

**FOR MINUTES  
CAPE FEAR COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
JANUARY 20, 2022  
5:00 PM**

Following proper public notifications on January 18, 2022, and a determination that a quorum was present, the Cape Fear Community College Board of Trustees met in regular session on Thursday, January 20, 2022, at 5:00 pm in the boardroom, Union Station Building. Mr. Bill Cherry, Chair, presided.

Trustees present were: Mr. Bill Cherry, Chair; Mr. Jonathan Barfield; Mr. Robby Collins; Mr. Jimmy Hopkins; Ms. Deborah Maxwell; Mr. Jason McLeod; Ms. Deloris Rhodes; Mr. Bill Rivenbark; Ms. Mary Lyons Rouse; Mr. Bruce Shell and Mr. Miguel Nandlal, SGA President. Trustees not present: Mr. A.D. “Zander” Guy; Mr. Bruce Moskowitz and Ms. Paula Sewell.

Employees present were: Mr. James Morton, President; Ms. Joann Ceres, Vice President of Student Services; Ms. Christina Greene, Vice President Business Services; Ms. Michelle Lee, Executive Director President’s Office and Board Liaison; Dr. Jason Chaffin, Vice President for Academic Affairs; Dr. Michael Cobb, Vice President of Institutional Effectiveness, Planning and Compliance, SACS Liaison; Ms. Sonya Johnson, Vice President of Marketing and Communications; Mr. John Downing, Vice President of Economic and Workforce Development; Ms. Anne Smith, Vice President of Human Resources; Dr. Eric Brandon, Faculty Association President; Mr. Shane Fernando, Vice President of Advancement and the Arts; Mr. Jakim Friant, Executive Director of IT; Mr. Tim Fuss, Program Director, Law Enforcement and Criminal Justice; Ms. Debi Causey, Coordinator, Events; Ms. Lynn Criswell, Dean General Education and Science; Ms. Yuna Shin, Humanities and German Instructor; Mr. Robert Carter, Manager, Technical Support IT; Mr. Antonio Arteaga-Paredes, Sr. Media Technician; Mr. Shawn Dixon, Department Chair, Applied Technologies; Mr. Alan Brook, Director, EWD Emergency Medical Services; Ms. Susan Porter, Sr. Executive Assistant President’s Office; and other employees (see below).

Others present were:                   Mr. Ken Gray, Attorney Ward & Smith  
  Ben Schachtman, WHQR Reporter  
  Megan McDeavitt, WHQR Reporter

The meeting was opened with The Pledge of Allegiance to the US Flag.

**CONFLICT OF INTEREST**

Mr. Cherry read the conflict of interest statement issued by the North Carolina Board of Ethics reminding trustees to declare any conflict of interest or appearance of conflict with respect to any matters coming before the Board on this date and refrain from any undue participation in the particular matter involved.

## **MINUTES**

A MOTION was made by Mr. Shell and seconded by Ms. Rouse to approve the November 17, 2021, minutes as presented. Motion carried unanimously.

## **RECOGNITIONS AND INTRODUCTIONS**

### **NEW HIRES**

Ms. Smith introduced the following new employees in attendance.

<b>Full Name</b>	<b>Job Title</b>	<b>Hire Date</b>
Devione-Bivens, Roszena	Program Director, Pathway Home 2 Grant	11/15/2021
Mecca, Gina	TFT Career Counselor	12/6/2021
Piatak, Jennifer	Career Coach, Student Services	1/4/2022
Jones, Hannah	FT Communications Instructor	1/5/2022
Raper, Nathan	FT Human Resources Technician	1/5/2022

## **RETIREMENTS**

None in attendance.

## **CHAIR'S REPORT**

Ms. Cherry presented the following report.

### **Ethics Training**

Public servants must participate in an ethics and lobbying presentation within six (6) months of their election, reelection, appointment, or employment. If you have not satisfied your educational requirements please make the arrangements to do so. Live webinars as well as on-demand training is available at <https://ethics.nc.gov/education>.

### **SEI Forms**

SEI Forms and the SEI No Change form are both available online. These are fillable forms and offer an electronic submission. Please remember that each Board member must complete this form **every year**. The form is due no later than April 15, 2022 and can be found at <https://ethics.nc.gov/seis/regular-filers>.

## **PRESIDENT'S REPORT**

President Morton presented the following report.

### **Chats with The President**

“Chats with the President” are continuing with faculty and staff. Meetings will continue to be scheduled each month. I appreciate all of the suggestions and feedback that I receive at these meetings.

### **CFCC Holiday Party**

CFCC held its holiday party December 16. It was wonderful to see faculty and staff enjoy time together.

### **Articulation Agreement with NC Central University**

CFCC hosted a signing event with NC Central University on November 30. A Memorandum of Understanding was signed that partnered CFCC and NCCU for dual admissions. This will provide a smooth transition for CFCC students receiving an Associate in Applied Science degree to receive guaranteed admittance into NCCU to earn a Bachelor’s degree.

