

**SOUTH CAROLINA STATE GUARD
REGULATION 600-1**

**ADMINISTRATIVE PROCEDURES
South Carolina State Guard**



S.C. State Guard Olympia Armory
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SUMMARY OF CHANGES to Last Approved Version of Regulation

- All promotions, officers and enlisted, require a vacancy in the Unit Manning Roster (UMR) in order to prevent rank inflation. See §3-2 (officers) & §7-1 (enlisted).
- Confidentiality requirements have been modernized and updated in Chapter 1.
- Personnel procedures have been modernized and adapted for the capabilities provided by Microsoft Office 365. Chapters 1, 2, 3, 6 & 7.
- Commander, SCSG has increased flexibility to appoint professionals and persons with needed skills as required by SCSG mission. See §2-5(e) & §3-6.
- The continued service of enlisted personnel after the end of their three (3) year term of enlistment, and the SCSG's acceptance of that service, will be deemed to be the consent of the parties to the reenlistment of those personnel, said reenlistment to be accomplished automatically under these circumstances. See §6-1 & 6-7.
- Unit commanders can grant waivers of certain training required for promotions, but are then responsible for ensuring the waived training is completed. See §3-3 & §7.2.
- Time in grade requirements have been shortened to more appropriate lengths for a volunteer organization: 6 months in lower rank for promotions up to E-3, 12 months up to E-6, and 18 months up to E-9. 12 months for promotion up to O-3 & CWO3, 24 months up to O-6 & CWO5. See §3-3 & §7-2.
- Only a limited number of waivers are available for promotion. See §3-4 & §7-2.
- Delegates authority to promote enlisted soldiers up to the grade of E-6(SSG) to certain unit commanders. See §7-1.
- Add eligibility to allow an individual without military experience to fill SCSG vacancies based on the applicant's specialized skills or knowledge, background and general experience. See §2-1(i), §2.5(c), & §6.5.
- Officer promotion requirements of SCSG Reg. 100-10 have been revised and incorporated herein thereby allowing SCSG Reg. 100-10 to be rescinded and replaced by this Regulation.

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South Carolina State Guard Regulation 600-1

General

Purpose: This Regulation sets forth the principles and requirements for administering the South Carolina State Guard (hereinafter "SCSG").

Orders: As used in this Regulation, the term "Order" refers to written orders generated pursuant to the authority of the Commander, SCSG. "Permanent Order" refers to orders promulgated under the authority of the Adjutant General for South Carolina (hereinafter "TAG"). All promotions described in this Regulation must be made pursuant to Permanent Orders.

Authority:

a. Legal Authority for Establishment and Operation of the SCSG. The South Carolina State Guard was established and operates under South Carolina Code of Law Section 25-3-10, et seq.; such rules and regulations as the Governor of the State of South Carolina and/or TAG deem necessary pursuant to South Carolina Code of Law Section 25-1-360; and other applicable provisions of state and federal law.

b. Accession and Promotion of Officer and Warrant Officers. Qualified individuals who volunteer for service with the SCSG may be appointed and commissioned by The Governor of the State of South Carolina or the Governor's designee. Every commissioned or warrant officer must hold office under such commission until regularly appointed and commissioned to another grade or regularly retired, discharged or dismissed.

c. Enlistment and Promotion of Enlisted Soldiers. Qualified individuals who volunteer for service, or seek to renew their enlistment, with the SCSG may enlist for a term not to exceed three (3) years pursuant to statute (SC Code §25-3-70) as well as the rules and regulations prescribed by The Governor of the State of South Carolina or the Governor's designee.

Authorized Abbreviations: The SCSG Commander may adopt such abbreviations and brevity codes as the Commander finds appropriate for use in military records, publications, correspondence, and in field work to include operations plans, orders, and reports within the SCSG.

Complaints and Request for Assistance:

- a. *Command Responsibility.* The processing of complaints, grievances and requests for assistance is a command responsibility. Members and staff of the SCSG should raise all complaints, grievances and requests for assistance to their immediate chain of command or the next higher headquarters whenever possible.
- b. *Inspector General.* Inspectors General are assigned at HQ, SCSG, and the Office of the Adjutant General. All members of the SCSG should be advised of their right to contact the Inspector General at HQ, SCSG. In certain instances, members may contact the South Carolina Office of Inspector General pursuant to its policies and procedures.
- c. *Code of Conduct.* Each commander is responsible for the maintenance of good order in his/her command. Persons having knowledge of violations of law or regulations committed by individuals while acting as members of the South Carolina State Guard must report such conduct to their chain of command or next higher headquarters. Serious offenses should also be reported to the Commander, SCSG.

Chapter 1

Administrative Procedures

1-1. Purpose:

This Regulation prescribes SCSG policy regarding the handling of confidential personal information and personnel files.

1-2. Protection of Confidential Information: The SCSG shall take reasonable measures to protect the confidential information and privacy of every individual who applies for membership and/or serves in any capacity with the SCSG pursuant to applicable state and federal law including, but not limited to, the Americans with Disabilities Act ("ADA"), Occupational Safety and Health Act ("OSHA"), and to the extent applicable, Health Insurance Portability and Accountability Act (HIPAA) and Health Information Technology for Economic and Clinical Health (HITECH).

a. Protected Personal Information. In order to effectively administer the organization, SCSG must collect and maintain certain Protected Personal Information ("PPI") from its members and recruits. PPI shall include, but not be limited to, information and documents pertaining to a person's prior military service, home address, personal email addresses, social security number, date of birth, non-military diplomas and educational certifications, occupational and vocational licensure and certifications, and family members. PPI is collected on certain SCSG Forms such as 20-66 (Record of Basic Data) and 20-3 (Extension of Enlistment).

b. Confidential Health Information. In order to assess the fitness and capabilities of SCSG members and recruits, the SCSG will from time to time collect and maintain Confidential Health Information ("CHI"). CHI shall include, but not be limited to, information and documents about an individual's past, present and future physical or mental health or condition and the health care the individual has received or is required in the future. CHI is collected on certain SCSG Forms such as 801 (Medical Evaluation).

c. Collection of PPI and CHI. No PPI and CHI may be collected from SCSG recruits, members and staff unless specifically authorized by Commander, SCSG pursuant to a written policy. Legitimate uses of PPI and CHI include, but are not limited to, the screening of recruits for possible membership, assessing personal and professional backgrounds for rank and duty assignments, medical screening of members for deployment and training duty, and assisting commanders and promotion boards with personnel decisions.

Chief of Staff, SCSG should promptly develop and maintain a written policy regarding the collection of PPI and CHI that sets forth, at a minimum, the specific need for such Information, how such Information will be collected, how such Information shall be securely received and transmitted, who will have access to the Information after it is collected, how and to whom such Information will be disclosed, whether the Information will be stored by the SCSG or returned to the person providing the Information after its use, and the secure storage of the Information.

All PPI and CHI collected pursuant to policy by the SCSG will be promptly transmitted by a secure method to SCSG Division Headquarters (currently located in the Olympia Armory) for secure storage as soon as possible after its collection and initial use.

d. Storage of PPI and CHI. All PPI and CHI maintained by the SCSG shall be securely stored at SCSG Division Headquarters (currently located in the Olympia Armory). The SCSG Administrative Officer is principally responsible for the daily storage and security of personnel records, including PPI and CHI, in accordance with this regulation. Only designated SCSG personnel with a legitimate need to access this Information shall be given access to the PPI and CHI and that access should be monitored by G-1, SCSG. All PPI and CHI must be maintained and stored separately from SCSG personnel files and other documents.

Chief of Staff, SCSG should promptly develop and maintain a written policy regarding the secure storage of PPI and CHI that, at a minimum, sets forth how such Information will be securely stored, how access to the Information will be restricted, how and to whom the Information will be disclosed, a method for monitoring access to the Information to prevent unauthorized access or disclosure, and a method for properly disposing of PPI and CHI when it is no longer needed.

e. Access to PHI and CHI. Only a limited number of designated SCSG members shall have routine access to the PPI and CHI maintained by the SCSG. Said access shall be limited to authorized purposes only and that access shall be monitored to the greatest extent possible to prevent unauthorized use or disclosure of the Information.

Chief of Staff, SCSG should promptly develop and maintain a written policy regarding access to PPI and CHI that, at a minimum, sets forth the names and job descriptions of all SCSG members who will have access to the Information, appropriate uses and disclosure of the Information by those personnel, and measures for guarding against the unauthorized or unintentional disclosure of PPI and CHI.

f. Subordinate Unit Collection and Storage of PPI and CHI. No subordinate unit, including but not limited to, battalions, detachments, recruiting command, South Carolina State Guard Military Academy, Francis Marion Reception Company, Professional

Services Command, or other division staff section, is authorized to collect, store, or maintain PPI and CHI from its members unless specifically authorized to do so in writing by Commander, SCSG.

g. SAOUO. All PPI, CHI and personnel records maintained by the SCSG are designated "STATE AGENCY OFFICIAL USE ONLY" (SAOUO) and shall be protected to prevent unauthorized access or disclosure.

