



AREA COMMISSION POLICY # 01.30.01.02 (2020)
ETHICS REQUIREMENTS FOR EMPLOYEES AND PUBLIC OFFICIALS

Policy Title: Ethics Requirements for Employees and Public Officials

Policy Type: Area Commission

Policy Number: AC Policy #01.30.01.02 (2020)

Legal Authority: Section 8-13-700, et. seq. of the 1976 Code of Laws of South Carolina, As Amended; Sec. 19-701.06 of the State Human Resources Regulations

State Board Policy: 8-0-105

Approval Date: May 27, 2020

Responsible Office: Office of Human Resources

Responsible Executive: AVP for Institutional Advancement and Effectiveness and CHRO

Applies to: College Community

POLICY STATEMENT

It is the policy of the Denmark Technical College Area Commission that all public employees of Denmark Technical College, as well as members of the Denmark Technical College Commission, will perform their duties and conduct themselves in an ethical and accountable manner in keeping with applicable provisions of the State Ethics, Government Accountability, and Campaign Reform Act, and all related policies, procedures, regulations, or interpretations thereof. Failure to adhere to the provisions of the State Ethics Act may result in personal liability, other penalties as outlined in the law, and/or College disciplinary action.

In compliance with this Act, the College shall provide all new hires and newly elected or appointed public officials with a publication prepared by the State Ethics Commission describing the general application of the ethics law.

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DEFINITIONS

Family member includes: the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, grandparent, or grandchild.

PROCEDURES

The State Ethics, Government Accountability, and Campaign Reform Act was enacted in 1991 to restore public trust in governmental institutions and the political governmental process. The Act recognizes that public employment is a public trust, and any effort to realize personal gain through official conduct is a violation of that trust. All employees of Denmark Technical College are public employees. Violations of the rules of ethical conduct are investigated and punished where appropriate. The State Ethics, Government Accountability, and Campaign Reform Act applies to all public officials and public employees of the State and political subdivisions, with the exception of members of the judiciary.

The law:

1. Provides a code of conduct to prohibit public officials and employees from being involved in certain conflicts of interest;
2. Provides for the filing of Statements of Economic Interest by certain designated public employees and public officials;
3. Provides for advisory opinions to be issued on questions involving the State Ethics, Government Accountability, and Campaign Reform Act;
4. Provides for procedures for participation by citizens in the enforcement of the law; and
5. Provides for the State Ethics Commission to administer the law.

The rules of conduct, Sections 8-13-700 through 8-13-795 of the 1976 South Carolina Code of Laws, as Amended, should be consulted for specific information. The Rules of Conduct:

1. Prohibit employees from using their official position or office to obtain an economic interest for the employee or the employee’s family member¹, an individual with whom the employee is associated, or a business with which the employee is associated;
2. Prohibit employees from giving or offering, soliciting, or receiving compensation to influence the action of public officials or employees;
3. Prohibits employees from receiving anything of value for speaking before a public or private group in his/her official capacity²
4. Prohibits employees from receiving compensation while acting in their official capacity from any group or organization to whom professional services are rendered.²

- Honorariums and gratuities, whether in-state or out-of-state for services rendered on state time or at state expense, cannot be received by individuals but may be received by the College/System Office.
- Section 8-1-170 of the South Carolina Code of Laws authorizes state agencies to develop group productivity incentive programs for the recognition and award of team accomplishments through group performance.

Employees of any organizational unit within each of the various agencies are eligible to share equally twenty-five percent of the identified savings resulting from reduced operational costs in the unit up to a maximum of two thousand dollars per employee in a fiscal year.

- Section 8-1-180 of the South Carolina Code of Laws allows state agencies and institutions to spend public funds on employee plaques, certificates, and other events including meals and similar types of recognition to reward innovations or improvements by individual employees or employee teams that enhance the quality of work or productivity or as a part of employee development programs of their agency or institution. Awards shall be limited to fifty dollars for each individual.

5. prohibits the use or disclosure of confidential information for personal financial gain;
6. prohibits employees from membership on or employment by a regulatory commission or agency that regulates any business with which the employee is associated;
7. provides for actions to be taken by employees where a decision would affect the employee's personal financial interest;
8. prohibits employees from appearing before certain regulatory commission; and
9. calls attention to breaches of ethical standards.

Violation of the State Ethics, Government Accountability, and Campaign Reform Act is punishable by a fine up to \$10,000, up to twenty years imprisonment, or both. In addition to disciplinary action, which may be taken by Denmark Technical College, the State Ethics Commission may recommend administrative or disciplinary action, impose oral or written warnings or reprimands, require civil penalties, require forfeiture of anything received, or refer the matter to the Attorney General for criminal prosecution.

Any employee needing further information concerning the applicability of the State Ethics, Government Accountability, and Campaign Reform Act should contact the Office of Human Resource or the State Ethics Commission.

Where there are conflicts or inconsistencies between other agency policies/procedures and the Ethics Act of 1991, the provisions of the Ethics Act will prevail.

¹ Family member: the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, grandparent, or grandchild

² Employees may be reimbursed for actual expenses incurred; however, reimbursement requires prior approval of the College President or official designee.

CONTACT(S)

The President officially interprets this policy and is responsible for matters pertaining to this policy as it relates to Denmark Technical College.

PUBLICATION

The policy will be widely distributed to the College community. To ensure timely publication and distribution thereof, the AVP for Institutional Advancement and Effectiveness and CHRO will make every effort to:

- Communicate the policy in writing, electronically, or otherwise to the College community, including current and prospective students within fourteen (14) days of approval;
- Submit this policy for inclusion in the Policy Library within fourteen (14) days of approval;
- Post the policy on the College's webpage and all other related webpages, in the student handbook, and in the College catalog; and
- Educate and train all stakeholders and appropriate audiences on the policy's content as necessary.

REVIEW SCHEDULE

- Next Scheduled Review: May 27, 2022
- Approval by Area Commissioners: May 27, 2022
- Revision History: None
- Supersedes: N/A

RELATED DOCUMENTS

There are no related documents associated with this policy.

FORMS

There are no forms associated with this policy.