

BOARD OF TRUSTEES

BYLAWS

Carteret Community College serves and empowers our students and coastal community by providing high-quality education, workforce training, and lifelong enrichment in an innovative and inclusive learning environment.

(Approved by Carteret CC Board of Trustees November 2021)

Amended November 13, 2024

TABLE OF CONTENTS

| Preface . | | 3 |
|-----------------------------------|---|----|
| ARTICLE | E I. LEGAL BASIS | 3 |
| Section | n 1. Corporate Name | 3 |
| Section | n 2. Legal Base of Authority | 3 |
| Section | n 3. Office of Record | 3 |
| ARTICLE | E II. BOARD MEMBERSHIP | 3 |
| Section | n 1. Definition and Selection | 3 |
| Section | n 2. Oath of Office | 4 |
| Section | n 3. Term of Office | 4 |
| Section | n 4. Removal of Trustees | 4 |
| Section | n 5. Vacancy | 5 |
| Section | n 6. Trustee Emeritus | 5 |
| ARTICLE | E III. BOARD AUTHORITY AND RESPONSIBILITY | 5 |
| Section | n 1. Governing and Policy-Making Body | 5 |
| Section | n 2. Powers and Duties of Trustees | 5 |
| Section | n 3. Fiscal Support, Control and Management | 7 |
| Section | n 4. Board Self-Evaluation | 7 |
| ARTICLE | E IV. BOARD ORGANIZATION | 7 |
| Section | n 1. Officers | 7 |
| A. | Election and Term of Office | 7 |
| B. | Board Chair | 7 |
| C. | Vice-Chair | 8 |
| D. | Secretary | 8 |
| E. | President | 8 |
| Section 2. Committees | | |
| A. | Appointment Types and Methods | 9 |
| В. | Authority | 9 |
| C. | Committee Structure Guidelines | 9 |
| ARTICLE | E V. BOARD MEETINGS | 9 |
| Section | n 1. Meeting Schedule and Types | 10 |
| A. | Regular Meetings | 10 |
| B. | Special or Emergency Meetings | 10 |
| C. | Annual Meeting | 10 |
| Section | n 2. Meeting Notification | 10 |
| Section 3. Operational Guidelines | | 10 |
| A. | Parliamentary Rules | 10 |
| B. | Quorum | 11 |

| C. Remote Participation | 11 |
|--|----|
| D. Agenda | |
| Section 6. Adoption and Amendment of BOT Bylaws and Governing Policies | 11 |
| Section 7. Open and Closed Meetings | 11 |
| ARTICLE VI. RULES OF CONDUCT FOR TRUSTEES | 12 |
| Section 1. Oath of Office | 12 |
| Section 2. External Influence | 12 |
| Section 3. Conflicts of Interest | 12 |
| Section 4. Trustee Expectations | 12 |

Preface

The North Carolina General Statutes (hereinafter referred to as "NCGS" or "Statutes") vest governing authority of community colleges with local boards of trustees. To facilitate its responsibilities under this grant of authority, the Carteret Community College (hereinafter, "Carteret CC" or "College") Board of Trustees (hereinafter, "Board" or "BOT") hereby adopts these Bylaws.

Specifically, these Bylaws shall:

- Guide the Board's internal operations;
- Enable the Board to perform its responsibilities in an orderly manner; and
- Authorize the Board Chair, the President of Carteret Community College (hereinafter, "President") and committee chairs to identify designees to assume responsibilities as necessary and appropriate.

The Bylaws shall be reviewed annually. Changes should be made in accordance with North Carolina law pursuant to procedures as set forth herein. Any discrepancy between these Bylaws and the North Carolina Statutes or any other applicable law, administrative rule or mandate by the North Carolina State Board of Community Colleges (hereinafter, "State Board") shall be resolved in deference against these Bylaws.

ARTICLE I. LEGAL BASIS

Section 1. Corporate Name

The official title of the policy-making body of Carteret Community College shall be the "Carteret Community College Board of Trustees," and such title shall be the official corporate name of this institution.

