



CARTERET COMMUNITY COLLEGE

BOARD OF TRUSTEES BYLAWS

Amended March 10, 2017

**BYLAWS OF THE TRUSTEES OF
CARTERET COMMUNITY
COLLEGE**

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ARTICLE I. BOARD OF TRUSTEES

Section 1. Name

The official title of the policy-making body of the community college of Carteret County shall be "the Carteret Community College Board of Trustees," and such title shall be the official corporate name of this institution. For the purpose of these Bylaws and daily usage, the title, Board of Trustees, may be used.

Section 2. Jurisdiction

- A. The Board of Trustees is a body corporate established under the provisions of Chapter 115D of the General Statutes of North Carolina, and it possesses all of the powers of a body corporate for the purpose created by or that may exist under provisions of the law.
- B. The Board of Trustees has the responsibility for the development and operation of the College in accordance with the provisions of the law and the standards of the State Board of Community Colleges.
- C. Under the law, the Board of Trustees shall hold title to all real and personal property donated to the College or purchased with funds provided by the tax levying authorities.
- D. Consistent with accreditation criteria of the Commission on Colleges of the Southern Association of College and Schools, the Board of Trustees must not be subject to undue pressure from political, religious or other external bodies. Furthermore, the Board should protect the administration from similar pressures.

Section 3. Powers and Duties of Trustees

The powers and duties of the Board of Trustees of each institution are provided in Chapter 115D Section 20 of the General Statutes and those delegated to it by the State Board of Community Colleges. Included in the powers granted to the trustees are the following:

- A. To elect a President or chief administrative officer of the institution for such term and under such conditions as the Board may fix, subject to the approval of the State Board of Community Colleges, and to conduct an annual evaluation of the College's President and notify, in writing, the State Board prior to June 30 of each year that such evaluation has been completed.
- B. To elect or employ all other personnel of the institution upon nomination by the President or chief administrative officer, subject to standards established by the State Board of Community Colleges. Trustees may delegate the authority of employing such other personnel to its President or chief administrative officer.

- C. To purchase any land, easement, or right-of-way which shall be necessary for the proper operation of the institution, upon approval of the State Board of Community Colleges, if necessary, to acquire land by condemnation in the same manner and under the same procedures as provided in Chapter 40A of the General Statutes. For the purpose of condemnation, the determination by the trustees as to the location and amount of land to be taken and the necessity therefore shall be conclusive.
- D. To apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges. Provided, notwithstanding any law or administrative rule to the contrary, local administrative boards and local school boards may establish cooperative programs in the areas they serve to provide for college courses to be offered to qualified high school students with college credits to be awarded to those high school students upon the successful completion of the courses. Provided, further, that during the summer semester, persons less than 16 years old may be permitted to take noncredit courses on a self-supporting basis, subject to rules of the State Board of Community Colleges.
- E. To receive and accept private donations, gifts, bequests, and the like and to apply them or invest any of them and apply the proceeds for purposes and upon the terms which the donor may prescribe and which are consistent with the provisions of this chapter and the regulations of the State Board of Community Colleges.
- F. To provide all or part of the instructional services for the institution by contracting with other public or private organizations or institutions in accordance with regulations and standards adopted by the State Board of Community Colleges.
- G. To perform such other acts and do such other things as may be necessary or proper for the exercise of the fore-going specific powers, including the adoption and enforcement of all reasonable rules, regulations, and bylaws for the government and operation of the institution and for the discipline of students.
- H. To encourage the establishment of private, nonprofit corporations to support the institution. The president, with approval of the Board of Trustees, may assign employees to assist with the establishment and operation of such corporation and may make available to the corporation office space, equipment, supplies and other related resources; provided, the sole purpose of the corporation is to support the institution. The board of directors of each private, nonprofit corporation shall secure and pay for the services of the State Auditor's Office or employ a certified public accountant to conduct an annual audit of the financial accounts of the corporation. The board of directors shall transmit to the Board of Trustees a copy of the annual financial audit report of the private nonprofit corporation.
- I. To enter into lease purchase and installment purchase contracts for equipment in accordance with Chapter 115D Section 58.15 of the General Statutes.

- J. To periodically review, modify, and approve, upon recommendation, the College's mission statement.

Section 4. Fiscal Support, Control and Management

The support, control, and management of fiscal affairs is to be in accord with North Carolina General Statutes, State Board policies, and specific Board of Trustees' policies. Oversight of all college funds is the responsibility of the Board of Trustees. An annual budget shall be prepared and submitted for final approval as the State Board so directs. The fiscal year shall begin on July 1 and end June 30.

