions and unclassified positions as well as agency heads. Scheduling of furlough days, or portions of days, shall be at the discretion of the agency or individual institution. During the furlough, affected employees shall be entitled to receive the same state benefits as otherwise available to them except for receiving their salaries. For benefits which require employer and employee contributions including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, institutions will be responsible for making both employer and employee contributions during the time of the furlough if coverage would otherwise be interrupted. For benefits which require only employee contributions, the employee remains solely responsible for making the contributions. Placement of an employee on furlough pursuant to this section does not constitute a grievance or appeal under the State Employee Grievance Act. In the event an institution's reduction is due solely to the General Assembly transferring or deleting a program, this section does not apply. The implementation of a furlough program authorized by this section shall be on an institution by institution basis.

HISTORY: 2008 Act No. 353, Section 2, Pt 1.A.1, eff July 1, 2008.

SECTION 8-11-770. Employing agencies to maintain records and report pertinent information to division.

The division shall require employing agencies to maintain records and report pertinent information to the division concerning the administration of the leave-transfer program for the purpose of evaluating the desirability, feasibility, and cost of the transfer program.

HISTORY: 1988 Act No. 524, Section 2, eff May 18, 1988.

SECTION 11-7-20. Annual audits of state agencies.

(A) All state agencies and entities supported partially or entirely by public funds are subject to audit by or under the oversight of the State Auditor, except as otherwise specifically provided by law. The State Auditor, to the extent practicable and consistent with his overall responsibility, shall audit or cause to be audited each State agency and entity annually.

(B) Annually the State Auditor shall audit or cause to be audited the State's basic financial statements prepared by the Comptroller General of South Carolina.

(C) Annually the State Auditor shall audit or cause to be audited the compliance of the State of South Carolina with the U. S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement as applicable to major Federal programs.

(D) Audits must be conducted in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations.

HISTORY: 1962 Code Section 1-882; 1952 Code Section 1-882; 1942 Code Section 3222-2; 1932 Code Section 7846; Civ. C. '22 Section 3979; 1915 (29) 162; 1933 (38) 297; 1950 (46) 2353; 2005 Act No. 164, Section 1.

SECTION 11-11-350. Estimates of planned general fund expenditures.

Each state agency, department, institution, or entity receiving in the aggregate one percent or more of the state's general fund appropriations for any fiscal year shall provide to the Office of State Budget an estimate of its planned general fund expenditures for the next three fiscal years. This data, in conjunction with the Board of Economic Advisors' long-term revenue estimate, must be compiled by the Office of State Budget into a three-year financial plan that will assist the State in determining and planning for its long-term financial commitments. The plan must be updated annually and prepared for submission to the State Budget and Control Board, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate during the second quarter of each fiscal year.

HISTORY: 2005 Act No. 156, Section 4.

SECTION 11-35,10 et seq, SC Consolidated Procurement Code, <http://www.scstatehouse.gov/code/t11c035.php> and Regulations 19-445, <http://www.scstatehouse.gov/coderegs/c019.php> . See Table 1 for the citations for relevant reporting.

SECTION 44-96-140. Recycling programs of state government; state procurement policy; report of the Department of Transportation.

(A) Not later than twelve months after the date on which the department submits the state solid waste management plan to the Governor and to the General Assembly, the General Assembly, the Governor's Office, the Judiciary, each state agency, and each state-supported institution of higher education shall:

(1) establish a source separation and recycling program in cooperation with the department and the Division of General Services of the State Budget and Control Board for the collection of selected recyclable materials generated in state offices throughout the State including, but not limited to, high-grade office paper, corrugated paper, aluminum, glass, tires, composting materials, plastics, batteries, and used oil;

(2) provide procedures for collecting and storing recyclable materials, containers for storing materials, and contractual or other arrangements with collectors or buyers of the recyclable materials, or both;

(3) evaluate the amount of waste paper material recycled and make all necessary modifications to the recycling program to ensure that all waste paper materials are recycled to the maximum extent feasible; and

(4) establish and implement, in cooperation with the department and the Division of General Services, a solid waste reduction program for materials used in the course of agency operations. The program shall be designed and implemented to achieve the maximum feasible reduction of solid waste generated as a result of agency operations.

(B) Not later than September fifteen of each year, each state agency and each state-supported institution of higher learning shall submit to the department a report detailing its source separation and recycling program and a review of all goods and products purchased during the previous fiscal year by those agencies and institutions containing recycled materials using the content specifications established by the Office of Materials Management. ...HISTORY: 1991 Act No. 63, Section 1; 1993 Act No. 181, Section 1153; 2000 Act No. 405, Section 11.

SECTION 59-101-130. High schools shall report to Superintendent of Education; institutions of higher learning shall report to high schools.

On or before May first of each calendar year, every high school which issues a State high school diploma shall submit to the State Superintendent of Education in such form as he may prescribe the following data:

- (1) The number of high school graduates that entered the freshman class of an institution of higher learning, either in or out of this State, for whom a first semester report has been received.
- (2) A breakdown showing all courses passed by such group.
- (3) A breakdown showing all courses failed by such group.

Every high school shall seek diligently to obtain such data from out-of-State institutions of higher learning. Any high school which fails to file a report or files a false report shall lose its accreditation.

Every institution of higher learning in this State shall submit to the State high school from which each freshman was graduated a report on the first semester accomplishments of each freshman.

HISTORY: 1962 Code Section 22-10; 1952 Code Section 22-10; 1947 (45) 317; 1962 (52) 1719.

SECTION 59-101-140. Tabulation of reports. After such reports have been received, the State Superintendent of Education shall cause them to be tabulated so as to show the academic performance of graduates from the respective high schools who entered institutions of higher learning. When such tables have been prepared, they shall be included in the annual report of the State Superintendent of Education as presented to the General Assembly. The State Superintendent of Education shall acquaint the proper officials of the institutions of higher learning with the requirements of Section 59-101-130.

HISTORY: 1962 Code Section 22-11; 1952 Code Section 22-11; 1947 (45) 317; 1962 (52) 1719

SECTION 59-101-150. Approval of new programs. No new program shall be undertaken by any State-supported institution of higher learning without the approval of the Commission or the General Assembly. HISTORY: 1962 Code Section 22-11.1; 1973 (58) 691.

SECTION 59-101-185. Governing boards of state institutions of higher learning authorized to maintain financial management and accounting systems.

Authority to maintain financial management and accounting systems is delegated to the Board of Trustees or Boards of Visitors of the following state institutions of higher learning: The University of South Carolina, Clemson University, The Medical University of South Carolina, The Citadel, Winthrop University, South Carolina State University, Francis Marion University, The College of Charleston, Lander University, and Coastal Carolina University. Such systems shall provide financial information to the Comptroller General's Statewide Accounting and Reporting System (STARS) in the format and level of detail as prescribed by the Comptroller General.

HISTORY: 1982 Act No. 466, Part II, Section 8; 2000 Act No. 254, Section 2.

SECTION 59-101-197. Reporting requirement of financial information for medical school receiving state appropriation.

(A) For purposes of this section "affiliate" means any entity controlled by or under common control with another entity, whether through ownership, interlocking boards or officers, charter, bylaws, or otherwise and including each professional staff office or practice of each medical school receiving an appropriation from the State, and each trust or foundation which has as one of its significant purposes the support of a medical school receiving an appropriation from the State.

(B) Not later than September first of each year, each medical school receiving an appropriation from the State shall provide to the General Assembly a written report setting forth:

- (1) for the prior fiscal year the total compensation paid or accrued by the medical school and its affiliates, including cash, fringe benefits, retirement accounts or arrangements, deferred compensation accounts or arrangements, consultant's, director's, and trustee's fees and honoraria, from all sources to or for each officer, dean, department chairman, and each of the fifty most highly compensated physicians employed by or utilizing the facilities of the

medical school or its affiliates;

(2) a description of each element of the compensation;

(3) the source of each element of the compensation; and

(4) the number of out-of-state students and the total number of students in each academic program.

HISTORY: 1995 Act No. 72, Section 1.

SECTION 59-101-350. Commission on Higher Education annual report; submission of information by educational institutions for inclusion in report; alumni surveys.

(A) The Commission on Higher Education shall submit an annual report to the Governor and to the General Assembly. The annual report must be published before January fifteenth of each year and presented in a readable format so as to easily compare with peer institutions in South Carolina and other Southern Regional Education Board states the state's public, post-secondary institutions. Prior to publication, the Commission on Higher Education shall distribute a draft of the report to all public, post-secondary institutions and shall allow comment upon the draft report. The Commission on Higher Education shall develop and adopt a format for the report and shall ensure consistent reporting and collecting of the data in the report by the institutions.

