

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 700

Short Title: Modify Terms of Community College Trustees. (Public)

Sponsors: Senator Meredith.

Referred to: Education/Higher Education.

April 20, 2011

A BILL TO BE ENTITLED

AN ACT RELATING TO THE APPOINTMENT OF COMMUNITY COLLEGE TRUSTEES.

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. No member of the General Assembly may be appointed to a local board of trustees for a community college.

~~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.~~ two trustees appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate and two trustees appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives.

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

Group Three – four trustees, appointed by the Governor.

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



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

4 (b1) No person who has been employed full time by the community college within the
5 prior 5 years and no spouse or child of a person currently employed full time by the community
6 college shall serve on the board of trustees of that college.

7 No person shall be eligible for appointment to the board of trustees of a community college
8 for more than three consecutive terms.

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

16 **SECTION 2.(a)** The amendment to G.S. 115D-12(a), as enacted by this act,
17 applies to appointments for full terms beginning on or after that date.

18 **SECTION 2.(b)** The amendment to G.S. 115D-12(b1), as enacted by this act,
19 applies to appointments for full terms beginning on or after that date, but only full terms
20 beginning on or after that date shall be considered in applying the maximum number of
21 consecutive terms.

22 **SECTION 3.** This act is effective when it becomes law.