The Board of Trustees in conjunction with administrative officials shall be responsible for the total budgeting process as outlined in Section 115D-54 of the General Statutes of North Carolina. The Board must approve all institutional budgets before they are submitted to the agency granting final approval.

Under extreme circumstances, the Board can request a special audit from the office of the State Auditor. Prior notification should be given to the President before a called audit. Every member of the Board will receive a copy of the state audit report.

Section 4. Office of Record

The Board of Trustees shall maintain its office of record at the Office of the President, which shall be located on the premises of the College in Morehead City, North Carolina.

ARTICLE II. BOARD MEMBERSHIP

Section 1. Definition and Selection

Trustees are members of a Board empowered as a body corporate to hold in trust real and personal assets of Carteret Community College for the benefit of the students and other citizens of the community and state. The "trust" concept means that trustees do not act alone but only in official meetings of the Board or upon authorization of the Board.

The Board of Trustees shall be composed of Trustees selected in accordance with Section 115D-12 of the North Carolina General Statutes as follows:

- Four (4) trustees appointed by the Carteret County Board of Education;
- Four (4) trustees appointed by the Carteret County Board of Commissioners;
- Four (4) trustees appointed by the Governor of North Carolina; and
- The president of the student government or the chair of the executive board of the student body as an ex officio nonvoting member of the Board of Trustees.

It shall be the responsibility of the Student Government Association to fill the seat vacated by the SGA president should that seat be vacated before the term of office expires. Should that body fail to perform its duty within 60 days after the date on which the vacancy occurs, the seat shall remain unfilled for the remainder of that academic year. The term of office for the SGA appointee shall continue as long as the student remains the primary officer of the SGA.

All trustees (except the student representative) shall be residents of the administrative area of the institution for which they are selected or of counties contiguous thereto.

Section 2. Oath of Office

Each member of the Board of Trustees upon his or her appointment or reappointment shall take the oath of office as required by Section 11-7 of the North Carolina General Statutes. Except as otherwise specifically required by statute, an oath of office may be administered by anyone in accordance with Section 11-7.1 of the North Carolina General Statutes. The original shall be filed with the Carteret County Clerk of Court and a copy will be filed in the Office of the President.

Section 3. Term of Office

Trustees shall serve their terms in accordance with Section 115D-13 of the North Carolina General Statutes. Appointments and subsequent reappointments shall be for terms of four (4) years. Board members continue to hold office until their successors have been appointed and have taken the oath of office.

Section 4. Removal of Trustees

- A. As specified by Section 115D-19 of the North Carolina General Statutes, should the State Board of Community Colleges have sufficient evidence that any member of the Board of Trustees of an institution is not capable of discharging, or is not discharging, the duties of his/her office as required by law or lawful regulation, or is guilty of immoral or disreputable conduct, the State Board shall notify the Chair of such Board of Trustees, unless the Chair is the offending member, in which case the other members of the Board shall be notified. Upon receipt of such notice there shall be a meeting of the Board of Trustees for the purpose of investigating the charges, at that meeting a representative of the State Board of Community Colleges may appear to present evidence of the charges. The allegedly offending member shall be given proper and adequate notice of the meeting and the findings of the other members of the Board shall be recorded, along with the action taken, in the minutes of the Board of Trustees. If the charges are, by an affirmative vote of two-thirds of the members of the Board, found to be true, the Board of Trustees shall declare the office of the offending member to be vacant.

Nothing in this section shall be construed to limit the authority of a Board of Trustees to hold a hearing as provided herein upon evidence known or presented to it.

- B. A Board of Trustees may declare vacant the office of a member who does not attend three consecutive, scheduled Board meetings without justifiable excuse. The Board of Trustees shall notify the appropriate appointing authority of any vacancy.

Section 5. Vacancy

As required in Section 115D-12(c) of the North Carolina General Statutes, vacancies occurring in any group for whatever reason shall be filled for the remainder of the unexpired term by the agency authorized to select the Trustees of that group and in the manner in which regular selections are made. Should the selection of a Trustee not be made by the agency having the authority to do so within sixty (60) days after the date on which a vacancy occurs, the Governor shall fill the vacancy by appointment for the remainder of the unexpired term.