(B) Each four-year, post-secondary institution shall submit to the commission the following information for inclusion in the report, with the South Carolina Department of Corrections' students identified and reported separately:

(1) the number and percentage of accredited programs and the number and percentage of programs eligible for accreditation;

(2) the number and percentage of undergraduate and graduate students who completed their degree program;

(3) the percent of lower division instructional courses taught by full-time faculty, part-time faculty, and graduate assistants;

(4) the percent and number of students enrolled in remedial courses and the number of students exiting remedial courses and successfully completing entry-level curriculum courses;

(5) the percent of graduate and upper division undergraduate students participating in sponsored research programs;

(6) placement data on graduates;

(7) the percent change in the enrollment rate of students from minority groups and the change in the total number of minority students enrolled over the past five years;

(8) the percent of graduate students who received undergraduate degrees at the institution, within the State, within the United States, and from other nations;

(9) the number of full-time students who have transferred from a two-year, post-secondary institution and the number of full-time students who have transferred to two-year, post-secondary institutions;

(10) student scores on professional examinations with detailed information on state and national means, passing scores, and pass rates, as available, and with information on such scores over time, and the number of students taking each exam;

(11) assessment information for the institution's Title II of the federal Higher Education Act of 1998 report that collects and analyzes data on applicant qualifications and the performance of the candidates and graduates;

(12) appropriate information relating to each institution's role and mission to include policies and procedures to ensure that academic programs support the economic development needs in the State by providing a technologically skilled workforce;

(13) any information required by the commission in order for it to measure and determine the institution's standard of achievement in regard to the performance indicators for quality academic success enumerated in Section 59-103-30.

(C) Each two-year, post-secondary institution shall submit to the commission the following information for inclusion in the report:

(1) the number and percentage of accredited programs and the number and percentage of programs eligible for accreditation;

(2) the number and percentage of undergraduate students who completed their degree program;

(3) the percent of courses taught by full-time faculty members, part-time faculty, and graduate assistants;

(4) placement rate on graduates;

(5) the percent change in the enrollment rate of students from minority groups, the number of minority students enrolled, and the change in the total number of minority students enrolled over the past five years;

(6) the number of students who have transferred into a four-year, post-secondary institution and the number of

students who have transferred from four-year, post-secondary institutions;

(7) appropriate information relating to the institution's role and mission to include policies and procedures to ensure that academic programs support the economic development needs in the State by providing a technologically skilled workforce;

(8) any information required by the commission in order for it to measure and determine the institution's standard of achievement in regard to the performance indicators for quality academic success enumerated in Section 59-103-30.

(D) The commission also shall develop with the cooperation of the public, post-secondary institutions, a uniform set of questions to be included in surveys to be used by each public, post-secondary institution in determining alumni satisfaction. The survey instruments must address the issues of overall satisfaction, satisfaction with major instruction, impact of general education, and current societal participation of alumni. Every two years the graduating class of three years prior must be surveyed by each institution using appropriate statistical techniques. Information from these surveys must be included every two years in the annual report as required herein.

(E) The commission shall make no funding decision, capital outlay decision, distribution or certification on behalf of any public, post-secondary institution that has not submitted the information required pursuant to this section.

(F) After discussions with the institutions, the Commission on Higher Education in consultation with the House Education and Public Works Committee and the Senate Education Committee shall develop the format for the higher education report as required herein.

(G) The Commission on Higher Education also is required in the annual report to report on the progress of institutions of higher education in implementing assessment programs, in their achievement of effectiveness goals, and on each institution's standard of achievement in regard to the performance indicators for academic success established in Section 59-103-30.

(H) The report required by this section must be filed in magnetic media form if the information is available in that form.

HISTORY: 1992 Act No. 255, Section 1; 1996 Act No. 359, Section 11; 2001 Act No. 38, Section 1.

SECTION 59-101-420. Annual reporting of out-of-state undergraduate student population and policy. Any public institution of higher education is required to annually report the number of out-of-state undergraduate students in attendance at the respective university for the fall and spring semester. Each university will also be required to report an out-of-state undergraduate student policy and how that policy was enacted by each university. The report will be required to be submitted to the Governor and each member of the General Assembly no later than September fifteenth of each year for the latest completed school year.

HISTORY: 2004 Act No. 187, Section 15, eff March 17, 2004.

SECTION 59-101-670. Transaction register of funds expended; contents; posting on website; procurement card statement information; redaction; technical consultation.

(A) Each public institution of higher learning shall maintain a transaction register that includes a complete record of all funds expended, from whatever source for whatever purpose. The register must be prominently posted on the institution's Internet website and made available for public viewing and downloading.

(1)(a) The register must include for each expenditure:

(i) the transaction amount;

(ii) the name of the payee;

(iii) the identification number of the transaction; and

(iv) a description of the expenditure, including the source of funds, a category title, and an object title for the expenditure.

(b) The register must include all reimbursements for expenses, but must not include an entry for salary, wages, or other compensation paid to individual employees.

(c) The register must not include a social security number.

(d) The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure.

(e) At the option of the public institution, the register may exclude any information that can be used to identify an individual employee or student.

(f) This section does not require the posting of any information that is not required to be disclosed under Chapter 4, Title 30.

(2) The register must be searchable and updated at least once a month. Each monthly register must be maintained

on the Internet website for at least three years.

(B) Each public institution of higher learning shall be responsible for providing on its Internet website a link to the Internet website of any agency, other than the individual institution, that posts on its Internet website the institution's monthly state procurement card statements or monthly reports containing all or substantially all of the same information contained in the monthly state procurement card statements. The link must be to the specific webpage or section on the website of the agency where the state procurement card information for the institution can be found. The information posted may not contain the state procurement card number.

(C) Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this section.

(D) In the event any public institution of higher learning has a question or issue relating to technical aspects of complying with the requirements of this section or the disclosure of public information under this section, it shall consult with the Office of Comptroller General, which may provide guidance to the public institution.

HISTORY: 2011 Act No. 74, Pt II, Section 2.A, eff August 1, 2011.

SECTION 59-103-30. Critical success factors and performance indicators.

(A) The General Assembly has determined that the critical success factors, in priority order, for academic quality in the several institutions of higher learning in this State are as follows:

- (1) Mission Focus;
- (2) Quality of Faculty;
- (3) Classroom Quality;
- (4) Institutional Cooperation and Collaboration;
- (5) Administrative Efficiency;
- (6) Entrance Requirements;
- (7) Graduates' Achievements;
- (8) User-friendliness of the Institution;
- (9) Research Funding.

(B) The General Assembly has determined that whether or not an institution embodies these critical success factors can be measured by the following performance indicators as reflected under the critical success factors below:

- (1) Mission Focus
 - (a) expenditure of funds to achieve institutional mission;
 - (b) curricula offered to achieve mission;
 - (c) approval of a mission statement;
 - (d) adoption of a strategic plan to support the mission statement;
 - (e) attainment of goals of the strategic plan.
- (2) Quality of Faculty
 - (a) academic and other credentials of professors and instructors;
 - (b) performance review system for faculty to include student and peer evaluations;
 - (c) post-tenure review for tenured faculty;
 - (d) compensation of faculty;
 - (e) availability of faculty to students outside the classroom;
 - (f) community and public service activities of faculty for which no extra compensation is paid.
- (3) Instructional Quality
 - (a) class sizes and student/teacher ratios;
 - (b) number of credit hours taught by faculty;
 - (c) ratio of full-time faculty as compared to other full-time employees;
 - (d) accreditation of degree-granting programs;
 - (e) institutional emphasis on quality teacher education and reform.
- (4) Institutional Cooperation and Collaboration
 - (a) sharing and use of technology, programs, equipment, supplies, and source matter experts within the institution, with other institutions, and with the business community;
 - (b) cooperation and collaboration with private industry.
- (5) Administrative Efficiency
 - (a) percentage of administrative costs as compared to academic costs;
 - (b) use of best management practices;

- (c) elimination of unjustified duplication of and waste in administrative and academic programs;
 - (d) amount of general overhead costs.
 - (6) Entrance Requirements
 - (a) SAT and ACT scores of student body;
 - (b) high school class standing, grade point averages, and activities of student body;
 - (c) post-secondary nonacademic achievements of student body;
 - (d) priority on enrolling in-state residents.
 - (7) Graduates' Achievements
 - (a) graduation rate;
 - (b) employment rate for graduates;
 - (c) employer feedback on graduates who were employed or not employed;
 - (d) scores of graduates on post-undergraduate professional, graduate, or employment-related examinations and certification tests;
 - (e) number of graduates who continued their education;
 - (f) credit hours earned of graduates.
 - (8) User-Friendliness of Institution
 - (a) transferability of credits to and from the institution;
 - (b) continuing education programs for graduates and others;
 - (c) accessibility to the institution of all citizens of the State.
 - (9) Research Funding
 - (a) financial support for reform in teacher education;
 - (b) amount of public and private sector grants.
- (C) The commission, when using the critical success factors for the purpose of funding recommendations for institutions of higher learning, is required to use objective, measurable criteria.
- (D) Critical success factors developed and used for the purpose of funding recommendations shall be those which are directly related to the missions of the particular type of institution as outlined in Section 59-103-15(B) and not those factors which are not relevant to the success factors of the particular type of institution.
- HISTORY: 1996 Act No. 359, Section 4.

