

*Educational and Cultural Subcommittee Meeting*

Thursday, February 8, 2018

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# AGENDA

***SOUTH CAROLINA HOUSE OF REPRESENTATIVES***



***LEGISLATIVE OVERSIGHT COMMITTEE***

***Chairman Joseph H. Jefferson, Jr.  
The Honorable Chandra E. Dillard  
The Honorable Tommy M. Stringer  
The Honorable John Taliaferro "Jay" West, IV***

***Thursday, February 8, 2018  
Immediately after the House Adjourns  
Room 321 -Blatt Building***

*Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.*

**AGENDA**

- I. Approval of Minutes**
- II. Discussion of the study of the Patriots Point Development Authority**
- III. Discussion of study of the John de la Howe School**
- III. Adjournment**

# MEETING MINUTES



## Education and Cultural Subcommittee

Thursday, January 11, 2018

Room 321 Blatt Building

### Archived Video Available

- I. Pursuant to House Legislative Oversight Committee Rule 6.8, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly's website (<http://www.scstatehouse.gov>) and clicking on *Committee Postings and Reports*, then under *House Standing Committees* click on *Legislative Oversight*. Then, click on *Video Archives* for a listing of archived videos for the Committee.

### Attendance

- I. The Education and Cultural Subcommittee meeting was called to order by Chairman Joseph H. Jefferson, Jr., Thursday, January 11, 2018, in Room 321 of the Blatt Building. All members were present for some or all of the meeting, except Representative Tommy M. Stringer.

### Minutes

- I. House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings. It is the practice of the Legislative Oversight Committee to provide minutes for its subcommittee meeting.

- II. Representative Chandra Dillard moves to approve the minutes from the Subcommittee’s meeting on December 5, 2017. A roll call vote is held, and the motions pass.

<b>Representative Dillard’s motion to approve the minutes from the December 5, 2017, meeting:</b>	<b>Yea</b>	<b>Nay</b>	<b>Not Voting: Present</b>	<b>Not Voting: Absent</b>
Chandra E. Dillard	✓			
Joseph H. Jefferson, Jr.	✓			
Tommy Stringer				✓
John Taliaferro (Jay) West, IV			✓	

Discussion of Patriots Point Development Authority (“Patriots Point”)

- I. Chairman Jefferson states this is the subcommittee’s third meeting with Patriots Point. Further, he explains the purpose of today’s meeting is to hear testimony about the agency’s performance.
- II. Chairman Jefferson explains all testimony given to the subcommittee, which is an investigating committee, must be under oath.
- III. Mr. Mac Burdett, Patriots Point executive director, testifies about the agency’s performance. Subcommittee members ask questions, about various topics, which agency representatives answer including:
- a. Choosing appropriate performance measures;
  - b. Types of measures used by Patriots Point;
  - c. Three-year business plan development and evaluation;
  - d. Performance trends;
  - e. Measuring education expansion programming; and
  - f. Methods for collecting consumer experience data.

Adjournment

- I. There being no further business the meeting is adjourned.

## PATRIOTS POINT STUDY TIMELINE

- February 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 14, 2016 - Agency submits its **2016 Annual Restructuring Report**, which is available online.
- May 10, 2017 - **Full committee votes to schedule Patriots Point Development Authority for study.** Video of the meeting is available online.
- June 27, 2017-July 28, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- July 14, 2017 - Agency submits its **2015-2016 Annual Accountability Report**, which serves as the **2017 Annual Restructuring Report** and is available online.
- July - August 2017 - Pursuant to SC Code Section 2-2-60(E), agency submits an **Annual Report** and additional documents in lieu of a **Program Evaluation Report**
- October 16, 2017 - Committee holds **public input meeting** (Meeting #1) about the Adjutant General's Office, Commission for Minority Affairs, Department of Natural Resources, and Patriots Point Development Authority. Video of the meeting is available online.
- November 6, 2017 - Education and Cultural Subcommittee holds **Meeting #2** to receive an overview of the agency and hear testimony about **Patriots Point's history, strategic plan, services, governance, and organization**.
- December 5, 2017 - Education and Cultural Subcommittee holds **Meeting #3** to receive testimony about the agency's **human and financial resources**.
- January 11, 2018 - Education and Cultural Subcommittee holds **Meeting #4** to receive testimony about the agency's **performance**.

- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov)).



# RECOMMENDATIONS

Throughout the process, the Education and Cultural Subcommittee has requested the agency provide recommendations for statutory changes. In letters dated November 30, 2017, and January 10, 2018, the agency provided those recommendations. They are reflected in the table below.