ARTICLE III. BOARD ORGANIZATION

Section 1. Officers

A. Election and Term of Office

In accordance with Section 115D-18 of the North Carolina General Statutes, the officers of the Board of Trustees shall consist of a Chair, a Vice-Chair, and a Secretary.

The Board's officers shall be elected and serve as follows:

1. Officers of the Board of Trustees shall be elected annually and take office at the Board's first meeting of the fiscal year. Each officer's term of office shall coincide with the College's fiscal year.
2. The Chair and Vice-Chair shall be elected by the Board of Trustees from its general membership.
3. The Secretary, who need not be a member of the Board and may be the President of the College, shall be elected by the Board. An Assistant Secretary may be recommended by the Secretary and appointed by the Board with the same terms of office as the Secretary.
4. The Chair, Vice-Chair, and Secretary shall be elected for a period of one (1) year and shall be eligible for reelection by the Board.
5. If a vacancy occurs in the Chairpersonship, the Vice-Chair will succeed to that office until the next general election.

B. Chair

The Chair shall appoint the members and serve as an ex officio voting member of all committees of the Board, preside at all meetings of the Board of Trustees, and serve as the official spokesperson for the Board. The Chair shall facilitate discussion, decision making and has the same rights to debate as any other member. Additionally, the Chair will work closely with the President in setting the agenda for Board meetings; consult with other trustees regarding their responsibilities as Board members and ensure all members adhere to the Board's bylaws, policies, and practices. The Chair shall execute all contracts and documents on authority by and in the name of the Board of Trustees, provide counsel and consultation to the President, and shall discharge all other functions delegated to him or her by the Board of Trustees.

C. Vice-Chair

The Vice-Chair of the Board will preside at all Board meetings in which the Chair is absent. Also, he/she shall have full authority during the unavailability or disability of the Chair, and shall discharge such other functions as might be delegated to him/her by the Board. In the event the Chair cannot complete his/her term, the Vice-Chair will complete the term. Additionally, the Vice-Chair shall serve as the Chair of the Bylaws Committee.

D. Secretary

The Secretary shall keep an accurate record of all Board proceedings, have custody of all official papers and documents, and issue in the name of the Chair and President official copies of all minutes to all Board members. The minutes of each meeting shall be prepared and distributed with the Board materials for the next subsequent meeting following the meeting at which minutes were taken. An official copy of minutes of all Board meetings will be kept on file in the office of the President of the College. Minutes of regular and special meetings can be examined in said office by interested persons at a time convenient to and in the presence of, the President or his/her designee. Minutes of closed sessions will not be accessible to persons other than members of the Board of Trustees and legal authorities. Additionally, each set of minutes shall report the names of Trustees who were present or absent.

The Assistant Secretary, in the absence of the Secretary, shall perform the duties of the Secretary as directed by the Chair and/or the Vice Chair of the Board.

E. President

As chief administrative officer, the President is responsible for the entire operation of the College pursuant to state statutes, rules and policies of the State Board of Community Colleges, and the policies of the Board of Trustees. The President is

expected to use his or her competence and personality to establish in the community the image of the College. More specifically, the following duties are required of the President:

1. Develop and maintain a comprehensive community college with standards that are qualitatively and quantitatively in accordance with North Carolina State Law, State Board of Community Colleges policies, Board of Trustees policies and sound judgment based on education theory and practice.
2. Attend and participate in, without a vote, all Board of Trustees meetings except where the Board expressly requests the President's absence.
3. Evaluate the College on a continuous basis and submit periodic progress reports to the Board.
4. Be responsible for the administrative organization and management of the College.
5. Submit and recommend to the Board of Trustees all educational programs that the President deems necessary for the development and growth of citizens served by the College.
6. Formulate duties and responsibilities of all personnel of the College.
7. Advise the Board in the planning, construction and modification needs for physical facilities.
8. Prepare the annual Current Expense and Capital Outlay Budgets and submit the financial and budgetary needs of the College to the Board of Trustees.
9. Establish all reasonable fees and tuition not set by the State Board and not specifically requiring Board of Trustees approval.
10. Appoint advisors to committees of the Board of Trustees.
11. Have full authority and responsibility for the College under the policies and regulations of the State Board of Community Colleges and Board of Trustees.
12. In addition, the Board of Trustees delegates to the President the following:
 - a. Authority to employ and dismiss all personnel, subject to standards of the State Board of Community Colleges. Trustees may delegate the authority of employing such other personnel to its President. The President shall report employment of all personnel who report directly to the President to the Board within two (2) weeks of their employment.

