

**AGENDA**  
**CAPE FEAR COMMUNITY COLLEGE**  
**BOARD OF TRUSTEES**  
**NOVEMBER 21, 2024**  
**5:00 PM**

- I. Call to Order and Pledge of Allegiance
- II. Conflict of Interest
- III. Approval of Minutes September 26, 2024
- IV. Introductions and Recognitions
- V. Chair's Report
- VI. President's Report
- VII. Committee Reports
  - A. Facilities & Equipment Committee
  - B. Finance Committee
  - C. Curriculum Committee
  - D. Planning Committee
  - E. Administrative & Personnel Committee
- VIII. Other Reports
  - A. SGA Report
  - B. Faculty Association Report
  - C. Foundation Report
- IX. Announcements
- X. Date of Next Meeting – January 30, 2025



## North Carolina State Ethics Commission

### **ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER**

*(to be read by the Chair or his or her designee at the beginning of each meeting<sup>1</sup>)*

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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<sup>2</sup> in the particular matter involved.

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<sup>1</sup> N.C.G.S § 138A-15 (e): "At the beginning of any meeting of a board, the chair shall remind all members of their duty to avoid conflicts of interest under this Chapter. The chair also shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the board at that time."

<sup>2</sup> "A public servant shall take appropriate steps, under the particular circumstances and considering the type of proceeding involved, to remove himself or herself to the extent necessary, to protect the public interest and comply with this Chapter, from any proceedings in which the public servant's impartiality might reasonably be questioned due to the public servant's familial, personal, or financial relationship with a participant in the proceeding." See N.C.G.S § 138A-36 (c). If necessary, the Chairman or individual member involved should consult with his ethics liaison, legal counsel, or State Ethics Commission to help determine the appropriate response in a given situation.

## **MINUTES**

### **FOR MINUTES CAPE FEAR COMMUNITY COLLEGE BOARD OF TRUSTEES SEPTEMBER 26, 2024 5:00 PM**

Following proper public notifications on September 23, 2024, and a determination that a quorum was present, the Cape Fear Community College Board of Trustees met in regular session on Thursday, September 26, 2024, at 5:00 pm in the Board Room of the Union Station Building. Mr. Lanny Wilson, Chair, presided.

Trustees present were: Mr. Lanny Wilson, Chair; Mr. Jonathan Barfield; Mr. Bill Cherry; Mr. Jason McLeod; Mr. Dane Scalise; Dr. Marc Sosne; Mr. Robby Collins; Mr. A.D. “Zander” Guy; Mr. Louis Burney, Jr.; Mr. Brad George; and Ms. Madaline Cromartie, SGA President. Trustees not present: Ms. Deborah Maxwell, Mr. Bruce Moskowitz, Ms. Paula Sewell, and Mr. Bruce Shell.

Employees present were: Mr. James Morton, President; Ms. Michelle Lee, Chief of Staff and Board Liaison; Mr. Brandon Guthrie, Chief Academic Officer and Accreditation Liaison; Ms. Sonya Johnson, Vice President of Marketing and Community Relations; Ms. Sabrina Terry, Vice President of Student Services; Ms. Christina Greene, Vice President of Business Services; Mr. John Downing, Vice President of Economic and Workforce Development; Ms. Anne Smith, Vice President of Human Resources; Mr. Jakim Friant, Executive Director, Information Technology Services; Mr. Zachary Plier, Executive Director, Wilson Center; Ms. Susan Porter, Director, President’s Office; Ms. Jennifer Edwards, Sr. Executive Assistant, President’s Office; Ms. Logan Thompson, Executive Director, CFCC Foundation; Mr. Robert Carter, Manager, Technical Support and Client Services; Mr. Shawn Breedlove, Executive Director, Safety and Auxiliary Services; Ms. Lucinda McNamara, Dean of University Transfer and Partnerships; Mr. Antonio Arteaga-Paredes, Media Specialist; Ms. Erin Fabian, Director, Marketing and Community Relations; Mr. Dave Reid, Safety and Security Coordinator; Mr. Nelson Beaulieu, Faculty Association President; and other employees (see below).

Others present were: Ms. Avery Locklear, Attorney, Ward and Smith  
Mr. Ivan Ramirez, SGA Vice President

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

### **CONFLICT OF INTEREST**

Mr. Wilson 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.

Mr. Wilson introduced Ms. Cromartie and Ms. Avery Locklear.

## **MINUTES**

A MOTION was made by Mr. Guy and seconded by Mr. Cherry to approve the July 18, 2024 minutes as presented. Motion carried unanimously.

## **RECOGNITIONS AND INTRODUCTIONS**

Ms. Smith introduced the following new employees:

Giovanny Almeida	Classroom Technician
Christy English	Sr. Executive Assistant to VP of Student Services
Crystal Clark	Program Director, Cosmetology
Angela Waller	Instructor, Art

## **CHAIR'S REPORT**

Mr. Wilson reviewed 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 arrangements to do so. Ethics Training must be completed every two years.

The list of scheduled upcoming training sessions is listed at <https://ethics.nc.gov/seis/regular-filers>. Online Ethics Training is now available through this website. Please contact Michelle Lee at 910-362-7555 if you have any questions regarding this training.

### **Commencement**

Commencement was held on August 2 at the Wilson Center, with approximately 235 students walking in the ceremony. A total of 368 students earned credentials.

### **Trustee Orientation**

All newly appointed and reappointed Trustees must complete the NCACCT orientation within 6 months of appointment or reappointment.

