

## Policy 10.01

### Bylaws of the Board of Trustees Policy

#### Bylaws of the Board of Trustees "Merged Bylaws & Constitution" Board Approved 8/5/14

#### Article I: Authority

The official title of this Board shall be "The Trustees of Beaufort County Community College". Whenever in these Bylaws the terms "College" or "Institution" shall be used, same shall be deemed to mean Beaufort County Community College. The use of the terms, "Board of Trustees" or "Board" shall be deemed to refer to the Board of Trustees of the College. The Beaufort County Community College Board of Trustees is authorized to do all things necessary and proper to comply with any conditions which may be prescribed by the State of North Carolina or the United States of America in order to be eligible to receive moneys or other assistance appropriated or designated for the benefit of such institution, not inconsistent with law or the policies now in effect or hereafter adopted by the State Board of Community Colleges. In accordance with North Carolina General Statutes (GS) 115D-14 the Board of Trustees shall be a body with power of corporation as it relates to real and personal property, contracts, and legal actions consistent with GS 115D and Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). Rev. 06/12/14

#### Article II: Official Oath of Office

In accordance with GS 128-5, the Trustee, upon proper notification of appointment or reappointment shall take the following oath:

"I, \_\_\_\_\_, do solemnly and sincerely (affirm) that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability, so help me, God. Rev. 03/20/14

"I, \_\_\_\_\_, so swear that I will well and truly execute the duties of the office of Trustee of Beaufort County Community College according to the best of my skill and ability, according to the law, so help me God." This oath may be administered by a notary public, clerk of court, judge, or Chair of the Board.

#### Article III: Officers of the Board

1. The officers of the Board of Trustees shall be a Chair, a Vice Chair, and a Secretary. The Treasurer may be chosen at the discretion of the Board.
2. The President may serve as Secretary to the Board.

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3. The Board of Trustees will select an attorney to handle the legal matters of the Board and the institution.

### **Article IV: Election of Officers**

1. The Officers of the Board shall be elected annually at the last regular meeting of the Board for any fiscal year. Officers shall assume office on July 1.
2. A majority vote of members present shall elect a member to office.
3. Any officer shall be eligible for re-election by the Board of Trustees.
4. If a vacancy occurs in the Chair, the Vice Chair will succeed to that office until the next general election. In the event of any other vacancy, a successor may be chosen during any regular or special meeting of the Board.
5. The Executive Committee shall annually appoint a nominating committee to submit to the Board a slate of officers. The slate should be submitted at least a month before the last regular meeting is scheduled in the fiscal year. rev. 03/20/14

### **Article V: Duties of Officers**

1. The Chair of the Board of Trustees shall preside at all meetings, appoint all committees, exercise the deciding vote in case of tie votes, vote at his/her discretion on any issue, sign all checks and necessary institutional papers; moreover, he/she may execute Board approved contracts and documents in the name of the Board, and perform other necessary duties provided both by the constitution and the bylaws.
2. The Vice Chair may perform all duties assigned to the Chair in the absence of the Chair. He/she should perform any other assigned duties as delegated by the Chair.
3. The Secretary shall keep an accurate record of all Board proceedings, have custody of all official papers and documents of the Board, issue in the name of the Chair and President official notice of meetings to all members and transmit copies of all minutes to all Board members.

### **Article VI: Committees**

1. The Chair shall designate committees of the Board and appoint their membership and the members of standing committees, including the Chair and Vice Chair.
2. Committees authorized by the Board or designated by the Trustee Chair to act upon matters shall in a reasonable time report to the Board on action taken or offer recommendations.
3. There shall be standing committees of the Board consisting of an Executive Committee, Property Committee, Educational Programs Committee, Finance Committee, and Personnel Committee. Members of these committees shall be appointed annually by the Chair with the duties assigned as shown in Bylaw Addendum #1.

4. The President shall serve as an ex-officio member of all standing committees (without voting privileges).
5. The Chair of the Board of Trustees shall serve as an ex-officio member (with voting privileges) on all committees.
6. Committee meetings may be called by the chair in consultation with the President.

