STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

PROCEDURE

PROCEDURE NUMBER:	**8-0-105.1**
PAGE:	

TITLE:	**ETHICS REQUIREMENTS FOR EMPLOYEES AND PUBLIC OFFICIALS**
POLICY REFERENCE NUMBER:	**8-0-105**
DIVISION OF RESPONSIBILITY:	**Human Resource Services**

DATE OF LAST REVISION: **June 12, 2012**

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 the South Carolina Technical College System 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 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 member[1], 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 capacity[2].
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.

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[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 executive director, president, or official designee.

- 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.

4. prohibits the use or disclosure of confidential information for personal financial gain;
5. prohibits employees from membership on or employment by a regulatory commission or agency that regulates any business with which the employee is associated;
6. provides for actions to be taken by employees where a decision would affect the employee's personal financial interest;
7. prohibits employees from appearing before certain regulatory commission; and
8. 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 the College/System Office, 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 Human Resource Office or the State Ethics Commission.