There will be an online version for your convenience. This information will be sent to you as soon as it is available.

### **Trustee Tour**

A tour of the North and Downtown campuses is being offered to all trustees on October 8. If you would like further details, please contact Michelle Lee.

### **Announcements/Comments**

Mr. Wilson thanked Trustees Louie Burney and Bill Cherry for attending the Dan and Sheila Saklad Center dedication.

Please attend the Veteran's Day event if you are able. CFCC does a great job with this event to honor our veterans.

### **PRESIDENT'S REPORT**

President Morton reviewed the following report.

#### **Mobile Machining Lab**

CFCC has purchased a mobile training lab from funds received in 2023 as part of the New Hanover Community Endowment Grant. The fully self-contained mobile lab allows us to bring the Computer Integrated Machining Certificate program or our Career and College Promise (CCP) courses to any high school in New Hanover County. Additionally, we can set up in underserved neighborhoods, making these opportunities accessible to more students. Participants will gain valuable, hands-on experience machining parts, helping them learn practical skills in a real-world setting and develop an interest in high-demand trades.

#### **Western Carolina Transfer Agreement**

CFCC has partnered with Western Carolina University (WCU) to provide students with a direct pathway to WCU upon graduation. The program is based on the North Carolina Comprehensive Articulation Agreement, ensuring seamless credit transfers. WCU, an NC Promise school, offers an affordable tuition rate of \$500 per semester, making higher education more accessible to graduates.

#### **Dan & Sheila Saklad Center for Health & Human Services**

The dedication of the Dan & Sheila Saklad Center for Health & Human Services took place on July 25. Mr. Dan Saklad, President Morton, and Logan Thompson, CFCC Executive Director of the Foundation, delivered speeches at the event. More than 60 attendees were present, including CFCC trustees Mr. Bill Cherry and Mr. Louis Burney.

#### **NCJAA Recognizes CFCC Student-Athletes for Academic Achievements**

Twenty-one CFCC student-athletes have been honored by the National Junior College Athletic Association (NJCAA) for their exceptional academic performance during the 2023-2024 academic year. This prestigious national accolade is awarded to student-athletes who achieved a GPA of 3.60 or higher this past school year.

#### **"Out of the Pines" Photography Exhibition**

CFCC's Wilma W. Daniels Gallery hosted "Out of the Pines," a new photography exhibition showcasing the work of photography instructors from across North Carolina. The exhibition ran from July 26 to September 6 and displayed a diverse range of photographic works. It offered students and community members a chance to explore the different artistic approaches to photography from educators across the state.

#### **Inaugural Graduating Class of Medical Laboratory Technology Program**

The first cohort from the Medical Laboratory Technology (MLT) program graduated on August 1. This milestone marks a significant achievement for both the graduates and CFCC as we expand

our health science programs to meet the growing demand for skilled healthcare professionals in the region. The inaugural class had eight graduates who completed the MLT program, equipping them with the essential skills and knowledge required for this vital healthcare role. Seven graduates have secured positions with Novant at New Hanover Regional Hospital and one at Columbus Regional Healthcare.

### **Three Sisters Graduate Simultaneously from CFCC Health Science Programs**

Esmeralda, Aidee, and Imelda Gonzalez graduated simultaneously from CFCC. As first-generation college students with parents who immigrated from Mexico, they have shown remarkable hard work and determination. Commuting daily from Garland, NC, the sisters have supported each other throughout their academic journey and earned degrees in Medical Laboratory Technology, Dental Assisting, and Pharmacy Technology, respectively.

### **In-Service**

In-service was held August 13 for all employees. The event included a health and wellness fair featuring different vendors who provided information about services and resources available in the community. Wilmington Health was prominently featured at the fair, offering essential blood pressure checks and assisting employees with scheduling appointments.

### **President's Awards and Marilyn Goodman Anderson Award Winners**

The winners of the President's Awards and the Marilyn Goodman Anderson Award were announced during the In-Service program on August 13.

#### **Marilyn Goodman Anderson Award**

The Marilyn Goodman Anderson Award for excellence in teaching was awarded to Kristina Mazzarone, Chemistry Instructor.

#### **President's Award for Staff**

The President's Award for staff was awarded to Gina Mecca, Career Development Coordinator.

#### **President's Award for Faculty**

The President's Award for faculty was awarded to Ed Hernandez, Program Director of Collision Repair & Refinishing Technology.

### **New Student Orientation**

CFCC's new student orientation events had a very successful turnout. 702 new students and their guests participated in the orientation held on August 14 at the Downtown Campus and August 15 at the North Campus. This was an 18% increase from the fall 2023 new student orientation sessions. Student Services hosted the event and had over 20 vendors for students to visit for information. Parents were given a welcome session as well. Students were able to take tours of the campus and learn about SGA, PTK, and other opportunities. Students were able to participate in social media videos that were posted on CFCC's popular social media accounts. As of September 17, CFCC has received 7,863 student enrollment applications from 1,534 different high schools from 47 states for the 2024 fall semester.

### **Veterinary Medical Technology Program Director Honored as Inaugural AVTE Fellow**

April Lehmann, CFCC's Veterinary Medical Technology Program Director, has been selected for the inaugural class of the Association of Veterinary Technician Educators (AVTE) Fellows. This honor recognizes veterinary technician educators who have demonstrated extraordinary leadership, innovation, and mentorship. The AVTE established the Fellows Program to elevate the voice and stature of veterinary technician educators.

### **Back-to-School Haircuts**

CFCC's Barbering School offered free back-to-school haircuts for children in the community ages 5-17 on August 17 and 24. The barbering students provided haircuts under the supervision of licensed instructors.