## **Article VII: Membership**

### **Section I:**

The membership of the Board of Trustees shall be in accordance [GS 115D-12](#) and [GS 115D-13](#).

#### **Membership**

In accordance with [GS 115D-12\(a\)](#), Beaufort County Community College will be governed by a Board of Trustees consisting of 14 members selected by the following agencies.

**Group One** – four trustees elected by the Board of Education of Beaufort County Schools.

**Group Two** – four trustees elected by the Board of County Commissioners of Beaufort County and one trustee elected by the Washington County Board of Commissioners.

**Group Three** – four trustees appointed by the Governor.

**Group Four** – the president of the student government association shall be an ex officio nonvoting member of the Board of Trustees.

#### **Terms of Office**

In accordance with [GS 115D-13\(b\)](#), the terms of office for trustees, with the exception of the Student Government President, will be for four years commencing on July 1 of the year.

Nothing in this section shall be construed to be contrary to State Code, State Law, [GS 115D-12](#), [GS 115D-13](#), or policies of State Board of Community Colleges.

### **Section II:**

The privilege of membership on the Board of Trustees shall require an active and sincere interest of the trustee in governing the College and fostering its growth. The trustee should be wholly committed to the purposes of the institution. Each trustee should be committed to assessing his or her own performance and that of the Board to identify strengths and areas in which the Board may improve its functioning. The responsibilities of the Board of Trustees shall be in accordance with [GS 115D-14](#) and [115D-20](#) and confined to policy matters and issues relating to control and operation of the institution which are not

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administrative in nature per SACSCOC Comprehensive Standard (CS) 3.2.2. and CS 3.2.6. Rev. 03-20-14

### **Section III:**

Any trustee who is absent from regular or called meetings in violation of State Code or State law, is subject to dismissal as set forth therein. Rev. 03/20/14

Any member of the Board of Trustees may be removed from the Board. In accordance with [GS 115D-19](#) actions to remove of a member may be initiated by:

1. the State Board of Community Colleges providing sufficient evidence that a member should be removed, and concurred with an affirmative vote of two-thirds of the members of the Board.
2. the Board of Trustees based on evidence that a Board member, without justifiable excuse, has not:
  - a. attended three consecutive meetings;
  - b. participated within 6 months of appointment in trustee orientation and education session sponsored by the NC Association of Community Colleges Trustees; and
  - c. attended Beaufort County Community College orientation within 30 days of affirming the oath. Revised 4/1/14

Nothing in this section shall be construed to be contrary to State Code, State Law, or [GS 115D-19](#). SACSCOC CS 3.2.5

### **Article VIII: Meetings of the Board**

1. Regular meetings of the Board of Trustees shall be held the first Tuesday of every even numbered month, unless otherwise changed by the Board.
2. Meetings normally will be held in the Board Room of Building #10 on the campus of Beaufort County Community College.
3. Special meetings may be held upon notification by the Trustee Chair or the President. Special or regular meetings should be specified in the notification.
4. The Chair may delegate the calling of meetings to the Vice Chair or other officer at his/her discretion.
5. Members of the Board should be notified by the Board Secretary of the time, location, and general purpose of the meeting at least five days prior to the special or regular meeting. The Secretary shall maintain a schedule of meetings of the Board and all committees and shall provide the public notifications as required by [North Carolina GS 143, Article 33C](#) (the Open Meetings Law).
6. An executive session (closed session) may be held by the Board of Trustees or a committee only in accordance with [North Carolina General Statute 143-318.11](#). An

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executive session may be held only upon motion made and adopted at an open meeting. The motion shall state the general purpose of the executive session and must be approved by a vote of the majority of those present and voting. rev. 03/20/14

7. At least one meeting of the six scheduled meetings may be designated as a social meeting. Invitations to the spouses of trustees may be issued. The Trustee Chair will designate a time and place for the social meeting.
8. Official decisions or actions are recorded only after a special or regular meeting is called to order.
9. All business actions of the Board shall be accomplished by a motion, a second to the motion, and an approval by majority vote. The latest edition of Robert's Rules of Order shall be followed in conducting the meetings of the Board unless otherwise provided by the Board.
10. Beaufort County Community College is a public institution, and therefore, all trustee meetings are open to the public, with the exception of closed sessions.