Section 2. Legal Base of Authority

- A. The Board is a body corporate established under the provisions of NCGS § 115D-12 and it possesses all of the powers of a body corporate for the purposes created by or that may exist under provisions of the law.
- B. The Board is responsible for the mission and policy formation directed toward the development and operation of the College in accordance with the provisions of applicable law and the standards of the State Board.
- C. Under the law, the Board of Trustees shall hold title to all real and personal property donated to the College or purchased with funds provided by tax levying authorities.

Section 3. Office of Record

The Board of Trustees shall maintain its office of record at the Office of the President, which shall be located on the premises of the College in Morehead City, North Carolina.

ARTICLE II. BOARD MEMBERSHIP

Section 1. Definition and Selection

Trustees are members of the Board empowered as a body corporate to hold in trust real and personal assets of the College for the benefit of the students and other citizens of the community and state as detailed in NCGS §115D-14. The "trust" concept means that trustees do not act alone but only in official meetings of the Board or upon authorization of the Board.

The Board of Trustees shall be composed of Trustees selected in accordance with the Statutes, including NCGS §115D-12 and Section 6.10(p) and H259, LL 2023-134 therein as follows:

- Eight (8) Trustees appointed by the General Assembly. Two (2) members appointed annually with one from the Speaker of the House and one from the President Pro Tem of the Senate.
- Four (4) Trustees appointed by the Carteret County Board of Commissioners, one of whom may be a county commissioner. In accordance with G.S. 115D-12, the board of commissioners may delegate one or more of the appointees to the local board of education. The Carteret CC BOT Secretary will confirm this decision annually with the County.
- The board of trustees of Carteret CC includes the president of the Student Government Association (hereinafter, "SGA") to serve as an ex officio nonvoting member of the BOT.

It shall be the responsibility of the SGA to fill the seat vacated by the SGA president should that seat be vacated before the term of office expires. Should that body fail to perform its duty within 60 days after the date on which the vacancy occurs, the seat shall remain unfilled for the remainder of that academic year. The term of office for the SGA appointee shall continue as long as the student remains the primary officer of the SGA.

All trustees (except the SGA student representative) shall be residents of the administrative area of the College or of counties contiguous thereto.

The twelve Trustees identified above and the SGA representative comprise the Board's "Members."

The secretary of the BOT or the secretary's delegate will submit annually to the Legislative Library by August 1 the following trustee information: name and address; appointing or electing authority; if filling a vacancy, name of previous trustee, and date trustee term ends.

Section 2. Oath of Office

Each Board member upon his or her appointment or reappointment shall take the oath of office in accordance with and as required by NCGS §11-7. The original oath of office shall be filed with the Carteret County Clerk of Superior Court and a copy shall be filed in the Office of the President.

Section 3. Term of Office

Trustees shall serve their terms in accordance with NCGS §115D-13. Appointments and subsequent reappointments shall be for terms of four (4) years except as otherwise provided by law. Board Members continue to hold office until their successors have been appointed and have taken the oath of office.

Section 4. Removal of Trustees

A. As specified by NCGS § 115D-19 should the State Board have sufficient evidence that any Member of the Carteret CC Board is not capable of discharging, or is not discharging, the duties of their office as required by law or lawful regulation, or is guilty of immoral or disreputable conduct, the State Board shall notify the Carteret CC Board Chair, unless said Chair is the offending member, in which case the other Members of the BOT shall be notified. Upon receipt of such notice there shall be a meeting of the BOT for the purpose of investigating the charges. At that meeting a representative of the State Board may appear to present evidence of the charges. The allegedly offending member shall be given proper and adequate notice of the meeting and the findings of the other Members of the Board shall be recorded, along with the action taken, in the minutes of the BOT. If the charges are, by an affirmative vote of two-thirds (2/3rds) of the Members of the Carteret CC Board, found to be true, the Board of Trustees shall declare the office of the offending Member to be vacant.

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

B. The Board may declare vacant the office of a Member who does not attend three consecutive, scheduled Board meetings without justifiable excuse. The Board may also declare vacant the office of a Member who does not participate within six (6) months of appointment in a trustee

orientation and education session sponsored by the North Carolina Association of Community College Trustees. The Board of Trustees shall notify the appropriate appointing authority of any vacancy.

