

The 2008 amendment reenacted this section with no apparent change.

SECTION 59-133-30. Powers of board.

The board of trustees is constituted a body corporate and politic under the name of the board of trustees for Francis Marion University. The corporation has the power to:

- (1) have perpetual succession;
- (2) sue and be sued by the corporate name;
- (3) have a seal and to alter it at pleasure;
- (4) make contracts and to have, to hold, to purchase, and to lease real estate and personal property for corporate purposes, and to sell and dispose of personal property and any building considered by it as surplus property or not further needed, and any buildings that it may need to do away with for the purpose of making room for other construction. The board does not have power to sell or dispose of any of its real estate, other than buildings, except with the consent of the State Fiscal Accountability Authority or the Department of Administration, as appropriate;
- (5) appoint a chairman and to appoint or otherwise provide for the appointment of subordinate and assistant officers and agents, faculty members, instructors, and other employees, prescribing the terms of their employment and their duties and fixing their compensation;
- (6) make bylaws and regulations for the management of its affairs and its own operations not inconsistent with law;
- (7) condemn land for corporate purposes as provided by law;
- (8) fix tuition fees and other charges for students attending the college, not inconsistent with law;
- (9) confer degrees upon students and other persons as the board considers qualified;
- (10) accept, receive, and hold all monies or other properties, real, personal, and mixed, that may be given, conveyed, bequeathed, or devised to the college and to use them for the benefit of the college, but in those cases where the money or property is received, charged with any trust, the money or property must be held and used strictly in accordance with the terms of the trust. If the terms of the trust require something to be done other than to administer the trust, no obligation in receiving the trust over and above its administration is binding upon the college or the State, except any obligation accepted by the General Assembly;
- (11) assign any member of the faculty without additional salary to additional duties in any other college department than that in which the faculty member may at the time be working;
- (12) compel by subpoena, rule, and attachment witnesses to appear and testify and papers to be produced and read before the board in all investigations relating to the affairs of the college;
- (13) adopt measures and make regulations as the board considers necessary for the proper operation of the college;
- (14) appoint for the college a board of visitors of a number as it may determine, to regulate the terms during which the members of the board of visitors serve, and to prescribe their functions;
- (15) remove any officer, faculty member, agent, or employee for incompetence, neglect of duty, violation of college regulations, or conduct unbecoming a person occupying such a position;
- (16) appoint an executive committee which has the powers of the board during the interim between meetings of the board but not the power to do anything inconsistent with the policy or action taken by the board, and the executive committee at each meeting of the board shall report fully all action taken by it during the interim;
- (17) appoint committees of the board or officers or members of the faculty of the college with authority and for purposes in connection with the operation of the college as the board considers necessary;
- (18) appoint a president. The president shall report to and seek approval of his actions and those of his subordinates from the board;
- (19) issue revenue bonds as provided by law.

HISTORY: 1988 Act No. 510, Section 2; 2002 Act No. 320, Section 1; 2008 Act No. 355, Section 8, eff June 25, 2008.

Code Commissioner's Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

Effect of Amendment

The 2008 amendment reenacted this section with no apparent change.

SECTION 59-133-40. Meetings of board.

The board shall meet not less than four times each year, the time and place to be fixed by the chairman or as the board provides. The chairman shall preside and, in his absence, a member shall preside as the board may select. The chairman or a majority of the members has the power to call a special meeting and fix the time and place of the meeting. A majority of the members constitutes a quorum for the transaction of all business of the board. A majority vote of the whole board is required for the election or removal of the president. The president, other officers, and faculty members shall attend meetings of the board when requested to do so.

Notice of the time and place of all meetings of the board must be mailed by the secretary or his assistant to each trustee not less than five days before each meeting.

HISTORY: 1988 Act No. 510, Section 2; 2002 Act No. 320, Section 2; 2008 Act No. 355, Section 8, eff June 25, 2008.

Effect of Amendment

The 2008 amendment reenacted this section with no apparent change.

SECTION 59-133-50. Authority to sell or lease donated real property.

Upon approval of the State Fiscal Accountability Authority or the Department of Administration, as appropriate, the board is authorized to lease or sell any real property which may have been or may be donated to the university during any fund campaign. The proceeds of any lease or sale must be applied to the original purpose of the donation of the property leased or sold.