Agency Recommendation	Additional Background Information
<p>Provide same waiver to other organizations that “own” land contained in Proviso 118.2 (SR: Titling of Real Property) (2017-2018 General Appropriations Act).</p>	<p>In the 17-18 General Appropriations Act, Proviso 118.2 states in part, the <b>“Department of Administration is directed to identify all state owned properties whether titled in the name of the state or an agency or department, and all agencies and departments of state government are upon request to provide the department all documents related to the title and acquisition of the real properties that are occupied or used by the agency or titled in the name of the agency.”</b> Except for any properties with a few specific exceptions, title of any property held by or acquired by a state agency or department shall be titled in the name of the state under the control of the Department of Administration. Titling in the name of the state shall not affect the operation or use of real property by an agency.</p> <p>This provision <b>applies to all state agencies and departments except:</b> institutions of higher learning; the Public Service Authority; the Ports Authority; the South Carolina Division of Public Railways; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Midlands Technical College Enterprise Campus Authority, the Trident Technical College Enterprise Campus Authority; the Area Commission of Tri-County Technical College; and the Charleston Naval Complex Redevelopment Authority.</p> <p>During the agency’s presentation to its Ways and Means Subcommittee, the agency requested that Patriots Point be added to any new iteration of this proviso.</p>
<p>Procurement flexibility for purchase of services that are specialized, such as talent for major entertainment/history programs, visiting authors, etc.</p>	<p>In some cases, an agency may be able to procure these services sole source.</p> <p>SC Code §11-35-1560 states:</p> <p>(A) A contract may be awarded for a supply, service, information technology, or construction item without competition if, under regulations promulgated by the board, the chief procurement officer, the head of a purchasing agency, or a designee of either officer, above the level of the procurement officer, determines in writing that there</p>

	<p>is only one source for the required supply, service, information technology, or construction item.</p> <p>(B) These regulations must include the requirements contained in this paragraph. Written documentation must include the determination and basis for the proposed sole source procurement. A delegation of authority by either the chief procurement officer or the head of a governmental body with respect to sole source determinations must be submitted in writing to the Materials Management Officer. In cases of reasonable doubt, competition must be solicited. Any decision by a governmental body that a procurement be restricted to one potential vendor must be accompanied by an explanation as to why no other will be suitable or acceptable to meet the need.</p> <p>(C) A violation of these regulations by a purchasing agency, upon recommendation of the designated board office with approval of the majority of the State Fiscal Accountability Authority, must result in the temporary suspension, not to exceed one year, of the violating governmental body's ability to procure supplies, services, information technology, or construction items pursuant to this section.</p> <p>SC Code §11-35-710 provides exemptions to the Consolidated Procurement Code, and grants authority to the board of the State Fiscal Accountability Authority (formerly the Budget and Control Board) to grant exemptions to the Consolidated Procurement Code.</p> <p>On December 17, 1982, the Budget and Control Board exempted from purchasing procedures <b>professional artists utilized by the South Carolina Arts Commission.</b><sup>1</sup></p>
<p>Procurement flexibility consistent with the State Museum regarding funding new exhibits and improving existing exhibits.</p>	<p>SC Code §11-35-710 provides exemptions to the Consolidated Procurement Code, and grants authority to the board of the State Fiscal Accountability Authority (formerly the Budget and Control Board) to grant exemptions to the Consolidated Procurement Code. This statute exempts the South Carolina Arts Commission and South Carolina Museum Commission from the Consolidated Procurement Code when the agencies are <b>purchasing one-of-a-kind items such as paintings, antiques, sculpture, and similar objects.</b> In addition, Proviso 104.1 (2017-2018 General Appropriations Act) requires any governmental body, other than the South Carolina Museum Commission, the Confederate Relic Room and Military Museum Commission, and the South Carolina Hunley</p>

<sup>1</sup> [https://procurement.sc.gov/files/20130103\\_Exemption\\_Table\\_%28FINAL%29\\_%28booklet%29.pdf](https://procurement.sc.gov/files/20130103_Exemption_Table_%28FINAL%29_%28booklet%29.pdf)

	<p>Commission, to obtain approval from the SC Arts Commission prior to purchasing art objects such as paintings, antiques, sculptures, or similar objects over \$1,000.</p> <p>On July 17, 1991, the Budget and Control Board granted the State Museum a further exemption from the Consolidated Procurement Code. The Board exempted the State Museum Commission from the purchasing procedures of the Consolidated Procurement Code for the following items:</p> <ul style="list-style-type: none"> <li>• <b>Historical artifacts, to include both current, specific items and objects of future historical significance;</b></li> <li>• <b>Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world;</b></li> <li>• <b>Artworks, to include examples of fine art, decorative art, and folk art;</b></li> <li>• <b>Collection disciplines, to include cultural history, science and technology, art and natural history; and</b></li> <li>• <b>Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits.</b></li> </ul> <p>The relevant Budget and Control Board meeting minutes, request letter, and staff recommendation letter are on pages through of this meeting packet.</p> <p>On August 27, 1985, the Budget and Control Board granted the Confederate Relic Room an exemption from purchasing procedures for the acquisition of <b>historical artifacts, weapons, flags, firearms, etc., which are rare and reasonably priced</b> in the judgment of the Confederate Relic Room and Museum staff.<sup>2</sup></p>
<p>The process for approving new leases or amending existing leases is complicated and very time consuming. The process places an inordinate burden on the tenants who are investing in the Patriots Point vision. We are not seeking total control with no oversight.</p>	<p>This recommendation was <b>rescinded on January 10, 2018.</b></p>
<p>In the future PPDA will need to use revenue</p>	<p>This recommendation was <b>rescinded on January 10, 2018.</b></p>

<sup>2</sup> [https://procurement.sc.gov/files/20130103\\_Exemption\\_Table\\_%28FINAL%29\\_%28booklet%29.pdf](https://procurement.sc.gov/files/20130103_Exemption_Table_%28FINAL%29_%28booklet%29.pdf)

from leases to generate significant amounts of capital to complete major restoration of ship, piers and facilities. We will need to exercise our authority to sell bonds. This process needs to be defined in advance.