- b. Authority to issue contracts and/or letters of re-appointment to employees, and to accept the resignation of any college employee.
- c. Establish, in consultation with appropriate administrators, salaries of all employees, except his/her own, and arrange for proper promotions subject to State budgetary limits and guidelines, and in harmony with salary guidelines, which may be adopted from time to time by the Board of Trustees.
- d. Discharge all other functions the Board delegates

Section 2. Committees

Committee meetings shall be subject to the same open meeting requirements as scheduled Board meetings. Committees shall meet, as needed, to discuss necessary business.

A. Appointment Types and Methods

The Board may establish such standing committees and such ad hoc committees as it deems necessary to secure and protect the College's welfare. The Chair shall appoint the members of all committees (except for Nominations and Bylaws Committees). Members to the following standing committees shall be appointed by the Chair promptly following the annual election of officers.

- Personnel and Policies
- Finance
- Building and Grounds
- Curriculum and Student Support

B. Authority

If the Board in a regular or special meeting authorizes a committee to act on a matter referred to it, the Chair of the committee shall report within a reasonable time to the Board the action taken and the action of the committee shall be final; otherwise, committee action shall be reported as a recommendation for consideration and action by the Board at a regular or special meeting.

The Board reserves the right to delegate its decision-making authority to a committee of the Board in advance. The Board committee will then provide regular reports to the Board with respect to the authority delegated.

C. Committee Structure Guidelines

1. The Chair or, in his/her absence, the Vice-Chair, will name members to each committee ordered by the Board (except the Nominations Committee and the

Bylaws Committee), and will name a committee Chair or in his/her discretion allow the committee to select a Chair. [The Nominations Committee will be elected annually as provided for in Section H of this Article; and the Bylaw Committee is defined and configured in Section I of this Article].

2. The Chair of the Board is not eligible to serve as an appointed member of any committee. The Chair of the Board shall serve as an ex-officio voting member of all committees of the Board. He/she will have full rights except that he/she will not be counted in determining if a quorum is present.
3. The Student Government Representative to the Board may sit on all Board Committees as an ex-officio nonvoting member.
4. Except when his/her absence is expressly desired, the President of the institution or his/her appointed representative shall serve ex-officio without voting privilege on all committees of the Board with the opportunity to present any matter he/she desires.
5. When a motion to refer to a special committee has been adopted, no business can intervene until selection of the committee is complete. The committee cannot act before the announcement of its full membership is made, unless it is otherwise ordered by a vote of the Board.
6. A special committee shall not be appointed to perform a task that falls within the assigned function of an existing standing committee.
7. A committee is essentially a miniature assembly--it can only act when regularly assembled together as a committee, and not by separate consultation and consent of members. Once the report of a special committee is made and received by the Board, the committee is dissolved.
8. When such a committee is properly selected, it will most often reflect the will of the Board.
9. The committee Chair is responsible for having a reasonable effort made to notify all committee members of any committee meetings, and he/she should submit the report on any action taken or recommendations made by said committee to the appropriate authority.

D. Personnel and Policies Committee

The Personnel and Policies Committee shall consist of not less than three (3) voting members.

1. Unless delegated by the Board to the President, the Personnel and Policies Committee will recommend for employment to the Board personnel who report directly to the President with the exception of general office staff.
2. The Personnel and Policies Committee may, upon request of the President, meet to advise the President on problems that could arise as a result of implementation of College personnel policies. Any employee grievance concerning loss of salary, dismissal, or non-renewal that is not resolved at the President's level or below will be presented to the Personnel and Policies Committee for review. The purpose of the Personnel and Policies Committee review will be to determine whether the employee received due process through the College's grievance procedure. The decision of the Personnel and Policies Committee will be final.
3. The Personnel and Policies Committee shall consult with the President on any matters involving the termination of personnel for reasons of financial exigency. When a condition of financial exigency exists, as determined and demonstrated by the President, affected employees have right of appeal ONLY in cases of alleged discrimination.
4. The Personnel and Policies Committee shall be responsible for recommending all College personnel policies to the full Board.
5. The Personnel and Policies Committee shall review and recommend to the full Board regarding requests for educational leave, leaves of absence, or any other leave situation not specifically covered by the Board Policies.
6. The Personnel and Policies Committee shall be responsible for conducting the annual presidential evaluation.

