



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Peter Hans, President

24 July 2018

IMPORTANT INFORMATION

MEMORANDUM

TO: Members of the State Board of Community Colleges
Community College Presidents
Boards of Trustees Chairs
Community College Chief Academic Officers, Chief Admissions Officers, Basic Law Enforcement Training, Basic Skills Directors, Business Officers, Continuing Education Officers, Customized Training Directors, Distance Learning, Chief Financial Officers, Financial Aid Officers, Public Information Officers, Registrars, Student Development Administrators, & Other Interested Parties

FROM: Q. Shanté Martin, *NCCCS General Counsel*

RE: Adoption of 1A SBCCC 200.5 - "System Advisory Council"

On 20 July 2018, the State Board of Community Colleges voted to adopt 1A SBCCC 200.5 "System Advisory Council" to provide a standing body to discuss and make recommendations to the SBCC on issues of system-wide or intercollegiate importance. This body will help to promote communication, collaboration, and cohesiveness within the System.

The rule will be effective 1 August 2018. The new rule will be published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the rule is attached to this memorandum.

**CC18-028
E-mail Copy**

Attachment



State Board of Community Colleges Code
TITLE 1 – COMMUNITY COLLEGES

CHAPTER A. STATE BOARD GOVERNANCE

SUBCHAPTER 200. STATE BOARD AUTHORITY

1A SBCCC 200.5 System Advisory Council

To promote communication, transparency, and the consideration of diverse perspectives, the System Advisory Council is established as a standing body whose charge is to discuss and make recommendations to the State Board of Community Colleges on issues of system-wide or inter-college importance.

(a) Membership: The System Advisory Council shall consist of the following members.

- (1) The Chair of the State Board of Community Colleges shall appoint four State Board members, including at least one member appointed to the State Board by the current Governor, one member appointed to the State Board by the House, and one member appointed to the State Board by the Senate.
- (2) The Chair of the North Carolina Association of Community College Trustees shall appoint four community college board of trustee members, including one member representing a college from the western (Trustee Association Regions 1 and 2 as defined in G.S. 115D-62); central (Trustee Association Regions 3 and 4), and eastern (Trustee Association Regions 5 and 6) regions, and one at-large member. Appointees shall represent at least one small (defined as Presidents' Salary Grade 1), medium (Salary Grade 2), and large college (Salary Grade 3).
- (3) The President of the North Carolina Association of Community College Presidents shall appoint four community college presidents including one member representing a college from the western (defined as Trustee Association Regions 1 and 2 as defined in G.S. 115D-62), central (Trustee Association Regions 3 and 4), and eastern (Trustee Association Regions 5 and 6) regions, as well as one at-large member. Appointees shall represent at least one small (defined as Presidents' Salary Grade 1), medium (Salary Grade 2), and large college (Salary

Grade 3).

(4) The President of the North Carolina Comprehensive Community College Student Government Association or his or her designee shall be an ex-officio voting member.

(5) The System President shall be an ex-officio, non-voting member, except in the case of a tie. The System President shall serve as the presiding officer.

(b) Terms. To establish regularly overlapping terms, two of the initial appointments by the Chair of the State Board, two of the initial appointments by the Chair of the North Carolina Association of Community College Trustees, and two of the initial appointments by the President of the North Carolina Association of Community College Presidents shall expire one year after the initial appointment. Each subsequent regular appointment by all appointing bodies shall be for a term of two years.

(1) No member of the System Advisory Council shall serve more than two consecutive terms of two years. This limitation does not prohibit an individual from serving future terms after a period of non-service of at least one year.

(2) All vacancies occurring on the System Advisory Council shall be filled for the remaining of the unexpired term by the appointing body making the original appointment.

(c) Meetings and Agendas. The System President shall be responsible for convening the System Advisory Council at least quarterly. The System President shall also convene the System Advisory Council at the request of four or more members of the System Advisory Council.

(1) The System President shall be responsible for meeting coordination, including scheduling the meeting, developing the agenda based on recommendations from Council members, and ensuring appropriate staff are available to support the Council.