Section 5. Vacancy

As required in NCGS §115D-12(c), vacancies occurring in any group for whatever reason shall be filled for the remainder of the unexpired term by the agency authorized to select the Trustees of that group and in the manner in which regular selections are made, following the guidelines in G.S. 120-22.

Section 6. Trustee Emeritus

The Board of Trustees recognizes outstanding commitment to Carteret Community College by individual Members of the Board. The Board adopts the title *Trustee Emeritus* to be awarded to Trustees who have served a minimum of eight years, and who have subsequently retired or were not reappointed.

Nominations for Trustee Emeritus are at the full and sole discretion of the Personnel, Policies, and Bylaws Committee and may be recommended to the full Board only after the Trustee has vacated the seat on the Board.

Typically, the Personnel, Policies, and Bylaws Committee will meet during the first quarter of each calendar year to consider any Trustees who meet the criteria for Trustee Emeritus.

Nominations made by the Personnel, Policies, and Bylaws Committee will be recommended to the full Board in closed session for consideration. Trustees granted with Trustee Emeritus status are invited to attend a Board meeting following approval for presentation of a certificate.

A Trustee Emeritus shall be recognized at the college Commencement ceremony and other appropriate college functions, shall have staff privileges where they exist in certain live projects, and shall be invited to attend and participate in other college activities.

A Trustee Emeritus may attend state, regional, or national meetings of the North Carolina or American Association of Community College Trustees, at their own expense, under the sponsorship of Carteret Community College.

In the event a Trustee Emeritus is reappointed to the Board at a later date, the Emeritus status is automatically revoked without action from the Board, and the Trustee is considered a member of the Board of Trustees with all rights, obligations, and privileges due.

ARTICLE III. BOARD AUTHORITY AND RESPONSIBILITY

Section 1. Governing and Policy-Making Body

The Trustees shall constitute the College's local governing body and shall serve as policy-makers for Carteret CC, with such authority and responsibility as granted by the North Carolina General Statutes and as delegated to it by the State Board of Community Colleges.

Following approval, policies are published and delegated to the College's President or designee to oversee the development of procedures and practices that ensure adherence to Board-established policies. The Board ensures that policies are aligned with institutional purposes and support the college mission.

Section 2. Powers and Duties of Trustees

The powers and duties of the Board are:

A. Those set out in NCGS § 115D-20 and those delegated to it by the State Board of Community Colleges. Included in the powers granted to the Trustees are the following:

- 1. To elect a President or chief executive officer of the College for such term and under such conditions as the Board may fix, subject to the approval of the State Board and to conduct an annual evaluation of the College's President and notify, in writing, the State Board prior to June 30 of each year that such evaluation has been completed.
- 2. To elect or employ all other personnel of the institution upon nomination by the President or chief executive officer, subject to standards established by the State Board. Trustees may delegate the authority of employing such other personnel to its President or chief executive officer.
- 3. To purchase any land, easement, or right-of-way which shall be necessary for the proper operation of the College, upon approval of the State Board, if necessary, to acquire land by condemnation in the same manner and under the same procedures as provided in Chapter 40A of the North Carolina General Statutes. For the purpose of condemnation, the determination by the Trustees as to the location and amount of land to be taken and the necessity therefore shall be conclusive.
- 4. To apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges. Provided, notwithstanding any law or administrative rule to the contrary, local administrative boards and local school boards may establish cooperative programs in the areas they serve to provide for college courses to be offered to qualified high school students with college credits to be awarded to those high school students upon the successful completion of the courses. Provided, further, that during the summer semester, persons less than 16 years old may be permitted to take noncredit courses on a self-supporting basis, subject to rules of the State Board.
- 5. To receive and accept private donations, gifts, bequests, and the like and to apply them or invest any of them and apply the proceeds for purposes and upon the terms which the donor may prescribe and which are consistent with the provisions of this chapter and the regulations of the State Board.
- 6. To provide all or part of the instructional services for the institution by contracting with other public or private organizations or institutions in accordance with regulations and standards adopted by the State Board.
- 7 To perform such other acts and do such other things as may be necessary or proper for the exercise of the forgoing specific powers, including the adoption and enforcement of all reasonable rules, regulations, and bylaws for the government and operation of the College and for the discipline of students.
- 9. To encourage the establishment of private, nonprofit corporations to support the College. The President, with approval of the Board, may assign employees to assist with the establishment and operation of such corporation and may make available to the corporation office space, equipment, supplies and other related resources; provided, the sole purpose of the corporation is to support the College. The board of directors of each private, nonprofit corporation shall secure and pay for the services of the State Auditor's Office or employ a certified public accountant to conduct an annual audit of the financial accounts of the corporation. The board of directors shall transmit to the Carteret CC Board of Trustees a copy of the annual financial audit report of the private nonprofit corporation.
- 11. To enter into lease purchase and installment purchase contracts for equipment in accordance with NCGS § 115D.
- B. Those established by the Carteret Community College Board of Trustees or under advisement from a national accreditor are the following:
- 1. To periodically review, modify, and approve, upon recommendation, the College's mission statement. The mission statement shall state clearly and concisely the overarching purpose of the College and should align with the purpose of North Carolina Community Colleges as stated.