E. Finance Committee

The Finance Committee shall consist of not less than three (3) voting members. The Finance Committee shall, subject to applicable standards of the State Board of Community Colleges, have the following regular functions:

1. Make recommendations to the Board regarding fiscal policies of the College.
2. In compliance with 115D-32, receive from the President, study and recommend to the Board, with such modifications as it deems appropriate, the recommended budgets for current operations and capital outlay.

Receive suggested capital outlay projects from the Board Buildings and Grounds Committee, predicated upon the prior recommendation of the President, for inclusion in the local budget request.

3. Approve, upon the recommendation of the Buildings and Grounds Committee, capital outlay projects, the needs for which surface during the fiscal year and which are not part of the capital outlay budget.
4. Should the local budget be reduced by the local Board of County Commissioners, the Finance Committee shall meet with the administration and recommend to the full Board where specific reductions are to be taken. If reductions are made in the capital outlay portion of the budget, shall receive recommendations from the Buildings and Grounds Committee and the administration which specific items are to be eliminated.
5. Receive and approve budget revisions necessary to maintain the internal fiscal health of the College and report them at the next regular meeting of to the full Board for ratification.
6. Receive, study, and recommend to the Board, with such modifications as it deems appropriate, any special or unusual expenditures of any type recommended by the President.
7. Represent the Board before the Board of County Commissioners, the legislature, the State Board of Community Colleges, the Department of Community Colleges, and other agencies and offices in matters concerned with the securing of adequate financial support for current operating or capital outlay needs of the College.
8. Recommend to the Board policies regarding investment of any surplus or restricted funds.
9. Recommend to the Board policy to govern the receipt, security, depositing, accounting, and expending of all restricted and unrestricted funds pertaining to the College, in accordance with the law and State Board of Community College regulations.
10. Recommend to the Board appropriate bonding policy to govern College employees entrusted with funds of all kinds.
11. Receive and examine the audit of the College books and make such recommendations to the Board as it may deem appropriate.

F. Buildings and Grounds Committee

The Buildings and Grounds Committee shall consist of no less than three (3) voting members. The Buildings and Grounds Committee shall, after consultation with the President:

1. Carry out, or require to be carried out, studies relating to sites, buildings, and/or grounds, bonding, and insurance.
2. Recommend to the Board the selection of the College's campus planner and architect and engineer.
3. Recommend to the Board, for inclusion in all planning, architectural, and construction contracts appropriate provisions for the protection of the interests of the College.
4. Recommend to the Board, a long-range campus plan and architectural plans for all construction.
5. Recommend to the Board, long-range building and facilities needs of the College.
6. Recommend to the Board, the call for qualified bids on major College construction and the awarding of contracts.
7. Recommend to the Board, plans and programs of maintenance of the campus and its property, including campus beautification.
8. Recommend to the Board, the securing or granting of easements and right-of-ways.
9. Recommend to the Board, capital projects for inclusion in the local budget to serve the immediate and long-term needs of the College.
 - a. In the annual preparation of the capital outlay portion of the local budget, the Buildings and Grounds Committee through the administration will solicit project needs from both the College staff and Board members in late winter. The proposals will be reviewed by the administration which makes recommendations to the Buildings and Grounds Committee. Project proposals will then be recommended for inclusion in the local budget together with specific monetary recommendations. Projects will be recommended to the Board Finance Committee which, will, in turn, recommend such projects to the full Board for inclusion in the local budget. All or some of the projects may be prioritized at the discretion of the full Board.
 - b. Once projects are approved by the Board, the administration shall take whatever steps necessary to have the project implemented.
 - c. In those cases where construction projects are to be bid, the bid procedure of the Property Control and Construction Manual shall be followed.

- d. The full Board, Buildings and Grounds Committee, or the administration (if delegated the authority), will award the bid.
 - e. Any capital outlay project for which a specific line item is budgeted in the local budget which has been approved by the full Board shall require no further Board or committee approval before implementation unless bids received for such a project exceed the line item budget for the project in which case the project must be resubmitted to the Buildings and Grounds Committee for re-approval by the full Board.
10. Recommend to the full Board, the rental or lease of all or any portion of College facilities unless such responsibility is delegated to the Buildings and Grounds Committee or a rental is covered by the College facilities policy.
11. Recommend to the full Board, the sale or acquisition of real property.

G. Curriculum and Student Support Committee

The Curriculum and Student Support Committee shall consist of not less than three (3) voting members.

