

**NCACCT Manual for**

**Community College Trustees**

**Mr. Grayson Whitt**

**Chairman**

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***The North Carolina Association of Community College Trustees***

***Introduction***

Thank you for your service as a Trustee on your local Board of Trustees!

The North Carolina Association of Community College Trustees (NCACCT) is your professional association and focuses on three priorities: Trustee Training/Professional Development; Legislative Advocacy; and Collaboration/Cooperation with other Community College Partners.

***Trustee Training and Professional Development***

A Board of Trustees has a significant charge in fulfilling its roles of governance and policy-making and fiduciary responsibilities. Trustees do not typically come to a Board with a complete working knowledge of all that is expected of them. In addition, the work of a higher education institution moves at a significant pace, as teaching and learning modalities change, best practices in both governance and policy-making shift, and an emphasis on student support becomes increasingly important. Board members must develop professionally and grow in discernment as they confront both challenges and opportunities that confront the institution which they govern.

The General Assembly acknowledged the need for Board member progression, and the necessity for individual Trustee professional development and continuing education. The Assembly established a statute[[1]](#footnote-1) requiring newly appointed trustees to avail themselves of training and education sponsored by the NCACCT within six months of their appointment. The Trustees Association has a rich history of providing this service, not only to newly appointed Trustees, but also for Board members that have held appointments and served for several years. The Association provides at least two affordable and convenient seminars each year for Board members to gather and participate in instructional and collegial education and training.

These opportunities are always announced well in advance, and are posted at NCACCT’s website at: <http://ncacct.org/ncacctseminars/>. The Association also posts “Upcoming Events” regularly, in order that Board members can schedule offerings and opportunities for education, training and professional development.

The professional staff of the NCACCT is available to membership to provide support to local Boards as needed. The President/CEO and team members are called upon to work with local Boards on activities and events, Board retreats, and provide information and materials. In addition, the NCACCT works cooperatively with the State Board of Community Colleges and the North Carolina Association of Community College Presidents (NCACCP) on issues related to governance, policy and operations within the NCCCS.

***Legislative Advocacy***

As codified in its organizational Mission, the NCACCT *“provides advocacy* *for passage of legislation needed by our local colleges and repeal of legislation that is detrimental to the local college mission or infringes on local college autonomy.*” This work is led by the President and Chief Executive Officer of the Association, in partnership with the NCACCT lobbyist, the Executive Board and association’s membership. During legislative sessions, the NCACCT invests a significant amount of time monitoring bills that are initiated and advanced in both chambers of the General Assembly. Legislation is evaluated for positive or negative impacts upon the 58 community colleges.

The NCACCT works with the State Board, System Office and NC Association of Community College Presidents (NCACCP), to develop systemwide legislative priorities. Then, there is a coordinated effort among the partners to move the legislative agenda forward.

Association membership, the President/CEO and Executive Board develop strategies for Trustees to engage with members of the General Assembly to communicate the potential impacts of legal requirements and policies that may be imposed upon the community colleges. The NCACCT staff is available to consult with Board of Trustee members about legislative matters. In addition, the NCACCT hosts a “Law/Legislative Seminar” annually for the purposes of keeping Trustees informed about legislative priorities, and to provide an opportunity for members to join advocacy efforts on behalf of all community colleges.

***Collaboration and Collaboration with other Community College Partners***

In addition, the NCACCT works cooperatively with the State Board of Community College, System Office and the North Carolina Association of Community College Presidents (NCACCP) on issues related to governance, policy and operations within the System. All partners work together to advocate for the legislative priorities and to promote community colleges as an affordable option for higher education in North Carolina.

Learn more about the NCACCT: [www.ncacct.org](http://www.ncacct.org)

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***The North Carolina Community College System***

***Introduction***

This introduction to the North Carolina Community College System (NCCCS or System) is not intended as a history lesson about its founding, for perhaps the best account of that was written by Joseph W. Wescott II in his seminal work “Creating Success.”[[2]](#footnote-2) This introduction is however intended to introduce both newly appointed and long-serving Board of Trustee members of the North Carolina Association of Community College Trustees (NCACCT) to the NCCCS as it currently exists and operates.

It would not be an understatement to describe the NCCCS as the most comprehensive two-year institution that any state has ever established. The North Carolina General Assembly provided for the establishment, organization and administration of a system of community colleges throughout the state for offering college transfer, technical and vocational, and adult education programs. In a statutory statement of purpose, the General Assembly declared that the “*major purpose of each and every institution…shall be and shall continue to be the offering of vocational and technical education and training, and of basic, high school level, academic education needed in order to profit from vocational and technical education, for students who are high school graduates or who are beyond the compulsory age limit of the public-school system and who have left the public schools.”* While the General Assembly has more recently expanded the responsibilities of the NCCCS, it has remained true to the purposes for which it was originally established.[[3]](#footnote-3)

Created in the years following World War II in response to the state’s rapid shift from an agricultural to an industrial economy, community colleges in North Carolina continue to be deeply rooted in economic and workforce development, while also providing basic skills and literacy education, and pre-baccalaureate programs. The NCCCS opens doors to high-quality, accessible and affordable educational opportunities that minimize barriers to post-secondary education, maximize student success, develop a globally and multi-culturally competent workforce, and improve the lives and well-being of all individuals.

The operative words in the System’s name – Community College – is intentional. As stated in North Carolina General Statute Chapter 115D, the term “community college” is defined as *“an educational institution…dedicated primarily to the educational needs of the service area which it serves.”*[[4]](#footnote-4)It has always been the intent of the State that each of the 58 institutions that comprise the NCCCS respond to the educational needs of the citizens within their service delivery area, however the community determines and defines those needs.

***The System***

The “Mission” of the System is expressed in State Board of Community College Code (SBCCC). The mission is declared by the State Board to be “*to open the door to high quality, accessible educational opportunities that minimize barriers to postsecondary education, maximize student success, and improve the lives and well-being of individuals by providing:*

1. *education, training and retraining for the workforce, including basic skills and literacy education, occupational and pre-baccalaureate programs;*
2. *support for economic development through services to and in partnership with business and industry; and,*

*(c) services to communities and individuals which improve the quality of life.”*[[5]](#footnote-5)

The General Assembly established the modern day NCCCS to function and operate under the principle of shared governance. This principle holds fast to the understanding that only through a practice of collaborative thought, frequent and transparent communication, and mutual support as partners can a comprehensive system of higher education institutions fulfill their mission and purpose. In order to do so, the General Assembly created dual levels of governance and administration – one at the state level, and 58 institutions at the local level. With respect to governance, the Assembly created the State Board of Community Colleges and local Boards of Trustees; and, at the administrative level the legislature established a System President and a Community College System Office, and the position of campus President, along with flexibility to create organizational structures befitting the operation of each institution. By creating these dual systems of governance and administration, the General Assembly insured that its intent, expressed in the form of legislation, would be implemented equitably by the State Board across all 58 institutions.

Further, by establishing local Boards of Trustees, the General Assembly ensured that policies, procedures and responses to local education and training requirements would best be determined by local Boards and Presidents, not inconsistent with legislative intent. Acting within the principle of shared governance, the State Board and System President, along with Boards of Trustees and Campus Presidents, should collaborate, communicate, and mutually support each other in their respective roles of practice.

The third pillar of shared governance within the NCCCS is the North Carolina Association of Community College Trustees. As will be discussed in Chapter Two with respect to Boards of Trustees, the membership, advocacy and educational pillar for local Boards throughout the NCCCS and beyond is the NCACCT. Recognized by the State Board and System Office for the important work that they do, the NCACCT provides healthy contributions to the operationalization of local governance.

***The State Board of Community Colleges***

The State Board of Community Colleges (SBCC) is composed of twenty-one (21) members. The membership of the State Board includes the Lieutenant Governor (ex officio); the State Treasurer (ex officio); four (4) appointees made by the Governor at large and one member each from among the six (6) North Carolina Association of Community College Trustee Regions; four (4) appointees made by the North Carolina Senate; four (4) appointees made by the North Carolina House of Representatives; and, the person serving as president of the North Carolina Comprehensive Community College Student Government Association (NCCCCSGA). North Carolina General Statutes establish the appointment or election, length of term, and limits of service for each member of the State Board.

The SBCC is delegated specific powers and responsibilities by the General Assembly. These powers and responsibilities include recommending the establishment of institutions, college transfer program approval, the administration and operation of institutions, policy-making, establishing regulations and standards, ensuring the quality of educational programs, and providing for the equitable distribution of State and federal funds. In addition, the State Board is empowered and authorized to act in the following matters:

* Establish and administer standards for professional personnel, curricula admissions, and graduation;
* Regulate the awarding of degrees, diplomas and certificates;
* Approve the selection of the Chief Administrative Officer (President) at each campus;
* Approve capital projects (land, buildings, personal property titled to the SBCC);
* Establish maximum salary amounts paid from State funds;
* Establish and regulate tuition and fees, not inconsistent with actions of the General Assembly;
* Regulate the expenditure of funds derived from Bookstore sales;
* Provide for the waiver of tuition and registration fees, consistent with statutes;
* Approve and regulate the offering of new academic program(s);
* Establish and regulate financial accounting procedures, and maintain an accountability function and compliance reviews;
* Establish cooperative innovative high-school programs, and evaluate the success of Career and College Promise programs; and,
* Other duties and responsibilities.[[6]](#footnote-6)

A complete listing of the statutory authority may be accessed at: [GS 115D-5](https://ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_115D/GS_115D-5.html)

In addition to its statutory authority, the General Assembly also delegated to the SBCC a “Code” (SBCCC) of additional policies and procedures. While SBCCC is consistent with authority granted by the Assembly, it provides governing policies and administrative procedures for implementing actions taken by the State Board. The Code includes State Board governance, college operations, Board of Trustee authority, program accountability, personnel policies, education program regulations for curriculum, continuing education and basic skills, tuition and fee guidance, fiscal management instruction, and capital project and procurement regulations.

A complete and accessible SBCCC may be accessed at: [State Board of Community Colleges Code | NC Community Colleges](https://www.nccommunitycolleges.edu/sbcccode)

***The System President***

The laws of the State give the SBCC authority to elect a President of the System. The System President serves as the Chief Administrative Officer of the Community College System Office, much like the President of a local community college. The President is assisted by a team of executive professionals, whom the President selects and recommends to the State Board for approval. These professionals should be *“persons of high competence and strong professional experience, in such areas as academic affairs, public service programs, business and financial affairs, institutional studies, long-range planning, student affairs, research, legal affairs, health affairs, and institutional development.”*[[7]](#footnote-7)

Why is the statute so specific about these positions and their professional experiences? The intent is that the System President be assisted by individuals with subject matter expertise in the functions and operations of a community college. A college’s functions and operations universally include academic programs, student services, public and emergency services, continuing education, budget and finance, facilities, and research and planning. Again, in the spirit of shared governance, the System President best serves the colleges by having on-staff executives that can provide technical assistance to them, with frequent and clear communications, and in an atmosphere of mutual support. It has historically been true that System Presidents have included on their team individuals who were employees of NCCCS colleges. Bringing talented individuals from the colleges to the System Office closes the distance between State level and College level administration.