### **PACCE Grant**

CFCC was selected as one of twenty community colleges in the United States to receive a Lumina Foundation and Achieving the Dream grant initiative to boost enrollment. With the PACCE grant, CFCC would like to promote an outreach campaign for the Truck Driving program to attract and enroll adult students of color.

### **REACH Grant**

The primary goal of CFCC is to increase the overall completion rate of African American students to a level commensurate with that population's representation in the College’s service area over the next three years. Interim goals include raising the overall course success rate to the College mean, and reducing the attrition rate among African American students. Another interim goal will be the reduction of the number of XF grades among this demographic. The XF grade rate for African American students is 15%, the highest rate among all demographics.

### **President Stith Visit**

North Carolina Community College System President Thomas Stith and State Board member Lisa Estep visited CFCC’s North Campus on November 22. They were given a tour of various programs CFCC offers.

### **Women’s Soccer and Volleyball**

CFCC’s women’s soccer and volleyball teams have gone to the national championship. This is the first time in CFCC history that we've had two fall sports make the national championship tournament in the same year.

### **CFCC Nursing Programs Ranked #1 in North Carolina by Nursing Schools Almanac**

CFCC’s Associate Degree Nursing and Practical Nursing programs ranked #1 in NC in Nursing Schools Almanac’s 2021 rankings. For the past ten years, CFCC nursing programs have maintained an average above 98% on the NCLEX-PN and NCLEX-RN licensure exams.

### **Cape Fear Electrical Contractors Award**

Our partner, Cape Fear Electrical Contractors Association (CFECA), was selected as the Outstanding Apprenticeship Partner by ApprenticeshipNC. We submitted an application nominating them in the fall for this award and the success of our Electrical Apprenticeship program is due to their strong support.

### **POWERPOINT PRESENTATION – 2021 REVIEW**

### **COMMITTEE REPORTS**

#### **Facilities & Equipment Committee**

President Morton presented the following reports.

#### **Lineman Facility**

<b>EDA Grant Lineman Training Facility Project - Status Summary Report</b>								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Owner	Total Encumbrance	Budget Federal Grant and CFCC Other Funds	Remaining	Status
1	CFCC N. Campus Electric Lineworker Overhead and Underground Training Facility	\$90,500.00	\$688,197.35	\$13,062.65	\$791,760.00	\$791,760.00	\$0.00	Site and building pad construction underway

#### **Wilson Center Multipurpose Addition 3-1**

A MOTION from the Facilities Committee recommends approval by the Board of Trustees of the updated 3-1 for the Wilson Center Multi-purpose addition for a project total of \$2,204,422. Motion carried unanimously.

<b>WA Building - Wilson Center Multipurpose Addition Project - Status Summary Report</b>								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Owner	Total Encumbrance	Budget	Remaining	Status
1	WA Building - Wilson Center Multipurpose Addition	\$114,480.00		\$10,502.30	\$124,982.30	\$2,204,422.00	\$2,079,439.70	Finalizing schematic design and proceeding to full plans.

#### **Finance Committee**

President Morton reviewed the following reports.

#### **State Budget**

President Morton reviewed the State Budget for 2021-2022.

A MOTION from the Finance Committee recommends approval by the Board of Trustees approval of the 2021-2022 State Budget of for a total of \$123,177,590.00 contingent on State Board approval. Motion carried unanimously.

### **Proposed New Hanover County Budget**

A MOTION from the Finance Committee recommends approval by the Board of Trustees of the New Hanover County Budget Proposal in the amount of \$ 13,494,742. Motion carried unanimously.

### **Proposed Pender County Budget**

A MOTION from the Finance committee recommends approval from the Board of Trustees of the Pender County Budget Proposal in the amount of \$ 665,250.00. Motion carried unanimously.

### **State Budget Revision**

A MOTION from the Finance Committee recommends approval by the Board of Trustees of the State Budget Revision in the amount of \$ 169,169. Motion carried unanimously.

### **State Budget Summary**

The State Budget Summary reported 50.16 percent of the budget had been expended as of December 2021.

### **County Budget Summary**

The County Budget Summary reported 48.37 percent of the budget had been expended as of December 2021.

### **Institutional Funds Update**

President Morton reviewed the December, 2021 report. No items were of concern at this time.

### **Wilson Center Quarterly Report**

President Morton reviewed the December, 2021 report. No items were of concern at this time.

### **Foundation Quarterly Report**

President Morton reviewed the Foundation Quarterly Report. No items were of concern.

### **Administrative & Personnel Committee**

Mr. Collins reviewed the following policy update.

A MOTION from the Administrative & Personnel Committee recommends to the Board of Trustees approval of the Admissions Policy Revision for first-year applicants. Motion carried unanimously.