1. All curricula, whether technical, transfer, vocational, or certificate must be approved by the Board Curriculum and Student Support Committee which will make recommendations concerning such curricula to the full Board. Recommendations made to the full Board shall be predicated upon the following factors:
 - a. Whether there is a demonstrated need for the curriculum.
 - b. Whether adequate instruction is available. It shall not be necessary to have an identified instructor at the time or before a program is approved.
 - c. Whether there are sufficient funds available to support the program to include:
 - i. Equipment
 - ii. Supplies
 - iii. Salaries
 - iv. Necessary Travel
 - d. Whether there is adequate space available to house the program.
 - e. Whether the curriculum will be injurious to existent programs.
 - f. Whether an active advisory committee was constituted and assisted in program development.
2. The Curriculum and Student Support Committee shall be responsible for recommending to the full Board the elimination of any curriculum or program should such action become necessary.

3. The Committee shall be responsible for reviewing and presenting recommendations to the Board on any student support policies requiring Board approval.

H. Nominations Committee

1. Members of the Nominations Committee shall be elected by the Board of Trustees at the annual meeting of the Board.
2. The Nominations Committee shall annually recommend a slate of officers for the Board of Trustees operating according to the following process when making nominations:
 - a. The Nominations Committee shall consist of three (3) members elected annually by the full Board. One nominee must come from each of the three political bodies having power to make appointments to the Board of Trustees.
 - b. The committee shall prepare a slate of officers consisting of the following: Chair, Vice-Chair, and Secretary. The committee shall obtain the acceptance of each nominee prior to submission of its report. The proposed slate of officers will be included in the Board materials to be distributed in advance of the June meeting.
 - c. Nominations from the floor may be made following the report of the Nominations Committee.
 - d. The Board officers, specifically the Chair, and Vice-Chair, shall be elected by secret ballot in all cases where there is more than one nominee for an office. If there is only one nominee for any office, the Chair shall declare the nominee elected by acclamation. Officers will be duly elected by receiving a majority vote.
 - e. If a vacancy occurs in the position of Vice-Chair, the committee shall nominate someone to fill the vacancy. Election of a Vice-Chair shall be performed by members at the next regular meeting following notice of said vacancy. Notice of such vacancy and the nomination of a person to fill the vacancy shall be sent by the Secretary to the members with the Board materials for the next meeting. Further nominations may be made at the Board meeting as provided for in Item (c) above.

I. Bylaws Committee

The membership of the Bylaws Committee shall consist of the Chair of each of the standing committees or his/her designee; the Chair of the Board of Trustees as an

ex-officio voting member; and the Vice-Chair of the Board of Trustees who will serve as the Chair of the Bylaws Committee. The committee shall:

1. Convene as needed to review the Board Policies and Bylaws with the College President and recommend any revisions for consideration by the Board of Trustees.
2. Predicated upon changes in current law and other changes in the College operational environment, receive and report to the Board suggested changes in Board Policies and Bylaws of the Foundation Board to assure that the provisions in Foundation Policies and Bylaws are in consonance with the provisions of the Board Policies and Bylaws.
3. Solicit any necessary legal assistance in the generation, interpretation or implementation of any provisions of the Board Policies and Bylaws.
4. Forward all items that have been brought to its attention to the full Board of Trustees with either a recommendation to modify the Policies and Bylaws or a recommendation to reject suggested changes.

J. Executive Committee

The Executive Committee shall consist of the Chair, Vice Chair, and chairs of the standing committees. The Executive Committee, at the direction of the Board Chair, will address specific topics that would benefit from the perspectives of all committees. Thus, the Executive Committee represents the standing committees and as such, is authorized to take reports and action items concerning the specific topics assigned by the Board Chair to the full Board.

ARTICLE IV. BOARD MEETINGS

Section 1. Regular Meetings

The Board shall meet at a minimum every other month during the fiscal year. The Board's regular meetings shall be held on campus in the McGee Boardroom of the McGee Building on the second Tuesday of the month at 5:00 p.m., unless the Board Chair shall fix another time and/or location for the meeting.

Section 2. Annual Meeting

Either the July or the August meeting may be referred to as the annual meeting.

Section 3. Special or Emergency Meetings

- A. Special meetings:

Special meetings of the Board may be called upon 48 hours minimum notice. Special meetings may be called by the Chair or, in his/her absence, the Vice-Chair, or by the President of the College. Upon the request of any three trustees or the President, the Vice-Chair or the Chair shall promptly call a special meeting. Only the business specified in the call shall be discussed at Special meetings with the exception that, if it is urgent to take action for which no notice was given, that action, in order to become legal, must be ratified by the Board at a regular meeting (or, if ratification also cannot wait, another special meeting properly called for that purpose). The Secretary to the Board of Trustees shall notify each trustee by letter or telephone of all called meetings.

