ARTICLE I

The Commission

SECTION 1. Statute. The Technical College of the Lowcountry Area Commission was created as the policy making body of the institution by Act 537 (Bill R424, S1130) of 1986, by the General Assembly of the State of South Carolina. The powers of the Commission derive from this Act and from Section 5.2 of Act 1268 as amended by Act 654 of 1976 and Act 394 of 1986. These bylaws are created to provide for the orderly conduct of business in carrying out the duties and responsibilities of the Commission.

These bylaws are not intended to be in conflict with or assume duties not specifically designated in the above legislation.

SECTION 2. Authority and Responsibility of Commission. The Commission is a legislative body and not an executive body. Its function is the determination of local policy that is consistent with and supportive of statewide policy promulgated by the State Board for Technical and Comprehensive Education. The TCL Area Commission is responsible for the selection of the President. Within the policy guidelines established by the Commission and the State Board for Technical and Comprehensive Education, the President is responsible for operating the College. He/she will be given authority commensurate with that responsibility. The Commission will deal directly with the President or, if appropriate, the Executive Director of the State Board for Technical and Comprehensive Education on College matters. The Commission will conduct periodic evaluations of the College President, consistent with the guidelines of the South Carolina Technical College System Office.

Only the Commission as a body has authority to take formal action on matters of official concern. Individual members are not empowered to act upon such matters or to speak for the Commission unless specifically authorized to do so by the Commission acting in its corporate capacity. Such authority will be contained in an appropriate document and attested by the signature of the Secretary/Treasurer of the Commission.

The Commission shall remain free from undue influence from political, religious, or other external bodies. Further, if necessary, the Commission will protect the institution from undue influence through its policy making prerogative.

The TCL Area Commission functions as a policy making board. It is the responsibility of College administration and faculty, through the empowered leadership of the President, to administer and implement policy.
To adequately support the ongoing legal authority and operating control of the College, the Commission will: (1.) review the College's Mission Statement each year at the annual Commission Retreat, and (2.) review a financial report updated quarterly by the College's Chief Business Officer (CBO).

**ARTICLE II**

Election of Officers

**SECTION 1. Officers.** The officers of the Technical College of the Lowcountry Commission shall consist of a Chairman, a Vice-Chairman and a Secretary/Treasurer. These offices shall be filled from among the duly qualified membership of the Commission in a manner prescribed in Section B of this article. The President of the College shall assist the Secretary/Treasurer of the Commission. All elected officers shall serve a period of two years, and any officer may succeed himself/herself.

**SECTION 2. Election of Officers.** Election of the Chairman, the Vice-Chairman and the Secretary/Treasurer shall be by secret ballot. This election shall be held at the first regularly scheduled meeting of the fiscal year. A simple majority is required for election to office. Officers of the Technical College of the Lowcountry Commission shall assume duties on the first regularly scheduled meeting of the new fiscal year.

**ARTICLE III**

Duties of Officers

**SECTION 1. Chairman.** The Chairman of the Commission shall preside over all regular meetings or special meetings and perform other duties as ordinarily pertain to this office.

**SECTION 2. Vice-Chairman.** The Vice-Chairman shall preside in the absence of the Chairman over regular meetings or special meetings and perform regular duties as ordinarily pertain to the office and shall assume all other duties of the Chairman in his/her absence.

**SECTION 3. Secretary/Treasurer.** The Secretary/Treasurer shall be responsible for preparation of minutes of each meeting, furnish copies of minutes to each member three (3) days prior to scheduled meetings, and maintain official documents and records of Commission. The Secretary/Treasurer shall represent the Commission on financial matters, when designated by the Commission.
ARTICLE IV

Meetings and Procedures

SECTION 1. Regular Meetings. The Commission shall meet at least bi-monthly. At the last meeting of each year, the Commission will adopt its schedule of meetings for the upcoming year. These meetings are normally held at the College on a prescribed schedule. During the year meetings may be held in conjunction with special events, at times and places designated by the Chairman. The Chairman may cancel a regular meeting due to lack of a quorum or lack of action items to be considered.