### **Admission Policy Revision**

#### **First-Year Applicants:**

Admission to CFCC requires the following:

- Admissions Application – the application can be accessed online at [www.cfcc.edu/admissions](http://www.cfcc.edu/admissions).
- Residency Application – the residency application is available via the Residency Determination Service at [www.ncresidency.org](http://www.ncresidency.org). Residency determination establishes if a student pays in-state or out-of-state tuition. This is required for all students.
- Official secondary transcript *or* equivalency (accepted equivalencies include: GED®/HiSET/TASC)

Students are required to submit official high school transcripts with a graduation date or equivalent transcripts with a completion date. Home school students must submit a copy of the home school's approved registration from the state in which they are registered (if applicable) and a home school transcript with graduation date.

Public, private, and home school seniors may be provisionally admitted under one of the following conditions:

**-Condition 1:** Upon receipt of an official transcript indicating they are a current high school senior. Students admitted provisionally under this condition are required to submit final/official transcripts with a graduation date up until the last day of classes for the session in which the student wishes to enroll.

**OR**

**-Condition 2:** Upon receipt of an official letter signed and dated by the high school principal certifying that the student has completed all requirements necessary for high school graduation including an official high school graduation date. The letter must be submitted up until the last day to add a class in the session in which the student wishes to enroll. Students admitted provisionally under this condition are also required to submit final/official transcripts with a graduation date by the next term following initial enrollment or the student will not be allowed to register for classes during the next term.

Provisionally admitted students (*condition 1 and condition 2*) are not eligible for financial aid until a final/official high school transcript with a graduation date is received.

If you have earned an associate's degree or higher from a regionally accredited college or university, you may submit an official college transcript with a graduation date in place of an official high school transcript.

Students wishing to access veteran's benefits are required to submit official transcripts from all schools attended.

In addition to general admission requirements, some programs, including health sciences and Basic Law Enforcement Training, have additional admission requirements, including an approved official high school transcript with a graduation date.

### **Board of Trustees Bylaws Update**

Mr. Collins reviewed the following CFCC Board of Trustees Bylaws Update.

The Board of Trustees reviewed the following bylaw changes and will vote on these changes in the March 2022 Board of Trustees meeting.

**BYLAWS  
OF THE  
CAPE FEAR COMMUNITY COLLEGE  
BOARD OF TRUSTEES**

**ARTICLE I  
Responsibility and Membership**

**Section 1. Jurisdiction and Responsibility**

- (A) The Board of Trustees of Cape Fear Community College is a body corporate established by an act of the North Carolina General Assembly, Chapter 115A (Changed to 115D by the Legislature in 1979), General Statutes of North Carolina, 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 of Trustees has the responsibility for the development and operation of College in accordance with the provisions of the law and the standards of the State Board of Community Colleges.
- (C) The official title of the Board of Trustees, and the corporate name of the institution, shall be "The Board of Trustees of Cape Fear Community College."
- (D) 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 the tax-levying authorities.

**Section 2. Membership**

- (A) The Board shall consist of fourteen members in five groups. The four Trustees in Group One shall be appointed by the New Hanover County Board of Education. The four in Group Two shall be appointed by the New Hanover County Board of Commissioners. The four in Group Three shall be appointed by the Governor of North Carolina. Group Four will be represented by the president of the student government pursuant to Chapter 115D of the General Statutes of the State of North Carolina (hereinafter referred to as Chapter 115D) and shall be an *ex officio*, non-voting member of the Board of Trustees. The one in Group Five shall be appointed by the Pender County Board of Commissioners.

With the exception of the *ex officio* member, board members shall serve for four (4) year terms (terms were changed from 8 years to 4 years by the Legislature in 1985); all terms will expire June 30 of the year of expiration. Terms of Trustees will be so arranged that every year one-third of the terms (one for each appointing agency) in Groups One, Two, and Three will expire and either a new Trustee appointed or the present Trustee reappointed.

- (B) All Trustees shall be residents of New Hanover County or Pender County, or of counties contiguous thereto with the exception of members provided for in Chapter 115D-12(1), Group Four.
- (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. Should the selection of a Trustee not be made by the agency having the authority to do so within sixty (60) days after the date on which a vacancy occurs, whether by creation of expiration of a term or for any other reason, the Governor shall fill the vacancy by appointment for the remainder of the unexpired term.
- (D) 15D-19. Removal of trustees. (a) Should the State Board of Community Colleges have sufficient evidence that any member of the board of trustees of an institution is not capable of discharging, or is not discharging, the duties of his office as required by law or lawful regulation, or is guilty of immoral or disreputable conduct, the State Board shall notify the chairman of such board of trustees, unless the chairman is the offending member, in which case the other members of the board shall be notified. Upon receipt of such notice there shall be a meeting of the board of trustees for the purpose of investigating the charges, at that meeting a representative of the State Board of Community Colleges 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 board of trustees. If the charges are, by an affirmative vote of two-thirds of the members of the 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 a board of trustees to hold a hearing as provided herein upon evidence known or presented to it. (b) A board of trustees may declare vacant the office of a member who does not attend three consecutive, scheduled meetings without justifiable excuse. A board of trustees may also declare vacant the office of a member who, without justifiable excuse, does not participate within six 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. (1963, c. 448, s. 23; 1979, c. 462, s. 2; c. 896, s. 13; 1979, 2nd Sess., c. 1130, s. 1; 1989, c. 521, s. 2; 1995, c. 470, s. 2.)
- (E) All Board members must abide by the conflict of interest provisions as described in NCGS 14-234 and the ethics standards contained in NCGS 163A. A Conflict of Interest Statement will be read by the Board of Trustees Chair at every Board of Trustees meeting.