The System President not only serves the State Board and provides leadership to the System Office, they also serve as an advocate for the NCCCS in the General Assembly, consultation to the Presidents, and support beyond the State for the cause of community colleges.

***The Community College System Office***

The System Office is specifically referenced in laws governing the NCCCS. It is designated as a “*principal administrative department of State government under the direction of the State Board of Community Colleges.”*[[8]](#footnote-8) In that regard, while the System Office is a unit of State government, the State Board has the authority to adopt and administer all policies, regulations and standards that are, in the Board’s wisdom, needed for the successful operation of the System Office. As will be discussed in Chapter 2, community colleges are not units of State government, yet are governed by a component unit thereof. The System Office, under the direction of the System President, administers policies adopted by the State Board, and carries out directives and provisions directed by the General Assembly. In addition to the System President and the executive leadership, the System Office is staffed by career employees subject to the State Human Resources Act. The compliment of staff established by the State Board, upon recommendation of the President, are to be persons with professional competencies and experiences sufficient to carry out the duties assigned to them. They are expected to be familiar with the challenges and opportunities faced by all the System’s community colleges, and be positioned to provide them assistance in navigating them.

If you need assistance from the System Office, here is a staff directory: [Directory | NC Community Colleges](https://www.nccommunitycolleges.edu/directory)

***The Board of Trustees***

***Local Governance***

In its wisdom, the General Assembly established local Boards of Trustees to govern individual campuses within the NCCCS. The Board of every institution in the System is a corporate body, empowered with property rights, contracting authority, legal authority to institute and defend legal actions, and authority to exercise necessary rights and privileges for management and administration of the campuses which they govern, not inconsistent with law and rules promulgated by the State Board.[[9]](#footnote-9) This model of local governance enables the Board to do all things necessary, in partnership with their President, to ensure the successful operation of the institution. It also brings stability in the exercise of authority in regard to the Board’s oversight of the College. The Board is not only a corporate body, but a public body, made up of individuals who represent the interests of the community in which they live. As such, the community’s interests are reflected in and through the Board’s governance of the institution.

***The Board of Trustees’ Authority and Responsibility***

Boards of Trustees in the North Carolina Community College System have authority and accompanying responsibility in the execution of governance over and fiduciary responsibilities to the individual Colleges. A Board derives its authority from North Carolina General Statutes and State Board Code. The Board’s specific responsibilities are expressed not only in statutes and Code, but are also defined and clarified by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), the Association of Community College Trustees (ACCT), and the Association of Governing Boards (AGB). Finally, the Board’s authority is ultimately expressed in its policy-making role. It is essential in the practice of good institutional governance that each Board member understands their authority and responsibilities. This Chapter of the Manual attempts to clarify them.

***The Board’s Legal Authority - Powers and Duties***

The Board of Trustees’ legal authority is derived from both North Carolina General Statutes (G.S.) and State Board of Community College Code (SBCCC). The clearest expression of a local Board of Trustees’ authority is found in G.S. 115D-20.[[10]](#footnote-10) This statute enumerates the powers and duties of each local governing Board in the NCCCS. The statute also confirms that the Trustees collectively constitute the “*local administrative Board of such institution, with such powers and duties as are provided in this Chapter and as are delegated to it by the State Board of Community Colleges.”* The very first power delegated to the Board is the election of a President of the institution, the terms and conditions of which are fixed by the Trustees. The significance of this being the initial authority delegated to a local Board reflects anticipation by the General Assembly of a process wherein the Board would unquestionably be the governing body of the College, but in a model of shared governance, would employ a President to manage the daily operations of the institution. A more complete explanation of this will appear in Chapter Three of this manual.

The statutes also include a number of other powers and duties granted to Boards of Trustees. The powers and duties include the employment of additional institutional personnel, property acquisition and disposition, the application of standards and requirements for admission and graduation, collaboration with local school administrative units for delivery off college-level instruction, the establishment of nonprofit corporations (Foundations) to support the institution, and authority to enter into public/private partnerships. One special power that is noteworthy is found in G.S. 115D-20 (7). This statutory section not only includes a “Board doing such other things as may be necessary or proper” clause, but also includes *“the adoption and enforcement of all reasonable rules, regulations, and bylaws for the government and operation of the institution…and for the discipline of students.”* This language makes clear that the Board has broad authority to govern the College, and to create their own policies and bylaws for effective institutional operations.

The SBCC Code also delegates authority to local Boards of Trustees, consistent with General Statutes. The Code specifically states that *“All power and authority vested by law in the State Board which relates to the internal administration, regulation, and governance of any individual college of the community college system are hereby delegated to the board of trustees of such college…”* This language adds to and is consistent with the intent of the General Assembly that local Boards have broad powers at their disposal with which to exercise governance through law and Code authority granted, not only given to the State Board, but delegated to the local Board as well.[[11]](#footnote-11)

The exceptions and reservations to local Board power and authority, as stated in the Code, are as follows:

1. Power or authority that is non-delegable as a matter of law;
2. Power or authority in matters or systemwide or inter-college importance is reserved for determination by the State Board;
3. The State Board reserves the right to rescind any power or authority as it deems necessary in accordance with G.S. 150B[[12]](#footnote-12); and
4. The governing authority of the State Board pertaining to the assurance of:
5. Fiscal accountability,
6. Program Accountability, and
7. Satisfaction of State priorities.

The SACSCOC “Principles of Accreditation,” while not technically a legal source document, nevertheless includes a standard specific to Governing Boards. SACSCOC refers to the Board specifically as a corporate body, that *“holds in trust the fundamental autonomy and ultimate well-being of the institution.”* The body that accredits each of the 58 community colleges in the System expresses its intent that governing boards have the following characteristics:

 The institution has a governing Board of at least five members that:

1. Is the legal body with specific authority over the institution.
2. Exercises fiduciary oversight of the institution.
3. Ensures that both the presiding officer of the board and a majority of other voting members of the board are free of any contractual, employment, personal, or familial financial interest in the institution.
4. Is not controlled by a minority of board members or by organizations or institutions separate from it.
5. Is not presided over by the Chief Executive Officer of the Institution.[[13]](#footnote-13)

The importance of this statement is that it has the same effect as either statute or Code, in as much as an institution’s accreditation is put at risk, thereby making it ineligible to receive federal funds, if the Board of Trustees is in violation of this standard. Just as if a Board is in violation of a State statute by exceeding its legal authority or violation of State Board Code, thereby in both cases jeopardizing its State funds, noncompliance with the Principles of Accreditation puts the institution at risk of losing its federal funds. Therefore, the Board of Trustees should govern themselves consistent with Section 4 of SACSCOC as if it had the effect of statute or Code.

***The Board’s Specific Responsibilities***

As referenced in the discussion of the Board’s legal authority, powers and duties, the Board’s specific responsibilities are expressed not only in statutes and Code, but also by SACSCOC, the ACCT, and the AGB. Given the preliminary discussion of the statutory authority of each Board of Trustees, the following (Table 1) illustrates the specific responsibilities of each Board of Trustees:

**Table 1. Specific Responsibilities of a Board of Trustees**

|  |  |  |
| --- | --- | --- |
| **Hire and Evaluate a President** | **Adopt and Amend Bylaws and Elect Board Officers** | **Set and Retain Campus-specific Fees** |
| **Elect or Employ All Other Personnel – Unless Delegated to the President** | **Approve College Policies** | **Invest Idle Cash and Designate an Official Depository** |
| **Hold Title to Land and Buildings and Establish Capital Projects** |  **Prepare, Submit, Approve and Amend a Budget That Includes State, Local, and Institutional Funds** | **Establish Campus Law Enforcement Orgs and Traffic Regulations** |
| **Apply Standards and Requirements for Admission and Graduation** | **Contract with Public or Private Entities for Instructional Services** |  **Prohibit Tobacco Use in Buildings, Grounds and Events** |
|  **Receive and Accept Donations, Gifts, Devises from Private Donors and Apply Them** | **Apply For and Accept Grants and Contracts From the Federal Government** | **Establish Intercollegiate Athletics Programs**  |
|  **Encourage Establishment of Private, Non-profit Corporations – Foundations** | **Enter into Energy Saving Contracts and/or Loan Agreements for Energy Improvements** | **Purchase Liability and Fire Insurance** |
| **Sale, Exchange or Lease Property** |  **Enter into Lease/Purchase Contracts for Equipment or Real Property** |  **Perform such acts and do other things necessary or proper to exercise its specific powers consistent with State Board Regs and Standards** |
| **Provide Access to Buildings and Campuses Equitably**  | **Enter into Public/Private Partnerships** |

While this list is neither exhaustive nor in priority order, it provides a glimpse at the statutory responsibilities of the Board of Trustees. For a more definitive explanation of each of these items, please connect to the North Carolina General Statutes 115D Article 2, beginning at:

<https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_115D/GS_115D-12.pdf>

The SACSCOC Principles of Accreditation also defines several specific responsibilities of a Governing Board. The following (Table 2) illustrates several responsibilities that accompany service at a Board of Trustee member:

**Table 2. SACSCOC Defined Responsibilities of a Governing Board[[14]](#footnote-14)**

|  |  |
| --- | --- |
| **Category** | **Responsibility** |
| Mission Review | Ensures the regular review of the institution’s mission.  |
| Board Versus Administrative Distinction | Ensures a clear and appropriate distinction between the policymaking function of the board and the responsibility of the administration and faculty to administer and implement policy.  |
| President Selection and Evaluation  | Selects and regularly evaluates the institution’s chief executive officer.  |
| Conflict of Interest | Defines and addresses potential conflict of interest for its members. |
| Board Dismissal | Has appropriate and fair processes for the dismissal of a board member.  |
| External Influence | Protects the institution from undue influence by external persons or bodies. |
| Board Self-Evaluation | Defines and regularly evaluates its responsibilities and expectations |

There are several important points to be taken from the Table. First, the Board’s primary responsibility from a SACSCOC perspective is to regularly review the College’s Mission. The College mission essentially defines why the institution exists. The Board plays an important role in establishing the institutional mission, which usually results in a mission statement, and monitoring the work of the institution to verify that it is being pursued. The statement proclaims to the community, prospective students, and other interested groups and organizations what the goals and aspirations of a community college are.

As also reflected in statutes and Code, SACSCOC also declares that a Board’s important responsibility is the selection and evaluation of a President. Chapter Three explores the Board’s relationship with the President, including Presidential selection and the State Board’s similar requirement to SACSCOC that the President be regularly evaluated.