1-3. Release of Certain Information:

The following guidance applies to requests for access or copies of SCSG personnel records.

a. Battalion and detachment commanders or their designee, shall have access to their assigned soldiers' PPI and CHI pursuant to the policies and procedures established above by the Chief of Staff, SCSG.

b. Judge Advocate General attorneys and inspector general officers shall submit a written request to Commander, SCSG, to review and/or copy personnel and other records related to their official inquiries.

c. Investigating representatives acting under authority other than the SCSG chain of command must submit comply with applicable laws to submit requests—e.g., state law governing requests from members of the General Assembly, state law governing activities of the State Inspector General, requests made pursuant to a valid court order or pursuant to discovery permitted under the state or federal rules of civil or criminal procedure, state or federal law governing criminal investigations, or requests made pursuant to the South Carolina Freedom of Information Act. These requests should be routed to the Commander, SCSG for situational awareness and authority for the release should be documented (from Commander, SCSG; the Adjutant General; the Governor, etc.).

1-4. Personnel Files:

a. *Electronic Personnel Files.* SCSG Division Headquarters (currently located in the Olympia Armory) shall maintain a unique personnel file in an electronic format for each SCSG recruit and member pursuant to a written policy promulgated by Chief of Staff, SCSG. Said policy shall, at a minimum, designate the means by which these files are electronically maintained at the Division, a method for granting access to these electronic files and periodically backing up these records, the personnel by assignment who are authorized to have either read-only or full access to these files at both the Division and subordinate unit level, and a method for adding documents to the files. Subordinate

commanders may maintain duplicates of any or all of the material found in their soldiers' personnel files.

b. No Confidential Information Can be Maintained in Personnel Files. Protected Personal Information ("PPI") and Confidential Health Information ("CHI"), as these terms are defined in this Regulation above, may **NOT** be placed or maintained in personnel files. Any notation regarding PPI or CHI on a document that may otherwise be maintained in a Personnel File (such as a social security number or date of birth on an educational or military record), must be fully redacted before said document is placed into a personnel file.

c. Documents to be Maintained in a Personnel File. The following is a non-exhaustive list of documents to be maintained in each Member's Personnel File:

UMR Contact Information.

Copy of ID Photo and Form NA: ID Card Information Form.

Enlisted Oath & Record of Service: SCSG Form 20-2.

Consent of Parents or Guardian: SCSG Form 20A. Enlisted Only.

Officer Oath & Record of Service: SCSG Form 66-2.

Requests for Personnel Actions: SCSG Form 4.

SCSG Orders.

Permanent Orders.

Request for Awards/Ribbons: SCSG Form 58.

SCSG or Related Education Diplomas or Certificates.

Letters of Recommendation or Citations of Achievement.

Proof of completion or certification by FEMA, SARTEC or similar entities.

d. Disposition upon Discharge or Death. When a person ceases to be a member of the SCSG (retirement, discharge, dismissal, resignation, or death) that member's personnel file will be archived in accordance with a written policy or procedure established by the SCSG's Chief of Staff for that purpose.

1-5. Personnel Actions: All personnel assignment and transfers will be requested via an SCSG Form 4 that will be transmitted to SCSG, G-1 by the responsible commander for consideration and action. The requesting commander must ensure a copy of the Form 4 is placed into the subject's electronic personnel file at the same time it is forwarded to the G-1 for action.

1-6. Correspondence:

a. *Correspondence.* The term "Correspondence" includes all forms of written communications by or between SCSG units and members.

b. *Correspondence Rules.*

- All SCSG correspondence will clearly identify its origination date, revision date (without erasing its origination date), date the correspondence was forwarded, name and contact information of the intended recipient(s), subject of the correspondence, and the sender's full name, rank and current position in the SCSG.

- All SCSG correspondence should pertain exclusively to the sender's individual responsibilities and service with the SCSG. It should not contain any discussion or reference, in whole or in part, to non-SCSG matters and personnel.

- All correspondence should be maintained by its sender in such a manner that it can be retrieved in an expeditious manner.

- SCSG members should ensure that nothing they say or do may be construed as creating a binding obligation or responsibility for the SCSG.

- All SCSG members are responsible for maintaining the good name and reputation of the SCSG. To help fulfill that responsibility, every SCSG member should ensure that all his or her official correspondence are accurate and fully consistent with applicable policies and procedures. If there is any doubt about the accuracy or propriety of a specific correspondence, the member should confer with his or her chain of command before sending the correspondence.

- Members should not use SCSG correspondence to address their personal, occupational or professional interests.

c. *Delegation of Correspondence.* All SCSG commanders may delegate the responsibility of drafting and sending correspondence to subordinates. When a subordinate drafts and/or sends correspondence on behalf of a platoon or company commander, the signature block on the correspondence should identify the platoon or company commander by proper name and rank, but the document should be signed by the drafting/sending subordinate who shall place the word "For" before his or her signature on the commander's signature line. Where the correspondence is drafted for a battalion or detachment commander or above, the "For" should be replaced with the phrase "For The Commander." Except for the Commander, SCSG, no orders are required of a subordinate who sends correspondence on behalf of his/her commander.

d. *Military Memorandum.* There are two types of memorandums, formal and informal. Formal memorandums use official SCSG letterhead for the first page and plain white paper for continuing pages. Informal memorandums will be typed or printed on plain white paper. The formal memorandum should be used for all correspondence to recipients outside of the SCSG including state and federal military organizations. The informal memorandum should only be used for correspondence between units and/or individuals within the SCSG.

e. *Correspondence Rules.* All SCSG correspondence should be clear and concise. Short words, short sentences and short paragraphs should be used to the fullest. Either an electronic or physical copy of all correspondence should be retained in either a unit or individual file. After a member's service with the SCSG comes to an end, that member's commanding officer should make a diligent effort to retrieve and store all copies of said correspondence. When a reply to a written communication is required by a certain date (called "Suspense Date"), that date will be prominently noted on the first page of the correspondence near the date of the correspondence.

1-7. Identification Cards:

a. *Eligibility.* All active members of the SCSG are eligible for Identification Cards with three (3) year expiration dates. All SCSG personnel are required to renew their ID at said date.

Upon their request, members of the SCSG Retired will be issued ID Cards showing their retired status, with an INDEFINITE expiration date.

b. *Return of ID Cards.* Any person who ceases to be a member of the SCSG will turn in his or her current ID card to SCSG Headquarters.

Chapter 2

Commissioned and Warrant Officers Appointment of Officers

2-1. Statutory Minimum Standards:

a. *Federal law.* Congress has specifically authorized states to maintain a defense force like the SCSG as provided for by state law. 32 US Code Section 109 applies to state military organizations like the SCSG. Both 32 USC § 109 and 2017 Chief National Guard Bureau Instruction 5500.01 govern composition of the SCSG.

b. *State law.* The South Carolina Constitution provides the General Assembly authority to determine how to officer and organize the militia. (SC Const. art XIII, §1) The General Assembly has established that the SCSG shall be composed only of volunteers (SC Code §25-3-30) who must meet statutory minimum standards, which currently include: (a) be a citizen of the United States or a person who has declared an intention to become a citizen of the United States; (b) have not been dishonorably discharged from any military or naval organization of this State, another state, or the United States; and, (c) be at least seventeen years old. (SC Code §25-3-40) Furthermore, state statutes require that "preference shall be accorded veterans of former wars so far as may be consistent with the public interest" and that "both males and females may serve in such force as officers and as enlisted persons." (SC Code §25-3-40) The General Assembly provided further authority to both the Governor and the Adjutant General to make further decisions governing organization and administration of the militia, including the SCSG, and this regulation is promulgated under that authority. (SC Code §§25-3-10 & 25-3-80)

2-2. Eligibility Criteria: Individuals possessing the qualifications below may apply for appointment in the SCSG as either a commissioned or warrant officer.

a. *Minimum Age.* No applicant will be considered for appointment that has not attained his/her 21st birthday or has reached his/her 71st birthday. Waiver of minimum age will not be authorized. Only the Adjutant General for South Carolina (TAG) may waive the maximum age.

b. *Citizenship.* An applicant must be a citizen of the United States or a person who has declared an intention to become a citizen of the United States.

c. *Language Proficiency.* All applicants must have demonstrated understanding of and proficiency in the English language.

d. *Character.* Each applicant must be of good moral character.

e. *Leadership.* Each applicant must have demonstrable leadership potential and the ability to deal effectively with people. Such qualifications may be evaluated in terms of the applicant's background, education, training, general experience and occupational or professional experience.

f. *Medical.* Each applicant must be certified by the SCSG's medical detachment as fit to perform the duties of the position for which the applicant is applying.

g. *Military Experience & Education – Commissioned Officers.*

- Applicants with at least two (2) years of military service in any component of the Armed Forces of the United States, either regular or reserve; a high school diploma or equivalent such as a GED, and at least a degree from a regionally accredited two (2) year college or its equivalent.