*State Museum Procurement Exemption Documentation*

MINUTES OF

BUDGET AND CONTROL BOARD

MEETING

July 17, 1991

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26. Authorized the Medical University to purchase property located at 49 Bee Street in Charleston to be used for student health services at the appraised value of \$205,000 Hospital Generated Revenues, project H51-9570, as recommended by the Division of General Services;
27. Approved the Medical University purchase of the Harborview Office Tower property through lease-purchase financing, conditioned upon a favorable review by the State Treasurer's Office of the financial arrangements with the understanding that, if the State Treasurer's review is not favorable, the Board will meet to address the matter, and provided Commission on Higher Education requirements are satisfied and all final documents are submitted to the Division of General Services for approval prior to execution;
28. Approved the sale of the following Department of Mental Health properties in accord with standard surplus property procedures, with the proceeds of these sales being retained by Mental Health in accordance with Section 40.21 of the 1991-92 Appropriations Act: (a) 1426 Summerville Avenue, Columbia; and (b) 612-614 Railroad Avenue, Allendale;
29. Approved the following Wildlife and Marine Resources property acquisitions, as recommended by the Division of General Services: (a) Marion County, 271 acres for \$142,300, Heritage Land Trust Funds, project P24-9610; (b) Kershaw County, 2.29 acres for \$8,015, Heritage Land Trust Funds, project P24-9617; and (c) Aiken County, 28 acres for \$24,900, Heritage Land Trust Funds, project P24-9618;
30. In accord with Code Section 11-35-710, exempted from the purchasing procedure of the Consolidated Procurement Code the following, as requested by the State Museum Commission: (a) Historical artifacts, to include both current, specific items and objects of future historical significance; (b) Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world; (c) Artworks, to include examples of fine art, decorative art, and folk art and craft work; (d) Collection disciplines, to include cultural history, science and technology, art and natural history; and (e) Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits;
31. In accord with Section 11-35-1210, granted a procurement certification increase to the University of South Carolina for construction services, \$100,000 (total potential purchase commitment whether single- or multi-year contracts are used) to run concurrently with the existing three year certification granted September 25, 1990;

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July 17, 1991 -- Page 24**

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Information relating to this matter has been retained in these files and is identified as Exhibit 27.

**General Services: Procurement Code Exemption, State Museum (Regular #17)**

Division Director Richard Kelly appeared before the Board on this matter.

In accord with the provisions of Code Section 11-35-710, the State Museum Commission requested an expanded exemption from the requirements of the Consolidated Procurement Code to more accurately cover procurements of exhibits.

The current exemption for paintings, antiques, sculptures and similar objects does not reflect the various artifacts and disciplines necessary for the procurements of exhibits.

The Division recommended approval of the following exemptions:

- (a) Historical artifacts, to include both current, specific items and objects of future historical significance;
- (b) Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world;
- (c) Artworks, to include examples of fine art, decorative art, and folk art and craft work;
- (d) Collection disciplines, to include cultural history, science and technology, art and natural history; and
- (e) Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits.

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board, in accord with Code Section 11-35-710, exempted from the purchasing procedure of the Consolidated Procurement Code the following, as requested by the State Museum Commission: (a) Historical artifacts, to include both current, specific items and objects of future historical significance; (b) Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world; (c) Artworks, to include examples of fine art, decorative art, and



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folk art and craft work; (d) Collection disciplines, to include cultural history, science and technology, art and natural history; and (e) Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits.

Information relating to this matter has been retained in these files and is identified as Exhibit 28.

**General Services: USC Procurement Certification Increase (Regular Session #18)**

Division Director Richard Kelly appeared before the Board on this matter.

The University of South Carolina, in accord with Section 11-35-1210, requested that the current procurement certification for construction services be increased to \$100,000 per purchase commitment (total potential purchase commitment whether single- or multi-year contracts are used) to run concurrently with the existing three year certification granted September 25, 1990.

The Division recommended approval.

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board, in accord with Section 11-35-1210, granted a procurement certification increase to the University of South Carolina for construction services, \$100,000 (total potential purchase commitment whether single- or multi-year contracts are used) to run concurrently with the existing three year certification granted September 25, 1990.

Information relating to this matter has been retained in these files and is identified as Exhibit 29.

**General Services: Permanent Improvement Projects (Regular Session #19)**

Division Director Richard Kelly appeared before the Board on this matter.