While there are similarities between State law, State Board Code and SACSCOC principles as it relates to conflict of interest, dismissal of a board member and undue influence, there is a unique responsibility of the Board reflected in Table 2 that is not found elsewhere. The process of “Board Self-Evaluation,” wherein the Board both defines and regularly evaluates its responsibilities in a meaningful way, is an important and healthy exercise. Every Board of Trustees should annually establish expectations for itself in the form of goals, objectives, and activities. Such expectations might include a review of Board Bylaws, professional development, committee work, utilization of a self-assessment instrument, opportunities for Board members to comment on Board operations and processes, and so on. A question has been raised as to how a Board can effectively evaluate its President if it is unwilling to seriously examine itself? Boards of Trustees should always take their self-evaluation responsibility seriously.

The Association of Community College Trustees (ACCT), the national membership organization of community colleges in both the United States, western Europe and Pacific Rim, hosts numerous venues each year for Boards of Trustees to engage in professional development, retreats, updates on public policy and legislative issues, and sharing governance experiences among colleagues. ACCT has defined Board roles and responsibilities as a tool for Trustees to use in their work. The following (Table 3) information is extracted from an ACCT publication:

**Table 3. ACCT’s Guide to Trustee Roles and Responsibilities[[15]](#footnote-15)**

* **Act as a Unit – As a corporate body, govern as a unit with one voice.**
* **Represent the Common Good – Balance and integrate the variety of interests and needs into policies that benefit the whole region.**
* **Set the Policy Direction – Establish policies that provide direction and guidance to the President and staff; and, define and uphold a Mission and Vision that clearly reflects student and community expectations.**
* **Define policy standards for College operation – Once policy standards are established, allow the President and staff flexibility to exercise professional judgement.**

Table 3 suggests to governing Boards that they act corporately, governing as a body of one; that they represent the entire service delivery area which they govern and balance diverse interests in policy; they set clear direction for the President and the mission and vision of the College; and once they have enacted policy, they have a responsibility to allow the Chief Executive and team to use their expertise in its implementation and administration.

Another widely respected membership organization that provides support, training and professional development for governing boards in colleges and universities is the Association of Governing Boards (AGB). In *An Introductory Guide for Members of College, University, and System Boards,”*[[16]](#footnote-16) AGB identifies a number of responsibilities for Boards of Trustees. Not unexpectedly, the primary responsibilities posed by AGB mirror those in North Carolina General Statutes, State Board Code, SACSCOC Principles of Accreditation, ACCT and higher education literature. Included among them are the mission of the College, selection and evaluation of the President, strategic planning, fiduciary duties, fund-raising, educational quality, development and enactment of policies and procedures, community engagement, and maintaining high ethical standards. While these may seem to impose a great deal of responsibility upon the Board, it’s already been established that the Board’s role in governance and their control of policies is clearly defined in law and in practice. In reality, community college Boards of Trustees are responsible for the well-being of the institutions they were appointed to serve.

***The Board’s Policy-Making Role***

Both General Statutes and State Board Code emphasize the importance of a Board of Trustees’ policy-making role and responsibility. For example, N.C.G.S 115D-20(7) grants the Board authority to *“adopt and enforce all reasonable rules, regulations and bylaws for the government (sic) and operation of the institution.”* The actualization of this authority results in Board of Trustees adopting bylaws that govern their own actions and behaviors in the execution of their duties and responsibilities, including policy-making. In adherence to bylaws, Boards typically divide their membership into committees for the purpose of doing the real work of the Board.

The work of the Board includes hearing reports from the President and his/her team members about the opportunities and challenges that confront the institution, academic and student affairs issues, fiscal and facility operations, external risks and threats, and of course, policy matters. Policy discussions in committee settings often give birth to the development of rules, regulations and related matters. Board committees typically elevate discussions about rules and regulations to the full Board for further discussion, debate, and possible action. If the consensus of the Board is that a particular matter warrants action, it usually occurs in the form of a recommended new or amended policy or resolution. If adopted or amended, the policy is usually recorded in a “Policy Manual” and in the minutes of the committee and Board meeting. In effect, the Board’s policy-making role is actually an intentional, thoughtful process, accompanied by discussion and debate, and possible action, codification, and recording it in a permanent record. It is therefore essential that in its policy-making role, a Board of Trustees should periodically review and update their bylaws, Policy Manual, and official Board minutes, for these documents capture the process, governing policies, and official record of Board work.

Taking a more granular look at the Board’s policy-making role, the Board enjoys delegated authority from State Board Code, equivalent to the State Board in many ways, with power and authority related to internal administration, regulation, and governance. Similar to statute, Boards have authority to enact policies that direct the overall administration of the institution, establish regulations (policies) that permit or prohibit actions and/or activities, or clarify the division of labor between the Board and President. This power clearly defines the Board as the ultimate authority for the development, debate, and adoption of policy that governs the institution. The approval or discontinuation of educational programs, establishment of codes of conduct, employment policies, adoption of a Facilities Master Plan and initiation of capital projects, or adopting local fees or refund policies, are but a sampling of areas that usually involve Board approval of a new policy or policy amendment.

As a practice of good governance in the context of policy-making, a Board of Trustees should:

* Ensure that it has an updated and comprehensive Policy Manual;
* Schedule periodic reviews and conversations about substantive policy issues that the President brings to their attention; and,
* Understand academic, legal, and fiscal issues to inform the consideration and development of sound College policies.

***Operations of the Board***

The Board of Trustees carries out its governance, policy-making and fiduciary authorities and responsibilities in a highly public and visible environment. Having been appointed by public bodies, the Governor, or elected as president of the Student Government Association, the Board is composed of members from varied backgrounds and occupations. They bring a wealth of unique and diverse experiences to the collective group. Once they become a Trustee, both their aggregate and individual responsibility is to serve the best interests of their College, and the students and communities it was established to serve. By virtue of their appointment as Trustees, Board members have an obligation to prepare in advance of committee or Board meetings, using materials provided to them, to regularly attend and participate in these meetings, to take their work seriously, and to follow the standards of ethics they committed to when appointed.

Community College Trustee Boards are self-governed in several ways. Notwithstanding General Statutes, State Board Code and other external regulatory authorities, Boards adopt bylaws to guide and manage their operations. Board bylaws typically include the following areas of focus:

* Jurisdiction and Membership
* Powers and Authorities of the Board
* Board Officers, Duties and Responsibilities
* Committee Structure
* Meetings
* Duties and Responsibilities of the President
* Adoption and Amendment
* Non-severability Clause

Bylaws provide individual Board members a clear understanding of the structure, duties and responsibilities, leadership, committee(s) organization and operation, the conduct of meetings, including agenda and process, perhaps a declaration of the role of the President, how the bylaws are amended, and provisions that do not invalidate the whole if a part of the bylaws is ruled invalid. It is noteworthy that this Trustee Manual has or will address most of the items included in a set of bylaws. Bylaws might be considered organizational rules, in as much as they provide a pathway for the procession of meetings, govern the appearance of and presentation by non-Board persons, lay out actions and activities for consideration, and establish an environment of collegial and ethical behavior. These organizational rules also declare when a meeting is open, closed or in executive session, a review and approval process of previous meetings that becomes the permanent record, and even a report by committee.

***The Work of the Board***

In terms of “Committee Structure,” Boards increasingly operate with subject matter committees. Committees enable the work of the Board to be accomplished at a detailed level, including deep and rich exploration and discussion of issues and activities that often result in the development of policies. Historically, Boards operated as a “Committee of the Whole.” More recently however, the complexity, volume and substance of higher education issues has resulted in Boards breaking their work down by subject matter, and assigning it to a specific committee. Issues and concerns such as student due process, the Clearly Act and Title IX, social justice and equity, entrepreneurial operations, student success, anti-discrimination, fiscal capacity, facility requirements, and changes in teaching modalities are far too important and complex to bring into a full Board meeting. Committee operations prevents the Board from bogging down in exhaustive conversations and detailed debates during a regular meeting.

Examples of various Board committees include:

* Academic and Workforce Development
* Budget, Finance and Audit
* Buildings/Facilities and Grounds
* Student Success and Student Services
* Institutional Advancement
* Strategic Plan or Innovations and Initiatives
* Athletics
* Ad Hoc Committees

There is no inerrant or perfect way to establish committee structure, nor is there an optimal number of committees that a Board should have. Neither should there be. Given that every College serves unique communities within its service area, the Board should develop a committee structure that best serves the operational and policy considerations of the Board, College and students.

***The Board Chair***

The Chairman of a Board of Trustees serves a unique and vital role. The Chair leads the Board, ensures that the Board works effectively as a unit, and works collaboratively with the College President.

The Chair of the Board should be chosen carefully. He /she should have proven leadership ability, know how to work with people, how to solve problems, and/or how to delegate responsibility and authority. Also, the Chair should have the time available to do an effective job.

The strongest Board Chairs are knowledgeable about many areas, including board policy, community issues and programs, and community and state policy and laws related to Boards and Board meetings. They build consensus among varying viewpoints and are good listeners who always keep “what’s in the best for students” at the forefront of Board discussion and decisions.

North Carolina’s 58 community colleges are autonomous institutions, but there are many similarities regarding the duties and responsibilities of the Board Chair, which may include the following:

* Preside over all meetings of the board.
* Call emergency and special meetings of the board as required by law.
* Develop the Board meeting agendas in conjunction with the College President.
* Appoint Board Committees.
* Assure adequate communication with the Board regarding college matters, Board roles and practices, and policy issues that affect the college.
* Emphasize the importance of the Board’s adherence to ethics policies.
* Participate in the orientation process for new board members.
* Assure compliance with the SACSCOC requirement for Board self-evaluation and President evaluation.
* Represent the board at official events or designate board representation.
* Consult with other trustees who are not fulfilling their responsibilities, or who are violating the bylaws, policies, and practices.
* Oversee the Presidential Search Process when this occurs at the college.

Presiding at Board meetings requires that the Chair be familiar with parliamentary procedures and [Robert’s Rules of Order](http://diphi.web.unc.edu/files/2012/02/MSG-ROBERTS_RULES_CHEAT_SHEET.pdf) , and operates within the limits of board policies, while simultaneously encouraging open dialogue that welcomes all opinions and views.

Leading the Board’s work in the area of legislative advocacy is also important. Working in conjunction with the College President and developing a strong relationship with elected officials is critical to promoting the System’s legislative priorities. Helping elected officials understand the needs of the College and its students can result in greater support for appropriations and grant funding for the College, which ultimately helps students. The Board Chair should be a strong “champion” for the college, taking every opportunity to promote his/her College in the community and with elected decision-makers.

While Board Chairs serve an extremely important role, it is important to note that the person elected as Chair gains neither additional authority nor legal power, more than any other Board member. The person in the position is bound to represent the Board’s decisions and to reflect the voice of the entire Board when working with the President or representing the Board to the public.