SECTION 59-103-35. Submission of budget; new and existing programs. All public institutions of higher learning shall submit annual budget requests to the commission in the manner set forth in this section. The State Board for Technical and Comprehensive Education shall submit an annual budget request to the commission representing the total requests of all area-wide technical and comprehensive educational institutions. The budget submitted by each institution and the State Board for Technical and Comprehensive Education must include all state funds, federal grants, tuition, and fees other than funds derived wholly from athletic or other student contests, from the activities of student organizations, from approved private practice plans, and from the operation of canteens and bookstores which may be retained by the institutions and be used as determined by the respective governing boards, subject to annual audit by the State. Fees established by the respective governing boards for programs, activities, and projects not covered by appropriations or other revenues may be retained and used by each institution as previously determined by the respective governing boards, subject to annual audit by the State. The budget request for the public higher education system shall be submitted by the commission to the Governor and appropriate standing committees of the General Assembly in conjunction with the preparation of the annual general appropriations act for the applicable year.

Supplemental appropriations requests from any public institution of higher education must be submitted first to the commission. If the commission does not concur in the requests, the affected institution may request a hearing on the requests before the appropriate committee of the General Assembly. The commission may appear at the hearing and present its own recommendations and findings to the same committee. The provisions of this paragraph do not apply to any capital improvement projects funded in whole or in part prior to July 30, 1996.

No new program may be undertaken by any public institution of higher education without the approval of the commission. The provisions of this chapter apply to all college parallel, transferable, and associate degree programs of technical and comprehensive education institutions. All other programs and offerings of technical and comprehensive education institutions are excluded from this chapter.

HISTORY: 1978 Act No. 410 Section 8; 1988 Act No. 629, Section 3; 1993 Act No. 178, Section 37; 1996 Act No. 359, Section 5.

SECTION 59-103-45. Additional duties and functions of commission regarding public institutions of higher learning.

In addition to the powers, duties, and functions of the Commission on Higher Education as provided by law, the commission, notwithstanding any other provision of law to the contrary, shall have the following additional duties and functions with regard to the various public institutions of higher education:

- (1) establish procedures for the transferability of courses at the undergraduate level between two-year and four-year institutions or schools;
- (2) coordinate with the State Board of Education in the approval of secondary education courses for the purpose of determining minimum college entrance requirements, and define minimum academic expectations for prospective post-secondary students, communicate these expectations to the State Board of Education, and work with the state board to ensure these expectations are met;
- (3) review minimum undergraduate admissions standards for in-state and out-of-state students;
- (4)(a) develop standards for determining how well an institution has met or achieved the performance indicators for quality academic success as enumerated in Section 59-103-30, and develop mechanisms for measuring the standards of achievement of particular institutions. These standards and measurement mechanisms shall be developed in consultation and cooperation with, at a minimum but not limited to, the Council of Presidents of State Institutions, the chairmen of the governing boards of the various institutions and the business community;
- (b) base the higher education funding formula in part on the achievement of the standards set for these performance indicators including base-line funding for institutions meeting the standards of achievement, incentive funding for institutions exceeding the standards of achievement, and reductions in funding for institutions which do not meet the standards of achievement, provided that each institution under the formula until July 1, 1999, must receive at least its fiscal year 1996-1997 formula amount;
- (c) promulgate regulations to implement the provisions of subitems (a) and (b) above and submit such regulations to the General Assembly for its review pursuant to the Administrative Procedures Act not later than the beginning of the 1997 Session of the General Assembly.
- (d) develop a higher education funding formula based entirely on an institution's achievement of the standards set for these performance indicators, this formula to be used beginning July 1, 1999. This new funding formula also must be contained in regulations promulgated by the commission and submitted to the General Assembly for its review in accordance with the Administrative Procedures Act;
- (5) reduce, expand, or consolidate any institution of higher learning including those which do not meet the standards of achievement in regard to the performance indicators for quality academic success enumerated in Section 59-103-30, and beginning July 1, 1999, close any institution which does not meet the standards of achievement in regard to the performance indicators for quality academic success enumerated in Section 59-103-30. The process to be followed for the closure, reduction, expansion, or consolidation of an institution under this item (5) shall be as promulgated in regulations of the commission which shall be submitted to and approved by the General Assembly;
- (6) review and approve each institutional mission statement to ensure it is within the overall mission of that particular type of institution as stipulated by Section 59-103-15 and is within the overall mission of the State;
- (7) ensure access and equity opportunities at each institution of higher learning for all citizens of this State regardless of race, gender, color, creed, or national origin within the parameters provided by law.

HISTORY: 1995 Act No. 137, Section 2; 1996 Act No. 359, Section 6.

SECTION 59-103-160. English Fluency in Higher Learning Act.

(A) This section may be cited as the English Fluency in Higher Learning Act.

(B) The following words and phrases when used in this section have the meanings given to them unless the context clearly indicates otherwise:

"Instructional faculty" means every member of a public institution of higher learning whose first language is not English, other than visiting faculty but including graduate teaching assistants, who teaches one or more undergraduate credit courses at a campus of that institution within this State except:

- (1) courses that are designed to be taught predominately in a foreign language;
- (2) student participatory and activity courses such as clinics, studios, and seminars;

- (3) special arrangement courses such as individualized instruction and independent study courses; and
- (4) continuing education courses.

(C) Each public institution of higher learning shall establish policies to:

- (1) ensure that the instructional faculty whose second language is English possess adequate proficiency in both the written and spoken English language. Student and faculty input is required in establishing these policies.
- (2) provide students with a grievance procedure regarding an instructor who is not able to write or speak the English language.

(D)(1) Each institution of higher learning must submit its policy or amendments to the Commission on Higher Education within six months from the effective date of this section. Any amendments to the policy must be promptly forwarded to the commission. The commission shall notify the chairmen of the Senate and House Education Committees of those institutions not submitting plans and any amendment to the commission.

(2) Each institution of higher learning must report annually to the Commission on Higher Education and the chairmen of the Senate and House of Representatives Education Committees grievances filed by students under the requirement of subsection (C)(2) and the disposition of those grievances.

HISTORY: 1991 Act No. 27, Section 1.

SECTION 59-103-140. Contracts with colleges and universities for provision of teacher training programs. The Commission on Higher Education, in consultation with the State Board of Education, may contract with selected public or private colleges and universities, or groupings of such institutions, to provide centers of excellence in programs designed to train teachers. The Commission shall devise guidelines and procedures by which institutions, or groups of institutions, may apply for such contracts by the Commission. Such guidelines and procedures shall include participation by local schools or school districts in such programs as may be appropriate. Funds for implementing this activity shall be appropriated annually to the Commission on Higher Education which, in consultation with the State Board of Education, shall monitor the performance of participating institutions and may or may not elect to renew such contracts to any original college or university.

HISTORY: 1984 Act No. 512, Part II, Section 9, Division II, Subdivision C, Subpart 3, Section 2.

SECTION 59-104-10. Admission standards; adoption of admission policies.

(A) In consultation and coordination with the public institutions of higher learning in this State, the State Commission on Higher Education shall ensure that minimal admissions standards are maintained by the institutions.

The commission, with the institutions, shall monitor the effect of compliance with admissions prerequisites that are effective at the institution.

(B) The boards of trustees of each public institution of higher learning, excluding the State Board for Technical and Comprehensive Education, shall adopt admission policies reflecting the desired mix of in-state and out-of-state enrollment appropriate for each institution. Changes in the policies affecting the mix of in-state and out-of-state enrollment must be approved by the board of trustees of the affected institution. The boards shall submit the policies to the commission by July 1, 1989, and any subsequent changes to the policies must be submitted to the commission. These admission policies and standards shall be reviewed by the commission as provided in Section 59-103-45(3). For purposes of this section enrollment must be calculated on a full-time equivalency basis with the equivalent of one full-time student being a student enrolled for thirty credit hours in an academic year. Out-of-state students mean students who are not eligible for in-state rates for tuition and fees under Chapter 112 of Title 59.

HISTORY: 1988 Act No. 629, Section 1; 1996 Act No. 359, Section 10.

SECTION 59-106-10.Short title. This act is known and may be cited as the "South Carolina Campus Sex Crimes Prevention Act". SECTION 59-106-20.Annual security reports; inclusion of statement as to obtaining information concerning registered sex offenders. Each institution of higher education must include a statement in their annual security report which advises the campus community where law enforcement information concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address. For purposes of this chapter, the annual security report means the report published pursuant to Section 485 of the Higher Education Act of 1965 as amended (20 U.S.C. Section 1092(f)). This information must be included in reports beginning in 2003. HISTORY: 2002 Act No. 310, § 2.

SECTION 59-111-15. Tuition assistance for permanent faculty and staff.

State-supported colleges or universities and state-supported post-high school vocational or technical colleges are authorized to provide assistance for educational expenses, including the payment, reimbursement, or remission of tuition or fees, to its permanent faculty and staff. The assistance authorized by this section is not considered a prerequisite of office or employment. Permanent faculty and staff are not entitled to assistance provided in this section for more than four credit hours a semester. The credit hours generated by individuals receiving assistance under this section may not be used in computing the higher education funding formula and may not have an impact on the level of funding an institution receives.