The mission statement shall be published in all official publications as appropriate. Revision of the mission statement shall involve the efforts of the College's employees, and Board. The mission statement shall be approved by the Board and reviewed annually or more often as needed to ensure that educational opportunities and services are consistent with the needs of local business and industry and appropriate for higher education.

- 2. To complete 100 percent participation in the Board self-assessment.
- 3. To complete 100 percent participation in the Presidential Evaluation.

4. To complete 100 percent participation in the Carteret Community College Foundation's annual fundraising campaign.

Section 3. Fiscal Support, Control and Management

The oversight of all college funds is the responsibility of the Board of Trustees. The Board is responsible for using these funds in accordance with State Board policies as well as in accordance with state and federal laws and regulations. The Board in conjunction with administrative officials shall be responsible for the total budgeting process as outlined in NCGS § 115D-54. An annual budget shall be prepared and submitted for final approval as the State Board so directs. The Carteret CC Board is also responsible for approving all institutional budgets, including local budgets, before they are submitted to the agency granting final approval. The fiscal year shall begin on July 1 and end on June 30.

Under extreme circumstances, the Board may request a special audit. Prior notification should be given to the President before a called audit. Every Member shall receive a copy of the annual audit report.

Section 4. Board Self-Evaluation

The Board shall conduct a self-evaluation each spring and review the results before the Annual Meeting. Through a formative self-evaluation process, the Board shall conduct an assessment of its actions during the prior year. Each Member shall identify those areas of overall Board effectiveness and areas for improvement. The Personnel, Policies, and Bylaws Committee shall develop the assessment instruments, which may be modified according to the Board's needs and desires. Member completion of the self-evaluation is mandatory. The College's national accrediting agency requires records indicating extent of board participation in self-evaluation.

ARTICLE IV. BOARD ORGANIZATION

Section 1. Officers

A. Election and Term of Office

In accordance with NCGS § 115D-18, the officers of the Board shall consist of a Board Chair, a Vice-Chair, and a Secretary.

The Board's officers shall be elected and serve as follows:

- 1. Officers of the Board shall be elected annually and take office at the Board's first meeting of the fiscal year. Each officer's term of office shall coincide with the College's fiscal year.
- 2. The Board Chair and Vice-Chair shall be elected by the Board from its general membership.
- 3. The Secretary, who need not be a member of the Board and may be the President of the College, shall be elected by the Board. An Assistant Secretary may be recommended by the Secretary and appointed by the Board with the same terms of office as the Secretary.
- 4. The Board Chair, Vice-Chair, and Secretary shall be elected for a period of one (1) year and shall be eligible for reelection by the Board.
- 5. If a vacancy occurs in the Board Chairpersonship, the Vice-Chair will succeed to that office until the next general election.

B. Board Chair

The Board Chair shall appoint the members and serve as an ex officio voting member of all committees of the Board, preside at all meetings of the Board, and serve as the official spokesperson for the Board. The Board Chair shall facilitate discussion and decision making and has the same rights to debate as any other Member. Additionally, the Chair shall:

- Work closely with the President in setting the agenda for Board meetings;
- Consult with other Trustees regarding their responsibilities as Board members;
- Ensure all Members adhere to the Board's Bylaws, Policies, and practices;

- Execute all contracts and documents on authority by and in the name of the Board;
- Provide counsel and consultation to the President; and,
- Discharge all other functions delegated to him or her by the Board.