Board Chairs should not have the expectation that every meeting or every Board-led activity will run perfectly smoothly or that every vote will be a unanimous vote. It is unrealistic to expect everything to run perfectly 100 percent of the time. However, a Board Chair who continues to focus on “students first” and works to build trust and respect among all stakeholders will move things forward in a productive way. Also, seeking input and guidance from other Board Chairs at other Colleges can lead to discussion and communication regarding best practices that will assist in addressing any issues that may arise.

***Board Culture***

Community Colleges throughout the NCCCS are public entities, funded with public dollars, staffed by public employees and operating under public laws, policies and procedures. As such, Boards of Trustees should establish and adhere to a culture of:

* *Inclusion* in the discussion and vetting of policy matters and ideas;
* Practicing the highest *ethical standards*;
* Adherence to the Board’s *self-regulating documents and practices* (ex: Bylaws); and,
* Utilize a *Democratic process* in decision-making.

In its work, the Board should always strive to protect the interests of the institution, maintain the College’s academic integrity, avoid running personal agendum, and most importantly govern in a collegial and collaborative manner. The Board’s culture sets the tone for the President and rest of the institution. If the Board culture is positive, it works its way throughout the institution. On the other hand, a negative culture, one of dissension, conflict, and dispute, has a negative effect upon both leaders and professional employees throughout the College.

How does a Board maintain a healthy culture? First, the Board should strive to reach consensus in the deliberation and decision-making of challenging policy matters. Will there be unanimity in every vote? No. But Board members should labor to seek solutions to challenges and pursue opportunities that always best serve students, employees, and the College. Because governance is an imperfect process, Boards should also periodically explore ways and means to enhance Board culture by evaluating its own expectations and outcomes.

***Operational Assessment***

There are perhaps more issues facing Boards and Presidents of community colleges today than at any other time in the history of higher education. The mission of community colleges throughout the State has expanded and shifted from primarily serving adult learners to cooperative and innovating high schools, and Early and Middle Colleges. The College’s business model has shifted from consistent State appropriated funding and uniform tuition and registration fees to an emphasis on fund raising for financial aid and concern over increased charges and student debt. Teaching modalities are transitioning from traditional on site, “platform” style face-to-face instruction to career pathways, non-traditional delivery, and skills certifications with an emphasis on completion and employment. And where risk management once meant campus security, it has increasingly come to mean cybersecurity, pandemics, professional and personal liability, and enterprise management.

Boards of Trustees and Presidents must now continually partner in making operational assessments of the College. Is the College prepared for environmental, incident, health and other emergencies that suddenly befall them? Although increasingly expensive, is the College reasonably well protected against disruptions in and intrusions of its technology systems? And, if challenged, can the College defend assault by those who question the economic utility of an academic credential or skill certification when paired against the costs of obtaining it?

These types of conversations, best suited for Board retreats or professional development opportunities, are difficult but necessary in the community college of today and tomorrow. College operational assessments that precede the conversations serve an institution well to expose the weak places that need both Board and Presidential attention.

***Fiduciary Responsibilities***

Conversations about fiduciary responsibilities are generally associated with fiscal management, banking or investment industries, or the administration of legal documents. Corporate boards, institutional investors, and governmental entities have regulatory agencies and entities that keep watch upon institutional operations for signs of questionable activity. Increasingly, conversations that surround fiduciary responsibility include higher education. Highly visible incidents of educational institution insolvency or fiscal decline, admissions scandals from preferential or discriminatory admission practices, academic fraud, or external interference in the governance or management of an educational institution all beg the question of the importance of a Board’s understanding of its fiduciary responsibility.

While Boards of Trustees govern as a corporate body, every member takes an oath of allegiance to the Constitutions of the nation and the State, annually files a Statement of Economic Interest and participates biennially in ethics training, and vows to protect the institution from harm. As such, every Trustee has a fiduciary responsibility to uphold the obligations they accepted when seated on the Board. These obligations include:

* Engaging with and participating in the work of the Board;
* Reading and analyzing information provided to them in advance of Board meetings, regularly attending meetings, and being inquisitive about matters coming before the Board; and
* Honoring confidentiality in matters discussed in closed sessions, recusing themselves from matters wherein there may be or appear to be a conflict of interest, being loyal to and supporting the mission of the College, and staying compliant with Board bylaws and policies.

There are three widely accepted requirements of each Trustee in their fiduciary responsibility to the institution they serve. The requirements that individual Board members should practice include:

1. **Duty of Care**: In every matter coming before the Board, always act in good faith, thereby putting the College’s interest before their own.
2. **Duty of Loyalty**: Consistent with State ethics laws, Board members should never act in their own interest, avoid personal financial gain in decision-making, and avoid external influence.
3. **Duty of Obedience**: This chapter has focused upon the Board’s and College’s guiding documents, such as the mission statement, vision statement, State law, State Board Code, bylaws, polices, et al. This duty requires obedience to those documents as self-governing instruments when exercising Board authority.

With respect to the last fiduciary responsibility - the Duty of Obedience - the Board is called upon to keep both its bylaws and policies up to date. Bylaws can be the guardrails that keep the Board on a straight path in its governance duties by defining both structure and operation. Bylaws keep a Board compliant with law in practice and with respect to intent. Every Board should periodically review its bylaws, and examine the enactment of policies through that lens. If the Board acts outside the scope of its bylaws, the policy that it enacts may be inconsistent with other governing documents.

The opportunity for the Board to examine not only its bylaws, but to dive deeper into its responsibilities, expectations and outcomes, is found in the principles of accreditation. In fact, SACSCOC calls upon Boards of Trustees to “*define and regularly evaluate its responsibilities and expectations.”*[[17]](#footnote-17)Increasingly, Boards of Trustees in the NCCCS have developed evaluation instruments, and either self-administered them or engaged a facilitator to do so. The discussion that a Board has to reflect upon the results is an opportunity for members to express opinions and concerns, explore new opportunities, and offer suggestions about changes in Board structure, operations, and the need for professional development.

***The Board’s Relationship With The College President***

As referenced in Chapter Two and illustrated in Table 1, the very first power delegated by the General Assembly to the Board of Trustees is an election of a President of the institution, with terms and conditions mutually agreed to by both parties. This delegation establishes the model of shared governance, anticipated by the legislature to be a Board governing the College and a President serving as the chief administrative officer. It is universally understood in the NCCCS that the most important decision that a Board of Trustees makes is the employment of a President.

The employment of a President, however, is not the end of the process of governance; it is in actuality the very beginning. After the initial election and subsequent required approval by the State Board of Community Colleges, there are multiple activities and interactions that take place as the Board and President begin the practice of shared governance. As the roles and responsibilities of the President come more clearly into focus, the Board begins a process of on-boarding and introducing their new President. Communications are established, governing documents are often updated (mission, vision, and values statements), the Board and President may undertake a new strategic plan, and goals are established and a workplan is developed. Each of these activities and interactions creates what should be a healthy and long-term relationship between the Board and the President.

***Shared Governance***

As also discussed in Chapter Two, the Board and President develop a relationship that, while distinct in each of their roles, in practice has the Board and the President act as thought partners in the development of policies and procedures. The process of shared governance begins with the understanding, as expressed in the Principles of Accreditation,[[18]](#footnote-18) that *“the governing board ensures a clear and appropriate distinction between the policy-making function of the board and the responsibility of the administration and faculty to administer policy.”* This statement leaves no question about who at the College is the ultimate authority and retains responsibility for the development, discussion, and adoption of policy that governs the institution. It is, of course, the Board of Trustees. The statement and actual practice is further confirmed in statute wherein the Board elects the President for such term and under conditions that the Trustees may affix. Stated another way, the General Assembly gave certain powers and duties to the governing board, and further authorized them to fix conditions to the President’s appointment that they find appropriate.

The SACSCOC statement however also recognizes that the Board’s role in the administration of the College should be segregated and distinguished from the President. In fact, SACSCOC declares the President’s role to include the responsibility to administer policy, once enacted by the Board. In practice, the act of implementing and administering Board policy is captured in procedures. Most community colleges in the NCCCS have Board “Policy Manuals” and College “Procedures Manuals,” or “Handbooks,” which include procedures.

Even with these distinctions in responsibilities, it would not make for good governance or practice for the Board and President to act in the absence of discussions with each other. It is acknowledged that Trustees volunteer their time and talent, uncompensated, and often have many other professional and personal responsibilities and interests, thereby limiting time to be away from those activities. Further, it is also acknowledged that a President, their leadership team and College subject matter experts have, as part of their responsibilities, a duty to be aware of external policy changes, best practices in higher education, and new practices and procedures. Taken together, in the development of or amendment to policy, or the change in procedures or practices, it is healthy for Boards and their Presidents to collaborate, share information, and arrive at decisions that accomplish their mutual interests in serving students and advancing the institution.

***Roles and Responsibilities of the President***

During the recruitment process for a new President, or as part of the College’s annual planning process, Boards of Trustees will either develop a job description that captures the president’s roles and responsibilities, or include them in an evaluation instrument that sets expectations about what the president will actually do and accomplish before the conclusion of the current period. In terms of a presidential job description, items such as the relationship with the Board, qualifications for the position, essential duties and responsibilities, and supervisory lines are outlined. This kind of information is used to develop a presidential profile, which is then used as a tool for both recruiting candidates for the position and evaluating them annually.

Job descriptions are fine, but they usually fail to capture the expansive roles and responsibilities that define a community college presidency. It is far more important for the Board and President to have a mutual understanding of general roles and responsibilities, which creates expectations around presidential performance, and for the two parties to set more specific goals and objectives related to the College’s mission, vision, values, and the Strategic Plan. The Board and the President share in establishing these important statements and instruments, governing and managing the institution in the pursuit thereof, and analyzing the progress made toward that end on an annual basis. For example, goals can be established for one fiscal year, while pursuit of the mission and vision clearly take more time. Further, a Strategic Plan, once adopted by the Board, serves to guide the work of the President and College. Collectively, the roles and responsibilities of the President, clearly defined, must include goals, objectives, and anticipated outcomes related to the strategic direction in which the institution is headed.

The Principles of Accreditation require that *“The institution has a chief executive officer whose primary responsibility it to the institution.”*[[19]](#footnote-19) That means that the Board has employed a CEO whose every focus and effort is singularly devoted to the leadership of the College. That focus and effort in leadership can be captured in three general ways:

1. The President has the ultimate responsibility for administering and moving forward the mission, Strategic Plan, Facilities Plan, and policies, initiatives, goals and priorities approved by the Board;
2. The President bears responsibility for leading and managing the administrative functions, academic program, student support, economic development effort, fiscal management, resource development, upkeep and expansion of facilities; and supporting the faculty and staff in the process thereof[[20]](#footnote-20); and,
3. The President is responsible for informing the Board about the College’s fiscal affairs, potential risks, public policy issues, updating capital improvement information, and work on and progress made implementing the Strategic Plan.