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board approved the following permanent improvement project establishment requests and budget revisions which have been reviewed favorably by the Joint Bond Review Committee:

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STATE BUDGET AND CONTROL BOARD  
MEETING OF July 17, 1991

STATE BUDGET & CONTROL BOARD  
REGULAR SESSION

ITEM NUMBER

17

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AGENCY: General Services

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SUBJECT: Procurement Code Exemption, State Museum Commission

In accord with the provisions of Code Section 11-35-710, the State Museum Commission requests an expanded exemption from the requirements of the Consolidated Procurement Code to more accurately cover procurements of exhibits.

The current exemption for paintings, antiques, sculptures and similar objects does not reflect the various artifacts and disciplines necessary for the procurements of exhibits.

The Division recommends approval of the following exemptions:

- (a) Historical artifacts, to include both current, specific items and objects of future historical significance;
- (b) Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world;
- (c) Artworks, to include examples of fine art, decorative art, and folk art and craft work;
- (d) Collection disciplines, to include cultural history, science and technology, art and natural history; and
- (e) Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits.

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BOARD ACTION REQUESTED:

In accord with Code Section 11-35-710, exempt from the purchasing procedure of the Consolidated Procurement Code the following, as requested by the State Museum Commission: (a) Historical artifacts, to include both current, specific items and objects of future historical significance; (b) Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world; (c) Artworks, to include examples of fine art, decorative art, and folk art and craft work; (d) Collection disciplines, to include cultural history, science and technology, art and natural history; and (e) Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits.

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ATTACHMENTS:

Agenda item worksheet; attachments

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BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/81) ~~STATE~~ BUDGET & CONTROL BOARD

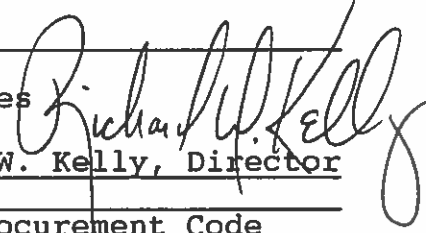
Meeting Scheduled for: July 17, 1991

Agenda Regular

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Richard W. Kelly, Director



2. Subject: Exemption from the Consolidated Procurement Code for the State Museum Commission

3. Summary Background Information:

With the opening and expansion of the State Museum, the Museum Commission has requested that their current exemption from the Consolidated Procurement Code, which was authorized by the General Assembly before the State Museum opened, be expanded to more accurately cover their procurements of exhibits. The current exemption for paintings, antiques, sculptures and similar objects does not reflect the various artifacts and disciplines necessary for the procurements of exhibits.

4. What is Board Asked to do?

Under authority of Section 11-35-710 of the Consolidated Procurement Code, grant the attached exemption for the State Museum's procurements of exhibits.

5. What is Recommendation of Board Division involved?

Grant the exemption

6. Recommendation of Other Division/Agency (as required)?

(a) Authorized Signature: \_\_\_\_\_

(b) Division/Agency Name: \_\_\_\_\_

7. Supporting Documents:

(a) List Those Attached:

- Recommendation of the Office of Audit and Certification
- Copy of Section 11-35-710 of the Consolidated Procurement Code
- Request Memorandum from the State Museum

(b) List Those Not Attached But Available From Submitter

000553

The South Carolina State Museum would like to request the following exemption in the State Procurement Code. The museum's existing exemption was put in place prior to the museum's opening to the public. Now that the museum is open and operating, it has seen the need for the further exemption of certain specific kinds of items, to wit:

Historical artifacts, to include both current, specific items and objects of future historical significance. Also scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world; artworks, to include examples of fine art, decorative art, and folk art and craft work. Collection disciplines for the State Museum include cultural history, science and technology, art and natural history. Also, exhibits at the State Museum, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits. The exhibits are unique and one of a kind, requiring special skills and high performance quality acceptable to the Museum.

**000554**

STATE OF SOUTH CAROLINA  
**State Budget and Control Board**  
DIVISION OF GENERAL SERVICES



CARROLL A. CAMPBELL, JR., CHAIRMAN  
GOVERNOR

GRADY I. PATTERSON, JR.  
STATE TREASURER

EARLE E. MORRIS, JR.  
COMPTROLLER GENERAL

RICHARD W. KELLY  
DIVISION DIRECTOR

MATERIALS MANAGEMENT OFFICE  
1201 MAIN STREET, SUITE 600  
COLUMBIA, SOUTH CAROLINA 29201  
(803) 737-0600

JAMES J. FORTH, JR.  
ASSISTANT DIVISION DIRECTOR

JAMES M. WADDELL, JR.  
CHAIRMAN, SENATE FINANCE COMMITTEE

WILLIAM D. BOAN  
CHAIRMAN, WAYS AND MEANS COMMITTEE

JESSE A. COLES, JR., Ph.D.  
EXECUTIVE DIRECTOR

M E M O R A N D U M

TO: Richard W. Kelly  
Division Director

FROM: Voight Shealy *Voight*  
Audit and Certification

DATE: July 8, 1991

SUBJECT: EXEMPTION FROM THE CONSOLIDATED  
PROCUREMENT CODE FOR THE STATE  
MUSEUM COMMISSION FOR PROCURE-  
MENTS OF EXHIBITS