- Applicants with less than two (2) years of military service in any component of the Armed Forces of the United States, either regular or reserve, and a degree from a regionally accredited four (4) year college or university or its equivalent.

- Applicants with military experience will be given a preference over applicants without any military experience.

h. *Military Experience & Education – Warrant Officers.*

- Applicants with at least two (2) years of military service in any component of the Armed Forces of the United States, either regular or reserve, and a high school diploma or equivalent such as a GED.

- Applicants with less than two (2) years of military service in any component of the Armed Forces of the United States, either regular or reserve; a high school diploma or equivalent such as a GED; and at least a degree from a regionally accredited two (2) year college or its equivalent. Equivalency can be established based on the applicant's education, occupational or professional accomplishments, specialized skills or knowledge, background and general experience.

- Applicants with military experience will be given a preference over applicants without any military experience.

i. Applicants with No Military Experience – Commissioned & Warrant Officers.

- Applicants with no military experience may apply to become a commissioned or warrant officer based on applicant's demonstrable leadership potential and other individual achievements such as the applicant's education, occupational or professional accomplishments, specialized skills or knowledge, background, and general experience. required to fill a vacancy in the SCSG.

Any applicant seeking appointment as either a commissioned or warrant officer in the SCSG without any military experience may submit an SCSG Form 11 (Request for Grade Determination) to request a grade determination by the Commander, SCSG or the Commander's designee. The applicant must submit a concise, written justification for his/her appointment. The applicant may be appointed at a lower grade while his/her Request for a Grade Determination is being processed and decided.

j. Rank decisions will be made without regard to race, color, religion, sex or national origin.

2-3. Ineligibles: The following persons are NOT eligible for appointment in the SCSG. These conditions may NOT be waived or overridden.

a. Convicted Felons. A felony conviction from any jurisdiction. Failure to disclose a felony charge and/or conviction to the SCSG is grounds for immediate administrative separation from the SCSG.

b. Persons Charged with a Crime. All persons applying to join SCSG must give the SCSG written notice of any pending criminal charge at the earliest possible point in the recruitment process. Failure to disclose a criminal charge and/or felony conviction to the SCSG is grounds for immediate administrative separation from the SCSG.

c. Judicial Restraint. No person subject to criminal judicial restraint (such as a bond, probation, imprisonment, monitoring, or parole) is eligible to be an officer or warrant officer in the SCSG. All persons subject to civil judicial restraint (such as being subject to a restraining order, injunction, trespass notice, etc.) must give the SCSG written notice of the civil restraint at the earliest possible point in the recruitment process. Failure to disclose any form of judicial restraint is grounds for immediate administrative separation from the SCSG.

d. Certain Medical Conditions. All persons suffering from a mental illness, drug or substance abuse, or alcoholism that cannot be adequately controlled by medical care or treatment, as determined in the sole discretion of the SCSG.

e. *Certain Discharges from Any Military Organization.* Persons last separated from any military organization with other than a general or honorable discharge.

f. *Not Taking the Required Oath.* Persons unwilling to execute the oath required by the SC Constitution and the state code (see SC Code § 25-3-60 for enlisted personnel and §25-3-60 and § 25-1-540 for officers)

g. *Incompatibility.* Persons whose service would be clearly inconsistent with the interest of either the individual or the SCSG.

h. *Active Duty.* Members of any active or reserve component of the Armed Forces.

i. *Foreign Service.* Those who are in the military service of a foreign government, or those employed by a foreign government.

2-4. Vacancy Required on the Unit Manning Roster (UMR). To be eligible for appointment as either a commissioned or warrant officer in the SCSG, the applicant must be able and willing to serve in a vacant UMR assignment authorized to be filled by a commissioned or warrant officer. Such a vacancy must exist before an applicant can be appointed an officer in the SCSG.

2-5. Waivers and Appointment of Over-Strength Personnel: Where the need exists for selected personnel in excess of those authorized in the existing UMR or an opportunity exists to recruit or appoint a well-qualified individual for whom there is no appropriate space, a waiver may be granted by the Commander, SCSG. All request for waivers will be considered on a case-by-case basis. Waivers for appointment of overstrength officers may be submitted either as a separate action or with the appointment package. In all cases, the procedure should be explained to the applicant.

2-6. Initial Appointment Grade for Commissioned Officers and Warrant Officers: If otherwise qualified, applicants may be appointed in grades indicated:

a. *Prior Military Service as an Officer.* Retired and former officers may be appointed in the highest rank satisfactorily held in the Armed Forces of the United States or one grade higher, up to the grade of O-4 (MAJ) at the discretion of Commander, SCSG or the Commander's designee. Individuals commissioned under this provision must complete the education requirements customarily required for obtaining their appointed rank unless those requirements are waived by the individual's unit commander.

b. *Prior Military Service as a Non-Commissioned Officer.* Retired and former Non-Commissioned Officers (E-4 to E-9) may be appointed a Commissioned Officer up to the grade of O-3 (CPT) at the discretion of Commander, SCSG or the Commander's

designee. Individuals commissioned under this provision must complete the education requirements customarily required for obtaining their appointed rank unless those requirements are waived by the individual's unit commander.

c. No Prior Military Service. Individuals with no prior military service, but possessing technical or specialized skills required by the SCSG, may be appointed as warrant officers in a grade to be determined by Commander, SCSG or the Commander's designee, based on the experience of the individual. Individuals with no prior military service, but possessing professional credentials and experience required by the SCSG may be appointed a commissioned officer in the grade of O-2 (1LT) or WO-1 if the applicant has less than five (5) years of professional experience, and to the grade of O-3 (CPT) or WO-2 if the applicant has more than five (5) years of experience by the Commander, SCSG or the Commander's designee. Individuals commissioned under this provision must complete the education requirements customarily required for obtaining their appointed rank unless those requirements are waived by the individual's unit commander.

d. Current SCSG Enlisted Members. Individuals now serving as enlisted members of the SCSG and who have completed all SCSG required education for their current rank may be appointed in the grade of O-1 (2LT) or WO1 if recommend by his/her commander and Commander, SCSG, as well as meeting other applicable provisions of this regulation.

e. Professional Services Command (PSC) Vacancies. Appointments to fill UMR unit vacancies in the PSC (i.e. Chaplains, Judge Advocates, Communications, Cyber, Engineer, Provost Marshall, Search and Rescue, Medical Officers, etc.) will be in the grades as determined by Commander, SCSG or the Commander's designee based on the experience and/or professional qualifications of the applicant as well as the applicant's conformance with other applicable provisions of this regulation.

2-7. Administrative Procedures for Appointment:

a. Required Forms for Appointment. Applicant must complete the following forms in order to seek appointment as either a commissioned or warrant officer in the SCSG.

- SCSG Form 20-66 (Record of Basic Data). Maintained with PPI material.
- SCSG Form 66-2 (Officer Oath and Record of Service).
- SCSG Form 41 (Request for Equipment Issue).
- SCSG Form NA (ID Card Request).
- DD Form 214 or NGB 22 (If applicable). Maintained with PPI material.

b. Required Documents for Appointment.

- Documentary proof of civilian or occupational education (Transcripts, Diplomas or Certifications).

- Documentary proof of military training if not otherwise listed on applicant's DD Form 214 or NGB 22. (If applicable) (Maintained with PPI material).

- Documentary proof of all relevant training (law enforcement, fire academy, FEMA, etc.). (Maintained with PPI material).

- Statement of Intent to become a US Citizen. (if applicable)

c. Missing Documents. When an individual is unable to provide copies of the documents required above due to circumstances beyond his/her control, the applicant should write a brief explanation, requesting that secondary or circumstantial proof be accepted.

d. Preparation of Forms.

- All entries on appointment and commissioning forms and documents except for signatures shall be either typewritten or printed in black ink.

- All signatures associated with appointment and commissioning shall be in blue ink.

- All dates should be rendered in military format (2 digit day, month abbreviation, last two digits of year "04 Jul 20").