While the three items listed are not an exhaustive list of a President’s roles and responsibilities, they set a framework from which the Board and President can establish and measure annual and multi-year goals that translate into actual roles and responsibilities.

***Supporting the President***

Given the vast roles and responsibilities of leading an institution of higher education, the President needs and welcomes the support of their Board in the process. There are both physical and verbal means by which Board members can lend support to the President. Trustees can demonstrate their support by:

* Being present while the President is delivering a speech or remarks at a public event;
* Providing verbal support during the implementation of difficult or unpopular policy decisions made by the Board, that serve the best interest of the College and its students;
* Publicly defending the President against criticism when making institutional or administrative changes agreed to by the Board; and,
* Offering words of encouragement during strenuous periods of fiscal exigency or programmatic realignment, or during unexpected emergencies or health and safety crises.

The President must have assurance that the Board supports them when positions must be taken that may be somewhat controversial, adjustments must be made to precedent, and/or the College is moving in new academic or organizational directions. This is especially true when a new President replaces a long-tenured predecessor. It is important that the new President evaluate the inner-workings of the College, explore opportunities for enhancement and innovation, and make structural and organizational changes. This is hard work, time consuming, and may be met with some level of resistance. As such, as the Board and President make these adjustments in the best interests of students and the institution, the CEO will need the Board’s support, defense, and encouragement.

***Communications***

Essential to the success of any relationship, but especially the relationship between a Board of Trustees and the President, is a two-way, frequent, transparent and informative communication process. Board/President communication can take many forms. It can include emails, periodic written updates, phone calls, and face-to-face discussions. There is an adage that accompanies the importance of Board/President communications:

 *“Keep the Board Chair and Board informed. Board members don’t like surprises. Neither*

 *do Presidents.”*

Boards and Presidents should establish a basis for regular communications and updates. The Board and President should agree on the timing of regular campus updates (weekly, monthly, bi-monthly) sent to them. A succinct and clearly crafted update about College opportunities and challenges enables the Board to know of the President’s work, and prepares them when they are quizzed about campus activities. This is not an invitation for Trustees to provide direction to the President about how to manage the College; rather, it keeps them knowledgeable about the goings-on at the campus in their fiduciary role.

***Strategic Planning***

From time-to-time a Board and President should evaluate the mission, vision and value statements of the College to determine whether the policies, procedures and practices of the institution align with them, or whether there is need for revisiting one or both. Often a President may recommend to the Board that the College’s policies and procedures be reviewed, edited and refreshed before they jointly begin work on new mission, vision and value statements. Having consistent, clear and updated policies and procedures is important before an overhaul of institutional statements that, when completed, may be in conflict with them.

Once a Board and President have done this work, attention should then turn to exploring a new Strategic Plan. Strategic planning in higher education is an inclusive process of defining the institution’s strategy and direction, and making decisions about the allocation of resources in pursuit of the strategy. A Board usually directs its President to initiate the strategic planning process. From the beginning, the Board and President must discuss what the expected outcome(s) of the process might be, and establish a timeline for completing the work. Board participation in the actual process varies. It is important however that the process include all sectors of the campus community and representation from throughout the College’s service delivery area.

An expectation of both the Board and President should be that the strategic planning process will unearth programs, services and activities that no longer are consistent with the College’s mission or vision. If done correctly, the process may also find processes and practices that add little or no value to either the institution or its students. Whatever the results, the Board and President must be positioned to receive, digest, and act upon the findings and recommendations. This can only occur if the Board has been regularly informed by the President of the evolution of the work, the positive and/or negative findings, and the potential recommendations that begin to emerge.

***Goal-Setting and Establishing a Workplan***

An engaged and effective Board and a productive and successful President have in common similar or closely-related goals and plans of work for the College that they respectively govern and manage. Many Boards look to the President to establish goals for the institution, which they may subsequently adopt. A practice of shared governance and strong partnership however suggests that the Board and President develop mutual goals and objectives for the College, then empower, trust and support the President in pursuit of them. While the Board is ultimately accountable for protecting the institutional reputation and for advancing the public purpose of post-secondary education and training in their service area, they vest confidence in the President that successful outcomes for students and the College will be realized.

The Board should consider establishing both short and long-term goals for themselves, their President, and the College. Having refreshed the College’s policies and procedures, reviewed and updated the institutional mission, vision and values statements, and adopted a new or revisited the existing Strategic Plan, the Board and President are better positioned to set both attainable and stretch goals. Often Boards will retreat to a location or quiet setting to see and hear their President and leadership team discuss not only recent accomplishments, but more importantly areas of interest or concern about each of the functional areas of the College. After exploring areas of opportunity and challenge, the Board and President can establish annual and multi-year goals and objectives to fulfill the College’s mission and that reflect the direction established in the Strategic Plan.

Goals that have been established for the President and the College can be organized into a scope of work, or workplan, that documents the intentions of both the Board and its CEO. A workplan is not a checklist; rather, it enables the President and leadership team to prioritize among multiple time and resource consuming tasks that should be addressed during an academic and/or fiscal year. It also enables the Board Chair and President to frame the agendum for Board meetings, wherein the Trustees are updated on the progress made addressing what all agreed were the areas of emphasis in the life of the College for the year, or over several years in the case of facilities. It is also important to note that the workplan should include both professional and personal goals for the Board and President. The Board should intentionally set goals for their own participation in professional development and assessment of effectiveness. The President should also set goals for professional development, but should include “personal care” objectives to balance the demands of the job. These objectives should include items related to family, physical health, and periods of respite and refreshment.

***Presidential Evaluation***

Thus far, Chapter Three has explored the principle of shared governance between the Board and the President, discussed the President’s roles and responsibilities, illustrated how the Board supports and communicates with the President, and the mutual responsibility for setting goals and establishing a workplan. Exploring all of these principles, shared and individual responsibilities, and planned and anticipated outcomes leads to an activity that is not only recommended, but required – the evaluation of the President. The prescription for a healthy relationship between the Board of Trustees and the Chief Administrative Officer of the institution is a check-up. Regular annual check-ups provide an opportunity for each Trustee and the full Board to provide feedback to the President about the myriad duties and responsibilities reflected in the goals and workplan established about one year earlier, and the assessment of institutional progress.

As discussed earlier, the President’s duties include administering the academic and educational program, student success, administrative and fiscal services, and implementing the policies that the Board has adopted and/or amended. The duties also include many other activities, projects, and processes throughout the year, all of which compete for the President’s time, talent and attention. Given the importance and volume of work, Boards should periodically provide honest and constructive feedback through a formal evaluation process. A tool for providing honest and constructive feedback is an evaluation instrument.

The State Board has established a process and minimum criteria for Boards of Trustees to annually evaluate their President and report the written findings to them.[[21]](#footnote-21) The SBCC leaves to the local Board discretion to develop and use an evaluation process of their own determination, but it sets forth the areas of focus which the Trustees must examine.

A review of best practices of items included in presidential evaluation instruments reveals common items that consistently show up. Meaningful evaluation tools usually include:

* A valid instrument that provides both a rating scale and opportunity for comment;
* A review of the predetermined goals and objectives;
* Discussion about the relationship between the President’s work and the College mission and Strategic Plan;
* Effects, if any, on the implementation of new policies and procedures;
* Presidential innovations or new programs and services;
* A review of the academic and educational program;
* A review of College’s fiscal health;
* Organizational and institutional changes;
* Criteria required by the State Board;
* Community involvement and service;
* Successes and accomplishments;
* Areas of challenge that need further attention; and,
* Potential opportunities for the ensuing period.

Following completion of the evaluation instrument, the rating results and comments should be compiled, distributed to all Board members and the President, and then time should be allotted in a closed session for the Board and President to discuss the results. The results are useful to both the Board and President as they not only provide a healthy examination of the President’s work, but also can be used to set goals for the next evaluation period.

***The North Carolina Association of Community College Trustees***

***And***

***Boards of Trustees***

***Introduction***

The North Carolina Association of Community College Trustees (NCACCT) is a nonprofit corporation that was initially founded on October 26, 1967, and incorporated in 1968. The association was established to provide trustees an organization for furtherance of the aims, goals and development of North Carolina community colleges.

The NCACCT is composed of the boards of trustees of the 58 institutions. Total membership in the Association is in excess of 700 members. The Executive Board voting membership consists of four officers and two representatives from each of the six trustee regions. Non-voting ex- officio members are the NCACCT President/CEO, and any officers from North Carolina on the Association of Community College Trustees (ACCT) - Board of Directors.

On January 1, 1992, the NCACCT Executive Board established a management office to carry out the day-to-day activities of the Association. The management office is located in Cary, and the staff is composed of a President/CEO, Director of Communication and Events, and the shared NCACCP/NCACCT position of Communication Coordinator and Events Manager.

***The Mission of the NCACCT***

The Mission of the North Carolina Association of Community College Trustees is to provide education and orientation for the trustees, other needed services to local Boards and the community colleges, and to provide advocacy for legislative issues that will provide the resources needed to accomplish the educational mission of the colleges. The Association also provides advocacy for

passage of legislation needed by local colleges, and seeks repeal of legislation that is detrimental to the local College mission or infringes on College autonomy. As previously noted, it is a fiduciary responsibility of the local Boards to protect the College from external interference.

***NCACCT Governance***

The Membership shall consist of all appointed trustees of each local Board of Trustees in the Community College System. The Membership shall have power to conduct the business of the Association under the existing Constitution and Bylaws. Each institution represented at any meeting of the Association shall have one vote to be cast by its voting delegate on any item presented for consideration.

***The Executive Board***

The Membership of the Executive Board shall have such power as the membership may delegate to it. The Executive Board shall consist of the:

 - Chair;

* Vice-Chair;
* Secretary-Treasurer; and
* Two (2) members from each of the six (6) Trustee regions, and three (3) At-large members selected from any region.

***Terms***

Each member of the Executive Board serves a four-year term, with:

1. Six (6) members selected from regions elected in even years;
2. Six (6) members selected from regions elected in odd years; and,
3. Three (3) at-large members elected in odd years.

The immediate past chair shall be a voting member of the Executive Board for two (2) years following the termination of his/her term as chair. In the event the immediate past chair is no longer available to serve, then the term or the remainder of the term shall be filled by the most recently serving immediate past chair who is able and willing to serve. Any Association of Community College Trustees (ACCT) board member from North Carolina and any trustee serving on a standing committee of the State Board of Community Colleges shall serve as an ex officio, non-voting member of the Executive Board.

***Vacancies***

The Executive Board shall fill vacancies in its membership caused by death, sickness, resignation, non-reappointment as a trustee, or for any other reason, for the portion of the remaining term of that member. No elected member of the Executive Board may succeed himself/herself as an elected member more than once, unless elected to a higher office, nor may any Board of Trustees be represented in the elected membership of the Executive Board for more than two (2) consecutive terms, unless the representative is elected to a higher office.