HISTORY: 1992 Act No. 373, Section 1.

SECTION 59-111-350. Persons attending under article not counted in computing enrollment.

Persons attending classes under the provisions of this article, on a space available basis without payment of tuition, shall neither be counted in the computation of enrollment for funding purposes nor considered on a formula basis for the issuance of capital improvement bonds.

HISTORY: 1962 Code Section 22-85; 1974 (58) 2844; 1978 Act No. 503, Section 2

SECTION 59-118-60. South Carolina Higher Education Matching Gift Fund.

There is created the South Carolina Higher Education Matching Gift Fund which shall be separate and distinct from the state general fund and shall be administered by the Commission on Higher Education with the funds appropriated by the General Assembly in the general appropriations act of 1997-98. The General Assembly in the annual general appropriations act shall appropriate monies into this matching gift, fund not to exceed five million dollars annually, to be used for the purpose of providing matching state funds to qualifying colleges and universities for purposes stipulated by this chapter. The combined annual total of the match funds appropriated to the University of South Carolina Columbia, Clemson University, and the Medical University of South Carolina cannot exceed sixty percent of the annual appropriation. The disbursement match cannot exceed the amount provided by the South Carolina Higher Education Matching Gift Fund. The State Treasurer shall manage and invest the monies in the Higher Education Matching Gift Fund in the same manner and under the same terms and conditions as other state funds under his control are managed and invested, and disbursements to particular colleges or universities shall be made on warrant and under the direction of the Commission on Higher Education pursuant to the provisions of this chapter.

HISTORY: 1997 Act No. 155, Part II, Section 21A.

SECTION 59-118-70. Provision of matching funds.

The State of South Carolina, acting through the Commission on Higher Education, shall provide funds to match funds from the qualifying college, university, or principal foundation, to the extent of available funds, from the South Carolina Higher Education Matching Gift Fund established in Section 59-118-60.

HISTORY: 1997 Act No. 155, Part II, Section 21A.

...SECTION 59-118-80. Conditions on matching gifts.

The state matching gifts authorized in Section 59-118-70 are subject to the following conditions:

- (1) qualifying disbursements to which the state matching gift is applied must come from the earnings of the endowment and not from principal or corpus;
- (2) the state matching funds must go directly into the college's or university's operating account to be spent only for the purposes authorized;
- (3) the college or university must make application to receive state matching funds on forms and under procedures prescribed by the Commission on Higher Education.

HISTORY: 1997 Act No. 155, Part II, Section 21A.

...SECTION 59-118-90. Procedures for submission and documentation of requests.

The Commission on Higher Education shall specify by regulation the procedures for submission and documentation of requests for matching state funds.

HISTORY: 1997 Act No. 155, Part II, Section 21A.

SECTION 60-1-160. State Library to receive statistical reports from libraries. Every public, college, university, technical college, and state institutional library shall make an annual statistical report to the South Carolina State Library in a form as may be prescribed by the State Library. Reports must be made in a timely manner so that statistics may be published in the State Library's annual report. The State Library may require other reports as may

be necessary from libraries receiving state and federal grants or participating in the statewide library network.
HISTORY: 1985 Act No. 178, § 2.

60-12-10 et seq. Protection of State-Owned or Leased Historic. For full text Section 60-12-10, et seq., see <http://www.scstatehouse.gov/code/t60c012.php>

...**SECTION 60-12-30.** Consultation with department required for projects affecting historic properties. Agencies shall consult with the department when planning projects that might adversely affect those properties listed in the National Register of Historic Places at the time of consultation. The department shall negotiate a programmatic agreement with each agency that has qualified preservation professionals in charge of management of historic properties. The agency shall agree to avoid or, when appropriate, minimize adverse effects to historic properties under its jurisdiction. The agency shall then assume responsibility for administering its own historic preservation program. The agency's qualified preservation professionals shall participate in continuing education provided by the department at no charge.

...**SECTION 60-12-60.** Reports of compliance. The department shall provide periodic reports of agencies' compliance with the intent and provisions of this chapter to the Joint Legislative Committee on Cultural Affairs.

INSTITUTIONAL-SPECIFIC REPORTING REFERENCED IN SC CODE OF LAWS

Clemson

SECTION 59-119-140. Annual report by board. The board of trustees shall make to the General Assembly an annual report of the university, of all farming operations and tests and experiments and of all receipts and expenditures, with a statement of the condition of the property and funds of such university and of all receipts and expenditures of money appropriated thereto by the State.

HISTORY: 1962 Code § 22-218; 1952 Code § 22-218; 1942 Code § 5735; 1932 Code § 5735; Civ. C. '22 § 2831; Civ. C. '12 § 1891; Civ. C. '02 § 1305; R. S. 1123; 1889 (20) 279.

SECTION 59-119-165. Transfer of certain agricultural funds to Clemson-PSA (Public Service Activities); use of funds; report. The Budget and Control Board, in conjunction with the Department of Education, shall transfer all federal funds associated with Agricultural Education at the Department of Education to Clemson-PSA (Public Service Activities) no later than July fifteenth of each fiscal year. Notwithstanding any other provisions of law, funds and positions transferred to Clemson-PSA from the Department of Education for Agricultural Education shall be used for personnel positions and related office and travel expenses to provide overall leadership, coordination, and structure for agricultural education programs, and South Carolina Association of Young Farmers activities in the public schools of this State. Clemson-PSA shall provide a report to the Department of Education on the use and expenditure of the federal funds transferred by the Department of Education to Clemson-PSA no later than December first of each fiscal year.

HISTORY: 1998 Act No. 419, Part II, § 14.

ARTICLE 3. MUNICIPAL CORPORATION OF CLEMSON UNIVERSITY. SECTION 59-119-360. Annual report. A report of all its proceedings under this article shall be made, annually, by the board to the General Assembly. HISTORY: 1962 Code § 22-236; 1952 Code § 22-236; 1942 Code § 5764; 1932 Code § 5764; Civ. C. '22 § 2859; Civ. C. '12 § 1912; Civ. C. '02 § 1325; G. S. 598; R. S. 1134; 1879 (17) 74.

MUSC

SECTION 59-123-70. Annual report of board. The board of trustees shall meet annually at the call of the chairman of the board and at such meeting shall prepare and present to the General Assembly a report on the condition of the university and of their receipts and expenditures for the preceding year and shall also prepare for presentation to the General Assembly an estimate of the sum required for the maintenance of the university for the next succeeding year.

HISTORY: 1962 Code § 22-357; 1952 Code § 22-357; 1942 Code § 5799; 1932 Code § 5799; Civ. C. '22 § 2818; 1913 (28) 188; 1953 (48) 402; 1969 (56) 444.

The Citadel

SECTION 59-121-70. Annual report of board. The board of visitors shall make a minute and full report of the condition and management of the college to the State Superintendent of Education and to the Governor, to be by the latter laid before the General Assembly in each and every year.

HISTORY: 1962 Code § 22-308; 1952 Code § 22-308; 1942 Code § 5776-1; 1932 Code § 5784; Civ. C. '22 § 2803; Civ. C. '12 § 1869; Civ. C. '02 § 1283; R. S. 1117; 1842 (11) 225; 1891 (20) 1039.

State Board for Technical and Comprehensive Education

SECTION 59-53-168. Administrative efficiency for State Board for Technical and Comprehensive Education; advisory board. (A) The State Board for Technical and Comprehensive Education (state board) is granted the authority to employ and administer certain administrative efficiency provisions provided in Sections 11-35-1210, 11-35-1550(2), 11-35-3310, 11-35-4810, 1-7-170, 59-101-620, and 1-11-55(2) of the 1976 Code. The state board shall establish a tiered system for categorizing technical colleges with respect to their financial strength and ability to manage day-to-day operations. Technical colleges, by way of application from their area commissions, may request the state board apply these administrative efficiency provisions to their respective institutions. The state board shall review the technical college's request and determine the proper category for the technical college. (B) The state board shall establish an advisory board to provide oversight and review of the provisions of this chapter. The state board shall submit an annual report on oversight to the Governor, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee by November fifteenth of each year and shall submit a report every two years to include how changes have benefitted the agency to the Governor and the Chairmen of the House Ways and Means Committee, the Senate Finance Committee, the House Education and Public Works Committee, and the Senate Education Committee.

HISTORY: 2011 Act No. 74, Pt VI, Section 14, eff August 1, 2011.

SECTION 59-53-50. Additional powers and duties of Board.

The Board shall:...(9) file reports on its activities annually, with such recommendations as may be appropriate, to the Governor and General Assembly;

HISTORY: 1962 Code Section 21-704.15; 1972 (57) 2469; 1976 Act No. 654, Section 5; 1986 Act No. 394, Section 9.