C. Vice-Chair

The Vice-Chair of the Board shall preside at all Board meetings at which the Board Chair is absent. Also, he/she shall have full authority during the unavailability or disability of the Board Chair, and shall discharge such other functions as might be delegated to him/her by the Board. In the event the Chair cannot complete his/her term, the Vice-Chair shall complete the term.

D. Secretary

The Secretary shall keep an accurate record of all Board proceedings, have custody of all official papers and documents, and issue in the name of the Board Chair and President official copies of all minutes to all Board Members. The Secretary shall be responsible for providing to each Member of the Board and to the President a copy of all current Board Bylaws, Policies, rules, and regulations.

The Assistant Secretary, in the absence of the Secretary, shall perform the duties of the Secretary as directed by the Board Chair and/or the Vice-Chair of the Board.

E. President

As chief executive officer, the President is responsible for the entire operation of the College pursuant to state statutes, rules and policies of the State Board of Community Colleges, and the policies of the Board of Trustees. The President is expected to use his or her competence and personality to establish in the community the image of the College. More specifically, the following duties are required of the President:

- Develop and maintain a comprehensive community college with standards that are qualitatively and quantitatively in accordance with North Carolina State Law, State Board of Community Colleges policies, Board of Trustees policies and sound judgment based on education theory and practice.
- 2. Attend and participate in, without a vote, all Board of Trustees meetings except where the Board expressly requests the President's absence.
- 3. Evaluate the College on a continuous basis and submit periodic progress reports to the Board.
- 4. Be responsible for the administrative organization and management of the College.
- 5. Submit and recommend to the Board of Trustees all educational programs that the President deems necessary for the development and growth of citizens served by the College.
- 6. Formulate duties and responsibilities of all personnel of the College.
- 7. Advise the Board in the planning, construction and modification needs for physical facilities.
- 8. Prepare the annual Current Expense and Capital Outlay Budgets and submit the financial and budgetary needs of the College to the Board of Trustees.
- 9. Establish all reasonable fees and tuition not set by the State Board and not specifically requiring Board of Trustees approval.
- 10. Appoint advisors to committees of the Board of Trustees.
- 11. Have full authority and responsibility for the College under the policies and regulations of the State Board and the Carteret CC Board of Trustees.
- 12. In addition, the Board of Trustees delegates to the President the following:
 - a. Authority to employ and dismiss all personnel, subject to standards of the State Board. The President shall report employment of all personnel who report directly to the President to the Board within two (2) weeks of their employment.
 - b. Authority to issue contracts and/or letters of re-appointment to employees, and to accept the resignation of any College employee.
 - c. Establish, in consultation with appropriate administrators, salaries of all employees, except his/her own, and arrange for proper promotions subject to state budgetary limits

and guidelines, and in harmony with salary guidelines, which may be adopted from time to time by the Board of Trustees.

d. Discharge all other functions the Board delegates.

Section 2. Committees

Committee meetings shall be subject to the same open meeting requirements as scheduled Board meetings. Committees shall meet, as needed, to discuss necessary business.

A. Appointment Types and Methods

The Board may establish such standing committees and such ad hoc committees as it deems necessary to secure and protect the College's welfare.

Details of committees and their functions are addressed in Section 4: Governance Process of the Carteret Community College Board of Trustees Governing Policies.

B. Authority

If the Board in a regular or special meeting authorizes a committee to act on a matter referred to it, the Chair of the committee shall report within a reasonable time to the Board the action taken and the action of the committee shall be final; otherwise, committee action shall be reported as a recommendation for consideration and action by the Board at a regular or special meeting.

The Board reserves the right to delegate its decision-making authority to a committee of the Board in advance. The Board committee will then provide regular reports to the Board with respect to the authority delegated.