### **Pender County Board of Commissioners Recognizes CFCC Mother-Daughter Duo**

The Pender County Board of Commissioners recognized Pender County residents Jami Flowers and Cadence Brewer, a mother-daughter duo, on August 19 for their unique achievement of graduating together from two different programs at CFCC. Jami earned her diploma in Pharmacy Technology, while Cadence earned her Esthetics diploma. President Morton attended the event and spoke of the dedication and perseverance shown by these two women.

### **New Hanover County Equity Awards**

CFCC employees Maria Rodriguez and Donterio Perkins were honored at the 2024 New Hanover County Equity Awards on August 23. The event celebrated leaders who have made significant contributions to advancing equity and diversity within the community. Maria's work has been instrumental in bridging language gaps and ensuring that all community members have equal opportunities to access education. Donterio's work in the Nixon Leaders Center has created initiatives that support underrepresented students.

### **Hello Arts! Chuck Leavell Concert**

The legendary keyboardist and Musical Director of the Rolling Stones, Chuck Leavell, performed at CFCC's Wilson Center on September 20. This special concert is part of the Wilson Center's new mission-based engagement program, Hello Arts! Tickets were free, but donations were encouraged and accepted to support the Hello Arts! initiative, which funds access to tickets for community groups and industry training for future arts professionals.

### **Expansion of English as a Second Language Course**

CFCC has expanded English as a Second Language (ESL) opportunities to adults in Pender County this fall. This course, offered at Cape Fear Middle School, is designed to help non-native English speakers improve their language skills, enabling them to better integrate into the community and enhance their employment opportunities.

### **National Suicide Prevention Awareness Month**

September is National Suicide Prevention Awareness Month. The CFCC Counseling Center, along with other campus departments, hosted a number of events throughout the month to promote

awareness and offer support. Suicide is the number two leading cause of college student death in the United States. Purple and teal pinwheels were on display across CFCC campuses to bring awareness of the 24,000 college students who will attempt suicide each year and a memorial to the 1,100 who will die by suicide.

### **Part-Time Career Fair**

CFCC hosted a part-time career fair on September 5 at the Downtown campus. The event was open to the public and aimed to connect students, job seekers, and community members with part-time employment opportunities offered by numerous local businesses representing various industries. Participants had the chance to explore job openings catering to different skills and interests, whether they were seeking flexible work schedules while attending college or looking to supplement their income with part-time work.

### **Patriot Day Remembrance Ceremony**

CFCC held a Patriot Day Remembrance Ceremony on Wednesday, September 11, at the 9/11 memorial located in front of the Safety Training Center at CFCC's North Campus. President Morton and Chris Nelson, CFCC's Director of Public Safety, spoke at the event, which paid tribute to the victims, first responders, and survivors of the attacks on September 11, 2001.

### **Handshake Partnership**

CFCC has partnered with Handshake, the leading job platform for students and recent graduates. Handshake helps students and alumni of higher education institutions find jobs and internships, register for career events, and connect with over 750,000 employers, including Fortune 500 companies, nonprofits, and startups.

### **Green Zone Training**

CFCC's Veterans Services hosted a Green Zone Training event on September 17 to provide employees with insightful knowledge about the experiences of veterans and military students. The training helped employees better understand and support veteran and military students. Participants are now prepared to engage with empathy and effectively direct students toward necessary resources, empowering the community to have a positive impact on their lives.

### **SELCAT Partnership**

CFCC has a groundbreaking partnership with the Southeastern Line Constructors Apprenticeship & Training (SELCAT) program. This partnership will provide CFCC's Electrical Lineworker graduates with a direct pathway into SELCAT's prestigious apprenticeship program. CFCC is the only community college in North Carolina to have established this partnership, joining an exclusive group of eight other community colleges within SELCAT's nine-state service area. This fast-track pathway represents a significant advantage for CFCC graduates as they enter the workforce, offering them a competitive edge and immediate access to a career with immense growth potential.



## Career Pilot Program

This fall, CFCC launched a new Career Pilot Program to meet the demand for skilled professionals in the aviation industry. The program aims to provide students with the foundational knowledge and skills needed to pursue a career as a commercial pilot. The first two courses being offered are History of Aviation and Pilot Instrument Ground School. The History of Aviation course provides an overview of air transportation and potential career paths, while the Pilot Instrument Ground School course prepares students for the FAA instrument written test.

## Geomatics Program

A new Geomatics (Surveying) program was launched on September 16, to meet the growing demand for qualified surveyors in the region. This comprehensive program aims to equip students with the necessary knowledge and skills to actively contribute to local development initiatives and establish successful careers in surveying.

## COMMITTEE REPORTS

### FACILITIES & EQUIPMENT COMMITTEE

Mr. Cherry reviewed the following information.