### **Section 3. Office of Record**

The Board shall maintain its office of record in New Hanover County.

## **ARTICLE II Officers and Their Duties**



### **Section 1. Election and Term of Office**

- (A) The corporate officers of the Board of Trustees shall be the Chairman, the Vice Chairman and the Secretary.
- (B) The Chairman and Vice Chairman shall be elected by the Board of Trustees from its membership.
- (C) The Secretary, who need not be a member of the Board of Trustees, shall be elected by the Board for a period of one year, but shall be eligible for re-election by the Board.

The Chairman, Vice Chairman and the Secretary shall be elected for a period of one year but shall be eligible for re-election by the Board to the same office.

- (D) The President of the College shall be the executive officer of the Board, and shall serve on the appointment by, and at the pleasure of the Board.
- (E) The Board may appoint a Recording Secretary, for a period of one year, who will be eligible for reappointment.
- (F) The first regular board meeting held in a new fiscal year shall be the annual meeting at which time officers shall be elected.

### **Section 2. The Chairman of the Board of Trustees**

The Chairman shall appoint the members of and serve as an *ex officio* voting member of all committees of the Board, execute all contracts and other documents on authority by and in the name of the Board, preside at all meetings of the Board, call meetings of the Board, and discharge all other functions delegated by the Board.

### **Section 3. The Vice Chairman of the Board of Trustees**

The Vice Chairman of the Board shall preside in the absence of the Chairman, perform all duties of the Chairman with full authority during the absence or disability of the Chairman, and shall discharge any other functions delegated by the Board.

### **Section 4. The Secretary of the Board of Trustees**

- (A) Upon the recommendation of the Chairman of the Board, the board shall elect a secretary.
- (B) The Secretary shall:
  1. Keep an accurate record of the proceedings of the Board.
  2. Have custody of the corporate seal of the Board, affix it to official documents, and attest same by signature.
  3. Have custody of all official records and documents of the Board.
  4. Prepare and maintain an indexed compilation of all bylaws and amendments thereto, a copy of all policies, procedures, and regulations of the Board and all amendments thereto, the whole of which shall be known as the Operations Manual of the Cape Fear Community College Board of Trustees.

5. The Secretary, with the Chairman of the Board, as necessary, shall execute all exterior contracts and other documents on authority of and in the name of the Board of Trustees.
6. Issue, upon the direction of the Chairman, notice of all meetings of the Board as specified in Article VI, Section 3.

### **ARTICLE III**

#### **Duties of the President**

- (A) The President shall attend and participate, without vote, in all meetings of the Board of Trustees, except where his absence is expressly desired or when the Board is in Executive Session.
- (B) The President, or his designee, shall attend all committee meetings of the Board and act as the resource person to the several committees of the Board, unless expressly asked to leave to enable the committee to go into executive session.
- (C) The President shall appoint curriculum advisory committees for programs of the College and submit the names to the Board for information.
- (D) The President shall be in charge of and be responsible to the Board of Trustees for the maintenance and operation of the College; and shall have power to organize and supervise.
- (E) The President shall have charge of and be responsible to the Board of Trustees for the activities of the administrative and supervisory staff, faculty, clerical staff, custodial and maintenance staff, and students.
- (F) As the Executive Officer of the Board of Trustees, the President shall have charge of and be responsible to the Board for initiating, organizing and supervising the program of the college. He/she shall see that satisfactory academic standards are maintained in all programs.
- (G) In the interest of efficiency and economy, the President shall have charge of and be responsible to the Board of Trustees for programming, assignment, and reassignment of the administrative and supervisory staff, faculty, clerical, custodial and maintenance staff, and shall also recommend salary increases within budget allocations.
- (H) The Board of Trustees delegates to the President authority to employ all personnel, subject to standards of the State Board of Community Colleges; except, the President shall place nominations for senior administrators, who report directly to the President, before the Personnel Committee of the Board for its advice before submitting those nominations to the Board of Trustees for its action. The President shall report employment of all full-time personnel to the Board at the next meeting following their employment.
- (I) The President shall approve employment, and termination of part-time personnel.
- (J) The President shall be responsible for preparation of annual local and State budgets to be submitted to the Board for approval before submitting to the proper State or local fiscal

agency. The President shall be authorized to make line item transfers where needed, and when approved by the Department of Community Colleges fiscal office for State funds or by the New Hanover County or Pender County Commissioners for their respective county funds, keeping the Finance Committee fully informed of all such action.

