

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 914
Committee Substitute Favorable 5/4/95

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~~ two 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.

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

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

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

18 Group Five – two trustees, elected by the trustees of the community college.

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

22 (b1) No person who has been employed by the community college within the prior
23 10 years or whose spouse or child is employed by the community college shall serve on
24 the board of trustees of that college. No person who is directly supervised by an
25 appointing agency for a community college as provided in subsection (a) of this section
26 shall serve on the board of trustees of that college.

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

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

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

42 Sec. 3. This act becomes effective June 30, 1995, and applies to terms that
43 expire on or after that date. If the terms of the four community college trustees appointed

1 to a local board under Group One of G.S. 115D-12 before the effective date of this act are
2 staggered in a manner so that one term expires in each successive year, the first and third
3 terms to expire on or after June 30, 1995, shall be filled under Group Five of G.S. 115D-
4 12 as amended by this act, and the second and third terms to expire on or after June 30,
5 1995, shall be filled under Group One of G.S. 115D-12 as amended by this act. If the
6 terms of the four community college trustees appointed to a local board under Group One
7 of G.S. 115D-12 before the effective date of this act are staggered in a manner so that two
8 terms expire in the same year, then one expired term shall be filled under Group Five of
9 G.S. 115D-12 as amended by this act, and one expired term shall be filled under Group
10 One of G.S. 115D-12 as amended by this act.