### **Article IX: Order of Business and Conduct of Meetings**

1. If seven of the twelve Board members are in attendance, they shall constitute a quorum. A majority of those present and voting shall be required in order to transact business.
2. All meetings shall be conducted in accordance with *Robert's Rules of Order*.
3. The Trustee Chair may vote in a tie vote or in any case where he/she deems it appropriate to express his/her views.
4. The Trustee Chair may appoint a parliamentarian and a chaplain.
5. The President and the Trustee Chair shall cooperatively prepare an agenda for all meetings. The Secretary shall by letter submit this agenda to all members at least five (5) days prior to the meeting.
6. The order of business for meetings shall be the following: rev. 03/20/14
  - a. Call to order
  - b. Reading of Mission Statement
  - c. Reading of ethics
  - d. Approval of Agenda
  - e. Reading of minutes
  - f. Old business
  - g. Reports & recommendations of committees (consent agenda)
  - h. Report by President on various matters of interest
  - i. New business

The Chair has the authority to change the above order of business, if necessary.

**Article X: Appeals**

The Personnel Committee is authorized to and shall hear appeals from College personnel in accordance with policies adopted by the Board of Trustees. The Personnel Committee will not hear any appeal unless the individual first states in writing the nature and purpose of the appeal. Personnel appeals shall be heard by the Personnel Committee in accordance with the policies and procedures of Beaufort County Community College.

The Educational Programs Committee is authorized to and may hear appeals from students in accordance with policies and procedures of Beaufort County Community College.. Rev. Board Approved 03/24/14

**Article XI: Definition of Fiscal Year**

The fiscal year shall begin on July 1 and end on June 30.

**Article XII: Administration of Beaufort County Community College**

The President is expected by the Board of Trustees to be qualified with experience and education and to develop and maintain a community college of high value and quality in accordance with state policy. He/she is expected to use sound educational theory and practice, and follow the regulations of the Board of Trustees. The President may be dismissed for failure to fulfill his/her duties satisfactorily. SACSCOC 3.2.1

In the event of the President's resignation, illness, death, or dismissal, the Board of Trustees shall appoint or hire an interim or acting President until the Trustees select a President. Rev. Board Approved 03/20/14

**Article XIII: Amendments and Adoption of Bylaws**

These bylaws shall be adopted by an affirmative vote of two-thirds of the members of the Board of Trustees. This adoption shall be accomplished provided that each Board member has received a copy of the bylaws at least six days prior to the regular or special meeting. Amendments to the bylaws may be suggested by a Board member at either a regular or special meeting of the Board. At least two-thirds affirmative vote by the Board is needed for the adoption of new amendments.

## **Bylaw Addendum #1**

### **Trustee Committee Duties**

#### **Executive Committee**

The Executive Committee shall consist of the Chair of the Board, the Vice Chair of the Board, and the Chairs of the Standing Committees and shall make recommendations to the Board.

The Chair of the Board shall be the Chair of the Executive Committee. The Chair of the Executive Committee may call meetings of the Committee in consultation with the President at any time with reasonable notice.

At each meeting of the Board, the Executive Committee shall submit a full report of its activities since the last meeting of the Trustees, with such suggestions and recommendations as it shall deem expedient for the best interests of the College.

#### **Personnel Committee**

The President shall be fully responsible for the selection and employment of all College personnel subject to the standards of the North Carolina State Board of Community Colleges. Rev. Oct. 7, 1997

The Personnel Committee shall recommend personnel policies to the Board of Trustees which shall have final approval thereof. The Personnel Committee shall hear appeals from personnel in the College. The individual seeking a hearing shall state in writing the nature and purpose of the appeal per the guidelines in the policies and procedures of Beaufort County Community College.. Board Approved 03/20/14

#### **Property Committee**

The Property Committee shall have the following regular functions:

1. To carry out, or require to be carried out, studies relating to sites, buildings, and grounds;
2. To recommend to the Board, after consultation with the President, the institution's campus planner and architect;
3. To recommend for inclusion in all planning, architectural and construction contracts all appropriate provisions for the protection of the interests of the institution;
4. To recommend to the Board, after consultation with the President, architectural plans for all construction;
5. To make recommendations to the Board, after consultation with the President, regarding the immediate and long-range building and facilities needs of the institutions to include updating the facilities' master plan priorities; Rev. Board Approved 03/20/14
6. To recommend to the Board the call for bids on institutional construction and the awarding of contracts over \$20,000 and have at least one committee member attend bid openings; Rev. Board Approved 03/20/14

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7. To make recommendations to the Board, after consultation with the President, regarding plans and programs of maintenance and safety of the campus, its property, and the beautification of the campus; Rev. 03/20/14 SACSCOC CS 3.11.2
8. To recommend to the Board adequate insurance coverage of buildings and their contents, and for other facilities;
9. To recommend to the Board the securing or granting of easements and right-of-ways.
10. The Property Committee shall have such other functions, regular and special, as the Board may authorize.

### **Finance Committee**

The Finance Committee shall, subject to applicable standards of the State Board of Community Colleges, have the following regular functions:

1. To make recommendations to the Board regarding the fiscal policies of the College; (SACSCOC CR 2.11.1) Board Approved Rev. 03/20/14
2. To receive, study, and recommend to the Board, with such modifications as it deems appropriate, the President's recommended annual State, County, and Institutional budgets;
3. To 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;
4. To receive, study, and take such action as it deems appropriate on any reports concerning the budget, purchasing, or accounting functions as required by the President or presented by the President;
5. To recommend to the Board policies and decisions regarding investment of any surplus or restricted moneys;
6. To recommend to the Board policies and decisions regarding the receipt and disposition of any monetary bequests, gifts, grants, and donations, the care of all College securities, and contracts for instructional or research services or other purposes with private or governmental firms, persons, or agencies consistent with [NC General Statutes 115D-20](#) and 115D-58;
7. To represent the Board before the Beaufort County Board of County Commissioners, the Legislature, the State Board of Community Colleges, the Community College System, and other agencies and offices in the matters concerned with the securing of adequate financial support for the needs of the College for current operating expenses and support for its needs for capital outlay;
8. To recommend policy to the Board concerning the receipt, security, depositing, accounting, and expending of all funds pertaining to the College, in accordance with the North Carolina General Statutes and State Board of Community Colleges regulations;
9. To recommend to the Board appropriate bonding policy to govern College employees entrusted with funds of all kinds;



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10. To receive the audit report from the State Auditor concerning the fiscal transactions of the College and the Foundation and to make such recommendations about such to the Board as it may deem appropriate; and
11. To approve upon recommendation of the President, any budget transfers or changes that are appropriate with final approval resting with the Board of Trustees at its next scheduled meeting.

### **Educational Programs Committee**

The Educational Programs Committee shall perform the following functions:

1. To review all new curriculum applications presented to the State Board of Community Colleges;
2. To stimulate research which leads to development of innovative and new technology offered on the Beaufort County Community College campus;
3. To review space accommodations for new curricula to be approved;
4. To review the College's effectiveness factors and procedures which deal with the curriculum; and
5. To review the performance and demand factors for curriculum programs to determine recommendations made to the full Board for adding or deleting programs
6. To review modifications to educational programs, College mission, or creation of off-site locations and make recommendations to the full Board for implementing such changes. (SACSCOS CS 3.1.1 and CS 3.12.1)
7. To hear student appeals as set forth in the policies and procedures of Beaufort County Community College. Rev. Board Approved 4/1/14

Revised and Board Approved 8/5/14 - merged bylaws and constitution into one documents

### **References**

**Legal References:** *Enter legal references here*

**SACSCOC References:** *Enter SACSCOC references here*

**Cross References:**

### **History**

**Senior Staff Review/Approval Dates:** 8/5/14

**Board of Trustees Review/Approval Dates:** 8/5/14, 10/03/2017

**Implementation Dates:** *Enter date(s) here*