### New Hanover County Capital Outlay

New Hanover County Capital Outlay Projects 2023-2024 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status and Estimated Completion Date
1	NA#1/NB#2 Building Chiller Plant Replacement		\$ 455,775.00	\$ 20,000.00	\$ 475,775.00	\$ 650,000.00	\$ 174,225.00	Installation start set for 10/24
2	NB Boiler Replacement 2021 - Update to Condensing Boiler	\$ 11,400.00	\$ 252,680.00		\$ 264,080.00	\$ 160,000.00	\$ (104,080.00)	Under construction, complete 10/15/24
3	S Building Exterior Waterproofing Project to include A Building Connector		\$ 499,871.00	\$ 37,292.00	\$ 537,163.00	\$ 500,000.00	\$ (37,163.00)	Under construction, complete 10/1/24
5	NC Commercial & Residential Burn Buildings Gas System & Computer Controls Replacement		\$ 436,584.37	\$ 19,741.63	\$ 456,326.00	\$ 550,000.00	\$ 93,674.00	Awarded. System being fabricated for Winter 2024 install.
Completed Projects						\$ 60,000.00	\$ (126,656.00)	
Category Totals						\$ 1,920,000.00	\$ -	

New Hanover County Capital Outlay Projects 2024-2025 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status and Estimated Completion Date
1	F Building Chiller Replacement				\$ -	\$ 110,000.00	\$ 110,000.00	Soliciting design/build contractors
2	N Campus NB Bldg. Replace Exterior Masonry Failing at Arches				\$ -	\$ 90,000.00	\$ 90,000.00	Soliciting design/build contractors
3	S Building (2) Chillers Replacement				\$ -	\$ 1,000,000.00	\$ 1,000,000.00	Soliciting design/build contractors
4	S Building HVAC Reno Phase 2				\$ -	\$ 720,000.00	\$ 720,000.00	Soliciting designer.
Category Totals						\$ 1,920,000.00	\$ 1,920,000.00	

### **3-1 S Building Chillers Replacement**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the 3-1 McLeod (S) building centrifugal chillers replacement project in the amount of \$1,000,000.00. Motion carried unanimously.

### **3-1 S Building HVAC Renovations Phase II**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the 3-1 McLeod (S) building HVAC terminal renovations phase II project in the amount of \$720,000.00. Motion carried unanimously.

### **Wilson Center Multipurpose Addition**

<b>WA Building - Wilson Center Multipurpose Addition Project - Status Summary Report</b>								
		<b>Encumbrances - Subtotals</b>						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	WA Building - Wilson Center Multipurpose Addition	\$213,000.00	\$3,226,453.00	\$75,932.00	\$3,515,385.00	\$3,515,385.00	\$0.00	Construction

### **State Capital Improvement Infrastructure Funds (SCIF)**

<b>Wilmington Campus Galehouse A Building - Replacement of Entry Soffits Status Summary Report</b>									
		<b>Encumbrances - Subtotals</b>							
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status	
1	Wilmington Campus Galehouse A Building Replacement of Entry Soffits	\$0.00	\$ 48,752.00	\$ 11,248.00	\$60,000.00	\$60,000.00	\$0.00	Construction	

<b>G Building Renovation - Status Summary Report</b>								
		<b>Encumbrances - Subtotals</b>						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	G Building Renovation	\$66,980.00	\$1,970,671.40	\$ 87,348.60	\$2,125,000.00	\$2,125,000.00	\$0.00	Complete

<b>Wilmington Campus HVAC Renovations (A-106 and W Burnett Building)- Status Summary Report</b>								
		<b>Encumbrances - Subtotals</b>						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	Wilmington Campus HVAC Renovations (A106 & W Burnett)	\$0.00	\$152,889.65	\$12,310.35	\$165,200.00	\$165,200.00	\$0.00	A Building Complete, W Building Under Construction

L Building 2nd Floor Interior Renovation - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	L Building 2nd Floor Interior Reno	\$261,200.00	\$2,574,915.00	\$63,870.00	\$2,899,985.00	\$2,899,985.00	\$0.00	Preconstruction estimating and design approvals.

### **3-1 S & L Buildings Lecture Hall Renovations**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the 3-1 S & L buildings lecture hall renovations project in the amount of \$150,000.00. Motion carried unanimously.

### **3-1 S Building HVAC Renovations Phase III**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the 3-1 McLeod (S) building HVAC terminal renovation phase III project in the amount of \$1,400,000.00. Motion carried unanimously.

### **3-1 HVAC Controls Replacement**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the 3-1 HVAC controls replacement project at the Downtown, North and Burgaw campuses in the amount of \$1,200,000.00. Motion carried unanimously.

### **3-1 ADA Renovations Package**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the college-wide ADA renovations project in the amount of \$100,000.00. Motion carried unanimously.

### **3-1 NA Building Atrium Glazing System Renovation**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the 3-1 McKeithan (NA) building atrium glazing system renovation project in the amount of \$100,000.00. Motion carried unanimously.

### **3-1 S Building Elevator Tower Roof Replacement**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the 3-1 McLeod (S) building elevator tower roof replacement project in the amount of \$50,000.00. Motion carried unanimously.

### **Saklad Center Renovation Phase 2**

HHS Building Health & Human Services Phase 2 Renovation - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	HHS Bldg. Health & Human Services Phase 2 Renovation	\$606,205.00	\$5,285,534.00	\$4,108,261.00	\$10,000,000.00	\$10,000,000.00	\$0.00	Construction

### **Walnut Street Parking Lease**

A MOTION from the Facilities and Equipment Committee recommends to the Board of Trustees approval of the month-to-month parking lease between CFCC and the Wooten Company for up to 5 parking spaces at a rate of \$87.50/month each. Motion carried unanimously.

### **Surf City Center Addition**

SA Building Addition - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	SA Building Addition	\$348,137.00	\$3,202,500.00	\$449,363.00	\$4,000,000.00	\$4,000,000.00	\$0.00	Design

### **FINANCE COMMITTEE**

Mr. McLeod reviewed the following information.

#### **State Budget Revision**

A MOTION was made by Mr. McLeod and seconded by Mr. Burney to approve the State Budget Revision for an increase of \$7,533,915. Motion carried unanimously.