C. Committee Structure Guidelines

- 1. The Board Chair shall serve as an ex officio voting member of all Board committees with all rights attendant thereto.
- 2. The Board Chair shall not be counted in determining if a quorum is present.
- 3. The SGA Representative to the Board may sit on all Board Committees as an ex officio nonvoting member.
- 4. Except when their absence is expressly desired, the President of the institution or his/her appointed representative shall serve ex officio without voting privilege on all committees of the Board with the opportunity to present any matter they desire.
- 5. When a motion to refer to a special committee has been adopted, no business can intervene until selection of the committee is complete. The committee cannot act before the announcement of its full membership is made, unless it is otherwise ordered by a vote of the Board
- 6. A special committee shall not be appointed to perform a task that falls within the assigned function of an existing standing committee.
- 7. A committee is essentially a miniature assembly--it can only act when regularly assembled together as a committee, and not by separate consultation and consent of members. Once the report of a special committee is made and received by the Board, the special committee is dissolved.
- 8. When such a committee is properly selected, it will most often reflect the will of the Board.
- 9. The committee Chair is responsible for having a reasonable effort made to notify all committee members of any committee meetings, and he/she should submit the report on any action taken or recommendations made by said committee to the appropriate authority.

ARTICLE V. BOARD MEETINGS

Section 1. Meeting Schedule and Types

A. Regular Meetings

The Board shall meet a minimum of every other month during the fiscal year. The Board's regular meetings shall be held in Carteret County at a time and location determined by the Board and publicized in accordance to the North Carolina Open Meetings Law.

Regular meetings held at the regular appointed time may include any business of the Board of Trustees without prior notice, but special and emergency meetings shall be restricted to those topics published in the notice.

B. Special or Emergency Meetings

Special meetings of the Board may be called upon forty-eight (48) hours minimum notice. Special meetings may be called by the Board Chair or, in their absence, the Vice-Chair, or by the President. Upon the request of any three Trustees or the President, the Board Chair or the Vice-Chair shall promptly call a special meeting. Only the business specified in the call shall be discussed at special meetings with the exception that, if it is urgent to take action for which no notice was given, that action, in order to become legal, must be ratified by the Board at a regular meeting (or, if ratification also cannot wait, another special meeting properly called for that purpose). The Secretary to the Board of Trustees shall notify each Trustee by letter, email or telephone of all called meetings.

Emergency meetings in accordance with NCGS §143-318.12(b)(3), may be called by the Board Chair, or in their absence, the Vice-Chair, or the President when generally unexpected circumstances require immediate consideration by the Board. Only business connected with the emergency may be considered at an emergency meeting. Local media that have filed a written request, including telephone numbers to be used, will be notified of the emergency meeting immediately after Board members. Notification of media will be by telephone or by other means used to notify Board Members.

C. Annual Meeting

Either the July or the August meeting may be referred to as the Annual Meeting.

D. Public Comment

The Board should hold a Public Forum at its designated Annual Meeting.

Section 2. Meeting Notification

Notice of regular, special, and emergency meetings shall be provided to the public as required by the North Carolina Law. Trustees shall be notified by the Secretary of the time and place of all meetings and the purpose of special meetings.

Section 3. Operational Guidelines

A. Parliamentary Rules

Meetings of the Board shall be conducted according to the most current edition of Robert's Rules of Order--Newly Revised in all cases to which they are applicable and in which they are not inconsistent with whatever Bylaws, special rules, and/or standing rules of order the Board may adopt. Rulings on questions of order by the Board Chair are sustained by an affirmative majority or a tie vote. The Board Chair may appoint a parliamentarian to assist him/her and the Board. Voting continuity shall be maintained among all Trustees by adhering to the principles: the Board of Trustees Governing Policies, Section 4.11.

B. Quorum

To conduct business, the presence of a majority of all duly appointed (voting member) Trustees is necessary--which said majority shall constitute a quorum.

C. Remote Participation

The Board may conduct meetings and/or committee meetings by use of conference telephone or other electronic means per NCGS 143-318.13(a).

D. Agenda

The Board Chair, in coordination with the President, shall prepare an agenda for each regular meeting. The Secretary shall send a copy of the agenda to all Members at least five calendar days prior to the meeting. Items of business not included in the agenda may be proposed by Trustees during regular meetings. The President or their representative shall attend and participate in all Board meetings unless their absence is required by the Board.