Attendance at all regular and special meetings of the Area Commission is expected. A member who is unable to attend any meeting must notify the Chairperson, or the Office of the President for communication to the Chairperson, prior to the commencement of the meeting. Such notification will result in an excused absence, which will be noted in the minutes of the meeting. A notice of a future absence recorded in the minutes of a meeting constitutes acceptable notification. With the exception of ex-officio members, a Commission member is considered removed from the Commission, and a vacancy is created following three consecutive unexcused absences from Commission meetings.

SECTION 2. Special Meetings. A special meeting may be called by the Chairman or upon request of two members of the Commission. The purpose of the meeting shall be stated in the announcement, and no other business shall be transacted at the meeting except by unanimous consent.

SECTION 3. Quorum. A majority of the appointed members shall constitute a quorum. The Chairman shall have the right to vote on all issues.

SECTION 4. Agenda and Minutes. A meeting agenda shall be prepared by the College President and approved by the Chairman. Members shall be furnished a copy of the agenda seven (7) days prior to the meeting. Minutes of actions taken by the Commission shall be prepared by the College President under the direction of the Secretary/Treasurer. After minutes are approved by the Commission and signed by the Chairman and Secretary/Treasurer, they shall be maintained in a permanent file at the College. Copies of signed minutes shall be filed with the State Board Executive Director. Other copies shall be distributed as designated by the Commission.

SECTION 5. Open Meetings. All meetings shall be open to the public and the press, unless declared an executive session under the provisions of the South Carolina Freedom of Information Act, 1978. Public notice of meeting and agenda will also be provided in accordance with the act.

SECTION 6. Executive Sessions. An executive session may be held for the discussion of any item covered by the Freedom of Information Act. Following an executive session, any action agreed upon must be ratified by a majority vote in open session before the action is official.
SECTION 7. Conflict of Interests. When a purchase of goods or services by the College is to be acted upon by the Commission, any portion of that purchase which involves a source in which a member of the Commission is an officer or employee or has a financial interest shall be voted upon separately so that members have the opportunity to abstain from voting because of possible conflict of interests. Commission members will sign a conflict of interest statement at the annual Commission Retreat.

SECTION 8. Hearing of Citizens. It is the policy of the Commission to hear all persons who have a presentation to make which is germane to the operation of the College and which falls within the legal responsibility of the Commission.

1. On Agenda Items - The citizen must:
   - Register with the Board Secretary/Treasurer and give his/her name, permanent address, and agenda item to be addressed.
   - Be recognized by the presiding officer at the time on the agenda designated for “Hearing of Citizens.”
   - Restrict remarks to the agenda item designated and to the time allocated by the presiding officer.

2. On Subjects not on the Agenda - The citizen must:
   - Request in writing to the Chairman or Secretary/Treasurer of the Commission three (3) days preceding a scheduled meeting of the Commission, and state the subject to be addressed and give a brief outline of subject matter to be presented.

SECTION 9. Compensation. The members of the Commission shall receive no salary or per diem for attendance at meetings or for time spent in performance of Commission or College business. They shall be reimbursed for actual expenses incurred for subsistence and/or travel associated with such duties within the limitations prescribed by state law.

SECTION 10. Parliamentary Rules. The meetings shall be conducted according to the prepared agenda, and Robert's Rules of Order shall be used as the parliamentary procedure guide.

ARTICLE V

Committees

The Commission may establish such standing committees and such ad hoc committees as it deems necessary to secure and protect the college’s welfare. The Chairman shall appoint the members of all committees.
ARTICLE VI

Appeals

The Commission shall support State Board policies and procedures (8-6-100, 8-6-100.1) governing College employee grievances, and the State Board's Student Code and Grievance Procedures governing Technical College of the Lowcountry students. The President shall keep the Commission apprised of student and personnel grievances.

ARTICLE VII

Removal of Commission Member

A member may be removed from the Commission by the Governor in accordance with Section 1-3-245 of the South Carolina Code of Laws. A commission member is removed from the Commission following three consecutive unexcused absences from Commission meetings.

ARTICLE VIII

Amendment of Bylaws

These bylaws may be amended by a majority vote of all members of the Commission at any regular meeting or at any special meeting called for that purpose. Any proposed change in the by-laws must be presented to the Commission at least 30 days prior to the time at which they are formally considered. A particular by-law may be temporarily suspended by unanimous vote providing all members are present and voting.