Area Commissions of the Technical Colleges**SECTION 59-53-52. Powers and duties of area commissions, generally.**

The area commissions shall:... (15) Keep full and accurate accounts of receipts and expenditures and make monthly reports in accordance with uniform procedures established for the system, and within ninety days following the close of the fiscal year cause a complete audit of institutional affairs to be made by an independent certified public accountant with copies of the audit report and related documents to be delivered concurrently to the area commission and the Board. The area commission shall make copies available to legislative delegations or county governing bodies participating in the funding of the institution;

HISTORY: 1976 Act No. 654, Section 6; 2002 Act No. 171, Section 2.

Trident Technical College**SECTION 59-53-410. Creation of Area Commission; membership; officers; meetings; reports.**

There is created the Area Commission for the Trident Technical College (the area commission). The area commission has the functions and duties set forth in this article. The area commission is comprised of nine members, three of whom must be qualified electors of Berkeley, Charleston, and Dorchester Counties, respectively. The members from Charleston County must be appointed by the Governor upon the recommendation of a majority of the Charleston County Legislative Delegation. The members from Dorchester County must be appointed by the Governor on the recommendation of the governing body of the county. The members from Berkeley County must be appointed by the Governor upon the recommendation of a majority of the Berkeley County Legislative Delegation. Members shall serve for terms of three years and until their successors are appointed and qualify. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term. The area commission shall organize by electing a chairman and other officers as it considers necessary. The area commission shall meet upon the call of the chairman or a majority of its members. It shall make periodic reports of its activities and progress to the legislative delegation from the counties of Berkeley, Charleston, and Dorchester.

HISTORY: 1962 Code Section 21-707; 1962 (52) 1990; 1963 (53) 78; 2002 Act No. 292, Section 3.

SECTION 59-53-490. Reports on development and use of enterprise campus.

The authority shall submit an annual report on the development and use of the enterprise campus to the State Board for Technical and Comprehensive Education, the Governor, the State Budget and Control Board, the Chair of the Ways and Means Committee of the House of Representatives, and the Chair of the Finance Committee of the Senate. The report must be submitted not later than six months after the end of each fiscal year.

HISTORY: 2006 Act No. 368, Section 4, eff June 12, 2006.

Horry Georgetown Technical College

SECTION 59-53-850. Annual reports.

Not less frequently than annually the Commission shall make a written report of the activities of the Commission and file a copy with each member of the legislative delegations.

HISTORY: 1962 Code Section 21-708.20; 1964 (53) 2236; 1966 (54) 2739.

Orangeburg Calhoun Technical College

SECTION 59-53-1050. Reports. At least once a year the Commission shall make a written report of its activities and file a copy with the legislative delegation of each county.

HISTORY: 1962 Code Section 21-708.20:15; 1966 (54) 2385.

Spartanburg Community College

SECTION 59-53-1110. Commission created; members; appointment; organization.

(A) ... It shall make periodic reports of its activities and progress to the legislative delegation and the board of education.

HISTORY: 1962 Act No. 906, Section 1; 2006 Act No. 432; 2008 Act No. 215, Section 1, eff May 13, 2008.

York Technical College

SECTION 59-53-1310. Creation of commission; membership; terms; election of chairman and officers.

... It shall make periodic reports of its activities and progress to the York County Legislative Delegation.

HISTORY: 2006 Act No. 232, Section 1, eff February 17, 2006.

Central Carolina Technical College

SECTION 59-53-1460. Reports. Not less frequently than annually the commission shall make a written report of the activities of the commission and file a copy with the legislative delegation of each county comprising the commission.

HISTORY: 1962 Code Section 21-708.36; 1962 (52) 1930; 1963 (53) 33.

Midlands Technical College

SECTION 59-53-1750. Commission to make annual written report; filing of report.

The commission shall make a written report of its activities at least annually and file a copy with the secretaries of the Richland and Lexington County Legislative Delegations and county councils.

HISTORY: 1989 Act No. 33, Section 1.

Midlands Technical College Enterprise Campus

SECTION 59-53-1786. Annual report. The authority shall submit an annual report on the development and use of the Enterprise Campus to the State Board for Technical and Comprehensive Education, the Governor, the State Budget and Control Board, the Chair of the Ways and Means Committee of the House of Representatives, and the Chair of the Finance Committee of the Senate. The report must be submitted not later than six months after the end of each fiscal year. HISTORY: 2004 Act No. 200, Section 4, eff April 26, 2004.

Technical College Enterprise Campuses – Legislation pertaining to Greenville Technical College, Orangeburg Calhoun Technical College, Spartanburg Community College, Technical College of the Lowcountry, Horry Georgetown Technical College, and York Technical College

SECTION 59-53-2450. Annual report. An authority shall submit an annual report on the development and use of the enterprise campus to the State Board for Technical and Comprehensive Education, the Governor, the State Budget and Control Board, the Chairman of the Ways and Means Committee of the House of Representatives, and the Chairman of the Finance Committee of the Senate. The report must be submitted not later than six months after the end of each fiscal year. HISTORY: 2009 Act No. 71, Section 3, eff June 16, 2009.

FY 2013-14 APPROPRIATIONS ACT (ACT 101 OF 2013), PART 1B OF THE APPROPRIATIONS ACT

The FY2013-14 Appropriations Act is accessible online at http://www.scstatehouse.gov/sess120_2013-2014/appropriations2013/gab3710.php.

1A.9 (SDE-EIA: XII.F.2-CHE/Teacher Recruitment) Of the funds appropriated in Part IA, Section 1, XII.F.2. for the Teacher Recruitment Program, the South Carolina Commission on Higher Education shall distribute a total of ninety-two percent to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) for a state teacher recruitment program, of which at least seventy-eight percent must be used for the Teaching Fellows Program specifically to provide scholarships for future teachers, and of which twenty-two percent must be used for other aspects of the state teacher recruitment program, including the Teacher Cadet Program and \$166,302 which must be used for specific programs to recruit minority teachers: and shall distribute eight percent to South Carolina State University to be used only for the operation of a minority teacher recruitment program and therefore shall not be used for the operation of their established general education programs. Working with districts with an absolute rating of At-Risk or Below Average, CERRA will provide shared initiatives to recruit and retain teachers to schools in these districts. CERRA will report annually by October first to the Education Oversight Committee and the Department of Education on the success of the recruitment and retention efforts in these schools. The South Carolina Commission on Higher Education shall ensure that all funds are used to promote teacher recruitment on a statewide basis, shall ensure the continued coordination of efforts among the three teacher recruitment projects, shall review the use of funds and shall have prior program and budget approval. The South Carolina State University program, in consultation with the Commission on Higher Education, shall extend beyond the geographic area it currently serves. Annually, the Commission on Higher Education shall evaluate the effectiveness of each of the teacher recruitment projects and shall report its findings and its program and budget recommendations to the House and Senate Education Committees, the State Board of Education and the Education Oversight Committee by October 1 annually, in a format agreed upon by the Education Oversight Committee and the Department of Education.

With the funds appropriated CERRA shall also establish, appoint, and maintain the South Carolina Teacher Loan Advisory Committee. The Committee shall be composed of one member representing each of the following: (1) Commission on Higher Education; (2) State Board of Education; (3) Education Oversight Committee; (4) Center for Educator Recruitment, Retention, and Advancement; (5) South Carolina Student Loan Corporation; (6) South Carolina Association of Student Financial Aid Administrators; (7) a local school district human resources officer; (8) a public higher education institution with an approved teacher education program; and (9) a private higher education institution with an approved teacher education program. The members of the committee representing the public and private higher education institutions shall rotate among those institutions and shall serve a two-year term on the committee. Initial appointments must be made by July 1, 2013, at which time the member representing CERRA shall call the first meeting. At the initial meeting, a chairperson and vice-chairperson must be elected by a majority vote of the committee. The committee must be staffed by CERRA, and shall meet at least twice annually. The committee's responsibilities are limited to: (1) establishing goals for the Teacher Loan Program; (2) facilitating communication among the cooperating agencies; (3) advocating for program participants; and (4) recommending policies and procedures necessary to promote and maintain the program.

Excerpt 3.5 (LEA: FY 2013-2014 Lottery Funding): Based on the methodology described below, funds allocated in this provision to the Commission on Higher Education for repair and maintenance at public four-year universities and two-year branch campuses may only be distributed to an institution to the extent the funds are matched by the institution for repair and maintenance. Matching funds exclude supplemental, capital reserve, lottery, or other non-recurring state funds appropriated to an institution either in the current fiscal year or from a prior fiscal year for repair and maintenance or deferred maintenance projects. Prior to the distribution of these funds, institutions must certify to the commission, in a manner it prescribes, the extent to which they have met this requirement, including the sources of funds utilized to meet this requirement. The commission shall notify the Joint Bond Review Committee of the certification received pursuant to this provision. Upon certification, the funds shall be distributed to institutions on a pro rata basis based on the distribution methodology described below provided that the distribution does not exceed an institution's pro rata share or the amount matched by the institution if less than that share. The distribution methodology to be used by the commission shall be based on each institution's proportion of general fund appropriation in Part IA of Act 288 of 2012 as compared to the total

general fund appropriation in that Act for all public four-year universities and two-year branch campuses. Funds not matched and distributed shall be carried forward by the commission and used for LIFE, HOPE, and Palmetto Fellows Scholarships. Not later than one hundred twenty days after the close of the fiscal year, the commission shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision specifically, as well as the amount spent in the current fiscal year by each public institution of higher learning, by source of funds, on repair and maintenance projects generally, including restoration and renewal of existing facilities or infrastructure, and the amount of repair and maintenance, including restoration and renewal projects, deferred to a subsequent fiscal year by each institution, if any, and the reasons for the deferral.