- (K) The President shall be responsible, but may delegate authority, for the purchase of supplies, materials, books, and equipment from funds duly authorized through the annual budget.
- (L) The President shall be responsible, but may delegate duties involved for maintaining and checking inventories of tools, books, equipment, furniture, and stock of supplies. An annual inventory report will be submitted to the Board.
- (M) The President shall be responsible for requesting funds to meet current instructional and operational expenses, and for reporting expenditures of the same to the Controller, North Carolina Community College System, subject to approval by the Chairman of the Board of Trustees.
- (N) In consultation with appropriate administrators, the President shall establish salaries of all employees, except his/her own, and arrange for proper promotions, subject to annual review of the Board of Trustees, and 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.
- (O) The President, or his designee, is authorized to execute personnel contracts and/or work agreements for all College personnel, except himself/herself, for a term no greater than one fiscal year.
- (P) Upon request of the Board of Trustees, but no less than annually, the President shall make a written report to the Board of Trustees describing the condition of the College, by presentation of appropriate data about students, personnel, finance, space and materials, and any other factors bearing upon the achievement of the purpose of the College, with recommendations for improvements.
- (Q) The President shall discharge any other functions which the Board may delegate.
- (R) None of these rules shall be construed to limit the authority of the Board of Trustees as vested in it by Chapter 115D, General Statutes of North Carolina.

## **ARTICLE IV**

### **Powers and Duties of the Board of Trustees**

#### **Section 1. Duties of the Board**

The Trustees shall constitute the Board, with such powers and duties as provided in Chapter 115D and as delegated to it by the State Board of Community Colleges. The powers and duties of Trustees include the following:

- (A) To elect a president or chief administrative officer of the College for such term and under such conditions as the Trustees may fix, subject to the approval of the State Board of Community Colleges.
- (B) To apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges.
- (C) To receive and accept donations, gifts, bequests, and the like from private donors and to apply them or invest any of them, and apply the proceeds for purposes under the terms which the donor may prescribe and which are consistent with the provisions of Chapter 115D and the regulations of the State Board of Community Colleges.
- (D) To provide all of the instructional services for the college including contracting with other public or private organizations or institutions in accordance with regulations and standards adopted by the State Board of Community Colleges.
- (E) To perform such other acts and do such other things as may be necessary and proper for the exercise of the foregoing specific duties, including the adoption and enforcement of all reasonable rules, regulations, and bylaws for the government and operation of the College under Chapter 115D and for the discipline of students.
- (F) Establish and discontinue programs of instruction within the College when necessary.
- (G) If the Board of Trustees provides access to the buildings, campus, or student information directory to persons or groups which make students aware of occupational or educational options, the Board of Trustees shall also provide access, on the same basis, to official recruiting representatives of the military forces of the United States for the purpose of informing students of educational and career opportunities available in the military.
- (H) Adopt and recommend current expense and capital outlay budgets.
- (I) The Board shall review the performance of the President annually and report the results to the State Board of Community Colleges. (See Addendum A for Policy and Guidelines.)
- (J) The Board shall conduct a Board Self-Evaluation annually. (See Addendum B for Policy and Guidelines.)
- (K) The Board reserves for itself all other duties, responsibilities, and powers, not inconsistent with Chapter 115D or the regulations of the State Board of Community Colleges, in addition to those enumerated in this Section.

**ARTICLE V**  
**Committees**

### **Section 1. Types of Committees and Methods of Appointments**

The Board may establish such standing committees and such ad hoc committees as it deems necessary. The Chairman shall appoint the members of all committees, and membership shall be continuous at the discretion of the Chairman.

### **Section 2. Limitation of Authority of Committees**

In the event the Board, in regular or special meeting, authorizes a committee to act on a specific matter referred to it, the chairman of the committee shall report within an allotted time to the Board as to the action taken. The action of the Committee shall be final.

### **Section 3. Standing Committees**

Standing Committees shall include the Executive Committee, the Administrative and Personnel Committee, the Facilities and Equipment Committee, the Finance Committee, the Curriculum Committee, and the Planning Committee. The Chairman of the Board shall serve as an *ex officio* voting member of all Committees.

- (A) The Executive Committee shall consist of a minimum of four (4) members, i.e., the Board Chairman, the Vice Chairman and two additional members to be appointed by the Chairman. The Executive Committee shall be named at the beginning of each organizational year.

The Executive Committee, during the intervals between the meetings of the Board, shall have and exercise all powers, privileges and prerogatives of the Board except those expressly reserved therein to be exercised by the Board in a regular or special meeting.

The Chairman of the Executive Committee may call meetings of the Committee at any time.

All action of the Executive Committee made in accordance with these bylaws, shall be presented to the Board at its next meeting for final action by the full Board.

- (B) The Administrative and Personnel Committee shall consist of a minimum of three (3) members. The Committee shall receive from the President, or generate on its own, personnel policy proposals. It shall also review nominations from the President for top-level administrative staff positions who report directly to the President for recommendation to the Board.