When the General Assembly enacted the Consolidated Procurement Code in 1981 the State Museum did not exist. Even so, the General Assembly included the following exemption for the Museum Commission's procurements of exhibits:

South Carolina Arts Commission and South Carolina Museum Commission for the purchase of one-of-a-kind items such as paintings, antiques, sculpture and similar objects. (Reference Section 11-35-710(j) attached)

With the opening and expansion of the State Museum, the Museum Commission has requested the attached exemption to expand and clarify its existing exemption. While the drafters of the current exemption may have envisioned these items, the language does not address them specifically.

I have met with Dr. Overton Ganong and his staff and support their exemption request. Most of the items cannot be competed and even if they were quality of craftsmanship would be the paramount consideration.

Attachments

- Copy of Section 11-35-70 of the Consolidated Procurement Code
- Exemption Request from the State Museum

C James J. Forth, Jr.

000555

Control Board to be selected by the board, two members of the State Bidding Practices Study Committee to be selected by the committee, one of whom shall be a member of the Senate and one of whom shall be a member of the House, the chairman or his designee of the State Reorganization Commission and the Director of the Division of General Services. The committee shall meet as often as necessary to review state procurement performance and to consider and recommend proposals for changes in the laws and regulations governing procurement.

**Section 11-35-530. Advisory Committees.**

The following advisory committees may be established by the board for the purpose of advising the policy committee:

- (a) The board may appoint a purchasing policies and procedures advisory committee comprised of state and local government, and public members in accordance with regulations of the board to discuss the performance of public purchasing in the State and to consider specific methods for improvement.
- (b) The board may appoint an information technology and procedures advisory committee comprised of state and local government and public members in accordance with regulations of the board to discuss the purchasing performance of information technology for government in the State and to consider specific methods for improvement.
- (c) The board shall appoint a construction, architect-engineer, construction management and land surveying services advisory committee comprised of state and local government and public members in accordance with regulations of the board to discuss the purchasing performance of these services in the State and to consider specific methods of improvement. The advisory committee shall be comprised of the following; the State Engineer, a state agency representative, a banker, an attorney, a representative of local government, a registered architect, a registered engineer, a licensed building contractor and a licensed subcontractor.

**Section 11-35-540. Authority and Duties of the Board.**

(1) **Authority to Promulgate Regulations.** Except as otherwise provided in this code, the board shall have the authority and responsibility to promulgate regulations, consistent with this code, governing the procurement, management, control and disposal of any and all supplies, services and construction to be procured by the State. Such regulations shall be binding in all procurements made by the State.

(2) **Nondelegation.** The board shall not delegate its power to promulgate regulations.

(3) **Approval of Operational Procedures.** Governmental bodies shall be authorized to develop internal operational procedures consistent with this code; *provided*, that such operational procedures shall be certified in writing by the appropriate chief procurement officer as being consistent with this chapter.

(4) **Board Oversight.** The board as a whole or acting through its procurement policy committee shall consider and decide matters of policy within the provisions of this code including those referred to it by the chief procurement officers. The board shall have the power to audit and monitor the implementation of its regulations and the requirements of this code.

SUBARTICLE 3

**Exemptions**

**Section 11-35-710. Exemptions.**

The board may upon the recommendation of the Division of General Services, exempt governmental bodies from purchasing certain items through the respective chief procurement officer's area of responsibility. The board may exempt specific supplies or services from the purchasing procedures herein required and for just cause may by unanimous written decision limit or withdraw any exemptions provided for in this section.

The following exemptions are hereby granted in this chapter:

- (a) The construction, maintenance and repair of bridges, highways and roads; vehicle and road equipment maintenance and repair; and any other emergency type parts or equipment utilized by the Department of Highways and Public Transportation;
- (b) The purchase of raw materials by the South Carolina Department of Corrections, Division of Prison Industries;
- (c) S.C. State Ports Authority;

- (d) S.C. Public Railways Commission;
- (e) S.C. Public Service Authority;
- (f) Expenditure of funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations and from the operation of canteens and bookstores, except as such funds are used for the procurement of construction, architect-engineer, construction-management and land surveying services;
- (g) Livestock, feed and veterinary supplies;
- (h) Articles for commercial sale by all governmental bodies;
- (i) Fresh fruits, vegetables, meats, fish, milk and eggs;
- (j) South Carolina Arts Commission and South Carolina Museum Commission for the purchase of one-of-a-kind items such as paintings, antiques, sculpture and similar objects. Before any governmental body procures any such objects, the head of the purchasing agency shall prepare a written determination specifying the need for such objects and the benefits to the State. The South Carolina Arts Commission shall review such determination and forward a recommendation to the board for approval;
- (k) Published books, periodicals and technical pamphlets;
- (l) South Carolina Research Authority.