#### **State Budget Summary**

The State Budget Summary reported 15.32 percent of the budget has been expended as of August 2024.

#### **County Budget Summary**

The County Budget Summary reported 16.68 percent of the budget had been expended as of August 2024.

#### **Institutional Funds Update**

The Institutional Funds report was reviewed in the August 2024 report. No items were of concern.

### **CURRICULUM COMMITTEE**

Mr. Barfield reviewed the following information.

#### **NEW PROPOSED PROGRAM**

A MOTION from the Curriculum Committee recommends to the Board of Trustees approval of the Neurodiagnostic Technology Program as presented. Motion carried unanimously.

#### **Neurodiagnostic Technology (A45320)**

The Neurodiagnostic Technology curriculum is designed to provide students with the knowledge and skills to obtain recordings of patients' nervous system function through the use of

neurodiagnostic equipment and other electrophysiological devices. Coursework includes communication skills with patients and healthcare personnel, taking appropriate patient histories, electrode application, documentation of patients' clinical stats, waveform recognition, management of medical emergencies, and preparation of descriptive reports for the physician. Graduates should qualify for the ABRET Exam and, working under the supervision of a qualified physician, may be employed by hospitals or private offices of neurologists and neurosurgeons.

Cape Fear Community College has been awarded \$500,000 via the High-Cost Grant by the North Carolina Community College System, which has been earmarked for this program. Novant Health/NHRMC provided the required match of \$75,000 for this program.

## **PROGRAM TERMINATIONS**

### **Healthcare Business Informatics**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Healthcare Business Informatics Program. Motion carried unanimously.

### **Computer Engineering Technology**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Computer Engineering Technology Program. Motion carried unanimously.

### **Anesthesia Technology**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Anesthesia Technology Program. Motion carried unanimously.

## **PROGRAM CHANGES**

### **Truck Driver Training Certificate**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Truck Driver Training Certificate program due to the move from curriculum to continuing education. Motion carried unanimously.

### **Phlebotomy Diploma**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Phlebotomy Diploma program due to the move from curriculum to continuing education. Motion carried unanimously.

### **Phlebotomy Certificate**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Phlebotomy Certificate program due to the move from curriculum to continuing education. Motion carried unanimously.

### **Nurse Aide Diploma**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Nurse Aide Diploma program due to the move from curriculum to continuing education. Motion carried unanimously.

### **Nurse Aide Certificate**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Nurse Aide Certificate program due to the move from curriculum to continuing education. Motion carried unanimously.

### **Carpentry Diploma**

A MOTION from the Curriculum Committee recommends to the Board of Trustees termination of the Carpentry Diploma program due to the move from curriculum to continuing education. Motion carried unanimously.

## **ADMINISTRATIVE AND PERSONNEL COMMITTEE**

Mr. Guy reviewed the following information.

### **EMPLOYEE HANDBOOK POLICY REVISIONS**

A MOTION from the Administrative and Personnel Committee recommends to the Board of Trustees approval of the Employee Handbook Policy Revisions as presented. Motion carried unanimously.

### **Electronic Direct Deposit Policy**

#### **Electronic Direct Deposit**

Direct Deposit is Cape Fear Community College's method for issuing payroll payments to employees. ~~To utilize direct deposit, e~~ Employees must provide written authorization via the Direct Deposit Authorization Form which. ~~Direct Deposit~~ will remain in effect until changed by the employee. ~~The electronic direct deposit policy applies to all Cape Fear Community College employees who are paid by the College.~~ The Electronic Direct Deposit Policy promotes safe, confidential, convenient, and fast payments to all College employees, and applies to all Cape Fear Community College employees who are paid by the College. Electronic direct deposit assures that an individual's wage payment is deposited in a timely manner even if they are out due to illness, on vacation, or on other approved leave.

As a condition of employment, all Cape Fear Community College employees shall be required to enroll in the direct deposit feature within thirty (30) days of hire or rehire. The College offers direct deposit of an employee's net pay to a financial institution in the United States in accordance with NC Administrative Code – 13 NCAC 12.0309 - Form of Payment of Wages. To authorize or change a direct deposit, the Direct Deposit Authorization Form must be completely and accurately filled out. A voided check for a checking account direct deposit or a deposit slip for a savings account direct deposit must accompany the "Direct Deposit Authorization Form.

The completed Direct Deposit Authorization Form should be completed in Softdocs or returned to the Payroll Department. If mailing the completed form via interoffice mail, send to: Payroll Department, (U-277). If mailing the form through the United States Postal Service, send completed form to: Cape Fear Community College, Payroll Department, 411 N. Front Street, Wilmington, NC 28401.

~~Once the authorization form is received by the Payroll Department, it will take one (1) pay cycle for direct deposit to become active. During such time an employee shall be paid by paper check which will be mailed to a valid mailing address on file, on the employee's designated pay day and shall be dated the date of the employee's pay date.~~

Any change **must** be received in the Payroll Department at least two (2) weeks prior to the payday for which the change is to occur. Employees should never close an account until they know the cancellation has taken effect. If an employee closes the account prior to the cancellation of the direct deposit, the bank will eventually notify the Payroll Department. The Payroll Department will then issue a paper check and mail it to a valid mailing address on file. Employees who have questions or need assistance with these guidelines may contact the Payroll Department at (910) 362- 7609.

An employee who desires to request a hardship exemption from the direct deposit requirement shall do so by contacting payroll. The Vice President ~~for Business Services of Human Resources~~ has exclusive authority to grant an exemption from the direct deposit requirement.

