



SC Higher Education Tuition Grants Commission

Providing Opportunity. Promoting Choice.

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BYLAWS **SOUTH CAROLINA HIGHER EDUCATION TUITION GRANTS COMMISSION**

Article I **Name and Purpose**

Section 1. Name-

The composition and formation of the South Carolina Higher Education Tuition Grants Commission (hereinafter, "Commission") is generally prescribed by the Code of Laws of South Carolina 1976, as amended, Section 59-113-10, et seq.

NOW, THEREFORE, in order to effectively manage the affairs of the Commission, the following bylaws are adopted.

Section 2. Purpose-

The purpose of the Commission is to:

- Administer the South Carolina Tuition Grant provisions set forth in Chapter 113 of Title 59 of the South Carolina Code of Laws.
- Develop, adopt, and enforce policies necessary for the administration of the South Carolina Tuition Grants Program.
- Ensure transparency, fiscal responsibility, and accountability in the disbursement of funds.
- Report annually to the General Assembly on its activities, financial management, and progress in furthering its statutory mandate.

Article II **Membership**

Section 1. Composition-

The Commission shall consist of eight (8) representatives appointed from the independent institutions of higher learning within South Carolina that elect to participate under the provisions of Chapter 113. In addition, the Commission shall include one (1) ex officio member who is the chief executive officer of the South Carolina Commission on Higher Education or his/her designee.

Section 2. Term of Office-

Each institutional representative shall serve for a term of three (3) years, continuing until a duly selected and qualified successor assumes office. To ensure equitable representation, the membership shall be rotated among the participating institutions as recommended by Commission Staff and approved by the Commission.

Section 3. Appointment and Eligibility-

Membership is limited to duly authorized representatives of the independent institutions of higher learning in South Carolina participating in the Tuition Grants Program as defined by §59-113-50 of the South Carolina Code of Laws. For purposes of Commission appointment, the duly authorized representative shall be the President of the independent institution, or other official acting in such capacity. Procedures for appointment, resignation, or removal shall be established by the Commission in accordance with State law and these bylaws.

Pursuant to §8-13-1110 of the South Carolina Code of Laws, all Commission members are considered public officials and must file a Statement of Economic Interests with the State Ethics Commission prior to entering upon the official responsibilities of the position and annually thereafter during any calendar year in which they serve on the Commission. The Agency Executive Director shall provide notification and instructions for completing this requirement.

Section 4. Attendance and Assignment of Proxy-

State law (SC Code of Laws Ann. §1-3-245) requires that a member who has three consecutive unexcused absences from regularly scheduled meetings to be considered removed from the Commission, and a vacancy is created. An unexcused absence shall be defined as an absence that was not requested in advance and approved by the Agency Executive Director or Commission Chairperson. Excused absences may also be granted after the fact at the discretion of the Chairperson.

In the event a Commission member is unable to attend a called or special meeting of the Commission, a proxy may be designated in writing to the Agency Executive Director at least seventy-two (72) hours prior to the meeting. Any designee serving as Proxy shall be announced upon the commencement of the Meeting and notated in official Meeting Minutes.

Article III Meetings

Section 1. Regular Meetings-

The Commission shall hold two regular meetings annually. Generally, these meetings shall be held in March and June. Meetings may be held in person or virtually. The time, place, and agenda for each meeting shall be communicated in writing in advance, as required by the Freedom of Information Act.

Section 2. Special Meetings-

Special meetings may be convened:

1. At the call of the Chairperson, or
2. Upon written request by a majority of the members.

Section 3. Quorum and Voting-

A quorum shall consist of a majority of the full voting membership. All decisions shall be made by a majority vote of the members present. In any tied vote, the Chairperson's vote shall be decisive.

Section 4. Minutes and Records-

The Secretary of the Commission, or the Commission's Program Operations Coordinator as Acting Secretary, shall prepare and maintain accurate minutes of all meetings. Minutes shall be distributed to all members and made available to the public in accordance with the Freedom of Information Act.

Article IV Officers

Section 1. Designation of Officers-

The officers of the Commission shall include:

- Chairperson
- Vice-Chairperson
- Secretary

Section 2. Election and Term

Officers shall be elected by a majority vote of the Commission at the June Meeting annually. Officers shall serve concurrent with the term of membership (a period of up to, but no longer than, three years) unless removed earlier for cause by a two-thirds vote of the Commission.

Section 3. Duties

Chairperson: Presides over all meetings, approves the agenda, represents the Commission in official capacities, and conducts the annual performance review of the Agency Executive Director.

Vice-Chairperson: Assists the Chairperson as needed and presides over meetings in the Chair's absence.

Secretary: Prepares meeting minutes or reviews the prepared minutes prior to distribution to the Commission for a vote.

Article V Amendments

These bylaws may be amended by a two-thirds majority vote of the Commission members. Proposed amendments must be submitted in writing and circulated to all members at least ten (10) days prior to the vote. Any amendment must be consistent with the statutory framework under which the Commission is established.

Article VI Miscellaneous Provisions

Precedence: In the event any conflict between these bylaws and the South Carolina Code, the statutory provisions of Title 59, Chapter 113 shall prevail.

Effective Date: These bylaws shall become effective upon adoption by the Commission and shall govern the operations of the Commission until amended or repealed in accordance with Article V.

Severability: If any provision of these bylaws is declared invalid or unenforceable, the remaining provisions shall continue in full force and effect.

Adopted by action of the Commission: June 17, 2025