#### SUBARTICLE 5

#### Offices Created

##### **Section 11-35-810. Creation of the Office of the Materials Management Officer.**

There is hereby created, within the Division of General Services, a materials management office to be headed by the materials management officer. The materials management officer shall be at an organization level answering directly to the director of the Division of General Services.

##### **Section 11-35-820. Creation of the Office of the Information Technology Management Officer.**

There is hereby created within the Division of General Services the information technology management office to be headed by the information technology management officer. All procurements involving information technology, and any pre- and post-procurement activities in this area, shall be conducted in accordance with the regulations promulgated by the board except as otherwise provided for in this code by specific reference to the information technology management office.

##### **Section 11-35-830. Creation of the Office of the State Engineer.**

There is hereby created within the Division of General Services, the State Engineer's Office to be headed by the state engineer. All procurements involving construction, architectural and engineering, construction management, and land surveying services, as defined in Section 11-35-2910, and any pre- and post-procurement activities in this area, shall be conducted in accordance with regulations promulgated by the board except as otherwise provided for in this code by specific reference to the State Engineer's Office.

##### **Section 11-35-840. Delegation of Authority.**

Subject to the regulations of the board, the chief procurement officers may delegate authority to designees or to any department, agency or official.

#### SUBARTICLE 7

#### Advisory Committees and Training

##### **Section 11-35-1010. Relationship with Using Agencies.**

The chief procurement officers shall maintain a close and cooperative relationship with the using agencies. The chief procurement officers shall afford each using agency reasonable opportunity to participate in and make recommendations with respect to procurement matters affecting the using agency.

# South Carolina State Museum



MEMORANDUM:

TO: Voight Shealy, Manager  
Audit/Certification

FROM: Overton G. Ganong, Executive Director *OGG*  
South Carolina State Museum

DATE: May 21, 1991

SUBJECT: Proposed revision to procurement code

Here is a revised version of the requested code revision for the museum based on our telephone conversation today. Thank you for your help.

If you have questions, or if further revisions are needed, please let me know.

Attachments

CC: Ben Swanson  
Mike Fey  
Rodger Stroup

**EXHIBIT**

JUL 17 1991

28

STATE BUDGET & CONTROL BOARD

**000558**

301 Gervais Street P.O. Box 100107 Columbia, S.C. 29202-3107

Telephone (803) 737-4921 Facsimile (803) 737-4969



# South Carolina State Museum



## Exemption Request

The South Carolina State Museum would like to request the following exemption in the State Procurement Code. The museum's existing exemption was put in place prior to the museum's opening to the public. Now that the museum is open and operating, it has seen the need for the further exemption of certain specific kinds of items, to wit:

Historical artifacts, to include both current, specific items and objects of future historical significance. Also scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world; artworks, to include examples of fine art, decorative art, and folk art and craft work. Collection disciplines for the State Museum include cultural history, science and technology, art and natural history. Also, exhibits at the State Museum, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits. The exhibits are unique and one of a kind, requiring special skills and high performance quality acceptable to the Museum.

**EXHIBIT**

JUN 17 1991 28

STATE BUDGET & CONTROL BOARD

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000559

## JOHN DE LA HOWE STUDY TIMELINE

- March 2015 - Agency submits its **Annual Restructuring and Seven-Year Plan Report**, which is available online.
- January 12, 2016 - Agency submits its **2016 Annual Restructuring Report**, which is available online.
- January 10, 2017 - **Full committee votes to schedule John de la Howe School for study**. Video of the meeting is available online.
- February 9, 2017-March 13, 2017 - Committee solicits input from the public about the agency in the form of an **online public survey**. The results of the public survey are available online.
- March 2, 2017 - Committee holds **public input meeting (Meeting #1)** about Department of Archives and History; DDSN; and John de la Howe School. Video of the meeting is available online.
- March 31, 2017 - Agency submits its **Program Evaluation Report**, which is available online.
- May 10, 2017 - Committee votes to place study on hold, pending completion of the 2017-2018 General Appropriations Act.
- October 4, 2017 - Education and Cultural Subcommittee holds **Meeting #2** to receive an overview of the agency and hear testimony about **John de la Howe's history, strategic plan, services, and human resources**.
- November 5, 2017 - Education and Cultural Subcommittee holds **Meeting #3** to receive information about the agency's **financial resources and partners**.

- December 5, 2017 - Education and Cultural Subcommittee holds **Meeting #4** to receive a presentation on a **study of agricultural programming feasibility** at **John de la Howe School**.
- December 7, 2017 - Education and Cultural Subcommittee **visits the campus** of the John de la Howe School.
- Ongoing - Public may submit written comments on the Oversight Committee's webpage on the General Assembly's website ([www.scstatehouse.gov](http://www.scstatehouse.gov)).