91.21 (LEG: Other Funds Oversight Committee) There is created a joint committee of the Senate and of the House of Representatives entitled the Other Funds Oversight Committee. The committee shall consist of eight members as follows: the Chairman of the Senate Finance Committee, or his designee; one member of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee; the Chairman of the House of Representatives Ways and Means Committee, or his designee; one member of the House Ways and Means Committee appointed by the Chairman of the House Ways and Means Committee; the Senate Majority Leader, or his designee; the Senate Minority Leader, or his designee; the House Majority Leader, or his designee; and the House Minority Leader, or his designee.

The committee shall review and examine the source of other funds in this State and recommend to the General Assembly the appropriate policy for the receipt, appropriation, expenditure, and reporting of other funds. In making its determination, the committee shall solicit and receive testimony from state agencies, departments, boards or commissions regarding the status of the receipt of other funds, the conditions of receipt, the expenditure of other funds, and any relevant statistic or measurement. The committee shall make recommendations to the General Assembly regarding any necessary action.

Each state agency, department, board, or commission shall cooperate with the committee and provide any information the committee determines is necessary.

The Office of State Budget must notify the committee of any request for an increase in interim budget authorization resulting from other funds collections that is made by any state agency, department, board, or commission. The committee shall review each request and recommend appropriate action.

Members of the committee shall serve without compensation, but are allowed the usual per diem and mileage as provided by law for members of boards, commissions, and committees while on official business.

For purposes of the proviso, 'other funds' means any revenues received by an agency which are not federal funds and are not general funds appropriated by the General Assembly in the appropriations act.

101.5 (BCB: Compensation - Reporting of Supplemental Salaries) No supplement shall be paid to an agency's employee unless the agency head or designated official of the employing agency has approved the conditions and amount of salary supplement. Any compensation, excluding travel reimbursement, from an affiliated public charity, foundation, clinical faculty practice plan, or other public source or any supplement from a private source to the salary appropriated for a state employee and fixed by the State must be reported by the employing agency to the Human Resources Division of the Budget and Control Board. The report must include the amount, source, and any condition of the supplement. The employing agency must report this information on or before August thirty-first of each year and must include the total amount and source of the salary supplement received by the employee during the preceding fiscal year (July first through June thirtieth). The Human Resources Division of the Budget and Control Board shall formulate policies and procedures to ensure compliance with the reporting provisions of this proviso.

117.1 (GP: Revenues, Deposits Credited to General Fund) For the current fiscal year, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source of activity, must be remitted to the State Treasurer at least once each week, when practical, and must be credited, unless otherwise directed by law, to the General Fund of the State. Each institution, department or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources itemized according to standard budget classification from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller

General and the Budget and Control Board. In order to facilitate the immediate deposit of collections, refunds of such collections by state institutions where properly approved by the authorities of same, may be made in accordance with directions from the State Comptroller General and State Treasurer. General fund appropriations herein made for the support of the public school system of the State must be greater than or equal to the revenues derived from the General Retail Sales Tax, the Soft Drinks Tax, and the state's portion of the Alcoholic Liquors Tax and Cable Television Fees as forecasted in the general fund revenue estimate of the Board of Economic Advisors as accounted for in Section 116 of this act. Appropriations in this act for the support of the public school system shall include the following:

- Department of Education;
- State Board for Technical and Comprehensive Education;
- Educational Television Commission;
- Wil Lou Gray Opportunity School;
- School for the Deaf and the Blind;
- John de la Howe School;
- Debt Service on Capital Improvement Bonds Applicable to Above Agencies;
- Debt Service on School Bonds;
- Other School Purposes.

Nothing contained herein shall be construed as diminishing the educational funding requirements of this section.

117.5 (GP: Judicial & Involuntary Commitment, Defense of Indigents) It is the responsibility of all agencies, departments and institutions of state government, to provide at no cost and as a part of the regular services of the agency, department or institutions such services as are necessary to carry out the provisions of Chapter 52, Title 44 (Involuntary Commitment), Article 7, Chapter 17, Title 44 of the 1976 Code (Judicial Commitment), Chapter 3, Title 17 of the 1976 Code (Defense of Indigents), and Article 1, Chapter 3, Title 16 of the 1976 Code (Death Penalty), as amended, upon request of the Judicial Department and/or the appropriate court. To this end, state agencies are directed to furnish to the Judicial Department a list of their employees who are competent to serve as court examiners. The Judicial Department shall forward a copy of this list to the appropriate courts, and the courts shall utilize the services of such state employees whenever feasible. State employees shall receive no additional compensation for performing such services. For the purpose of interpreting this section, employees of the Medical University of South Carolina and individuals serving an internship or residency as an academic requirement or employees who are not full-time state employees and who are not performing duties as state employees are not considered state employees.

117.9. (GP: Transfers of Appropriations) Agencies and institutions shall be authorized to transfer appropriations within programs and within the agency with notification to the Division of Budget and Analyses and Comptroller General. No such transfer may exceed twenty percent of the program budget. Upon request, details of such transfers may be provided to members of the General Assembly on an agency by agency basis. Transfers of appropriations from personal service accounts to other operating accounts or from other operating accounts to personal service accounts may be restricted to any established standard level set by the Budget and Control Board upon formal approval by a majority of the members of the Budget and Control Board.

117.14 (GP: Discrimination Policy) It is the policy of the State of South Carolina to recruit, hire, train, and promote employees without discrimination because of race, color, sex, national origin, age, religion or physical disability. This policy is to apply to all levels and phases of personnel within state government, including but not limited to recruiting, hiring, compensation, benefits, promotions, transfers, layoffs, recalls from layoffs, and educational, social, or recreational programs. It is the policy of the State to take affirmative action to remove the disparate effects of past discrimination, if any, because of race, color, sex, national origin, age, religion or physical disability.

Each state agency shall submit to the State Human Affairs Commission employment and filled vacancy data by race and sex by October thirty-first, of each year.

In accordance with Section 1-13-110 of the South Carolina Code of Laws of 1976, as amended, the Human Affairs Commission shall submit a report on the status of state agencies' Affirmative Action Plans and Programs to the General Assembly by February first each year. This report shall contain the total number of persons employed

in each job group, by race and sex, at the end of the preceding reporting period, a breakdown by race and sex of those hired or promoted from within the agency during the reporting period, and an indication of whether affirmative action goals were achieved. For each job group referenced in the Human Affairs report, where the hiring of personnel does not reflect the percentage goals established in the agency's affirmative action plan for the year in question, the state agency shall submit a detailed explanation to the Human Affairs Commission by February fifteenth, explaining why goals were not achieved.

The Human Affairs Commission shall review the explanations and notify the Budget and Control Board of any agency not in satisfactory compliance with meeting its stated goals.

The Budget and Control Board shall notify any agency not in compliance that their request for additional appropriations for the current appropriation cycle, may not be processed until such time as the Budget and Control Board, after consultation with the Human Affairs Commission, is satisfied that the agency is making a good faith effort to comply with its affirmative action plan, and that the compliance must be accomplished within a reasonable length of time to be determined by the mission and circumstances of the agency. This requirement shall not affect additional appropriation requests for public assistance payments or aid to entities. This section does not apply to those agencies that have been exempted from the reporting requirements of the Human Affairs Commission.

117.15 (GP: Personal Service Reconciliation, FTEs) In order to provide the necessary control over the number of employees, the Budget and Control Board is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

(1) That no state agency exceed the total authorized number of full-time equivalent positions and those funded from state sources as provided in each section of this act except by majority vote of the Budget and Control Board.

(2) That the Budget and Control Board shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency for state and total funding sources.

(a) That within thirty days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of the State must have established on the Budget and Control Board records all positions authorized in the Act. After that date, the Board shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established by the board in excess of the total number of authorized full-time equivalent positions. Each agency may, upon notification to the Budget and Control Board, change the funding source of state FTE positions established on the Budget and Control Board records as necessary to expend federal and other sources of personal service funds to conserve or stay within the state appropriated personal service funds. No agency shall change funding sources that will cause the agency to exceed the authorized number of state or total full-time equivalent positions. Each agency may transfer FTE's between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the board shall prepare a personal service analysis, by agency, which shows the number of established positions for the fiscal year and the amount of funds required, by source of funds, to support the FTE's for the fiscal year at a funding level of one hundred percent. The board shall then reconcile each agency's personal service detail with the agency's personal service appropriation as contained in the Act adjusted for any pay increases and any other factors necessary to reflect the agency's personal service funding level. The board shall provide a copy of each agency's personal service reconciliation to the Senate Finance and House Ways and Means Committees.