The Administrative and Personnel Committee shall act as a reference committee of the President in all personnel matters.

The Administrative and Personnel Committee, upon receiving recommendations from the President, shall present to the Board all requests for educational leave or leaves of absence.

- (C) The Facilities and Equipment Committee shall consist of a minimum of three (3) members. This Committee shall recommend to the Board studies relating to sites, buildings and grounds; additions, deletions and/or alterations to the College's facilities and property; a long-range campus plan and architectural plans for all construction; the call for bids on institutional construction and the awarding of contracts; adequate insurance coverage of

buildings and their contents, and for other facilities; securing or granting of easements and right-of-way's.

- (D) The Finance Committee shall consist of a minimum of three (3) members. This Committee shall, subject to applicable standards of the State Board of Community Colleges, have the following regular functions:
1. To receive, study and recommend to the Board, with such modification as it deems appropriate, the President's recommended budgets for current operation and capital outlay.
  2. To recommend to the Board policies and decisions regarding investment of any surplus or restricted monies.
  3. To recommend to the Board policies and decisions regarding the receipt and disposition of any monetary bequests, gifts, grants, and donations, the care of all College securities, and regarding contracts for college or research services or other purposes with private or governmental firms, persons or agencies.
  4. To recommend to the Board, upon the recommendation of the President, the transfer of local contingency funds to operating line items in the budgets.
  5. To receive and examine the audit of the College books and make such recommendations to the Board as it may deem appropriate.
- (E) The Curriculum Committee shall consist of a minimum of three (3) members. This Committee shall, after consulting with the President, make recommendations to the Board concerning additions, deletions, and alterations to the total educational program of the College. The Curriculum Committee shall act as committee of reference for the President in dealing with all matters relating to the various curriculums, other educational programs, and all programmatic affairs relating to the students.
- (F) The Planning Committee shall consist of five (5) members of the Board and the following advisory members; one student, one faculty member, two staff members, two or more community resource persons, and three *ex officio* members - the Chairman of the Board, the President, and the Vice President of Institutional Effectiveness. The Planning Committee will be responsible for identifying trends and other data necessary for developing plans and goals of the College. This Committee will act as a committee of reference for the President in dealing with all matters related to planning.

#### **Section 4. The President**

The President of the college shall be notified of the time and place of all meetings of the standing committees of the Trustees, and shall have opportunity to present any matters which he may desire.

### **ARTICLE VI Board Meetings**

### **Section 1. Regular Meetings**

- (A) Regular meetings of the Board shall be scheduled for the fourth Thursday of July, September, November, January, March and May at 5:00 p.m. in the Board Room of the College (unless a different time and place are agreed upon at the previous meeting). Any Board member or the President may ask the Chairman for a special meeting, and if the request is judged valid, the Chairman may call, or have the President call, a special meeting. Notwithstanding, upon written request by any three Board members, the Chairman shall call a special meeting to address the concern for which the request is made.
- (B) An executive session may be held in any meeting upon the request of any member of the Board of Trustees
- (C) The President of the College shall have the privilege of the floor at all regular meetings of the Trustees, and, upon invitation, when they are in executive session.
- (D) The first regular board meeting held in a new fiscal year shall be the annual meeting at which time officers shall be elected.

### **Section 2. Special Meetings**

- (A) The time, place and purpose(s) of special meetings shall be fixed by the Chairman or by the President.
- (B) The business to be transacted at any special meeting of the Board shall be confined to such matters as have been specified in the call to members and officers of the Board.

### **Section 3. Notice of Meetings**

- (A) Members and officers of the Board shall be notified in writing, or by telephone, by the Secretary of the Board of Trustees of the time and place of all meetings and the purpose(s) of special meetings at least forty-eight (48) hours in advance of meetings.
- (B) The local news media shall be notified in the same manner as members of the Board.

### **Section 4. Quorum**

- (A) Quorum for all Board of Trustee meetings shall be a majority of Board members in good standing.
- (B) No business shall be transacted without an affirmative vote of at least five (5) members of the Board.
- (C) A majority vote of all the members of the Board shall be required for the election of a President.

### **Section 5. Agenda**

- (A) The President and the Chairman shall prepare an agenda with documents to be presented to all Trustees as information or for action by the Board. The Chairman may receive agenda items from the President, Board members, and from all other sources up to four (4) days prior to the meeting.

- (B) The Chairman, on the request of the President or members of the Board, may add items to the agenda regardless of the date such items are received.