2-8. Submission and Processing of Applications:

a. Application. Persons seeking to be appointed as either a commissioned or warrant officer in the SCSG must create an application pursuant to the administrative procedures set forth above. The Applicant is responsible for ensuring that all of the information contained in the application is accurate and up-to-date. The knowing submission of inaccurate and/or out-of-date information in an application are grounds for immediate administrative discharge from the SCSG.

b. The Role of Recruiters in the Application Process. All SCSG recruiters shall be responsible for meeting the following requirements:

- Understand and be able to explain the requirements of Section 2-6.
- Assist applicants in creating an application in compliance with Section 2-6.
- Transmit completed applications to the G-1 Section and State Headquarters Appointment Board.
- Provide G-1 Section and State Headquarters Appointment Board with notice that an application has been submitted.
- All SCSG recruiters shall be able to recognize, collect and securely transmit Protected Personal Information ("PPI") and Confidential Health Information ("CHI") to SCSG Headquarters, or direct applicants how to securely transmit this information to Headquarter in accordance with existing policies, if needed to support an application.
- All SCSG recruiters shall have the authority to create an electronic Personnel File for applicants, if necessary, and to add electronic documents to those Files as required provided said documents do not contain PPI or CHI (or have such information redacted from the electronic document).

Chief of Staff, SCSG should promptly develop and maintain a written policy regarding the collection and secure transmission of PPI and CHI by recruiters that sets forth, at a minimum, the specific need for such Information, how such Information will be collected, who will have access to the Information after it is collected, how and to whom such Information will be disclosed, whether the Information will be stored by the SCSG or returned to the person providing the Information after its use, and how collected PPI and CHI will be securely transferred to SCSG Headquarters for secure storage.

c. Personnel File. A request for appointment may be declined if the applicant's personnel file does not contain the documents required above. The applicant shall be given "read only" access to his file so he/she can ensure it is complete and accurate. All applicants are encouraged to view his/her electronic personnel file and maintain a record of the documents in his/her personnel file by saving a current screen shot of the file's contents or like method.

d. State Headquarters Appointment Board (Appointment Board). The Appointment Board shall consist of officers, senior to the proposed rank of applicant, who are active members of the SCSG. The Board will review the application and examine the applicant's qualifications for appointment in the SCSG. The Appointment Board will consist of four (4) voting members and a non-voting Recorder: A quorum will consist of at least four (4) voting members. Final action on all initial appointments will be completed within 30

working days of the date of the Board meeting. The Board is responsible for obtaining appropriate approval from Governor of the State of South Carolina and TAG to implement its officer appointment decisions.

e. Incomplete Applications. The Appointment Board will return incomplete or inaccurate applications to the applicant and the recruiter who submitted the application if it does not meet the requirements of Section 2.6.

f. Decisions of the Appointment Board. Once approved by the Governor and TAG, the non-voting recorder of the Appointment Board shall promptly transmit all Board decisions to the individual applicant, the recruiter who submitted the application, and the applicant's unit commander, if applicable via email message. If the Board finds the applicant qualified and recommends his/her appointment, and the Commander, SCSG, concurs, HQ SCSG will publish an order and the Oath of Office (SCSG Form 66-2) will be administered.

g. Date of Appointment. The effective date of an appointment will be that specified in the appointment order, regardless of the date on which the Oath of Office was administered. Applicants who are already members of the SCSG may not wear the insignia of their appointment until after the effective date of the appointment.

Chapter 3

Commissioned and Warrant Officers Promotions

3-1. Promotion Authority: The promotion of officers in the SCSG is a function of the State. As in original appointments, an officer promoted by State authorities has a State status in the higher grade under which to function. SCSG prohibits any discrimination in the promotion process that violates state or federal law.

3-2. Promotion Eligibility: In order to be eligible for promotion to the next highest rank in the SCSG, a qualified officer must meet the following requirements:

- a. *Active Service in Current Assignment.* An officer must have actively served in an approved Unit Manning Roster (UMR) assignment for twelve (12) consecutive months prior to applying for promotion to a higher rank.
- b. *Vacant Assignment at Higher Rank Required.* An officer seeking promotion must certify he/she is willing, able, and qualified to serve in the vacant UMR assignment of the higher rank. No SCSG officer may be ordinarily promoted to a higher rank without there being a vacancy on the UMR that authorizes the higher rank.
- c. *Medically Fit for Service.* Officers applying for higher rank must certify that they remain medically fit to serve or obtain a medical waiver (sometimes called a "profile") from the SCSG Medical Detachment regarding any physical or mental limitations.
- d. *Recommendation of Entire Chain of Command.* To be eligible for promotion, the officer applying for promotion to the higher rank must demonstrate to his entire chain of command that he meets all applicable requirements of Chapter 3 and obtain their endorsement of his/her promotion as evidenced by each commander's signature on a SCSG Form 4.
- e. *Eligibility for Promotion to Brigadier General.* Promotion to Brigadier General requires compliance with all applicable requirements of a Colonel (O-6) that are set forth in Chapter 2 of this Regulation. Additionally, applicants must obtain the recommendation of Commander, SCSG and the Adjutant General for South Carolina before they may be considered for promotion.
- f. *Ready Reserve Officers are Not Eligible.* An SCSG officer assigned to the Ready Reserve may not be considered for promotion until at least 1 year after the date on which he/she returned to an active status.

3-3. Promotion Criteria:

a. *Skill and Proficiency Requirement.* Officers seeking promotion must have demonstrated the following characteristics in their earlier assignments: efficiency, integrity, judgment, demonstrable command and staff abilities, excellent attendance and participation in drill and other SCSG events and deployments, and the potential to provide effective service in the next higher grade. To be promoted the SCSG Officer must have scored a minimum of Satisfactory on his/her current evaluation report (OER or similar document) or, alternatively, include in his/her promotion packet a detailed recommendation or report by his/her current commander.

b. *Community Emergency Response Team (CERT) & Search and Rescue Technician (SARTEC) II Training.* To be eligible for promotion, officers must have completed either CERT or SARTEC II training or obtain a waiver of this requirement from their unit commander. Commander's granting these waivers are responsible for ensuring that all personnel promoted subject to a waiver attend the required training as soon as it is mutually convenient to do so.

c. *Military Emergency Management Specialist (MEMS) Training.* To be eligible for promotion up to the grade of O-3 (CPT) or CW3, officers must complete the Federal Emergency Management Agent (FEMA) portion of the requirement for basic MEMS training as promulgated by the State Guard Association of the United States (SGAUS) or obtain a waiver of this requirement from their unit commander. To be eligible for promotion to the rank of O-4 (MAJ) or CW4, officers must have completed the FEMA portions of the basic and senior MEMS, or obtain a waiver of this requirement from Commander, SCSG. For promotions to the rank of O-5 (LTC) or CW5 or beyond, officers must have completed the FEMA portions of the basic and senior MEMS. Officers serving in Professional Service Detachments may obtain a waiver of the MEMS requirement for any promotion.

Any commander who grants a waiver pursuant to this section is responsible for ensuring that all personnel promoted subject to a waiver attend the waived training as soon as it is mutually convenient to do so.

d. *SCSG Training.* All officers must attend the prescribed course of training from the Francis Marion Reception Company (FMRC) program to be eligible for promotion. Additionally, promotion to the following grades requires compliance with the following requirements:

- Promotion to grade O-2 (1LT) or CW2 requires the completion of the Officer Basic Course (OBC) at the South Carolina State Guard Military Academy (SCSGMA). The officer's commander can grant a waiver of this requirement or certify the member has received equivalent training that satisfies the OBC requirement. An Officer assigned to a Professional Services Detachment is NOT required to attend OBC but must attend the Limited Duty Officer Course (LDOC) before he/she is eligible for promotion to O-4 (MAJ).

- Promotion to grade O-3 (CPT) or CW3 requires the completion of the Captain Command Course (OBC) at the SCSGMA. The officer's commander can grant a waiver of this requirement or certify the member has received equivalent training that satisfies the OBC requirement. An Officer assigned to a Professional Services Detachment is NOT required to attend CCC but must attend the Limited Duty Officer Course (LDOC) before he/she is eligible for promotion to O-4 (MAJ).

- Promotion to grade O-4 (MAJ) or CW4 requires the completion of the Limited Duty Officer Course (LDOC) by all officers assigned to Professional Services Detachments. LDOC graduation cannot be waived.

- Promotion to grade O-6 (LTC) or CW5 requires the completion of the Senior Leader Course (SLC) at the SCSGMA by all officers regardless of assignment.

- Commander's granting any of the aforementioned waivers are responsible for ensuring that all personnel promoted subject to a waiver attend the required training as soon as it is mutually convenient to do so.

e. Time-in-Grade (TIG). To be eligible for promotion up to the grade of O-3 (CPT) or CW3, the officer seeking promotion must have actively served for one (1) year TIG in the lower grade. This TIG requirement increases to two (2) years for promotions to O-4 (MAJ) through O-6 (COL) and CW4 through CW5.