Note:

It is the employee's responsibility to review their pay advice(s) for the accuracy of personal and payment information. Employees must notify the Payroll Department immediately if there has been an overpayment of wages. Employees have the responsibility to ~~notify the Payroll Department~~ complete a new Direct Deposit Authorization Form when there is any change to their bank and/or bank account that affects their direct deposit.

~~Any change **must** be received in the Payroll Department at least two (2) weeks prior to the payday for which the change is to occur. Employees should never close an account until they know the cancellation has taken effect. If an employee closes the account prior to the cancellation of the direct deposit, the bank will eventually notify the Payroll Department. The Payroll Department will then issue a paper check and mail it to a valid mailing address on file. Employees who have questions or need assistance with these guidelines may contact the Payroll Manager at (910) 362- 7609.~~

### **Full-Time Employee Parking Policy**

#### **Full-Time Employee Parking**

Upon payment of the annual parking fee ~~of \$40 by a twelve-month College employee or \$30 by a nine-month employee,~~ full-time Wilmington Campus employees will be assigned to park in the Nutt Street Parking Deck. Employees assigned to the North and Surf City Campuses and/or the Burgaw and/or Surf City Center employees will be assigned surface lot parking spaces designated for employee use only. ~~Employees visiting or working at any other location shall park in any~~

~~unassigned surface lot parking space (student parking) with the exception of the Wilmington Campus.~~ Any full-time employee visiting or working at the Wilmington Campus shall park in the Nutt Street Parking Deck. Any employee found violating the Cape Fear Community College parking policy will be subject to ticketing, towing, and/or disciplinary action.

## **Grievance Procedure Policy**

### **Grievance Procedure**

A grievance is a formal process whereby an employee alleges a violation, inequitable application, or misinterpretation of a specific College rule, regulation, policy, or procedure pertaining to the employment relationship between the employee and the College that cannot be resolved through the conflict resolution avenues. These procedures shall apply to concerns by employees alleging that a work-related problem or condition is unfair, inequitable, or a hindrance to the effective performance of the employee's job.

Prior to submitting a formal complaint or grievance, employees are encouraged to openly and directly communicate with their immediate supervisor in an attempt to address and resolve issues concerns, or complaints related to their employment as they arise. The College strives to identify and resolve issues at the supervisory level and keep the resolution process as informal and confidential as possible. Supervisors are given the courtesy of being informed of reported employee issues, concerns, or complaints in order to work towards a mutually agreeable resolution decision. Employees utilizing the Informal Complaint and Formal Grievance Resolution Procedures can do so without fear of reprisal or retaliation affecting the terms and/or conditions of their employment.

#### ***Step 1: Informal Complaint Resolution Procedure***

The Informal Complaint Resolution Procedure provides an opportunity for employees to resolve a complaint through their immediate supervisor with optional Human Resources involvement. This procedure has been determined to be the most effective and common avenue for resolving employee complaints. Employees are encouraged to make every effort possible to utilize this informal approach to resolve complaints through communication with their immediate supervisor. If the employee complaint involves the employee's immediate supervisor, the employee may begin with Step 2: Formal Complaint Resolution Procedure.

The Informal Complaint Resolution Procedures are as follows:

- Employees may report a complaint for resolution by scheduling a meeting with their supervisor.
- Supervisors will make every effort to resolve employee complaints fairly and promptly, generally within five (5) work days of when the employee complaint is presented by the employee.
- Human Resources involvement can be requested by the employee or the supervisor in order to provide mediation and assist in the facilitation of the resolution decision.
- If the resolution determination at Step 1 is mutually amicable, the employee's complaint will be considered settled.
- In the event the employee complaint is not resolved, the employee may escalate their reported complaint by utilizing the Formal Complaint Resolution Procedure (*Step 2*).



### ***Step 2: Formal Complaint Resolution Procedure***

In the event the Informal Complaint Resolution Procedure does not resolve the complaint, an employee may utilize the Formal Complaint Resolution Procedure. The Formal Complaint Resolution Procedure provides an opportunity for employees to resolve their complaint through a next-level Supervisor (*their supervisor's manager*). Employees may also begin at the Formal Complaint Resolution Procedure if they are not comfortable sharing the complaint with their immediate supervisor. The Formal Complaint Resolution Procedure requires mandatory Human Resources involvement. Human Resources will determine whom to include based on departmental and supervisory structure. The Formal Complaint Resolution Procedures are as follows:

- Employees may report a complaint for resolution by submitting a written complaint to their supervisor's manager or by contacting Human Resources.
- The employee's written complaint must be submitted within five (5) work days following the Informal Complaint Resolution decision is made known to the employee. If the employee fails to submit a written complaint within the specified timeframe, the matter will be considered settled.
- The employee's written and signed statement can be either hand-delivered or sent via College email to the next-level supervisor and must cite the specific policy, procedure, or practice alleged to have been violated, misinterpreted, or inequitably applied.
- After considering the nature of the complaint and reviewing documentation, Human Resources will serve as a mediator to work towards a resolution decision by conducting a thorough investigation of details and facts. This investigation may include discussions with the employee, supervision, and witnesses.
- Supervisors, in conjunction with Human Resources, will make every effort to resolve employee complaints fairly and promptly, generally within two (2) weeks from when the employee's written complaint is presented.
- If the resolution determination at Step 2 is mutually amicable, the employee's complaint will be considered settled.
- In the event the employee complaint is not resolved, the employee may escalate their reported complaint by utilizing the Formal Grievance Resolution Procedure (*Step 3*).