B. Emergency meetings:

In accordance with Section 143-318.12(b)(3) of the North Carolina General Statutes, emergency meetings may be called by the Chair, or in his/her absence, the Vice-Chair, or the President when generally unexpected circumstances require immediate consideration by the Board. Only business connected with the emergency may be considered at an emergency meeting. Local media that have filed a written request, including telephone numbers to be used, will be notified of the emergency meeting immediately after Board members. Notification of media will be by telephone or by other means used to notify Board Members.

Section 4. Notice of Meetings and Agendas

- A. Regular meetings held at the regular appointed time may consider any business of the Board of Trustees without prior notice, but special and emergency meetings shall be restricted to those topics published in the notice.
- B. Special and emergency meeting notices shall contain a general description of the topics to be covered during such meeting or as otherwise required by the North Carolina Open Meetings Law.
- C. The Chair, in coordination with the President, shall prepare an agenda for each regular meeting. The Secretary shall send a copy of the agenda to all members at least five calendar days prior to the meeting. Items of business not included in the agenda may be proposed by trustees during regular meetings. The President or his/her representative shall attend and participate in all meetings of the Board unless his/her absence is required by the Board.
- D. Notice of regular, special, and emergency meetings shall be provided to the public as required by the North Carolina Open Meetings Law. Trustees shall be notified by the Secretary of the time and place of all meetings and the purpose of special meetings.
- E. An individual or organized group who desires to appear before the Board shall state in writing the purpose of such appearance and the name of each person who

is to appear as a spokesman. The statement shall be filed with the Chair at least seven calendar days in advance of the meeting at which the appearance is desired in order that it may be included in the agenda for the meeting. The Chair shall decide whether the appearance is appropriate for Board consideration and so notify the person or group.

Section 5. Remote Participation

The Board of Trustees may conduct meetings and/or committee meetings by use of conference telephone or other electronic means per NCGS 143-318.13(a). To enable all members of the Board to participate fully in meetings, the following requirements shall apply whenever a member can only participate in a meeting through electronic means:

1. Technical arrangements must be made so that the remote participant is able to hear the Board's discussion and any presentations, as well as their comments being heard by all present in the meeting, including the public.
2. The remote participant may vote on any matter.
3. The remote participant will be included in determining whether a quorum is present for the meeting.
4. The remote participant may not participate in closed session.
5. The remote participant may not participate in any quasi-judicial proceeding.
6. The meeting minutes must reflect that the remote participant was not physically present.

Section 6. Order of Business

The chair may not depart from the prescribed order of business unless so instructed by an approving 2/3 vote of the Board. The order of business and conduct of regular meetings will be as follows:

- (1) Call to Order
- (2) Consideration and disposition of the Minutes
- (3) Consideration and disposition of the Agenda
- (4) Reports of President and Administration
- (5) Reports of Standing Committees
- (6) Reports of Special Committees
- (7) Unfinished Business
- (8) Annual Election and Installation of Officers
- (9) New Business

Section 6. Open Meetings

All meetings of the Board of Trustees shall be held in accordance with the North Carolina Open Meetings Law.

Section 7. Closed Meetings

In accordance with General Statute 143-318.10, all meetings of the Board of Trustees, including any committees of the Board, shall be open to the public unless, consistent with the provisions of General Statute 143-318.11, a meeting is closed to the public by majority vote of a quorum. The Board shall only exclude the public from a meeting when a closed session is held as permitted under General Statute 143-318.11.

Section 8. Quorum

- A. To conduct business, the presence of a majority of all duly appointed (voting member) trustees is necessary--which said majority shall constitute a quorum.
- B. All meetings will begin at the designated time. Promptly at the prescribed time, the Chair will call the meeting to order. In the absence of a quorum, only the following motions are in order.
 - 1. To fix the time for an adjourned meeting and then adjourn.
 - 2. To adjourn.
 - 3. To recess (state duration and reason).
 - 4. To take measures to obtain quorum.
- C. An exception to the above is where an important opportunity would be lost unless acted upon immediately. In such a situation, the members present can, at their own risk, act in the emergency with the understanding that their action must be voted upon at the next regular meeting of the Board or at a special meeting called for the purpose of ratifying such action.