3-4. Waiver of Promotion Requirements:

a. Time-in-Grade (TIG). An officer who has served one-half of the required TIG for promotion and served in a UMR assignment requiring the higher rank, may be examined early by the promotion board, provided the officer is otherwise qualified or obtains a waiver of certain promotion criteria from his/her unit commander. Commander, SCSG or the Commander's designee may grant this promotion waiver.

b. Civilian Education, Training and Qualifications. A unit commander may request a waiver from Commander, SCSG or the Commander's designee that will require the Promotion Board to accept an officer's civilian education, training and/or qualifications in

lieu of the SCSG Training Requirements set forth in Section 3-3(d) above. Said request should be submitted in narrative form with attached documentary proof of the training if such documentation is not already found in the applicant's personnel file.

c. *Waivers.* Commander, SCSG, may waive any of the officer requirements set forth in this Regulation. If a waiver is made by the Commander, SCSG, the reason the waiver was granted must become a permanent part of the applicant's personnel file.

3-5. Promotion Board Procedures:

a. *Applicant Responsibilities.* Officers seeking to apply for promotion to a higher rank are responsible for complying with all applicable requirements set forth in Chapter 3 of this Regulation. Additionally, applicants must:

- Review their electronic personnel files to ensure all required material have been uploaded to the file. Applicants must work with either a SCSG recruiter or other member of their units with access to these files to add electronic copies of the required material.

- Applicants must draft a letter personally certifying that they meet the requirements set forth in Section 3-2(a), (b), and (c). This letter must be signed by the applicant in the presence of two (2) current members of the SCSG who will acknowledge witnessing the applicant's signature by affixing their signatures to the letter.

- Applicants are responsible for preparing a SCSG Form 4 in support of their promotion and then gaining the signature of each commander in their current chain of command including Commander, SCSG, on the Form. By signing the Form, the commander is certifying that he/she is familiar with the applicant's service to the SCSG, that the applicant has complied with all applicable provisions of Chapter 3, and that the commander is recommending the applicant for promotion to the higher rank. While there is no set procedure for meeting this requirement, it is recommended that each applicant draft a brief letter to each commander setting forth an explanation why his/her promotion would be beneficial to the SCSG and asking for approval of the Form 4. All recommendations for promotion must be approved by Commander, SCSG or the Commander's designee.

b. *Composition of the Promotion Board.* The Officer Promotion Board for the SCSG shall consist of five (5) SCSG officers in the grade of O-5 (LTC) or above. The G-1 shall serve as the Board's secretary with no voting rights and shall be responsible for ensuring that all relevant materials are made available to the Board.

c. *Timing of Promotion Boards & Submission Deadlines.* A Board will convene in August of each year to consider promotion applications for Company Grade Officers (1LT,

CPT, CWO 2-4) and in November of each year to consider the promotions of Field Grade Officers (MAJ, LTC, COL). The Deadline for applicants to have completed all required documentation is June 1st for Company Grade promotions and September 1st for Field Grade Officers. *Ad hoc* Boards may be organized in addition to the regularly scheduled ones from time to time based on the needs of the SCSG.

d. *Document Requirements.* Officers seeking to apply for promotion to a higher rank are required to ensure the following documents are saved in the electronic Personnel File:

- Fully executed SCSG Form 4.
- SCSG attendance history.
- Documentary evidence of completion of required SCSG training or signed waivers of same.
- A copy of the applicant's SCSG ID photo.
- Documentary evidence of civilian training or education as well as occupational or professional certifications and certificates.
- Other documents that reflect the applicant's skills, achievements and training such as letters of recommendation, occupational or professional distinctions, letters of commendation or achievement, etc.

e. *Failure to Promote.* An officer found by the Board to be unqualified for promotion on two (2) prior occasions shall be considered for further administrative action such as demotion, reassignment, placement in the ready reserve, retirement, or discharge.

3-6. Exceptions for Appointments and Promotions: Due to the uniqueness of the SCSG's mission, Commander, SCSG has the discretion to appoint or promote individuals that have special talents that complement the State Guard's mission that may not otherwise meet the criteria set forth in Chapter 3 of this Regulation. These appointments and promotions will be approved on a case-by-case basis by Commander, SCSG. These individuals will not be required to go through the Appointment Board or Promotion Board, since they will have the SCSG Commander's approval.

Chapter 4

Commissioned and Warrant Officers Reductions

4-1. Authority: Authority to approve reductions in grade of officers rests with the Adjutant General for South Carolina (TAG) with the approval of the Governor of the State of South Carolina.

4-2. Voluntary Reduction: Officers may request voluntary reduction in grade to accept assignment to a UMR position vacancy of a lesser grade.

4-3. Requests: Requests for voluntary reduction will be prepared in a letter form and will be forwarded through the requesting officer's chain of command to Commander, SCSG for consideration. All commanders in the chain must endorse the request before it will be considered by the SCSG Commander and forwarded to the Governor of the State of South Carolina.

4-4. Reduction Orders: If reductions are approved by TAG, orders will be prepared and published by Headquarters, SCSG.

Chapter 5

Commissioned and Warrant Officers Reassignments, Transfers, and Retirements

5-1. Reassignments:

- a. *Procedures.* Commanders of the SCSG units may request reassignment of officers and warrant officers to fill existing UMR vacancies within their respective units.
- b. *Qualifications.* Unit commanders will judge the qualifications of their officers; however, the battalion and detachment commanders must discuss all proposed field grade reassignments and transfers personally with their immediate commanders.
- c. *Reassignments & Transfers.* Requests for reassignments or transfers within the SCSG require the requestor to submit a SCSG Form 4 to their immediate commander who will forward the request up the chain to the next higher commander for approval. If the request is approved, HQ, SCSG will issue reassignment orders.

5-2. Transfers:

- a. *Authority.* Battalion commanders have authority to approve the requests of their company commanders to transfer officers and warrant officers between companies in the same battalion. Transfer between battalions, detachments or staff sections must be approved by both the gaining and losing commanders.
- b. *Procedures.* Commanders who approve transfer are responsible for completing SCSG Form 4 and ensuring the completed Form is placed in the transferee(s)' electronic Personnel File and updating the Unit Manning Roster (UMR). The transfer of officers with property book responsibility requires notice to the G-4. Commanders who approve the transfer of officers with property book responsibilities must ensure that the transferring officer(s) complete all paperwork and conditions required by the G-4.
- c. *SCSG Ready Reserve (SCSGRR).* Officers entering the SCSGRR will be transferred to HQ, SCSG for administration and will be accounted for on a Reserve Roster maintained by HQ, SCSG. Time spent assigned to the SCSGRR does NOT count toward any time-in-grade requirement. Assignment to the SCSGRR shall normally be limited to a period of three (3) years. After that, the officer will be discharged unless the individual requests to return to active status or requests to remain in the SCSGRR because of extenuating circumstances.

5-3. Retirement: Officers and Warrant Officers seeking to retire from the SCSG must meet the following criteria outlined below. Such retirement does not create any entitlement for the retiree nor does it place any obligation on the State. Retirees are transferred to the SCSG Retired Reserve List. Retirees may be brought back to active status only at the discretion of the Commander, SCSG or the Commander's designee.

- a. Reach the age of fifty-five (55) years old or served a minimum of ten (10) years active and dedicated service in the State Guard.
- b. Individuals who have reached the age of 55 and retired from Federal service (active or reserve component) with a minimum of five years active and dedicated service to the State Guard.
- c. Individuals who have NOT reached the age of 55, but have twenty (20) or more years of active and dedicated service in the SCSG.
- d. Individuals who have reached the age of seventy-six (76) years of age and who have a minimum of five (5) years of active and dedicated service in either the SCSG or Federal Military Service must retire unless continued active service is authorized by the Adjutant General for South Carolina.

Chapter 6

Enlisted Personnel

Enlistment, Extension of Enlistment, and Reenlistment

6-1. Period of Enlistment: A period of enlistment in the SCSG is three (3) years. An enlisted member's continued service in the SCSG after the completion of any term of enlistment shall be considered his/her request and consent to extend or renew his/her enlistment for a subsequent three (3) year period pursuant to S.C. Code §25-3-70.