### ***Step 3: Formal Grievance Resolution Procedure***

The Formal Grievance Resolution Procedure is conducted by the Program Director, Department Chair, Dean, Associate Dean, Executive Director, Chief of Staff, Associate Vice President, or Vice President of the employee's department, with mandatory Human Resources involvement. Human Resources will determine whom to include based on departmental and supervisory structure. The Formal Grievance Resolution Procedures are as follows:

- Employees dissatisfied with the outcome of the Formal Complaint Resolution decision may submit a written grievance for review by the Program Director, Department Chair, Dean, Associate Dean, Executive Director, Chief of Staff, Associate Vice President, or Vice President of their assigned department.
- If the resolution determination at Step 3 is mutually amicable, the employee's complaint will be considered settled.

### ***Final Grievance Resolution and Appellate Procedure***

In rare instances, when an employee's complaint or grievance is not resolved, an appeals hearing may be requested. The appeals hearing is scheduled before an Appeals Committee appointed by

the President of the College. The President's resolution decision following the appeals hearing is binding and final. The Final Grievance Resolution and Appellate Procedure shall not apply to concerns arising out of a termination as a result of a reduction in force, ~~or non-reappointments, or dismissal.~~ Employees should contact Human Resources for written guidance and step-by-step instructions on how to initiate the Final Grievance Resolution and Appellate Procedure.

- The employee must submit a written request (*either hand-delivered or sent via College email*) to the President of the College (*or designee*) to request an appeals hearing. This written grievance resolution request must be received within five (5) work days following receipt of a prior resolution decision or disciplinary action. If a written grievance resolution request is not submitted within the specified timeframe, the matter of the grievance will be considered settled.
- The President will appoint an Appeals Committee, which will have the authority to conduct the appeals hearing and recommend a resolution to the President. The Appeals Committee will be comprised of five (5) panel members designated by the President. Only full-time employees of the College can be appointed as panel members. A written list of the chosen panel members will be provided to the employee requesting the appeals hearing, generally within ten (10) work days following the President's receipt of the employee's written grievance resolution request.
- The employee may object to any one (1) Appeals Committee panel member by providing the President with a written request for the panel member's removal within three (3) workdays of receiving the list of panel members. If such an objection is made within the allotted timeframe, one (1) replacement panel member will be designated by the President.
- The appeals hearing will be conducted within thirty (30) days from the final list of Appeals Committee panel members being provided to the employee. All parties involved may present supporting evidence. The employee is entitled to invite one (1) witness who is not an attorney to the hearing. The appeals hearing is closed to the public. Any request for postponement of an appeals hearing must be submitted in writing to the President at least five (5) work days prior to the scheduled hearing.
- Following the appeals hearing, the Appeals Committee will consider the evidence presented and, by majority vote, will identify resolution recommendations. A written report containing the Appeals Committee resolution recommendations will be submitted to the President, generally within ten (10) work days following the appeals hearing. The Appeals Committee report is advisory in nature and will not bind the President's final decision.
- Upon receipt of the Appeals Committee's written report, the President will review the Appeals Committee's recommendations and make a final and binding decision on the matter. The President will inform the employee in writing of the final resolution determination, generally within ten (10) work days following receipt of the Appeals Committee's written report.
- The resolution decision of the President is binding and final, and the employee grievance is considered settled.

### **Inclement Weather Policy**

#### **Inclement ~~Adverse~~ Weather**

The ~~decision to cancel any portion or all of Cape Fear Community College classes due to inclement weather or other emergencies is the responsibility of the President (or designee). Announcements will be made on Cape Fear Community College alert systems, social media, local television, and radio stations at the earliest possible time once a decision is made to cancel or close~~ President (or

designee) is responsible for making the decision to cancel any or all classes of ~~deciding whether to cancel any portion or all of Cape Fear Community College classes or close the College entirely~~ due to inclement weather or other emergencies. ~~Once~~ If a decision is made to cancel classes or close the college, announcements will be made on Cape Fear Community College alert systems, social media, local television, and radio stations at the earliest possible time.

~~Time Days~~ missed due to cancellation and/or closing will be designated with pay for full-time ~~staff and faculty employees~~, as well as adjunct faculty paid by the class. Part-time ~~staff employees~~ are considered hourly and only paid for actual hours worked. ~~Efforts to make up e~~Classes will be made ~~up~~ during the semester in which they are missed. In the event the schedule will not permit this, the ~~Board of Trustees may choose to excuse those days when such is requested by the President the President requests such.~~ President reserves the right to request the Board of Trustees excuse the absences.

### Inclement Weather and Leave

~~If an employee is already on approved Family Medical Leave (FMLA) when the College closes, their leave will be counted as usual on their FMLA timesheet. However, the days when the College was closed will not be subtracted from an employee's FMLA leave entitlement, which is unpaid. Any leave requests that were approved before the College announced its closure will still be valid and recorded in the timekeeping system. Employees who are on approved Family Medical Leave (FMLA) prior to a College closure will have leave charged in accordance with their FMLA timesheet; however, the days the College was closed will not count against an employee's FMLA leave entitlement (which is inherently unpaid). Employees who had pre-approved leave requests for days off to occur during a College closure may withdraw those leave requests.~~

~~In the event of college campus closures due to inclement weather or other emergency conditions, the President is the sole authority empowered to grant permission for employees to work remotely. Refer to the Remote Work Policy for further details.~~