Section 5. Minutes

The minutes of each meeting shall be prepared and distributed with the Board materials for the next subsequent meeting following the meeting at which minutes were taken. Draft minutes of full Board meetings will be presented for approval at the subsequent Board meeting. Draft minutes of committee meetings may be distributed via email to committee members for electronic approval. Approved committee meeting minutes will be included in the Board packet for the subsequent full Board meeting. An official copy of minutes of all Board meetings will be kept on file in the office of the President. Minutes of regular and special meetings can be examined in said office by interested persons at a time convenient to and in the presence of, the President or their designee. (Minutes of closed sessions shall not be accessible to persons other than members of the Board and those with legal authorization.) Additionally, each set of minutes shall report the names of Trustees who were present or absent.

Section 6. Adoption and Amendment of BOT Bylaws and Governing Policies

Adoption of these Bylaws shall be by affirmative vote of at least nine (9) members of the Board of Trustees at a regular meeting provided that at least fifteen (15) days prior to the meeting each Member has received both notification of the meeting and a copy of the Bylaws.

Amendments to these Board Bylaws may be proposed by any Board Member at any regular Board meeting for review and comments by the Personnel, Policies, and Bylaws Committee. Said Committee shall present the proposed change along with comments to the full Board at a subsequent meeting for discussion. Voting on the amendment shall be at the next regular meeting of the Board, and adoption of the amendment shall require an affirmative vote of at least nine (9) members of the Board.

Revisions in BOT Governing Policies may be made during a regular or special meeting. Such revisions shall be presented to the Board during a regular or special meeting and adopted at a subsequent regular or special meeting by an affirmative vote of a majority of the Board members present and voting.

Section 7. Open and Closed Meetings

Open Meetings. All meetings of the Board of Trustees shall be held in accordance with the North Carolina Open Meetings Law.

Closed Meetings. In accordance with NCGS § 143-318.10, all meetings of the Board, including any committees of the Board, shall be open to the public unless, consistent with the provisions of NCGS § 143-318.11, a meeting is closed to the public by majority vote of a quorum. The Board shall only exclude the public from a meeting when a closed session is held as permitted under NCGS § 143-318.11.

ARTICLE VI. RULES OF CONDUCT FOR TRUSTEES

Members of the Board of Trustees are deemed to be "covered persons" as defined in Chapter 138A of the North Carolina General Statutes (the North Carolina Government Ethics Act). In addition, Trustees shall exercise their authority honestly and fairly, free from impropriety, threats, favoritism, and undue influence.

Section 1. Oath of Office

To serve on the College's Board of Trustees, each new Trustee must take an oath of office as set forth herein prior to participating as a Trustee in any Board meeting.

Section 2. External Influence

The Board of Trustees is free from undue influence from political, religious, or other external bodies. Furthermore, in order for faculty, staff and administration to effectively fulfill the mission of the College, the Board guarantees, to the fullest extent possible, that these individuals will not be subject to similar pressures.

Section 3. Conflicts of Interest

Members of the Board of Trustees shall abide by the conflict of interest provisions as described in

NCGS § 14-234 and the ethical standards contained in NCGS § 138A. These standards include but are not limited to making use of a position for private gain, accepting any gift of consequential value in return for recommending or influencing the award of a contract or any other business decision, granting any improper service, favor, or thing of value in the discharge of duties, or conducting business with the College which results in direct or pecuniary interest. Additionally, the following "Ethics Statement" shall be read at every Board of Trustees meeting:

"In accordance with the State Government Ethics Act, it is the duty of every Board Member to avoid both conflicts of interest and appearances of conflict. Does any Board member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved."

Section 4. Trustee Expectations

Members of the Board of Trustees shall abide the provisions as described in NCGS § 115D.

The Bylaws of Carteret Community College Originally Adopted: July 30, 1973

Revised:

September 17, 1973 March 11, 1974 January 17, 1975 September 8, 1975 August 14, 1978 January 14, 1980 April 13, 1981 February 1989 February 1993 February 1994 August 1994 June 13, 2000 March 10, 2017 November 13, 2018 March 25, 2020 January 11, 2023 February 14, 2024