6-2. Grade on Original Enlistment: Original enlistment in the SCSG will be in grade E-1 (PVT) subject to the following exceptions:

a. Former SCSG Member. A former member of a SCSG unit may reenlist at his/her previous rank if: (1) he/she seeks reenlistment within ninety (90) days of his/her discharge from SCSG, (2) his/her former position is still available, and (3) he/she agrees to be reassigned to the former position.

b. Former Enlisted Personnel with Federal Service. Former enlisted personnel of any branch of the US Armed Forces may be enlisted in the SCSG at the same grade held at the time of discharge or one grade higher provided: (1) he/she was discharged from the Armed Forces under honorable conditions, and (2) a vacancy in the required rank is available.

c. E-2 (PVS). Original enlistees may be placed in the grade of E-2 (PV2) if they have at least four (4) months of honorable service in any component of the US Armed Forces and hold a high school diploma or GED if not otherwise qualified for a higher grade.

d. E-3 (PFC). Original enlistees may be placed in the grade of E-3 (PFC) if they have graduated from a Junior ROTC program or equivalent and hold a high school diploma or GED if not otherwise qualified for a higher grade.

e. E-4 (CPL). Original enlistees may be placed in the grade of E-4 (CPL) if they have graduated from an accredited two-year junior or technical college or equivalent program (such as ROTC, Civil Air Patrol, Coast Guard or Coast Guard Auxiliary, South Carolina Fire Academy, or South Carolina Criminal Justice Academy) if not otherwise qualified for a higher grade.

f. E-5 (SGT). Original enlistees may be placed in the grade of E-5 (SGT) if they have graduated from an accredited four-year college or university or equivalent program (such as ROTC, Civil Air Patrol, Coast Guard or Coast Guard Auxiliary, South Carolina Fire

Academy, or South Carolina Criminal Justice Academy) if not otherwise qualified for a higher grade.

g. Former Federal Officers. Honorably discharged commissioned and warrant officers of any component of the U.S. Armed Forces and/or National Guard who desire to enlist rather than apply for commissioned status may submit an SCSG Form 11 (Request for Grade Determination) to request a grade determination by the Commander, SCSG. Such requests must be in letter form and attach a copy of the applicant's most recent DD214 or NGB22.

h. Request for Grade Determination. Any applicant seeking initial enlistment at a higher grade than those specified above may submit an SCSG Form 11 (Request for Grade Determination) to request a grade determination by the Commander, SCSG. The applicant must submit a concise, written justification for a higher grade explaining why the higher grade is warranted based on the applicant's education, work experience, technical qualifications, etc. The applicant may enlist at a lower grade pursuant to the requirements set forth above while his/her Request for a Grade Determination is being processed and decided.

6-3. Initial Enlistment Qualifications:

a. Age. The minimum age for enlisting in the SCSG is seventeen (17) years old, provided that the 17-year-old applicant provides the written consent of his/her parent or legal guardian on SCSG Form 20a (Parent/Guardian Consent Form), or a valid emancipation order issued by a court of competent jurisdiction. Applicants who are 18 years of age or older may enlist without parental consent or an emancipation order. The maximum age for enlistment is seventy (70) years old.

b. Citizenship. An applicant must be a citizen of the United States or have formally declared his/her intention to seek citizenship in the United States.

c. Medical. Each applicant must certify his/her fitness to perform the duties of the position for which he/she is applying to the satisfaction, and in the sole discretion of, the SCSG.

d. SCSG prohibits any discrimination in the enlistment process that violates state or federal law.

6-4. Ineligible Applicants for Enlistment and Reenlistment: The following applicants are ineligible to enlist or reenlist in the SCSG. These conditions may NOT be waived or overridden.

- a. *Convicted Felons.* A felony conviction from any jurisdiction. Failure to disclose a felony charge and/or conviction to the SCSG is grounds for immediate administrative separation from the SCSG.
- b. *Persons Charged with a Crime.* All persons applying to join SCSG must give the SCSG written notice of any pending criminal charge at the earliest possible point in the enlistment or reenlistment process. Failure to disclose a criminal charge and/or felony conviction to the SCSG is grounds for immediate administrative separation from the SCSG.
- c. *Judicial Restraint.* No person subject to criminal judicial restraint (such as a bond, probation, imprisonment, monitoring, or parole) is eligible to enlist or reenlist in the SCSG. All persons subject to civil judicial restraint (such as being subject to a restraining order, injunction, trespass notice, etc.) must give the SCSG written notice of the civil restraint at the earliest possible point in the enlistment or reenlistment process. Failure to disclose any form of judicial restraint is grounds for immediate administrative separation from the SCSG.
- d. *Certain Medical Conditions.* All persons suffering from a mental illness, drug or substance abuse, or alcoholism that cannot be adequately controlled by medical care or treatment, as determined in the sole discretion of the SCSG.
- e. *Certain Discharges from Any Military Organization.* Persons last separated from any military organization with other than a general or honorable discharge.
- f. *Not Taking the Required Oath.* Persons unwilling to execute the oath specified in S.C. Code of Law Section 25-3-70 (1976).
- g. *Incompatibility.* Persons whose enlistment would be clearly inconsistent with the interest of either the individual or the SCSG.
- h. *Active Duty.* Members of any active or reserve component of the Armed Forces.
- i. *Foreign Service.* Those who are in the military service of a foreign government, or those employed by a foreign government.

6-5. Waiver of Enlistment Requirements: The preceding requirements are mandatory and may not be waived, subject to the following exception:

- a. *No Vacancy on the Unit Manning Roster (UMR).* Where a need exists within the SCSG for a particular person's skills or abilities for which there is no vacancy in the current

UMR, that person can only enlist or reenlist by obtaining a waiver of the vacancy requirement from the Commander, SCSG or the Commander's designee.

6-6. Administrative Procedures:

a. *Required Forms for an Initial Enlistment.* Upon initial enlistment the following forms will be completed by the enlistee.

- SCSG Form 20-66 (Record of Basic Data). Maintained with PPI material.
- SCSG Form 20-2 (Oath of Enlistment).
- SCSG Form 41 (Request for Equipment Issue).
- SCSG Form NA (ID Card Request).
- SCSG Form 20A (Parent/Guardian Consent Form). (If applicable)
- DD Form 214 or NGB 22 (If applicable). Maintained with PPI material.

b. *Missing Documents.* When an individual is unable to provide copies of the documents required above due to circumstances beyond his/her control, the applicant should write a brief explanation, requesting that secondary or circumstantial proof be accepted.

c. *Preparation of Forms.*

- All entries on enlistment forms and documents except for signatures shall be either typewritten or printed in black ink.
- All signatures associated with enlistment shall be in blue ink.
- All dates should be rendered in military format (2 digit day, month abbreviation, last two digits of year "04 Jul 20").

6-7. Reenlistment by Consent:

a. *Enlisted Member's Consent.* An enlisted member who continues his/her service with the SCSG after the completion of any three (3) year term of enlistment shall be considered to have requested, and consented to, an extension or renewal of his/her

current enlistment for a subsequent three (3) year period pursuant to S.C. Code §25-3-70.

b. South Carolina State Guard's Consent. The South Carolina State Guard shall be deemed to have accepted an enlisted member's request and consent to extend or renew his/her current enlistment pursuant to Section 6-7(a) above by allowing that member to continue his/her service with the State Guard after the completion of his/her most recent three (3) year term of enlistment.

c. Withdraw of Consent to Reenlist. Either the State Guard or the enlisted member may withdraw the consents authorized by Sections 6-7(a) and 6-7(b) above. Withdrawal on behalf of the SCSG shall be accomplished by the G-1 sending a letter to an enlisted member via his/her chain of command that informs the enlisted member that SCSG will not be consenting to his/her reenlistment at the end of his/her most recent three (3) year enlistment. The G-1's letter will also inform the enlisted member of the date his/her enlistment will end and describe the process where the enlisted member may seek to have this decision reconsidered.

An enlisted member can withdraw his/her request and consent pursuant to Section 6-7(a) above by requesting such a withdrawal in writing through his/her chain of command to the G-1, SCSG. Upon receipt of such a request, G-1 shall acknowledge the request and inform the enlistment member of the date his/her current enlistment ends.

This provision will NOT replace or modify the discharge and administrative separation authority and procedures set forth in this Regulation or elsewhere.

6.8. Reenlistment in the SCSG After Break in Service.

a. Break in Service of Less than 90 Days. A former enlisted member of the SCSG may re-enlist for his/her own vacancy within ninety (90) days of his/her last discharge from the SCSG by filing a SCSG Form 20-3 (Extension of Enlistment) unless his/her own vacancy has been filled in that period of time.

b. Break in Service of More than 90 Days or Own Vacancy is Not Available. A former enlisted member of the SCSG may re-enlist if his/her break in service is more than ninety (90) days or the former member's former position is not available by filing a SCSG Form 20-2 (Enlisted Oath).

c. Approval of Reenlistment Requests. If Form 20-2 or Form 20-3 is properly executed and forwarded to the G-1 under the conditions set forth above, then the G-1 shall reenlist the former member for a term of enlistment of three (3) years.

Chapter 7

Enlisted Personnel Promotion of Enlisted Personnel

7-1 Promotion Authority: Enlisted soldiers can be promoted up to the grade of E-4 (CPL) by their company commanders. Battalion and detachment commanders can promote their enlisted soldiers up to the grade of E-6 (SSG) if said promotion is endorsed by his/her company commander. The authority to promote enlisted soldiers above the rank of E-6 (SSG) is retained by Commander, SCSG, who will make his/her decision in consultation with Sergeant Major, SCSG.

a. Eligibility Criteria. All enlisted promotions are subject to the eligibility criteria set forth in this Chapter. Company, battalion and detachment commanders who promote enlisted members under their command are required to certify in writing to the G-1 that the personnel they promote meet the promotion criteria listed in Section 7-2.

b. Required Vacancy. Enlisted members can only be promoted into a vacant assignment on the SCSG's UMR that authorizes the higher rank. No enlisted member can be promoted to a higher rank unless there is an available assignment on the UMR that the member is willing and able to serve in.