# JOHN DE LA HOWE AGENCY OVERVIEW

## Snapshot

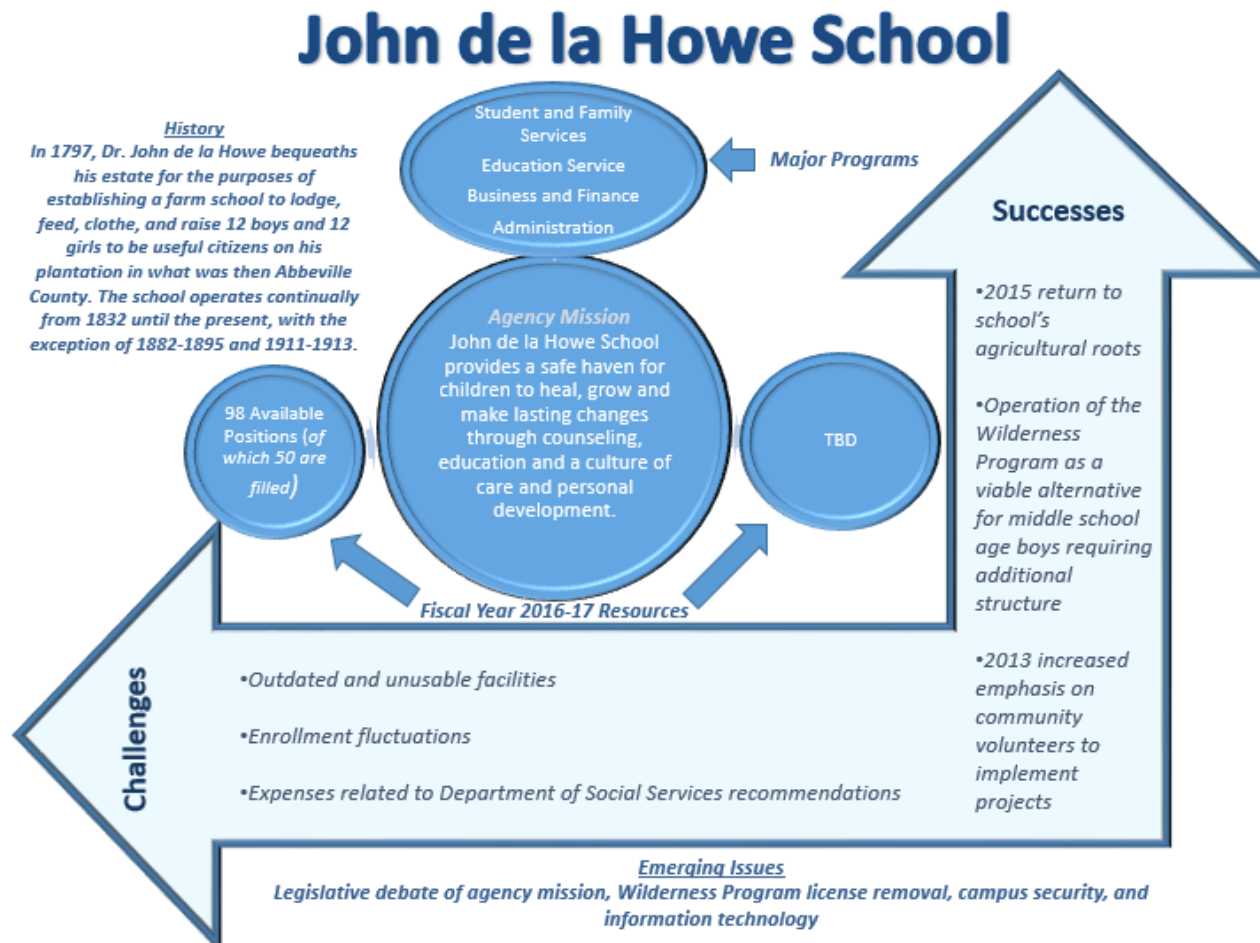


Figure 1. Snapshot of agency that includes its history, mission, resources, successes, challenges, and emerging issues

# JOHN DE LA HOWE PERFORMANCE

## *Types of Measures Utilized*

*There are four types of performance measures, which are explained below.*

- ***Inputs** are human or material resources used, such as number of staff hours or classroom space used to conduct welfare-to-work programs.*
- ***Outputs** are the amount of service, effort, or activity produced or delivered, such as number of clients receiving job training or number of students in AP courses.*
- ***Efficiency** measures are the amount of output or outcome achieved in terms of input, such as cost per participant in welfare-to-work programs, or cost per student.*
- ***Outcomes** are results or the effectiveness of a service or effort, such as the number of clients employed for at least half time within six months of job training or the percentage of students who graduate from high school.*

## Targets and Results of Measures

Patriots Point Development Authority provides performance measure data in its Annual Restructuring Report and other submissions to the Committee.