**Section 6. Order of Business**

The regular order of business at meetings of the Board shall be:

- (A) Call to order/Pledge of Allegiance
- (B) Conflict of Interest Statement
- (C) Consideration and Disposition of Minutes
- (D) Old Business
- (E) Chairman's Report
- (F) President's Report
- (G) Committee Reports:
  - Executive Committee
  - Facilities and Equipment Committee
  - Finance Committee
  - Curriculum Committee
  - Planning Committee
  - Administrative & Personnel Committee
- (H) Report of Special Committees
- (I) New Business
- (J) SGA Report
- (K) Faculty Report
- (L) Foundation Report
- (M) Announcements
- (N) Schedule of next meeting
- (O) Adjournment



## **Section 7. Parliamentary Rules**

Robert's Rules of Order shall be followed in conducting the meetings of the Board, unless otherwise provided by the Board.

## **Section 8. Individual or Group Hearing**

Any individual or organized group who desires to appear before the Board shall state in writing the purpose of such appearance and the names of each person who is to appear as a spokesperson. The statement shall be filed with the Chairman at least ten (10) days in advance.

## **ARTICLE VII**

### **Cape Fear Community College**

#### **Section 1. Succession to the Presidency**

Unless the Board shall decide otherwise, in the event of the President's serious disability, death, resignation, dismissal, or prolonged absence for any reason, the board shall choose a current Vice President to serve as acting president until the Board has selected a temporary or permanent president. The appointment of the acting President is subject to approval of the State Board.

#### **Section 2. Constitution**

Any constitution adopted by the College and approved by the Board shall automatically become a part of the rules and regulations of the Board and such shall be subject to amendment by the Board under provision of Article VIII of these by laws.

#### **Section 3. Academic Freedom and Responsibility**

Cape Fear Community College is dedicated to the dissemination of knowledge, the engendering and development of skills, competencies and understandings, and to the nurture of those personal and intellectual habits and attitudes which are peculiar to responsible individuals in a free, open, democratic society. The Board of Trustees, therefore, shall guarantee and protect academic freedom in the College. The Board shall likewise require the exercise of responsible judgment on the part of personnel of the College as they exercise academic freedom in accomplishing the objective of the College.

#### **Section 4. Diplomas and Certificates**

The signatures of the Chairman of the Board of Trustees and the President shall be affixed to all degrees and diplomas awarded in recognition of the completion of curriculum programs. The President and instructor shall sign all special extension program certificates.

## **ARTICLE VIII**

### **Policies, Rules and Regulations**

#### **Section 1. General Provisions**

By an affirmative vote of the majority of all the members of the Board, the Board may make or amend such policies, rules and regulations as may be authorized by the law and as may be required

in its judgment for the effective discharge of its responsibilities and for the effective operations of the College.

## **Section 2. Notification and Publication**

The Secretary of the Board of Trustees shall be responsible for providing to each member of the Board a copy of all current Board bylaws, policies, rules and regulations.

## **ARTICLE IX**

### **Adoption and Amendment**

#### **Section 1. Adoption**

Adoption of these bylaws shall be by affirmative vote of a majority of members of the Board of Trustees at a regular meeting, provided that each member has received notice at least ten (10) days prior to the meeting and that each member has received a copy of the bylaws at least ten (10) days prior to the meeting.

#### **Section 2. Amendments**

Amendments to these bylaws may be proposed by any member of the Board of Trustees at any regular meeting of the Board for decision at a subsequent regular meeting of the Board. Adoption of amendments shall be by affirmative vote of a majority of members of the Board of Trustees at a regular meeting.

## **ADDENDUM A**

### **Board of Trustees Policy President/CEO Performance Evaluation**

Developed by: Board of Trustees

Issued: May, 1995

Most Recent Revision: May, 1995

#### **POLICY:**

It is the policy of Cape Fear Community College (CFCC) to utilize a formal performance evaluation process for the President. The purpose of this policy is to maximize the effectiveness of the President to support the CFCC mission, and institutional goals and objectives, and to promote an effective working relationship with the Board of Trustees, faculty, staff and students.

#### **GUIDELINES:**

##### **A. Performance Evaluation Period**

The evaluation period shall be twelve months corresponding with CFCC's fiscal year. The preparation of the annual performance review shall commence as of each May and shall be completed no later than June 30<sup>th</sup>.

**B. Performance Evaluation Committee**

The Administrative and Personnel Committee shall serve as the Performance Evaluation Committee.

The Committee shall utilize a performance evaluation procedure that is based on the President's job description and a specific set of goals for the evaluation period developed jointly by the President and the Board of Trustees.

**C. Performance Evaluation Procedure**

The procedure to be used in evaluating the performance of the President is as follows:

1. The President shall present his/her annual goals to the Administrative and Personnel Committee for the coming fiscal year no later than May 1<sup>st</sup>. The Administrative and Personnel Committee shall present the set of goals for approval at the next Board of Trustees meeting.
2. Formal Performance Evaluation Tool and Process: The formal performance evaluation tool, developed by the Performance Evaluation Committee and approved by the Board of Trustees, will be completed by each member of the Board of Trustees.

The President will prepare a self-evaluation of performance, particularly as it pertains to his/her annual goals, and present it to the Board of trustees for their use in completing the evaluation process. The results of the evaluation by board members will be consolidated by the Performance Evaluation Committee, reviewed with the full Board, and reviewed with the President.