7-2. Promotion Eligibility:

a. Current Unit Manning Roster (UMR) Assignment. To be eligible for promotion, an enlisted member must have actively served in an approved UMR assignment for twelve (12) consecutive months prior to applying for promotion.

b. Available Unit Manning Roster (UMR) Assignment. To be eligible for promotion, an enlisted member must be able and willing to serve in a vacant UMR assignment authorized to be filled by a person with the promoted higher rank.

c. Skill and Proficiency Requirement. Enlisted members seeking promotion must have demonstrated the following characteristics in their earlier assignments: efficiency, integrity, judgment, demonstrable command and staff abilities, excellent attendance and participation in drill and other SCSG events and deployments, and the potential to provide effective service in the next higher grade.

d. Community Emergency Response Team (CERT) & Search and Rescue Technician (SARTEC) II Training. To be eligible for promotion, enlisted members must have completed either CERT or SARTEC II training or obtain a waiver of this requirement from their unit commander. Commanders granting these waivers are responsible for

ensuring that all personnel promoted subject to a waiver attend the required training as soon as it is mutually convenient to do so.

e. *Military Emergency Management Specialist (MEMS) Training.* To be eligible for promotion up to the grade of E-6 (SSG), enlisted members must complete the Federal Emergency Management Agency (FEMA) portion of the requirement for basic MEMS training as promulgated by the State Guard Association of the United States (SGAUS) or obtain a waiver of this requirement from their unit commander. To be eligible for promotion beyond the rank of E-6 (SSG), enlisted members must have completed the FEMA portions of the basic and senior MEMS. For promotions beyond E-6, the basic MEMS requirement cannot be waived, but a waiver for the senior MEMS training can be obtained from the member's unit commander.

Commanders granting these waivers are responsible for ensuring that all personnel promoted subject to a waiver attend the required training as soon as it is mutually convenient to do so.

f. *SCSG Training.* All enlisted personnel must attend the prescribed course of training from the Francis Marion Reception Company (FMRC) program to be eligible for promotion. Additionally, promotion to the following grades requires compliance with the following requirements:

- Promotion to grades E-3 (PFC) to E-5 (SGT) requires the completion of the Basic Leader Course (BLC) at the South Carolina State Guard Military Academy (SCSGMA). The enlisted member's commander can grant a waiver of this requirement or certify the member has received equivalent training that satisfies the BLC requirement.

- Promotion to grade E-6 (SSG) requires completion of BLC and the Advance Leader Course (ALC) at the SCSGMA. The enlisted member's commander can grant a waiver of the ALC requirement or certify the member has received equivalent training that satisfies the ALC requirement.

- Promotion to grade E-7 (SFC) requires completion of BLC and ALC. The enlisted member's commander can certify the member has received equivalent training that satisfies both the BLC and ALC requirement.

- Promotion to grade E-8 (MSG or 1SG) requires completion of the SCSG Senior Leader Course. Commander, SCSG can grant a waiver of this requirement or certify the member has received equivalent training that satisfies the requirement.

- Commanders granting any of the aforementioned waivers are responsible for ensuring that all personnel promoted subject to a waiver attend the required training as soon as it is mutually convenient to do so.

g. Time-in-Grade (TIG). To be eligible for promotion up to the grade of E-3 (PFC), the enlisted member seeking promotion must have actively served for six (6) months TIG in his/her current grade and UMR assignment. This TIG requirement increases to twelve (12) months in his/her current grade and UMR assignment for promotions up to grade E-6 (SSG) and further increases to eighteen (18) months for promotion above grade E-6.

7.3. Request for Promotion: Enlisted members who desire promotion to the next higher grade in the SCSG must complete a SCSG Form 4 (Request for Personnel Action) and forward the Form through his/her chain of command to the appropriate promotion authority. Company Commanders have authority to promote their soldiers up to the grade of E-4 (CPL), battalion and detachment commanders have authority to promote their enlisted soldiers up to the grade of E-6 (SSG), and the authority to promote enlisted soldiers above the rank of E-6 (SSG) is retained by Commander, SCSG, said authority to be exercised in strict compliance with all applicable requirements set forth in this Regulation.

Each first-line commander is required to review the personnel file of each of his/her enlisted soldiers who seeks promotion to ensure that file demonstrates compliance with the promotion requirements set forth in this Chapter. Commanders will also determine whether he/she wants to execute any waivers or equivalency determinations authorized by this Chapter.

Every SCSG enlisted member is encouraged to periodically view his/her electronic personnel file and maintain a record of the documents in his/her personnel file by saving a current screen shot of the file's contents or like method.

7.4. Promotion Orders: Promotion orders will be drafted by HQ, SCSG which shall also be responsible for transmitting a copy of the order to the appropriate member, the member's commander, and the promoted member's electronic promotion file.

7.5. Effective Date: The effective date of a promotion is the date specified in the promotion order. Retroactive promotions are not authorized. Enlisted promotions will not be recognized until the originals of the promotion orders are issued by HQ, SCSG.

7.6. Appointment to Command Sergeant Major:

a. *Appointment Policy.* A Command Sergeant Major has a great impact on the efficiency and effectiveness of the units of the South Carolina State Guard. The individual selected to be the Command Sergeant Major should be the most highly qualified and knowledgeable Senior Non-Commissioned Officer of the unit as well as an individual in whom the unit commanders repose absolute trust and confidence. Battalion and Professional Service Detachment Commanders are encouraged to nominate only those individuals who meet the required criteria.

b. *Appointment Criteria.*

- Not less than ten (10) years total active military and/or SCSG service.

- Not less than two (2) years of satisfactory performance of duty in the SCSG in the grade of E-8 (MSG or 1SG) or above.

- Completion of the Senior Leader Course (SLC) as well as basic and senior MEMS training.

- Written recommendation of the commander of the unit where the CSM vacancy exists.

c. *Nomination Process.* The nomination for appointment as Command Sergeant Major will be submitted on SCSG Form 4 to the Command Sergeant Major, SCSG.

d. *Appointment Authority and Orders.* Commander, SCSG will approve all nominations for appointment, and, after final selection, the nominee will be appointed on orders published by HQ, SCSG.

7-7. Exceptions for Enlistments and Promotions: Due to the uniqueness of the SCSG's mission, Commander, SCSG has the discretion to appoint or promote individuals that have special talents that complement the State Guard's mission that may not otherwise meet the criteria set forth in Chapter 7 of this Regulation. These appointments and promotions will be approved on a case-by-case basis by Commander, SCSG.

Chapter 8

Enlisted Personnel Reduction of Enlisted Personnel

8-1. Authority: Authority to approve reductions in grade for enlisted personnel rests with the Commander, SCSG.

8-2. Voluntary Reduction: Enlisted individuals may request voluntary reduction in grade to accept assignment to a UMR position vacancy of a lesser grade.

8-3. Requests: Requests for voluntary reduction will be prepared in letter form and forwarded through channels to Headquarters, SCSG. Each commander concerned will endorse the request.

8-4. Reduction Orders: If reduction is approved, orders will be published by Headquarters, SCSG.

Chapter 9

Enlisted Personnel Transfers, Reassignments & Retirement

9-1. Authority to Transfer between Units: Battalion commanders have authority to approve the requests of their company commanders to transfer enlisted personnel between companies in the same battalion. Transfer between battalions, detachments or staff sections must be approved by both gaining and losing commanders.

9-2. Reassignments within the Same Unit: The reassignment of enlisted persons within the same unit to fill existing UMR vacancies is the prerogative of the unit commander and requires the publication of orders. However, in no case will an individual be assigned to a vacancy for which the authorized grade is lower than his/her current grade—for example, a sergeant will not be reassigned to a corporal vacancy.

9-3. Procedures for Transfers: Commanders who approve transfer and reassignments authorized above are responsible for completing SCSG Form 4 and ensuring the completed Form is placed in the transferee(s)' electronic Personnel File and updating the Unit Manning Roster (UMR). The transfer of enlisted personnel with property book responsibility requires notice to the G-4.

9-4. SCSG Ready Reserve (SCSGRR): Enlisted personnel entering the SCSGRR will be transferred to HQ, SCSG for administration and will be accounted for on a Reserve Roster maintained by HQ, SCSG. Time spent assigned to the SCSGRR does NOT count toward any time-in-grade requirement. Assignment to the SCSGRR shall normally be limited to a period of three (3) years. After that, the enlisted member will be discharged unless the individual requests to return to active status or requests to remain in the SCSGRR because of extenuating circumstances.