(c) That any position which is shown by the reconciliation to be unfunded or significantly underfunded may be deleted at the direction of the Budget and Control Board.

(3) That full-time equivalent (FTE) positions shall be determined under the following guidelines:

(a) The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

(b) The state FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that position.

(c) All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with a duration of nine (9) months.

The FTE method of accounting shall be utilized for all authorized positions.

(4) That the number of positions authorized in this act shall be reduced in the following circumstances:

(a) Upon request by an agency.

(b) When anticipated federal funds are not made available.

(c) When the Budget and Control Board, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

(5) That the Budget and Control Board shall annually reconcile personal service funds with full-time employee count. Unfunded positions will be eliminated no later than January fifteenth of the current fiscal year unless specifically exempted elsewhere in this act or by the Budget and Control Board. The Budget and Control Board must report the full-time employee count and unfunded position status to the Senate Finance Committee and the Ways and Means Committee by February first of the current fiscal year.

(6) That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but temporary positions may be so funded.

(7) That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under item I of Section 8-11-260 of the 1976 Code.

The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each agency is at least ninety-seven percent of the funds required to meet one hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new positions).

117.16 (GP: Allowance for Residences & Compensation Restrictions) That salaries paid to officers and employees of the State, including its several boards, commissions, and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee. The charge for these items may be payroll deducted at the discretion of the Comptroller General or the chief financial officer at each agency maintaining its own payroll system. This shall not apply to the Governor's Mansion, nor to guards at any of the state's penal institutions and nurses and attendants at the Department of Disabilities and Special Needs, and registered nurses providing clinical care at the MUSC Medical Center, nor to the Superintendent and staff of John de la Howe School, nor to the cottage parents and staff of Wil Lou Gray Opportunity School, nor to full-time or part-time staff who work after regular working hours in the SLED Communications Center or Maintenance Area, nor to adult staff at the Governor's School for Science and Mathematics and the Governor's School for Arts and Humanities who are required to stay on campus by the institution because of job requirements or program participation. Any state institution of higher learning may provide complimentary membership privileges to employees who work at their wellness centers. 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 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 to be approved by the Budget and Control Board.

That the following may be permitted to occupy residences owned by the respective departments without charge: the Farm Director, Farm Managers, and Specialists employed at the Wateree River Correctional Institution; the South Carolina State Commission of Forestry fire tower operators, forestry aides, and caretaker at central headquarters; the Department of Natural Resources' Game Management Personnel, Fish Hatchery Personnel, and Fort Johnson Superintendent; the Department of Parks, Recreation and Tourism field personnel in the State Parks Division; Director of Wil Lou Gray Opportunity School; President of the School for the Deaf and the Blind; houseparents for the Commission for the Blind; South Carolina Department of Health and Environmental Control personnel at the State Park Health Facility and Camp Burnt Gin; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University; Farm Superintendent at Winthrop University; Residence Hall Directors at the College of Charleston; the Department of Disabilities and Special Needs' physicians and other professionals at Whitten Center, Clemson University Off-Campus Agricultural Staff and Housing Area Coordinators; and TriCounty Technical College's Bridge to Clemson Resident and Area Directors. Except in the case of elected officials, the fair market rental value of any residence furnished to a state employee shall be reported by the state agency furnishing the residence to the Agency Head Salary Commission, and the Division of Budget and Analyses by October first of each fiscal year.

All salaries paid by departments and institutions shall be in accord with a uniform classification and compensation plan, approved by the Budget and Control Board, applicable to all personnel of the State Government whose compensation is not specifically fixed in this act. Such plan shall include all employees regardless of the source of funds from which payment for personal service is drawn. The Division of Budget and

Analyses of the Budget and Control Board is authorized to approve temporary salary adjustments for classified and unclassified employees who perform temporary duties which are limited by time and/or funds. When approved, a temporary salary adjustment shall not be added to an employee's base salary and shall end when the duties are completed and/or the funds expire. Academic personnel of the institutions of higher learning and other individual or group of positions that cannot practically be covered by the plan may be excluded therefrom but their compensations as approved by the Division of Budget and Analyses shall, nevertheless, be subject to review by the Budget and Control Board. Salary appropriations for employees fixed in this act shall be in full for all services rendered, and no supplements from other sources shall be permitted or approved by the Budget and Control Board. With the exception of travel and subsistence, legislative study committees shall not compensate any person who is otherwise employed as a full-time state employee. Salaries of the heads of all agencies of the State Government shall be specifically fixed in this act and no salary shall be paid any agency head whose salary is not so fixed. As long as there is no impact on appropriated funds, state agencies and institutions shall be allowed to spend public funds and/or other funds for designated employee award programs which shall have written criteria approved by the agency governing board or commission. For purposes of this section, monetary awards, if any, shall not be considered a part of an employee's base salary, a salary supplement, or a perquisite of employment. The names of all employees receiving monetary awards and the amounts received shall be reported annually to the South Carolina Division of Budget and Analyses.

In the case of lodging furnished by certain higher education institutions to employees, the prevailing local rate does not apply if the institution meets the exceptions for inadequate rent described in the current Internal Revenue Code Section 119(d)(2). To meet the exception, rental rates must equal the lesser of five percent of the appraised value of the qualified campus lodging, or the average of the rentals paid by individuals (other than employees or students of the educational institution) during the calendar year for lodging provided by the educational institution which is comparable to the qualified campus lodging provided to the employee, over the rent paid by the employee for the qualified campus lodging during the calendar year. The appraised value shall be determined as of the close of the calendar year in which the taxable year begins, or, in the case of a rental period not greater than one year, at any time during the calendar year in which the period begins.

117.28. (GP: Travel Report) Annually on November first, the Comptroller General shall issue a report on travel expenditures for the prior fiscal year which shall be distributed to the Senate Finance Committee, the House Ways and Means Committee, and the Statehouse Press Room. The Comptroller General may use up to \$500 of general fund appropriations for the purpose of providing copies to the media or the public upon request. The report must contain a listing for every agency receiving an appropriation in the annual General Appropriations Act. The listing must show at a minimum the top ten percent of employees for whom travel expenses and registration fees were paid within each agency, not to exceed twenty-five employees per agency. Agencies should include position titles for each of the top twenty-five travelers for each agency. Expenditures must include state, federal and other sources of funds. Expenditures for in-state and out-of-state registration fees (fees to attend conferences, teleconferences, workshops, or seminars for training on a per person basis) must be shown as a separate subtotal within the grand total for the individual employees and the agency as a whole. The list for each agency must be in rank order with the largest expenditure first and the name of the employee must be shown with each amount. Agencies should include a brief summary of the type of travel the agency incurs. The Comptroller General may provide additional information as deemed appropriate. The Comptroller General shall provide no exceptions to this report in that the information contained is not considered confidential or restricted for economic development purposes. However, further disclosure of detailed information shall be restricted as provided for by law.

117.31 (GP: Base Budget Analysis) Agencies' annual accountability reports for the prior fiscal year, as required in Section 1-1-810, must be accessible to the Governor, Senate Finance Committee, House Ways and Means Committee, and to the public on or before September fifteenth, for the purpose of a zero-base budget analysis and in order to ensure that the Agency Head Salary Commission has the accountability reports for use in a timely manner. Accountability Report guidelines shall require agencies to identify key program area descriptions and expenditures and link these to key financial and performance results measures. The Budget and Control Board is directed to develop a process for training agency leaders on the annual agency accountability report and its use in financial, organizational, and accountability improvement. Until performance-based funding is fully implemented and reported annually, the state supported colleges, universities and technical schools shall report in accordance with Section 59-101-350.

117.36 (GP: Voluntary Separation Incentive Program) State agencies may implement, in consultation with the Human Resources Division of the Budget and Control Board, a program to realign resources to include provisions for a separation incentive payment for employees which may include the employer portion of health and dental benefits not to exceed one year. Employees participating in such program shall not be eligible to participate in the Teacher and Employee Retention Incentive (TERI) program. Employees participating in such program shall be considered to have voluntarily quit their employment without good cause and be subject to the provisions of Section 41-35-120(1) of the South Carolina Employment Security Law. Any program developed under this provision will involve voluntary participation from employees and will be funded within existing appropriations. The program must be approved by the agency head and the Director of the Human Resources Division based on ability to demonstrate recurring cost savings for realignment and/or permanent downsizing. State agencies shall report the prior year's results to the Budget and Control Board by August fifteenth, of the current fiscal year. The Budget and Control Board, upon request, shall report to the Senate Finance Committee and the House Ways and Means Committee on these results.