***Absences***

Any Executive Board member absent for three (3) consecutive meetings may have his/her seat declared vacant by the Executive Board. Nothing herein stated shall prevent a member of the Executive Board who is appointed to fill a vacancy from being elected to a regular term or terms, subject to the limitations stated in this paragraph.

***Powers and Duties***

The Executive Board shall consider all proposals for substantive action or policy direction in accordance with the purposes of the Association, and any such proposals requiring action by the Association shall be submitted to the Annual Business Meeting together with a statement of advice or recommendation of the Executive Board regarding such proposal. The Executive Board shall have all power to operate the Association as it deems necessary or appropriate to carry out the purposes of the Association when it is not in official session.

***Trustee Training and Professional Development***

A Board of Trustees has a significant charge in fulfilling its roles of governance and policy-making and fiduciary responsibilities. Trustees don’t typically come to a Board with a complete working knowledge of all that is expected of them. In addition, the work of a higher education institution moves at a significant pace, as teaching and learning modalities change, best practices in both governance and policy-making shift, and an emphasis on student support becomes increasingly important. Board members must develop professionally and grow in discernment as they confront both challenges and opportunities that confront the institution which they govern.

The General Assembly acknowledged the need for Board member progression, and the necessity for individual Trustee professional development and continuing education. The Assembly established a statute[[22]](#footnote-22) requiring newly appointed trustees to avail themselves of training and education sponsored by the NCACCT within six months of their appointment. The Trustees Association has a rich history of providing this service, not only to newly appointed Trustees, but also for Board members that have held appointments and served for several years. The Association provides at least two affordable and convenient opportunities each year for Board members to gather and participate in instructional and collegial education and training. These opportunities are always announced well in advance, and are posted at NCACCT’s website at: <http://ncacct.org/ncacctseminars/>. The Association also posts “Upcoming Events” regularly, in order that Board members can schedule offerings and opportunities for education, training and professional development.

***Advocacy***

As codified in its organizational Mission, the NCACCT *“provides advocacy* *for passage of legislation needed by our local colleges and repeal of legislation that is detrimental to the local college mission or infringes on local college autonomy.”* This work is led by the President and Chief Executive Officer of the Association, in partnership with both the Executive Board and membership. During legislative sessions, the Association President and CEO invests a significant amount of time monitoring bills that are initiated and advanced in both chambers of the General Assembly. Legislation is evaluated for positive or negative impacts upon the 58 community colleges. In addition, based upon a legislative agenda that may be developed by the Association membership, the President/CEO and Executive Board develops strategies for Trustees to engage with locally elected county commissioners and members of the General Assembly to communicate the potential impacts of legal requirements and policies that may be imposed upon the community colleges. The President/CEO and members of their team are available to consult with Board of Trustee members about legislative matters. Further, the NCACCT hosts a “Law/Legislative Seminar” annually for the purposes of keeping Trustees informed about legislative priorities, and to provide an opportunity for members to join advocacy efforts on behalf of all community colleges.

***Board Services and Associations***

The professional staff of the NCACCT is available to membership to provide support and Board services that may be required from time-to-time. The President/CEO and team members are called upon to work with local Boards on activities and events, Board retreats, and provide information and materials that are needed. In addition, the NCACCT works cooperatively with the State Board of Community Colleges [ <https://www.nccommunitycolleges.edu/> ] and the North Carolina Association of Community College Presidents on issues related to governance, policy and operations within the NCCCS.

***Operations of the College***

***Introduction***

As presented and discussed in Chapter Three, “The Board’s Relationship with the College President - Shared Governance,” and consistent with the SACSCOC “Principles of Accreditation,” it is the responsibility of the Board of Trustees to clearly distinguish between its policy-making

function and the responsibility of the administration and faculty to administer policy, once the Board has approved it. The juxtaposition of shared governance and a distinction in responsibilities suggests that while the Board, President and Faculty have separate roles in the establishment and administration of policy, they must work collaboratively across myriad areas for successful institutional operation. For example, local Boards must approve the establishment of new academic programs, curriculum instructional contract agreements and service agreements between community colleges, and they may adopt policies that govern the admission of students. While these approval requirements rest upon the Board, none of the aforementioned items would be considered by the Board without the research, preparatory work, and validation that there is a justified need for new programs of instruction, a need for cooperative arrangements with public and/or private institutions, and modification of policies for admission. The point is that while the Board establishes policy that governs the College and does not interfere with day-to-day management or operations, the Board, President, Faculty and Staff are dependent upon each other for guidance, counsel and timely and accurate information to make decisions that best serve the institution and its students.

No two colleges within the NCCCS are the same. The word “community” suggests a group of people who share common interests, support similar or related activities and purposes, and generally agree upon prevalent needs and goals. As such, each of the 58 community colleges share a common belief that higher education is a public good that supports the development and prosperity of a community. They are unique however in the programs and services they deliver in each service area in which they operate. That being said, there are nonetheless similar functions that every community college has in pursuit of their mission. These functions include academic affairs, workforce continuing education, basic skills, student services/student success, business and finance, and economic development.

***Academic Affairs***

The President, Chief Academic Officer and Faculty are responsible for development and implementation of an academic program that responds to the educational needs of the community, employer and student demand, and the economic development needs of the State of North Carolina. The academic program includes curriculum credit programs of instruction. A curriculum program is an organized sequence of courses leading to an associate degree, a diploma, or a certificate. Curriculum programs are designed to provide education, training, or retraining for the work force, transfer to four-year colleges and universities, or to confer general liberal arts degrees.[[23]](#footnote-23)

Accompanying the offering of academic programs are requirements that programs meet standards of accreditation and learning objectives and outcomes, State Board competency-based standards and materials, federal regulations, State Board and local Board of Trustee approvals of offerings, and other policies and procedures.

Presidents, Vice Presidents of Learning, Instruction and other academic leadership, along with the College Faculty, continually assess the effectiveness of and demand for teaching modalities and relevance of curriculum programs. Instructional programs are initiated and/or terminated consistent with State and local Board policies and procedures, upon request of the College President and team members. Colleges typically establish and utilize external advisory groups or committees to provide guidance and feedback about program content, delivery, or requirements. Finally, the Academic Programs Section of the System Office assists and consults with Colleges about curriculum development, standards, competencies and approvals.

***Career and Technical Education***

Career and Technical Education (CTE) provides students with the academic and technical skills, knowledge, and training necessary to succeed in future careers and to become lifelong learners. CTE prepares these learners for the world of work by introducing them to workplace competencies, and makes academic content accessible to students by providing it in a hands-on context. Funding is provided through the federal Perkins legislation to help colleges enhance their CTE program. CTE resources for Colleges can be found on the [NC Perkins](http://www.ncperkins.org/) website.[[24]](#footnote-24)

***Workforce Continuing Education***

Graduates from Workforce Continuing Education training programs are in demand by both public and private sector employers. These programs are designed to provide instructional opportunities for individuals seeking to gain new and/or upgrade current job-related skills. Training programs can be delivered as a single course or bundled as a series of courses; and provide instruction around skill competencies that lead to a recognized credential (licensure, certification, renewal, registry listing) and/or meets local workforce labor needs.[[25]](#footnote-25)

Much like the Academic Programs Section, the “Workforce Continuing Education Unit” of the System Office provides support and direction to the College President, Vice President for Continuing Education and other College faculty and staff on policies, procedures and practices.

Workforce Continuing Education training opportunities and programs include:

* Agriculture and Natural Resources
* Business and Computer Training
* Education and Language
* Health
* Industrial/Manufacturing
* Transport Technology
* Service Occupation
* Public Safety

***Basic Skills***

Each College in the NCCCS has a deep and successful history of providing Basic Skills services to the residents of the communities within their service area. On July 22, 2014, the Workforce Innovation and Opportunity Act-Adult Education and Family Literacy Act (WIOA-AEFLA) was signed into law.  The North Carolina Community College System Office is the designated state agency responsible for the allocation of federal and state funds under this Act. The College and Career Readiness Unit, under the NCCCS Programs and Student Services Division, provides leadership, oversight, professional development, technical assistance, and monitors and evaluates programs funded through WIOA-AEFLA grants.[[26]](#footnote-26)

The College and Career Readiness section also provides leadership, oversight, professional development and policy guidance to local community colleges and community-based organizations regarding literacy education.  These literacy education programs include Adult Basic Education (ABE), English as a Second Language (ESL), and Adult Secondary Education (ASE). The program descriptions for the ABE and ESL programs are as follows:

* **Adult Basic Education (ABE)** program is designed for adults who are functioning at or below the eighth-grade educational level. The major objectives of the program are to enable adults to acquire the basic educational skills necessary to be fully competent in our society, to improve their ability to benefit from occupational training and to have greater opportunities for more productive and profitable employment, and to meet their own objectives for enrolling in the program.
* **English as a Second Language** (ESL) program offers classes which accommodate the varied needs of the immigrant and refugee populations. Attention is given to both the cultural and linguistic needs as instruction is focused upon the formation of accurate, appropriate communication skills and upon the student's ability to function in the adult American community. Classes are offered at the beginning through the advanced levels of ESL. The curriculum is designed to develop the basic language skills of reading, writing, speaking, and listening. Instruction integrates the English language with topics that prepare students for everyday life, employment, and citizenship.[[27]](#footnote-27)

***Student Services and Student Success***

Of increasing importance and emphasis on each community college campus are student support services and student success initiatives. These services and initiatives are designed to enable students to navigate the challenges and complexities of higher education, and to facilitate their registration, enrollment, advancement and completion of their educational goals and subsequent employment in a field of choice. Some students face financial constraints, conflicting employment and class schedules, family responsibilities and other life circumstances that require personalized plans that permit them to persevere in pursuit of a credential or employable skill. College advisors, counselors, financial aid specialists, mentors, and other critical personnel make themselves available to students to help them overcome barriers and roadblocks. Whether it is guided pathways, connecting students to employers, or identifying available scholarships or other sources of financial assistance, NCCCS institutions are working harder than ever to provide accessible student services to every student as they enter the open door to economic prosperity and personal success.

The Board of Trustees’ role in support of these efforts is important. First, the College’s mission and Strategic Plan should capture the importance of student success, and identify goals and objectives that lead to that outcome, respectively. Next, the Board and President should ensure that the College’s policies and procedures don’t include processes or roadblocks that frustrate students in their pursuit of their personal educational goals. Finally, the Board should consider, in all decision-making activities, what serves the best interests of the institution and its students.

The question that any Board or individual Trustee, experienced or newly appointed, should be asking is: “How do we measure whether students are being successful at our community college?” This question can be framed in many ways, but the core words found in the question are “students being successful.” What data, outcomes or other information informs the Board about the progress of and student achievement at their College? Are there metrics, reports, or benchmarks that can inform Board members about student attainment of their educational or career goals and objectives?

