

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 334

Short Title: Comm. Coll. Bds. of Trustees.

(Public)

Sponsors: Senators Conder; Carpenter and Bryan.

Referred to: Higher Education.

March 2, 1989

A BILL TO BE ENTITLED

AN ACT TO REGULATE THE TERMS OF MEMBERS OF BOARDS OF TRUSTEES OF COMMUNITY COLLEGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115D-13 reads as rewritten:

"§ 115D-13. Terms of office of trustees.

(a) ~~As the terms of members serving on boards of trustees on June 30, 1985, expire, except for the ex officio member, their successors shall be appointed for four-year terms.~~ The terms of trustees currently serving eight years shall be extended for one year. The term of one or more trustees, as appropriate, elected pursuant to G.S. 115D-12 may be extended for one year so that these terms will be staggered, unless they are already staggered.

(b) ~~All terms shall commence on July 1 of odd-numbered years.~~ Except for the one year extensions of terms set forth in subsection (a) of this section, and for the ex officio member, as the terms of trustees currently in office expire, their successors shall be appointed for six-year terms.

All terms shall commence on July 1 of the year."

Sec. 2. G.S. 115D-19 reads as rewritten:

"§ 115D-19. Removal of trustees.

(a) 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 office as required by law or lawful regulation, or is guilty of immoral or disreputable conduct, the State Board shall notify the chairman of such board of trustees, unless the chairman is the offending member, in which case the

1 other members of the board shall be notified. Upon receipt of such notice there shall be  
2 a meeting of the board of trustees for the purpose of investigating the charges, at that  
3 meeting a representative of the State Board of Community Colleges may appear to  
4 present evidence of the charges. The allegedly offending member shall be given proper  
5 and adequate notice of the meeting and the findings of the other members of the board  
6 shall be recorded, along with the action taken, in the minutes of the board of trustees. If  
7 the charges are, by an affirmative vote of two-thirds of the members of the board, found  
8 to be true, the board of trustees shall declare the office of the offending member to be  
9 vacant.

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

12 (b) A board of trustees may declare vacant the office of a member who does not  
13 attend three consecutive, scheduled meetings without justifiable excuse. The board of  
14 trustees shall notify the appropriate appointing authority of any vacancy."

15 Sec. 3. This act is effective upon ratification.