9-5. Retirements: Enlisted personnel seeking to retire from the SCSG must meet the following criteria. Such retirement does not create any entitlement for the retiree, nor does it place any obligation on the State. Retirees are transferred to the SCSG Retired Reserve List.

- a. Reach the age of fifty-five (55) years old or served a minimum of ten (10) years active and dedicated service in the State Guard.
- b. Individuals who have reached the age of fifty-five (55) years old and retired from Federal service (active or reserve component) with a minimum of five years active and dedicated service to the State Guard.

c. Individual who have NOT reached the age of fifty-five (55) years old, but have twenty (20) or more years of active and dedicated service in the SCSG. An exception can be made if up to a maximum of five (5) of the twenty (20) years of service were spent in the SCSGAR.

d. Individuals who have reached the age of seventy-six (76) years of age and who have a minimum of five (5) years of active and dedicated service in either the SCSG or Federal Military Service must retire unless continued active service is authorized by the Commander, SCSG.

9.6. Reduction Authority: Authority to approve reductions in grade for enlisted personnel rests with Commander, SCSG.

a. *Voluntary Reduction.* Enlisted personnel may request voluntary reduction in grade to accept assignment to a UMR position vacancy of a lesser grade.

b. *Procedure.* Requests for voluntary reduction will be prepared in a letter form and forwarded to HQ, SCSG. Each commander concerned will endorse the request.

c. *Orders.* If reduction is approved, orders will be published by HQ, SCSG.

Chapter 10

Discharges

10-1. Resignation and Discharge: The Governor of the State of South Carolina may, in his/her discretion, accept the resignation of any SCSG officer and grant the discharge of any enlisted member pursuant to S.C. Code §25-3-210.

10-2. Classes of Discharges:

a. *Honorable Discharge.* A form of discharge given under honorable conditions to a member of the SCSG whose service has been honest and faithful.

b. *General Discharge.* A form of discharge given under honorable conditions to a member of the SCSG whose service has been satisfactory but does not qualify for an honorable discharge.

c. *Administrative Discharge.* A form of discharge given to a SCSG member as a result of ineffectiveness or inefficiency as determined by his/her unit commander, reviewed by the Staff Judge Advocate and approved by the Adjutant General of South Carolina (if required by State law).

d. *Bad-Conduct Discharge.* A form of discharge given to a member of the SCSG under conditions other than honorable, to include proven falsification of records, fraud that has been proven but without court-martial proceedings, or upon conviction by a general court-martial or special court-martial, usually for misconduct, fraud, or undesirable habits. It can also be given a member upon conviction by a court-martial.

e. *Dishonorable Discharge.* A formal release from the SCSG, without honor. It can also be given a member only upon conviction by a court-martial.

10-3. Reasons for Discharge or Separation:

a. *Resignation.* The SCSG is a voluntary organization so any officer or enlisted member may request to resign or be discharged at any time pursuant to Section 10-1 above. The request will normally be honored unless there are pending charges against the member or the need to recover SCSG property from the member. An honorable discharge certificate will usually be issued a member in this type of circumstance.

b. *Change of Residence.* An individual may be discharged when he/she changes his/her residence to a location too distant from his/her unit to attend scheduled assemblies or participate in unit activities and another SCSG unit is not available to

transfer to. An honorable discharge certificate will usually be issued a member in this type of circumstance.

- c. *Incompatible Occupation.* An individual may be discharged due to incompatible occupation when it is determined that his/her service in the SCSG sufficiently interferes with his/her civilian occupation. An honorable discharge certificate will usually be issued a member in this type of circumstance.
- d. *Age.* See Chapter 6 for enlisted and Chapter 2 for officers.
- e. *Physical Disability.* If an individual is found to be physically disqualified to perform the duties of the position to which assigned, he/she may be discharged. An honorable discharge certificate will usually be issued a member in this type of circumstance.
- f. *Unfitness.* An individual may be discharged for unfitness due to frequent incidents of discreditable nature with civil or military authorities, sexual perversion, drug addiction, an established pattern for shirking, an established pattern for showing dishonorable failure to pay just debts, or an established pattern showing dishonorable failure to contribute adequate support to dependents. An individual discharged under this paragraph will usually be issued an undesirable discharge unless circumstances and/or the individual's service to SCSG warrant another type of discharge.
- g. *Fraudulent Entry.* An individual will be separated from the SCSG for fraudulent entry due to concealment or falsification of documents or representations during either the individual's recruitment or service to the SCSG. In such cases the individual will be separated by a Permanent Order. No discharge will be issued in such cases.
- h. *Minor.* An enlisted individual will be released from the SCSG due to being a minor at time of enlistment who did not have a valid emancipation order or parental/guardian consent. In such cases the individual will be separated by a Permanent Order. No discharge will be issued in such cases.
- i. *Conviction by a Court of Competent Jurisdiction.* An individual will be discharged upon conviction of a criminal felony or suffering a final civil judgment that is indicative of moral turpitude against a SCSG member by a court of competent jurisdiction. Retention of these individuals can be ordered by the Adjutant General for South Carolina. An individual discharged under this paragraph will usually be issued an undesirable discharge unless circumstances and/or the individual's service to SCSG warrant another type of discharge.

j. Continued Absence from Military Duty. An individual may be discharged due to three (3) consecutive absences from military duty provided no valid reason exists for his/her absence. An honorable or general discharge will be issued.

k. Death. No discharge certificate is authorized or required in the event of death. Member's death will be recognized in a Permanent Order issued by HQ, SCSG.

l. Sentence of court-martial. An individual may be discharged upon the approved sentence of a General or Special court-martial. The Adjutant General for South Carolina will specify the type of discharge if the Court does not specify the type of discharge.

m. Failure to Execute a Required Oath. An individual who fails in fulfillment of his/her oath as a member of the SCSG or who interferes with others in this regard may be discharged. This type of discharge will be determined by the Adjutant General for South Carolina.

n. Any other Reason. An individual may be discharged for any other reason cited in the Military Code of South Carolina and not previously mentioned. The type of discharge will be determined by the Adjutant General of South Carolina.

Chapter 11

South Carolina State Guard Ready Reserve (SCSGRR)

11.1. Membership: Total membership in SCSGRR shall be no more than thirty percent (30%) of the total assigned strength of the SCSG.

11.2. Unit Manning Roster (UMR): SCSGRR members will not occupy UMR positions.

11.3. Length of Assignment: The standard length of assignment to the SCSGRR is thirty-six (36) months. A SCSGRR member may resign at any time or request to remain on SCSGRR beyond 36 months at the discretion of Commander, SCSG. SCSGRR members who have not requested to remain in SCSGRR or be returned to Active Status will be automatically discharged from SCSG after 36 months of assignment to SCSGRR.

11.4. Attendance: SCSGRR member must attend at least one (1) drill or deployment per calendar year in order to remain in SCSGRR.

11.5. Administrative Considerations: The SCSG education requirements do not apply to members of the SCSGRR. Time spent in the SCSGRR will count for service years in conjunction with the Longevity Ribbon; however, SCSGRR members are not eligible for the State income tax exemption unless they actually serve the minimum number of required hours during each calendar month. These hours must be documented and approved per the current requirements.

11.6. Promotions: There will be no promotions while in SCSGRR. Time spent in the SCSGRR will not count toward time in grade for promotion purposes. Promotion is only authorized after twelve (12) continuous months of active service after leaving the SCSGRR as long as all other promotion criteria are met.

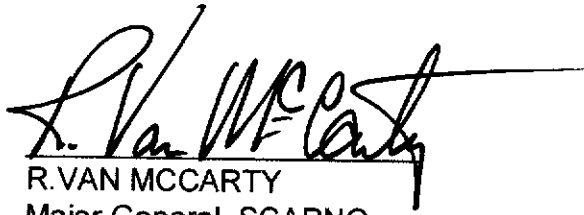
11.7. Grooming Standards: Height-Weight and grooming requirements are waived while in SCSGRR status.

11.8. Uniform: Members of the SCSGRR may only wear the appropriate SCSG-approved alternate uniform, wear of any other SCSG approved uniform by SCSGRR personnel is strictly prohibited.

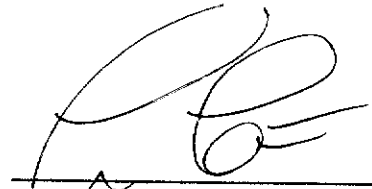
11.9. Retirement: Retirement from the SCSG is authorized only if the member has served in Active Service and meets all other retirement criteria.

BY ORDER OF THE GOVERNOR:

OFFICIAL:



R. VAN MCCARTY
Major General, SCARNG
Adjutant General for South Carolina



LEON LOTT
Brigadier General, SCSG
Commander