(2) Any member of the System Advisory Council may submit agenda items for consideration at meetings. If the time allotted for the meeting does not allow for addressing all submitted agenda items, the System Advisory Council shall review the list of pending agenda items and prioritize items for future meetings.

History Note: Authority G.S. 115D-5;

Eff. [August 1, 2018](#)



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FROM: Q. Shanté Martin, *NCCCS General Counsel*

RE: Proposed Adoption of 1C SBCCC 300.1 – “Presidential Selection Process”

On 20 July 2018, the State Board of Community Colleges (“SBCC”) voted to initiate rulemaking to adopt 1C SBCCC 300.1 – “Presidential Selection Process.” As recommended by the System Governance Task Force, the SBCC is initiating the rulemaking process to adopt this proposed rule to provide clarity and consistency by codifying the SBCC’s process to approve the election of community college presidents.

The proposed adoption is published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the proposed rule is attached to this memorandum. Please post a copy of the proposed rule in prominent places so that all individuals affected by the proposed changes will be informed.

Any member of the public has the right to submit written comments on the proposed rule. Please note that any person who submits a public comment on behalf of their community college should comply with their college’s local process for submitting comments on a proposed rule. **Written comments on the rule must be received by no later than 5:00 p.m. on August 23, 2018.** Any member of the public has the right to request a hearing on the proposed rules. **Requests for a hearing must be received by no later than 5:00 p.m. on August 8, 2018.** Written comments and requests for hearing shall be directed to the following address: Q. Shanté Martin, 200 W. Jones Street, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to publiccomments@nccommunitycolleges.edu. Thank you for your attention to this matter.



1 **State Board of Community Colleges Code**
2 **TITLE 1 – COMMUNITY COLLEGES**

3
4 **CHAPTER C. PERSONNEL**

5
6 **SUBCHAPTER 300. EMPLOYMENT/HIRING PRACTICES**

7
8 **1C SBCCC 300.1 PRESIDENTIAL SELECTION PROCESS**

- 9 (a) Once a college presidential vacancy occurs or is anticipated, the board of trustees
10 shall notify the System President and invite the System President or the System
11 President’s designee to meet with the board of trustees to discuss legal requirements
12 and other procedural matters while also providing technical assistance to the board of
13 trustees as needed.
- 14 (b) In the selection of the college president, the board of trustees shall, at minimum,
15 consider general input from college and community stakeholders on the desired
16 attributes of a college president and evaluate more than one candidate for the position.
17 The State Board may waive this requirement at the request of the board of trustees if
18 the State Board determines it is in the college’s interest to do so.
- 19 (c) The board of trustees shall submit at least one candidate to the System President for
20 review at least ten business days prior to the next regularly scheduled SBCC
21 Personnel Committee meeting or at least ten business days prior to a special called
22 SBCC Personnel Committee meeting.
- 23 (d) While completing the review process, the System President or the System President’s
24 designee shall confirm that the board of trustees completed a background check to
25 include the following:
- 26 (1) Social security number verification,
 - 27 (2) Criminal history check,
 - 28 (3) Civil litigation history check,
 - 29 (4) Education verification,
 - 30 (5) Employment verification, and
 - 31 (6) Personal credit history check.

1 (e) Upon completion of the review process, the System President shall present the
2 name(s) of candidate(s) to the Personnel Committee of the SBCC for consideration
3 and assessment.

4 (f) Following consideration and assessment of the candidate(s), the Personnel
5 Committee of the SBCC or the SBCC shall authorize the System President to
6 communicate the Personnel Committee's or the SBCC's assessment to the board of
7 trustees.

8 (g) The board of trustees shall proceed with the final election process and submit the board
9 of trustees' final election to the SBCC for approval. The board of trustees shall submit
10 the board's recommendation in writing to the System President at least five business
11 days prior to the next meeting of the SBCC.

12 (h) The SBCC shall act upon the board of trustees' election at the SBCC's regularly
13 scheduled meeting following receipt of the local board's election unless delayed for
14 cause as determined by the SBCC.