Many years ago, the General Assembly required The State Board of Community College to “adopt and implement a system of accountability measures and performance standards for the Community College System.”[[28]](#footnote-28) Most recently, the Assembly directed that the State Board evaluate each community college in the System on the following performance measures:

* Progress of basic skills students.
* Performance of students who transfer to a four-year institution.
* Success rate of students in credit-bearing English courses.
* Success rate of students in credit-bearing Math courses.
* Progress of first-year curriculum students.
* Curriculum student retention and graduation.
* Attainment of licensure and certifications by students.

The State Board is authorized to evaluate Colleges on additional performance measures, if the Board determines there is a need to do so. Each community college is required by statute to annually publish, either on its website or e-Catalogue and in its printed catalog each time it is printed, the performance of students on each of the measures. The State Board is further required to evaluate each College on the legislatively required measures and is subsequently authorized to allocate funds to Colleges based upon their performance. The two components of evaluation include program quality and program impact, based upon the rate of student success and the number of students succeeding on each measure, respectively.[[29]](#footnote-29)

The State Board publishes the results for each community college in the System on each of the required measures annually in a report titled *“Performance Measures for Student Success.”*[[30]](#footnote-30) Board members can access the report easily and review the performance of their College and students against other Colleges, and against the System as a whole. Trustees are thereby informed about student success at their institution. This information is valuable to facilitate engaging and constructive conversations with the President about student outcomes in relation to the College’s mission, Strategic Plan, support services, policies and procedures, and other documents. As discussed earlier, this is a healthy exercise of shared governance between the Board and President, with a mutual goal of facilitating successful outcomes for students.

Trustee knowledge of and understanding about student services and student success enables them to be more effective in their policy-making role, and more supportive of the President and their leadership team’s initiatives and intentions to facilitate positive results.

***Business and Finance***

Boards of Trustees have a legal and fiduciary responsibility to prepare an annual budget that includes estimates of available funds provided by both State and local funding authorities, and all other funds, and submit that budget to the State Board for approval.[[31]](#footnote-31) The budget submitted by Board must include the following funds:

1. State Current Fund
2. County Current Fund
3. Institutional Fund
4. Plant Fund

Within each fund, there are specific items required to be included, as provided by General Statute. Both the State Board and the Board of Trustees are approving authorities with respect to State and local funding. With respect to the Institutional Fund, only the local Board approves the annual budget. Finally, the Board of Trustees submits a Plant Fund budget to the local “tax-levying authority” (County Commissioners), which has authority to approve or disapprove as a whole, or only the portion, that includes local funding. Following County Commissioner approval, the Board must submit the Plant Fund budget to the State Board to approve or disapprove as a whole, or only the portion of the budget that includes State or federal funds.

***State Funding***

The State Board of Community Colleges is responsible for the equitable allocation of State and federal funds that it receives to each of the 58 institutions. The North Carolina General Assembly makes annual adjustments to the budget of the System, and enacts a budget that allocates funding to the State Board for distribution. The State Board is given legislative authority to develop algorithms and formulae to meet the legal requirement to allocate funds equitably.

Over many years, including direction from the General Assembly and consultation with the North Carolina Association of Community College Trustees and the Association of Community College Presidents, the State Board and System Office staffs have modified and perfected funding allocation models. Generally, the State Board and System Office begin work on the allocation of State and federal funds shortly after the conclusion of the most recent session of the General Assembly. This work includes receipt of appropriation advice from the Office of State Budget and Management, directives included in the legislative Appropriations Act, State Board allocation rules, and myriad formulae that collectively results in an individual College budget allocation. This allocation is captured annually in the *State Aid Allocations and Budget Policies*[[32]](#footnote-32) for the ensuing fiscal year.

The State Board’s allocation includes salary guidelines, formula budget allocations, categorical allocations, the use of State funds, budget flexibility, tuition and fee information, and other budget policies. Funds are allocated according to a combination of full-time equivalent enrollment (FTE), base funding amounts, tiered funding values, and specific, targeted amounts. Funding categories include curriculum, continuing education, basic skills, institutional and academic support, and performance-based funding. Within each category, funds are included for salaries, benefits and other operating costs. Funding for equipment and instructional resources, career and technical education special allotments, small business centers, customized training and child care are included in categorical allocations. Specific targeted allocations are also made by the State Board for specialized training centers or programs, located at individual Colleges.

With respect to tiered funding, the State Board and General Assembly agreed that funding should be weighted for instruction that meets the workforce and economic development needs of the State that reflect the cost differential in the delivery of instruction and in courses of instruction that “*prepare students for jobs in priority occupations and lead to industry credentials.”*[[33]](#footnote-33) The tiered funding values are adjusted annually if there is a change in State-funded salaries and/or benefits, or if funds are appropriated to increase the weighted values.

***Local Funding***

The County Commissioners of local governmental units that house a community college campus or multi-campus college location are responsible for annually appropriating funds that are adequate for meeting the financial needs of the College. The financial needs of the College include facilities, current expenses of plant operation and maintenance and support services, and related costs. The County Commissioners may also elect to appropriate funding to supplement the current expense budget financed by State funds.[[34]](#footnote-34)

The Board of Trustees annually submits a budget request to the Boards of County Commissioners for such items as the construction, maintenance, and operations of buildings, locally owned, non-instructional vehicles, maintenance of grounds, purchase of furnishings, locally funded positions, salary supplements, and related items. In addition, the County is responsible for funding insurances, legal counsel, bonding of employees, and the cost of local general obligation bond elections. Counties are authorized to issue bonds for capital improvements at their College, given that Trustees are prohibited from issuing or incurring debt, unless otherwise permitted by law.

***Institutional Funds***

Institutional Funds are defined by the NCCCS as “Funds that are acquired and controlled entirely by the local college, including loans, scholarships, endowments, trust and agency funds, auxiliary enterprises, student fees, and private and federal grants and contracts that are not processed through the System Office.”[[35]](#footnote-35) Recently, Boards have begun to address the need for policies governing Institutional Funds by adopting language consistent with N.C. General Statute 115D-58.13 and State Board of Community Code Section 1C SBCCC 700. The General Statutes impose upon a Board the responsibility to consider and adopt an “Institutional Funds Budget,” which shall contain the items of current operating expenses, loan funds, scholarship funds, auxiliary enterprises, State, private and federal grants and contracts and endowment funds for which institutional funds are requested.”[[36]](#footnote-36)

With respect to local Board policy, Boards establish optional local fees, set the fee amounts consistent with State Board policy and guidance, have their College deposit the receipts from local fees in an unrestricted Institutional Fund account, and use the receipts only for the purposes for which they were established. Annually, each College must provide a report to the System Office on all required fees.

State Board Code (SBCCC) also provides guidance to Boards of Trustees for charging local fees. The SBCCC speaks to vending funds, but also addresses other accounts housed in Institutional Funds. These accounts include the Bookstore, Client Live Projects, Local Fees (Student Activity Fees, Instructional Technology Fees, College Access and Parking Fees), Other Fees (student health, transcript, fees to participate in a specific event or activity), Required Specific Fees (tools, uniforms, insurance, certification/licensure fees, e-text, lab and other consumable supplies), and Self-Supporting Fees. The SBCCC directs how Institutional Funds shall and shall not be used.[[37]](#footnote-37)

Institutional Funds are generally the most flexible funds available to the College to carry out institutional purposes related to student needs. The funds are retained locally, and do not revert at the end of a fiscal year.

***Plant Fund***

Plant Funds incorporate the provision of G.S. 115D-31, and include all instructional, administrative and general equipment, land, improvements to land, buildings, improvements and renovations to buildings, and instructional resources. Plant Funds also include any cash or other assets that are intended to be used for the acquisition of any of the above. Plant Funds may be used with any of the three budget sources (State, Local, Institutional) previously described.

Of particular importance to local Boards of Trustees as it relates to Plant Funds is the State Board’s ability to provide capital improvement funds to Colleges, when they are made available by the General Assembly. The State Board may, on an equal matching-fund basis from appropriations made by the State for the purpose, grant funds to individual institutions for the purchase of land, construction and remodeling of institutional buildings determined by the State Board to be necessary for the instructional programs or administration of such institutions. For the purpose of determining amount of matching State funds, local funds shall include expenditures made previously by a College, when the expenditures were made for the purchase of land, construction, and remodeling of institutional buildings. The local expenditures can’t have previously been used as the basis for obtaining matching State funds. In other words, appropriations by the State of North Carolina for capital or permanent improvements for community colleges may be matched with any prior expenditure of non-State funds for capital construction or land acquisition not already used for matching purposes.[[38]](#footnote-38)

***Fiduciary Responsibility for Business and Finance***

The State Board established fiduciary responsibilities for Boards of Trustees in their role of serving as guardian of the fiscal resources of the College. Each Board is required by State Board Code to “*adopt policies that assure a community college has sound fiscal and management practices.*”[[39]](#footnote-39) This requirement is intended to compel Boards to adhere to their fiduciary responsibility to protect the assets of the institution, safeguard its financial integrity, and ensure that the College remains viable.

The State Board enumerated the practices that the Board should follow to ensure sound fiscal and management practices. These include:

1. Expending funds prudently and consistently with the approved budget.
2. Demonstrating stewardship of the institution’s State financial resources by effectively executing the institution’s budget to ensure that the percentage of State current operating funds remaining unexpended does not exceed five percent or five times the systemwide percentage, whichever is higher.
3. Ensuring that institutional fund accounts do not have a negative balance at the end of the fiscal year unless such an instance exists for a planned reason, such as an anticipated reimbursement.
4. Tracking expenditures consistent with the North Carolina Community College System’s Chart of Accounts, as outlined in the NC Community College System Accounting Procedures Manual.
5. Providing financial reports to Boards of trustees at intervals determined by the Board.
6. Maintaining a system of internal controls as prescribed by G.S. 143D-7.
7. Ensuring the college does not overdraw accounts by ensuring bank accounts are reconciled and any discrepancies and a plan for resolution are identified within 30 business days from the end of the prior month.
8. Submitting complete and accurate financial statements to the North Carolina Office of the State Controller by the prescribed deadline.
9. Ensuring that audits are conducted consistent with G.S. 115D-20(9) and G.S. 115D-58.16.
10. Addressing any findings identified in audits, compliance reviews, SACSCOC reviews, or other monitoring reviews.
11. Ensuring that the college is actively seeking to fill leadership and other supervisory positions in a timely manner with individuals of high competence.
12. Monitoring staff turnover by providing an employee vacancy report for information to the local board of trustees at least biannually.[[40]](#footnote-40)

Boards typically accomplish these required fiduciary responsibilities through their Finance Committee and/or Audit Committee, and in partnership with their President. Clearly, the State Board intends to hold local Boards responsible for the fiscal oversight of the institution, consistent with SACSCOS Principles of Accreditation. In the spirit of shared governance and cognizant of employing a President as Chief Administrative Officer of the institution, Boards provide direction to and counsel with their President about their expectations of sound fiscal and management practices.

