

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H

3

HOUSE BILL 914  
Committee Substitute Favorable 5/4/95  
Third Edition Engrossed 5/10/95

Short Title: Comm. Coll. Trustee Qualifications.

(Public)

Sponsors:

Referred to:

April 12, 1995

A BILL TO BE ENTITLED

AN ACT TO MODIFY THE APPOINTMENT AND CONDITIONS OF OFFICE OF MEMBERS OF THE BOARDS OF TRUSTEES OF COMMUNITY COLLEGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115D-12 reads as rewritten:

**"§ 115D-12. Each institution to have board of trustees; selection of trustees.**

(a) Each community college established or operated pursuant to this Chapter shall be governed by a board of trustees consisting of 13 members, or of additional members if selected according to the special procedure prescribed by the third paragraph of this subsection, who shall be selected by the following agencies.

Group One – four trustees, elected by the board of education of the public school administrative unit located in the administrative area of the institution. If there are two or more public school administrative units, whether city or county units, or both, located within the administrative area, the trustees shall be elected jointly by all of the boards of education of those units, each board having one vote in the election of each trustee, except as provided in G.S. 115D-59. No board of education shall elect a member of the board of education or any person employed by the board of education to serve as a trustee, however, any such person currently serving on a board of trustees shall be permitted to fulfill the unexpired portion of the trustee's current term.

Group Two – four trustees, elected by the board of commissioners of the county in which the institution is located. Provided, however, if the administrative area of the institution is composed of two or more counties, the trustees shall be elected jointly by

1 the boards of commissioners of all those counties, each board having one vote in the  
2 election of each trustee. Provided, also, the county commissioners of the county in  
3 which the community college has established a satellite campus may elect an additional  
4 two members if the board of trustees of the community college agrees. No more than  
5 one trustee from Group Two may be a member of a board of county commissioners.  
6 Should the boards of education or the boards of commissioners involved be unable to  
7 agree on one or more trustees the senior resident superior court judge in the superior  
8 court district or set of districts as defined in G.S. 7A-41.1 where the institution is  
9 located shall fill the position or positions by appointment.

10 Group Three – four trustees, appointed by the Governor.

11 Group Four – the president of the student government or the chairman of the  
12 executive board of the student body of each community college established pursuant to  
13 G.S. 115D shall be an ex officio nonvoting member of the board of trustees of each said  
14 institution.

15 (b) All trustees shall be residents of the administrative area of the institution for  
16 which they are selected or of counties contiguous thereto with the exception of members  
17 provided for in G.S. 115D-12(a), Group Four.

18 (b1) No person who has been employed full time by the community college within  
19 the prior 5 years or whose spouse or child is employed by the community college shall  
20 serve on the board of trustees of that college.

21 (c) Vacancies occurring in any group for whatever reason shall be filled for the  
22 remainder of the unexpired term by the agency or agencies authorized to select trustees  
23 of that group and in the manner in which regular selections are made. Should the  
24 selection of a trustee not be made by the agency or agencies having the authority to do  
25 so within 60 days after the date on which a vacancy occurs, whether by creation or  
26 expiration of a term or for any other reason, the Governor shall fill the vacancy by  
27 appointment for the remainder of the unexpired term."

28 Sec. 2. G.S. 115D-19(b) reads as rewritten:

29 "(b) A board of trustees may declare vacant the office of a member who does not  
30 attend three consecutive, scheduled meetings without justifiable excuse. A board of  
31 trustees may also declare vacant the office of a member who, without justifiable excuse,  
32 does not participate within six months of appointment in a trustee orientation and  
33 education session sponsored by the North Carolina Association of Community College  
34 Trustees. The board of trustees shall notify the appropriate appointing authority of any  
35 vacancy."

36 Sec. 3. This act becomes effective with respect to terms beginning on or after  
37 June 30, 1995.