### GOAL 1- IMPROVE THE COST EFFECTIVENESS OF JDLHS THERAPEUTIC, RESIDENTIAL AND EDUCATIONAL SERVICES

#### Strategy 1.1 *Increase the number of participants in the campus program*

- Objective 1.1.1 Increase by 10% the average number of residential campus-served participants by June 2017
- Objective 1.1.2 Increase the number of residential beds that meet health and safety standards and licensing regulations to serve 96 youth by December of 2016
- Objective 1.1.3. Serve at least 96 residential youth over the fiscal year by June of 2017

#### Strategy 1.2 *Increase the number of participants in the Wilderness Program*

- Objective 1.2.1 Increase the number of campsites from 2 to 3 by March of 2017
- Objective 1.2.2 Increase the number of youth served in Wilderness Program from 14 to 20 by March of 2017

#### Strategy 1.3 *Increase the effectiveness of therapeutic staff who will have accurate position descriptions and employee performance management systems planning and evaluation objectives that are aligned to the agency's mission by May 2017*

- Objective 1.3.1 Increase to 100% the number of therapeutic staff who will have accurate position descriptions and employee performance management systems planning and evaluation objectives aligned to the agency's mission by May 2016

Performance Measure	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Calculation Method
Increase residential occupancy capacity	80	120	120	DSS approval
Increase number of youth served annually	106	120	85	Enrollment counts

Increase number of licensed cottages	10	10	10	DSS approval
Increase number of youth placements from Department Social Services	5	6	5	Enrollment counts
Increase number of youth placements from Department Juvenile Justice	10	0	10	Enrollment counts
Increase number youth placements from school districts	10	0	27	Enrollment counts
Reduce average daily cost of services for each youth	\$121.00	\$151.00	\$159.00	Operating costs/(number of youth X calendar days per year)
Reduce average annual cost of services for each youth	\$42,857	\$42,857	\$58,365	Operating cost/number of youth
Improve supervisor feedback to employees	100%	100%	100%	Number of non-education employees with accurate position descriptions, EPMS planning documents, EPMS evaluations
Increase the average of residential occupancy rate	104	94	85	Average daily occupancy

**GOAL 2 - IMPROVE THE EFFICIENCY OF ADMINISTRATIVE AND SUPPORT SERVICES**

*Strategy 2.1 Ensure administrative support processes facilitate the mission of the agency*

- Objective 2.1.1 Ensure that staff attend at least one training session offered by SCEIS
- Objective 2.1.2 Reduce time to process requisitions to pay vendors by 20% by June, 2017
- Objective 2.1.3 Continue to secure and back up agency data as completed in 2015 project

*Strategy 2.2 Evaluate facility, equipment and staffing resources and needs*

- Objective 2.2.1 Continue to inventory IT assets as completed in past year and inventory 50% of agency property not currently recorded
- Objective 2.2.2 Maintain deferred maintenance schedule by June, 2017(Completed 8 roofs on JDLH buildings)
- Objective 2.2.3 Campus wide facility assessment performed in 2015 and will be maintained going forward

Performance Measure	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Calculation Method
Reduce time to complete work orders	70%	50%	80%	Processing time (in business days)
Reduce time to process requisitions to pay vendors	10%	15%	10%	Processing time (in business days)
Increase parent satisfaction with improvement to child's behavior	90%	86%		Survey feedback for exiting parents
Improve employee satisfaction with work environment	70	69%	70%	JDLH employee surveys



**GOAL 3 - IMPROVE YOUTH BEHAVIOR TO ENSURE POSITIVE LIFE OUTCOMES**

*Strategy 3.1 Reduce youth demonstrating at-risk behaviors*

- Objective 3.1.1 Percentage of exiting students achieving successful discharge with 3 or higher (on 5 point) success criterion scale for their individual care plans will increase to 90% by June, 2017
- Objective 3.1.2 Provide 100% of youth with therapeutic services as specified in their individual care plan ongoing
- Objective 3.1.3 Ensure 100% of youth receive clinical therapy sessions according to their individual care plan, an average of three by June, 2017
- Objective 3.1.4 Increase percent of recreational activities that advance student progression their individual care plans to 85% by June, 2017
- Objective 3.1.5 Increase percent of JDLHS exited youth who demonstrate improved behavior 12 months after leaving to 85% by June, 2017

*Strategy 3.2 Provide youth with life skills that prepare them for productive citizenship*

- Objective 3.2.1 Increase percentage of students acquiring life skills by 10% by June, 2017
- Objective 3.2.2 Increase the number of social activities provided by 10% to the students

Performance Measure	FY 16 Actual Value	FY 17 Target Value	FY 17 Actual Value	Calculation Method
Increase percent students improving on Success Criterion	Not Documented	65%	62%	Behavior rating
Increase incentives for positive behavior changes	5	5%	6%	Conduct incentives
Conduct the number of monthly therapeutic sessions established for each youth (ranges from 1-4)	3	3	4	Number of therapeutic sessions provided by JDLHS counselors and partnering agencies, as established in youth's Individual Plan of Care
Increase integration of frontline services for youth	80%	80.00%	100%	Percent of youth with documented feedback from all Treatment Team components
Increase percentage of students with life skills	Not Documented	60%	61%	Successful completion of training course

## COMMITTEE CONTACT INFORMATION



- Website - <http://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee.php>
- Phone Number - 803-212-6810
- Email - [HCommLegOv@schouse.gov](mailto:HCommLegOv@schouse.gov)
- Location - Blatt Building, Room 228