117.38 (GP: Debt Collection Reports) Each state agency shall provide to the Chairmen of the Senate Finance and House of Representatives Ways and Means Committees and the Inspector General a report detailing the amount of its outstanding debt and all methods it has used to collect that debt. This report is due by the last day of February for the previous calendar year. For purposes of this provision, outstanding debt means a sum remaining due and owed to a state agency by a non-governmental entity for more than sixty (60) calendar days.

117.54 (GP: Organizational Charts) All agencies, departments and institutions of state government shall furnish to the Human Resources Division (1) a current personnel organizational chart annually no later than September 1 of the current fiscal year, or upon the request of the Division and (2) notification of any change to the agency's organizational structure which impacts an employee's grievance rights within thirty days of such change. The organizational chart shall be in a form prescribed by the Human Resources Division showing all authorized positions, class title, class code, position number and indications as to whether such positions are filled or vacant. In addition, the organizational chart shall clearly identify those employees who are exempt from the State Employee Grievance Procedure Act.

117.64 (GP: Year-End Financial Statements - Penalties) Agencies and other reporting entities required to submit annual audited financial statements for inclusion in the State's Comprehensive Annual Financial Report must comply with the submission dates stipulated in the State Auditor's Office audit contract. If the audit was not contracted by the State Auditor's Office, the final audited financial statements are due not later than October tenth for the prior fiscal year. Each agency that does not comply with the provisions of this proviso shall appear before the Comptroller General, providing an explanation for the delay

117.61. (GP: Employee Bonuses) State agencies and institutions are allowed to spend state, federal, and other sources of revenue to provide selected employees lump sum bonuses, not to exceed three thousand dollars per year, based on objective guidelines established by the Budget and Control Board. Payment of these bonuses is not a part of the employee's base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems. Employees earning \$100,000 or more shall not be eligible to receive bonuses under this provision.

117.68 (GP: LightRail) Pursuant to this provision the three research universities: Clemson University, the Medical University of South Carolina, and the University of South Carolina-Columbia, are authorized and directed to plan, procure, administer, oversee, and manage all functions associated with the South Carolina LightRail and are thereby exempt from the oversight and project management regulations of the Budget and Control Board, Division of State Information Technology. South Carolina LightRail is an academic network for the use of the state's three research universities for the exchange of information directly related to their mission and must not carry commercial or K-12 traffic originated in South Carolina. For the current fiscal year, public or private organizations and entities may be provided access only through formal documented partnerships with one or more of the three research universities. On February first of the current fiscal year, the entity managing the network must submit to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee a

report specifically identifying each entity with access to the network and any payment, including without limitation in-kind payment, that each such organization and entity is making for access to the network.

117.79 (GP: Printed Report Requirements) (A) For Fiscal Year 2013-2014, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year 2013-2014, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year 2013-2014, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and the Provider Reimbursement Rate Report required pursuant to Proviso 33.11, and shall instead only submit the documents electronically.

(D) For Fiscal Year 2013-2014, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

117.81 (GP: Fines and Fees Report) In order to promote accountability and transparency, each state agency must provide and release to the public via the agency's website, a report of all aggregate amounts of fines and fees that were charged and collected by that state agency in the prior fiscal year. The report shall include, but not be limited to: (1) the code section, regulation, or proviso that authorized the fines and fees to be charged, collected, or received; (2) the amount received by source; (3) the purpose for which the funds were expended by the agency; (4) the amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place; and (5) the amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred. The report must be posted online by September first. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first. Funds appropriated to and/or authorized for use by each state agency shall be used to accomplish this directive.

117.92 (GP: Websites) All agencies, departments, and institutions of state government shall be responsible for providing on its Internet website a link to the Internet website of any agency, other than the individual agency, department, or institution, that posts on its Internet website that agency, department, or institution's monthly state procurement card statements or monthly reports containing all or substantially all the same information contained in the monthly state procurement card statements. The link must be to the specific webpage or section on the website of the agency where the state procurement card information for the state agency, department, or institution can be found. The information posted may not contain the state procurement card number. Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this section.

117.96 (GP: Recovery Audits) The Budget and Control Board shall contract with one or more firms to conduct recovery audits of payments made by all state agencies to vendors for goods and services. The audits must be designed to detect, document, and recover overpayments and erroneous payments to the vendors and to recommend improved financial and operational practices and procedures. A state agency shall pay, from recovered monies received, the recovery audit firm responsible for obtaining for the agency a reimbursement or payment from a vendor a negotiated fee not to exceed twenty percent of the funds recovered by that firm.

Unless otherwise restricted by law, funds recovered, less the cost of recovery, shall be remitted to a special fund subject to appropriation by the General Assembly. Agencies may recover costs that are documented to be directly related to implementation of this provision.

Recovery audits apply only to payments made more than one hundred eighty days prior to the date the audit is initiated and shall cover at least three complete fiscal years.

All information provided under a contract must be treated as confidential by the recovery audit firm. A violation of this provision shall result in the forfeiture by the firm of all compensation under the contract and to the same sanctions and penalties that would apply to that disclosure.

Each state agency shall participate in this recovery audit program and shall cooperate and provide the recovery audit firm with all information necessary for the audit in a timely manner. All vendors that provide goods or services to a state agency shall cooperate with the recovery audit firm in its audit.

A state agency shall expend or return to the federal government any federal money that is recovered through a recovery audit conducted under this provision. Payments to the recovery audit firm from the federal share of recovered funds shall be solely from the federal portion as allowed by the federal agency.

In addition to performing the recovery audits, the recovery audit firm may conduct an analysis of contracts and pricing structures, as determined and directed by the Executive Director of the Budget and Control Board or her or his designee, to identify and recommend future cost-savings and improved state agency financial operations going forward. A state agency shall pay the recovery audit firm responsible for obtaining the agency actual cost-savings a fee as authorized by the contract with the recovery audit firm.

The recovery audit firm shall provide reports to the Budget and Control Board detailing its findings, the causes for the overpayments and erroneous payments, future cost-savings opportunities and its recommendations for strengthening state operations and/or state contracts to prevent improper payments in the future.

For purposes of this proviso, the term "vendor" or "vendors" includes, but is not limited to, sellers, suppliers, service providers, other providers, contractors and third party administrators; the term "overpayments and erroneous payments" includes, but is not limited to, overpayments, duplicate payments, erroneous payments, and rebates, discounts and credits not received; and the term "state agency" or "state agencies" includes all state agencies, boards, commissions, institutions and institutions of higher education

117.123 (GP: Annual Audit of Court Fees and Fines Reports) The State Auditor is required to perform a minimum of fifteen (15) audits annually of county treasurers, municipal treasurers, county clerks of court, magistrates and/or municipal courts as required by Section 14-1-210 of the 1976 Code and allowed by Proviso 118.5 of this act; however, the State Auditor shall not be required to spend more than the annual amount of \$250,000, received from the State Treasurer to conduct the said audits pursuant to Section 14-1-210 of the 1976 Code. The State Auditor shall consult with the State Treasurer to determine the jurisdictions to be audited in the current fiscal year. Jurisdictions may be selected randomly or based on an instance in the current or previous fiscal year of failing to report, incorrectly reporting or under remitting amounts owed. The funds transferred to the State Auditor by the State Treasurer shall not be used for any purpose other than to conduct the described audits and report whether or not the assessments, surcharges, fees, fines, forfeitures, escheatments, or other monetary penalties imposed and/or mandated are properly collected and remitted to the State. Any unexpended balance on June thirtieth of the prior fiscal year shall be carried forward and must be expended for the same purpose during the current fiscal year. The State Auditor shall annually report by October 1 its findings of the jurisdictions audited to the Senate Finance Committee and the House Ways and Means Committee.

118.2 (SR: Titling of Real Property) It is the intent of the General Assembly to establish a comprehensive central property and office facility management process to plan for the needs of state government agencies and to achieve maximum efficiency and economy in the use of state owned or state leased real properties. The Budget and Control Board is directed to identify all state owned properties whether titled in the name of the state or an agency or department, and all agencies and departments of state government are upon request to provide the Board all documents related to the title and acquisition of the real properties that are occupied or used by the agency or titled in the name of the agency. Except for any properties where the Board determines title should not be in the name of the State because the properties are subject to reverter clauses or other restraints on the property, or where the Board determines the state would be best served by not receiving title, and with the exception of properties, highways and roadways owned by the Department of Transportation, title of any property held by or acquired by a state agency or department shall be titled in the name of the state under the control of the Budget and Control Board. Titling in the name of the state shall not affect the operation or use of real property by an agency.

This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the South Carolina Division of Public Railways; the MUSC Hospital Authority;

the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Midlands Technical College Enterprise Campus Authority, the Trident Technical College Enterprise Campus Authority; the Area Commission of Tri-County Technical College; and the Charleston Naval Complex Redevelopment Authority.

This provision is comprehensive and supersedes any conflicting provisions concerning title and acquisition and disposition of state owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

The Budget and Control Board is directed to provide to the Department of Education, funds equal to the amount realized from the sale of the Greenville Halton Road Bus Shop property for school bus maintenance shop relocations, construction, and shop equipment.