3. Employment contract: The President's employment contract will be reviewed and, where necessary, revised annually by the Board of Trustees.
4. Job Description: The President and Board of Trustees will review and revise as necessary the President's job description on an annual basis.
5. Policy Review: This policy shall be reviewed annually by the Administrative and Personnel Committee and recommendations for changes, as necessary, shall be submitted to the Board of Trustees for approval.

**ADDENDUM B**

**Board of Trustees Policy**  
**Board of Trustee Self-Evaluation**

Developed by: Board of Trustees  
Issued: May, 2019

**POLICY:**

It is the policy of Cape Fear Community College (CFCC) to conduct a yearly self-evaluation by the Board of Trustees. The purpose of this policy is to maximize the effectiveness of the Board of Trustees to support the CFCC mission, and institutional goals and objectives, and to promote an effective working relationship within the Board of Trustees as well as with the President of the College.

**GUIDELINES:**

**A. Performance Evaluation Period**

The evaluation period shall be twelve months corresponding with CFCC's fiscal year. The preparation of the annual performance review shall commence as of each March and shall be completed no later than June 30<sup>th</sup>.

**B. Performance Evaluation Committee**

The Administrative and Personnel Committee shall serve as the Performance Evaluation Committee.

**C. Performance Self-Evaluation Procedure**

The procedure to be used in the Board of Trustees Self-Evaluation is as follows:

1. The Administrative & Personnel Committee will meet every March to review the current self-evaluation tool and recommend any changes if necessary to the Board of Trustees in the March Board of Trustees meeting for approval.
2. Formal Performance Self-Evaluation Tool and Process: The formal performance self-evaluation tool, developed by the Administrative & Personnel Committee and approved by the Board of Trustees, will be completed by each member of the Board of Trustees.
3. Results of Self-Evaluation: The Board Chair will share the completed Board Evaluation with the Board of Trustees annually at the May at the Board of Trustees meeting.

**SGA REPORT**

Mr. Nandlal presented the following report.

For the month of January, we did not have our General Assembly. Class was not in session, so we decided to take a break. The next meeting will be held in February. We also decided to take the time to get back to our roots in a way and see what we can do to help the student body out. We met to set a schedule for the entire second semester so we can promote our events and have more

involvement. We are still working with the other clubs, and still plan on having a joint event. At our December meeting, we decided on hosting a joint blood drive and planning to have that in March. That is in the works as we speak!

In the meantime, SGA is working to stock, organize, and distribute food pantry items. We have discussed ways to coordinate these activities. The blood drive will be one of our main events this spring. We hope to encourage participation by students, staff, faculty, and administration involved. We also encourage the Trustees to attend our event. In addition to these events, the SGA continues to work to promote club participation and other activities. One of our main goals for this year is to increase student participation on campus. We will continue to support student clubs and organizations to accomplish this goal.

### **FACULTY ASSOCIATION REPORT**

Dr. Brandon presented the following report.

The CFCC Faculty Association held its last regular meeting of the Fall 2021 semester on November 18. There were about thirty faculty members in attendance, both in person and virtually.

The Faculty Association Officers are scheduled to resume their monthly meetings with the CFCC Executive Team on January 14.

The Faculty Association recently aided in the creation of a temporary committee that will assess the CFCC Student Evaluation of Teaching/Learning form. This committee will begin meeting during the Spring 2022 semester.

### **FOUNDATION REPORT**

Mr. Fernando presented the following report.

**Year-to-Date revenue:** \$1,022,692.76 – *report as of 01/04/22*

#### **Notable New Scholarships:**

\$30,000 – Mike Prevatte/Wilmington Development Company – endowed scholarship for hospitality management students

\$10,000 - Mark Alper - endowed scholarship supporting EWD students

\$25,000 - FP Fensel named the Elizabeth W. Fensel Endowed Scholarship for Nursing students

#### **End of Year Appeal Giving:**

2021: \$71,394 (88% increase)

2020: \$37,800 (66% increase)

2019: \$22,725

#### **Holiday Helpers:**

Revenue

Awards

2021: \$21,665 (8% increase)	\$22,000 (38% increase)
2020: \$20,121 (20% increase)	\$16,000 (100% increase)
2019: \$16,808	\$8,000

**CFCC Foundation Spring Events:**

CFCC Donor Recognition Event – Thursday, February 17, 2022, 5:30pm, Wilson Center  
Broadway for a Better World – Wednesday, March 2, 2022, 8am, Wilson Center  
CFCC Day - Burgaw – Saturday, March 12, 2022, 10am-2pm, Burgaw  
Gift of Education – Wednesday, May 25, 2022, 12pm, Schwartz Center

**ANNOUNCEMENTS**

**DATE OF THE NEXT MEETING- March 24, 2022.**

Meeting Adjourned at 6:20 pm

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James P. Morton, President/Secretary

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Michelle S. Lee, Recording Secretary