Section 9. Parliamentary Rules and Guidelines

Meetings of the Board shall be conducted according to the most current edition of Robert's Rules of Order--Newly Revised in all cases to which they are applicable and in which they are not inconsistent with whatever Bylaws, special rules, and/or standing rules of order the Board may adopt. Rulings on questions of order by the Chair are sustained by an affirmative majority or a tie vote. The Chair may appoint a parliamentarian to assist him/her and the Board. Voting continuity shall be maintained among all Board members by adhering to the following principles:

- A. The Board of Trustees of Carteret Community College is a deliberative assembly, and as such, its basic principle of decision is that, to become the act of choice of the body, a proposition must be adopted by the applicable majority or two-thirds vote; that is direct approval must be registered by more than half or by two-thirds of the members present and voting on the particular matter, in a properly called meeting at which the necessary minimum number of members, known as a quorum, is present.

- B. No member should vote on a question in which he/she has a direct personal or pecuniary interest not common to the other members of the Board.
- C. The Chair can vote as any other member when the vote is by ballot. He/she can always vote in the case of a ballot at the time the other members do; however, should he/she fail to do so before the polls are closed, he/she cannot then do so without permission of the assembly. In all other cases (by voice, show of hands, rising, division, or roll call), the chair can (but is not obligated to) vote whenever his/her vote will affect the result--that is, he/she can vote either to break or cause a tie; or in a case where a two-thirds vote is required, he/she can vote either to cause or to block the attainment of the necessary two-thirds. Understandably, when the vote is other than by ballot, the chair is allowed to claim and exercise his/her right to vote following the vote of all the other members.
- D. Except as may be otherwise provided in the Bylaws, a vote by ballot will be ordered without debate by a majority vote.
- E. Discussion concerning a motion or amendment will not be permitted until it has been fully recorded by the Secretary, duly seconded (if required) by a member, and stated by the Chair as recorded.
- F. A motion to go into closed session is a question of privilege, and therefore is adopted by a majority vote. Only members, special guests, and such employees or staff members as the Board or its rules may determine to be necessary are allowed to remain in the hall

ARTICLE V. POLICIES, RULES, AND REGULATIONS

Section 1. General Provisions

By an affirmative vote of the majority of all the members of the Board, the Board may make or amend such policies, rules, and regulations as may be authorized by the law and as may be required in its judgment for the effective discharge of its responsibilities and for the effective operation of the College. The policies of the Board of Trustees of Carteret Community College are expressed in general terms with the intention of setting broad guidelines for the operation of the College by the administration, faculty, and students. The policies of the Board are interpreted as an "expression of intent" in the operation and continued growth of the College. Policies by the Board are adopted for the development and general welfare of the College.

Section 2. Notification and Publication

The Secretary of the Board of Trustees shall be responsible for providing to each member of the Board and to the President a copy of all current Board Bylaws, policies, rules, and regulations.

ARTICLE VI. ADOPTION AND AMENDMENT

Section 1. Adoption

Adoption of these Bylaws shall be by affirmative vote of at least nine (9) members of the Board of Trustees at a regular meeting provided that at least fifteen (15) days prior to the meeting each member has received both notification of the meeting and a copy of the Bylaws.

Section 2. Amendments

Amendments to these Bylaws may be proposed by any member of the Board of Trustees at any regular meeting of the Board for review and comments by the Bylaws Committee. The Bylaws Committee shall present the proposed change along with comments to the full Board at a subsequent meeting for discussion. Voting on the amendment shall be at the next regular meeting of the Board, and adoption of the amendment shall require an affirmative vote of at least nine (9) members of the Board.

Section 3. Effect of Law

In the event that any provision of Chapter 115 D of the North Carolina Statutes, any rule, regulation, or standard adopted and executed by the State Board thereunder, or any other law, rule, regulation, or standard applicable to the College shall be or become inconsistent with these Bylaws, the Board of Trustees, to the extent required by such law, rule, regulation, or standard, shall adhere to same, whether or not such law, rule, regulation, or standard shall have been incorporated into these Bylaws by amendment made in accordance with ARTICLE VI, Section 2 hereof.

The Bylaws of Carteret Community College
Originally Adopted: July 30, 1973

Revised:

September 17, 1973
March 11, 1974
January 17, 1975
September 8, 1975
August 14, 1978
January 14, 1980
April 13, 1981
February 1989
February 1993
February 1994
August 1994
June 13, 2000
March 10, 2017