

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 276

Short Title: GPAC/Comm. Coll. Pres. Selection.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to: Government Performance Audit.

February 19, 1993

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT RECOMMENDATIONS OF THE GOVERNMENT
PERFORMANCE AUDIT COMMITTEE TO CHANGE THE METHOD OF
SELECTING PRESIDENTS OF COMMUNITY COLLEGES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115D-5(a) reads as rewritten:

"(a) The State Board of Community Colleges may adopt and execute such policies, regulations and standards concerning the establishment, administration, and operation of institutions as the State Board may deem necessary to insure the quality of educational programs, to promote the systematic meeting of educational needs of the State, and to provide for the equitable distribution of State and federal funds to the several institutions.

The State Board of Community Colleges shall establish standards and scales for salaries and allotments paid from funds administered by the State Board, and all employees of the institutions shall be exempt from the provisions of the State Personnel Act. The State Board shall have authority with respect to individual institutions: to approve sites, buildings, building plans, budgets; ~~to approve the selection of the chief administrative officer; to select the president;~~ to establish and administer standards for professional personnel, curricula, admissions, and graduation; to regulate the awarding of degrees, diplomas, and certificates; to establish and regulate student tuition and fees and financial accounting procedures. The process of selecting the president of a community college shall include a procedure by which the local community college board of trustees may select a slate of no less than three nominees for the position of president. This slate shall be submitted to the president of the community college

1 system who will recommend a candidate from the slate for selection by the State Board
2 of Community Colleges."

3 Sec. 2. G.S. 115D-20 reads as rewritten:

4 **"§ 115D-20. Powers and duties of trustees.**

5 The trustees of each institution shall constitute the local administrative board of such
6 institution, with such powers and duties as are provided in this Chapter and as are
7 delegated to it by the State Board of Community Colleges. The powers and duties of
8 trustees shall include the following:

- 9 (1) ~~To elect a president or chief administrative officer of the institution for~~
10 ~~such term and under such conditions as the trustees may fix, such~~
11 ~~election to be subject to the approval of the State Board of Community~~
12 ~~Colleges.~~
- 13 (2) To elect or employ ~~all other~~ personnel of the institution upon
14 nomination by the president or chief administrative officer, subject to
15 standards established by the State Board of Community Colleges.
16 Trustees may delegate the authority of employing such other personnel
17 to its president or chief administrative officer.
- 18 (3) To purchase any land, easement, or right-of-way which shall be
19 necessary for the proper operation of the institution, upon approval of
20 the State Board of Community Colleges, if necessary, to acquire land
21 by condemnation in the same manner and under the same procedures
22 as provided in General Statutes Chapter 40A. For the purpose of
23 condemnation, the determination by the trustees as to the location and
24 amount of land to be taken and the necessity therefor shall be
25 conclusive.
- 26 (4) To apply the standards and requirements for admission and graduation
27 of students and other standards established by the State Board of
28 Community Colleges. Provided, notwithstanding any law or
29 administrative rule to the contrary, local administrative boards and
30 local school boards may establish cooperative programs in the areas
31 they serve to provide for college courses to be offered to qualified high
32 school students with college credits to be awarded to those high school
33 students upon the successful completion of the courses. Provided,
34 further, that during the summer quarter, persons less than 16 years old
35 may be permitted to take noncredit courses on a self-supporting basis,
36 subject to rules of the State Board of Community Colleges.
- 37 (5) To receive and accept donations, gifts, bequests, and the like from
38 private donors and to apply them or invest any of them and apply the
39 proceeds for purposes and upon the terms which the donor may
40 prescribe and which are consistent with the provisions of this Chapter
41 and the regulations of the State Board of Community Colleges.
- 42 (6) To provide all or part of the instructional services for the institution by
43 contracting with other public or private organizations or institutions in

1 accordance with regulations and standards adopted by the State Board
2 of Community Colleges.

3 (7) To perform such other acts and do such other things as may be
4 necessary or proper for the exercise of the foregoing specific powers,
5 including the adoption and enforcement of all reasonable rules,
6 regulations, and bylaws for the government and operation of the
7 institution under this Chapter and for the discipline of students.

8 (8) If a board of trustees of an institution provides access to its buildings
9 and campus and the student information directory to persons or groups
10 which make students aware of occupational or educational options, the
11 board of trustees shall provide access on the same basis to official
12 recruiting representatives of the military forces of the State and of the
13 United States for the purpose of informing students of educational and
14 career opportunities available in the military.

15 (9) To encourage the establishment of private, nonprofit corporations to
16 support the institution. The president, with approval of the board of
17 trustees, may assign employees to assist with the establishment and
18 operation of such corporation and may make available to the
19 corporation office space, equipment, supplies and other related
20 resources; provided, the sole purpose of the corporation is to support
21 the institution. The board of directors of each private, nonprofit
22 corporation shall secure and pay for the services of the State Auditor's
23 Office or employ a certified public accountant to conduct an annual
24 audit of the financial accounts of the corporation. The board of
25 directors shall transmit to the board of trustees a copy of the annual
26 financial audit report of the private nonprofit corporation."

27 Sec. 3. This act becomes effective July 1, 1993.