15 (i) The System Office shall convey in writing to the chairman of the board of trustees the
16 SBCC's action on the board of trustees' election. The action of the SBCC is final.

17 (j) No college shall execute a contract prior to SBCC action to approve the local board's
18 presidential election without a provision specifying that the effective date of the
19 contract is subject to the SBCC's approval of the presidential election.

20
21 History Note: Authority G.S. 115D-5 and 115D-20

22 Eff. _____
23



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FROM: Q. Shanté Martin, *NCCCS General Counsel*

RE: **Proposed Amendment of 1C SBCCC 300.98**

The State Board of Community Colleges (“SBCC”) has initiated the rulemaking process to amend **1C SBCCC 300.98 – “Evaluation of Presidents.”** On the recommendation of the System Governance Task Force, the SBCC deemed it important for all local community college trustees to have a copy of their president’s evaluation. Additionally, it is important for the full board to have the opportunity to review the president’s contract on an annual basis, if the president has a contract.

The proposed amendment is published on the NC Community College System's website, www.nccommunitycolleges.edu, under "State Board Code." For your convenience, a copy of the proposed rule, with the changes indicated, is attached to this memorandum. Please post a copy of the proposed rule in prominent places so that all individuals affected by the proposed changes will be informed.

Any member of the public has the right to submit written comments on the proposed rule. Please note that any person who submits a public comment on behalf of their community college should comply with their college’s local process for submitting comments on a proposed rule. **Written comments on the rules must be received by no later than 5:00 p.m. on 23 August 2018.** Any member of the public has the right to request a hearing on the proposed rules. **Requests for a hearing must be received by no later than 5:00 p.m. on 8 August 2018.** Written comments and requests for hearing shall be directed to the following address: Q. Shanté Martin, 200 W. Jones Street, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to publiccomments@nccommunitycolleges.edu. Thank you for your attention to this matter.

**CC18-033
E-mail Copy**

Attachments

1C SBCCC 300.98 is proposed for amendment as follows:



1 **State Board of Community Colleges Code**
2 **TITLE 1 - COMMUNITY COLLEGES**

3
4 **CHAPTER C. PERSONNEL**

5
6 **1C SBCCC 300.98 EVALUATION OF PRESIDENTS**

7 (a) Methodology and Instrumentality. Each local board of trustees shall evaluate the
8 performance of its president annually. The evaluation instrument and methodology
9 shall be selected by the local board, but the evaluation shall, at a minimum, include
10 the following categories:

11 (1) General administration;

12 (2) Relationships including:

13 (A) Internal relationships with faculty, staff, students, and trustees; and,

14 (B) External relationships with business and industry, the media, governmental
15 bodies, and the general public;

16 (3) Personal attributes;

17 (4) Personnel administration;

18 (5) Fiscal and facilities administration; and,

19 (6) Academic administration.

20 (b) Reporting Requirements. Prior to June 30 of each year, each college board of trustees
21 shall, in writing, notify the State Board of the following:

22 (1) The time period for which its president was evaluated and the date the evaluation
23 was completed;

24 (2) Description of the methodology used for the evaluation;

25 (3) Certification that the evaluation included a written assessment of the president's
26 performance in each of the categories identified in Paragraph (a) of this Rule;

27 (4) Certification that the full board received a copy and discussed the evaluation
28 results and the results were discussed with the president; and

29 (5) Certification that the full board received a copy of and reviewed the president's
30 contract if the president has a contract;

1C SBCCC 300.98 is proposed for amendment as follows:

1 (6) A listing of board members in attendance at the meeting when the president's
2 evaluation was conducted; and

3 ~~(5)~~(7) Certification that appropriate action, as defined by the local board, has been taken
4 if the president's performance is less than satisfactory in any of the categories
5 identified in Paragraph (a) of this Rule.

6 (c) If the president has a contract, local boards of trustees shall note in the meeting
7 minutes that they have reviewed the president's contract.

8

9 *History Note: Authority G.S. 115D-5; 115D-20;*

10 *Eff. September 1, 1993;*

11 *Amended Eff. _____, October 1, 2006.*

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DRAFT