***Economic and Workforce Development***

The economic and workforce development function of the Colleges has its roots in the founding of the North Carolina Community College System. It is of such importance that it has been written into the System’s mission and woven into the fabric and purpose of each of the 58 institutions. The General Assembly codified direction given to community colleges, declaring that they *“shall assist in the preemployment and in-service training of employees in industry, business, agriculture, health occupation and governmental agencies.”*[[41]](#footnote-41)

The General Assembly established and funded a “Customized Training Program” within the System for the purposes of offering educational program and training services *“to assist new and existing businesses and industry to remain productive, profitable, and within the State.”*[[42]](#footnote-42) The Assembly provided direction and guidance to the State Board about the operations of the program.

Consistent with legislative intent, the State Board adopted and distributed to Colleges guidelines about the use of funds appropriated for Customized Training. [[www.nccommunitycolleges.edu/numbered-memos/cc09-014](https://www.nccommunitycolleges.edu/numbered-memos/cc09-014)]

The State Board annually allocates funding to support both administration and instruction for business and industry support. These funds may be used to support a position to deliver business and industry services for customized training.

***Institutional Change***

The world of higher education is perhaps under greater pressure to respond to economic, accountability, health care, demographic, and delivery challenges than at any time in the past 50 years. Public conversations about workforce development, employment, affordability, student debt, a health pandemic, declining high school populations and shifting enrollments, teaching and learning modalities, and completion rates have placed greater demands upon educational institutions to not only react, but also to bring forward real-time solutions quickly. With increasing frequency, these challenges are accompanied by both declining governmental support and pressure to refrain from tuition and fee increases. These pressures upon both Boards and Presidents may be classified as external factors that cause and likely bring about institutional change.

On the other hand, especially in the world of community colleges, notwithstanding an emergency situation, institutional change is usually the result of a change in Board composition or direction, or a change in executive or presidential leadership. Board members are appointed by three external entities. The appointing authority or authorities may seek to bring about changes in administration, programs or services, or strategic direction at a particular College. Or, as the result of a Board of Trustee retreat, the Board and President may have determined that the College needs to be re-structured, reorganized, physically expanded, or become more entrepreneurial in the enterprise of education.

Changes in presidential leadership, especially after the outgoing president has either enjoyed a long tenure at an institution or a tumultuous relationship has ended abruptly, can create opportunities for internal institutional changes. Here, the Board and President can evaluate institutional operations, explore new educational opportunities, and invite the campus community to provide insight about future directions for the College.

Regardless of whether the pressures to develop solutions to challenges are the result of external factors or the need to chart new courses of action for the College come internally from the Board, President or campus community, it is inevitable that Colleges within the North Carolina Community College System are continually evolving in their delivery of academic, student, and workforce development programs, training and services. This is commonly referred to as institutional change.

Community Colleges are dynamic institutions, capable of developing and deploying flexible, affordable, life-changing learning opportunities throughout the communities they serve. They are “student-centered” organizations. As such, College Boards, Presidents and professional faculty and staffs review and modify policies and procedures to remove barriers to student access, continually advance innovative teaching and learning models, deliver guidance and support with financial aid resources and management of life challenges faced by students, and are receptive to organizational changes that best serve the community.

The question therefore becomes: How do Boards and their Presidents bring about institutional change? As noted, institutional change can result from either external or internal factors. The following identifies features about how institutional change is either initiated or imposed.

***Institutional Change - Governing Documents***

The items that follow are seen as documents that the Board uses, along with the President, to govern and manage the institution, respectively. The amendment of or initiation of a new document (statement, plan, bylaw or policy) can have the effect of bringing about institutional change. A timeline for reviewing and updating governing documents is included below.

* **Mission – Vision – Values Statements**: These documents make statements about where the institution is headed, the Board’s relationship to College objectives, programs and services, and what it values. A thoughtful process wherein a Board and President revisit and refresh the College’s statements should be conducted no less than once every five years.
* **Strategic Plan:** The Strategic Plan is a document commissioned by the Board. The process of developing a Plan is conducted by the President. This process should include faculty, staff, students, members of the community, business and industry, and be representative of individuals and groups connected to the College. One goal of a Strategic Planning process is to assess priorities, and use the results to guide policy-making and the allocation of institutional resources. The goals of a Strategic Plan should be regularly monitored in relationship to the work of the College. New Plans should be developed no less frequently than every five years.
* **Board Bylaws**: Bylaws are a set of procedures, processes and practices that facilitate the operations of the Board. Bylaws include a statement of authority, Board jurisdiction, officers, powers, duties and responsibilities, committee structure, organizational rules, the conduct and procession of meetings, and other procedural information. The Bylaws may also include provision for a “Consent Agenda,” which can be used to expedite Board meetings related to routine matters. Bylaws should be kept current.
* **Board Policies**: As a part of the Board’s self-assessment practice, it should periodically examine its Policy Manual to determine whether its operational practices are consistent with optimal governance of the institution. Do the College’s policies enable the institution to adequately serve students and the community, or are the policies dated and inconsistent with current College practices? A thorough review should be conducted every five years.
* **Board Retreats**: While not a governing document, Board retreats provide opportunities for members to explore emerging issues in depth that may warrant institutional changes, establish new priorities, explore best governance practices, and review potential changes in Board documents brought forth by the President for consideration. The Board should hold a retreat on an annual basis.

***Institutional Change – Presidential Assessments***

The work of the President and their executive team includes providing leadership for administration of the College. Within the President’s scope of work is a continuous process of quality improvement in and the enhancement of instruction and student support services. In carrying out that scope of work, the President and College leadership periodically undertake assessments of the institution. The findings of these assessments may lead the President to recommend changes in current College activities, the initiation of new programs or services, and/or exploration of specific operations through further internal study or external examination to the Board. Assessments of this nature may include:

* Academic Programs and Course Offerings;
* Enrollment Management;
* Business Process and Technology Requirements;
* Organizational Staffing, Structure, and Spans of Control;
* Facility Conditions and Utilization; and,
* Auxiliary and Enterprise Operations

The list shown reflects assessments that Colleges routinely and periodically undertake to improve educational quality, service delivery, management, and facility operations. They generally result in opportunities for potential institutional savings that could be repurposed toward important goals identified in the Strategic Plan, or for pursuit of Board or Presidential initiatives.

1. N.C.G.S. 115D-19 [↑](#footnote-ref-1)
2. Wescott, Joseph W. II. “Creating Success.” The North Carolina Community College System. 2014 [↑](#footnote-ref-2)
3. N.C.G.S 115D-1 [↑](#footnote-ref-3)
4. N.C.G.S.115D-2 [↑](#footnote-ref-4)
5. 1A SBCCC 200.1 Mission of the Community College System [↑](#footnote-ref-5)
6. N.C.G.S 115D-5, et al. [↑](#footnote-ref-6)
7. N.C.G.S 115D-3. [↑](#footnote-ref-7)
8. Ibid. [↑](#footnote-ref-8)
9. N.C.G.S. 115D-14 and State Board Code 1B SBCCC 300.2 [↑](#footnote-ref-9)
10. Link to Statute: <https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_115D/GS_115D-20.pdf> [↑](#footnote-ref-10)
11. State Board Code 1B SBCCC 300.2 [↑](#footnote-ref-11)
12. Link to N.C.G.S. 150B: [ [ncleg.gov/EnactedLegislation/Statutes/PDF/ByChapter/Chapter\_150B.pdf](http://ncleg.gov/EnactedLegislation/Statutes/PDF/ByChapter/Chapter_150B.pdf) ] – “Administrative Procedures Act” [↑](#footnote-ref-12)
13. SACSCOC “Principles of Accreditation.” Section 4: Governing Boards: <https://sacscoc.org/app/uploads/2019/08/2018PrinciplesOfAcreditation.pdf> [↑](#footnote-ref-13)
14. SACSCOC “Principles of Accreditation.” Section 4.2 [↑](#footnote-ref-14)
15. Association of Community College Trustees. “Guide to Trustee Roles and Responsibilities” [↑](#footnote-ref-15)
16. AGB Press. “Higher Education Governing Boards – An Introductory Guide for Members of College, University, and System Boards.” Washington, D.C. 2019. [↑](#footnote-ref-16)
17. SACSCOC. Section 4.2.g. [↑](#footnote-ref-17)
18. SACSCOC. Section 4.2.b. [↑](#footnote-ref-18)
19. SACSCOC Section 5.1 [↑](#footnote-ref-19)
20. SACSCOC Section 5.2 [↑](#footnote-ref-20)
21. 1C SBCCC 300.2 Evaluation of Presidents [State Board of Community Colleges Code | NC Community Colleges](https://www.nccommunitycolleges.edu/sbcccode) [↑](#footnote-ref-21)
22. N.C.G.S. 115D-19 [↑](#footnote-ref-22)
23. 1D SBCCC 400.3 Program Classification [↑](#footnote-ref-23)
24. [www.nccommunitycolleges.edu/career-and-technical-education](https://www.nccommunitycolleges.edu/career-and-technical-education) [↑](#footnote-ref-24)
25. [www.nccommunitycolleges.edu/workforce-continuing-education](https://www.nccommunitycolleges.edu/workforce-continuing-education)

And 1D SBCCC 300.3 Program Description [↑](#footnote-ref-25)
26. [www.nccommunitycolleges.edu/college-and-career-readiness/wioa-aefla](http://www.nccommunitycolleges.edu/college-and-career-readiness/wioa-aefla) [↑](#footnote-ref-26)
27. 1D SBCCC 200.3 Program Classification [↑](#footnote-ref-27)
28. [G.S. 115D-31.3](https://www.ncleg.gov/enactedlegislation/statutes/pdf/bysection/chapter_115d/gs_115d-31.3.pdf) [↑](#footnote-ref-28)
29. Ibid. [↑](#footnote-ref-29)
30. [www.nccommunitycolleges.edu/sites/default/files/analytics/2020\_performance\_measures\_report.pdf](https://www.nccommunitycolleges.edu/sites/default/files/analytics/2020_performance_measures_report.pdf) [↑](#footnote-ref-30)
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36. G.S. 115D-54(b)(3). [↑](#footnote-ref-36)
37. 1C SBCCC 700.01 through 700.07 [↑](#footnote-ref-37)
38. G.S. 115D-31(a)(1). [↑](#footnote-ref-38)
39. 1A SBCCC 200.4 [↑](#footnote-ref-39)
40. Ibid. [↑](#footnote-ref-40)
41. N.C.G.S. 115D.5.1.:

 [www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter\_115D/GS\_115D-5.1.pdf](https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_115D/GS_115D-5.1.pdf) [↑](#footnote-ref-41)
42. Ibid. [↑](#footnote-ref-42)