### Lost/Missing Assets Policy

#### **Lost/Missing Assets**

~~Assets are considered missing when a physical inventory is taken conducted, with a Mobile Asset counter and discrepancies in asset variances are collected on a physical inventory worksheet counts are identified. Missing assets occur because an asset is moved to another location, but the new location was not reported to the Equipment Inventory; thus, it was not recorded in the system before the Physical Inventory was conducted, or the asset could be lost or stolen. Assets may go missing when they are moved to a new location without updating the Equipment Inventory. This means the new location might not be recorded before a physical inventory is completed. Also, assets can be lost or stolen.~~

~~During a physical inventory, missing assets are noted on Physical Inventory Worksheets. After the sheets are completed, the Equipment Inventory Technician compares assets listed as missing on the Physical Inventory Worksheets at one (1) location/division with assets found at other locations/divisions that were not listed on that location's Physical Inventory Worksheets. If there are any matches, location changes are made to the Fixed Asset System to list it properly. When~~

conducting a physical inventory, we record missing assets on Physical Inventory Worksheets. After completing the sheets, the Purchasing Department compares missing assets at one location/division with assets found at other locations/divisions that were not listed on that location's Physical Inventory Worksheets. If there are any matches, the Fixed Asset System is updated to reflect the proper location.

If any assets are missing after this process, the person responsible for the asset will then be required to document all the efforts made to find the missing asset on the Lost/Stolen form. After one (1) year, if the asset is not found, it is retired as a lost asset. The form is routed through proper management levels for signatures. If any assets are found to be missing during this process, the individual responsible for the asset must document all of the efforts made to locate the missing asset on the Lost/Stolen form. If the asset remains missing after one (1) year, it will be classified as a lost asset. The form will be sent through the appropriate management levels for signatures.

The College reserves the right to pursue legal action for lost or damaged property.

## **Reduction in Force Policy**

### **5.71 Reduction in Force**

The Reduction in Force Policy of Cape Fear Community College is designed for the termination of employment during a fiscal year pursuant to a written agreement due to a lack of sufficient funding or enrollment to merit continuation of courses, programs, and/or services. Reduction in Force provisions do not apply to non-reappointment following the expiration of a contract period. All decisions made under this policy will take into consideration the needs of the population being served with respect to the mission and goals of the College while attempting to minimize the negative impact on the level and quality of services provided. Primary responsibility for recommending separations due to a reduction in force will rest with the senior-level administrators, whose decisions will be based on recommendations from supervisors and other management personnel associated with the department where reductions will be made.

An employee who is to be terminated through a reduction in force will be informed in person by their immediate supervisor and will be informed in writing by the President. Maximum notice will be given to an employee, whenever possible; under no circumstances will a notice be given less than thirty days prior to separation. The letter from the President will state the conditions, which determine the separation, a general description of the procedures followed in making the decision, and the right to appeal by the employee. An employee who wishes to appeal their separation from employment resulting from reduction in force may do so beginning at Step 3 of the Grievance Procedure (*Section 5.63*) of the College's Discipline (*Section 5.61*), Non-Reappointment (*Section 5.15*), and Grievance Procedure (*Section 5.63*). In the event the matter is not satisfactorily resolved to the employee's satisfaction, the employee may appeal the matter to the Administrative and Personnel Committee of the Board of Trustees of Cape Fear Community College. The decision of the Administrative and Personnel Committee is final.

An employee who is separated through a reduction in force will be given priority consideration for re-employment during the next twelve (12) months assuming they meet the requisite performance standards and qualifications for the position to be filled. ~~He/she will receive all copies of position vacancies during this period.~~

An employee who is to be separated through a reduction in force may choose a twelve (12) month leave of absence without pay in lieu of separation in order to continue group insurance benefits (*to be paid in full by the employee*). Choosing a leave of absence does not extend the time or alter the conditions under which priority for re-employment is provided.

### **TV Studio Policy**

#### **6.5 — TV Studio**

~~The Cape Fear Community College multimedia studio exists to provide a controlled space for filmed interviews and instructional and promotional video production. The studio also provides students with a laboratory setting for various media or acting assignments. The studio produces instructional videos and visual content that highlights Cape Fear Community College students and programs. Proposals for video services should be submitted via the Video Services Proposal Form located at the Video Services Proposal Form at least three (3) weeks prior to the proposed “shooting” date and are subject to studio and staff availability. The supervision of the studio and the use of studio resources is the responsibility of the Video/Visual Marketing Coordinator.~~

### **EMPLOYEE HANDBOOK PROPOSED POLICY**

A MOTION from the Administrative and Personnel Committee recommends to the Board of Trustees approval of the Employee Handbook Proposed Policy as presented. Motion carried unanimously.

### **Remote Work Policy**

#### **Remote Work**

Remote work allows employees to work from home in extenuating circumstances, inclement weather (*Section 11.7 Inclement Weather*), or other emergency conditions when deemed necessary by the President. It is important to note that remote work is not a standard employee benefit, and the President must approve **all** instances of remote work. Those working remotely without the president's approval could be subject to disciplinary action.

All CFCC policies, including conduct and confidentiality, remain in effect when working remotely. Employees must prioritize the security of CFCC's data and information. To conduct work remotely, employees must use their assigned college laptops, which have access to a Virtual Private Network (VPN) for secure connections with CFCC servers and networks.

### **STUDENT HANDBOOK POLICY REVISIONS**

A MOTION from the Administrative and Personnel Committee recommends to the Board of Trustees approval of the Student Handbook Policy Revisions as presented. Motion carried unanimously.

### **Intent to Graduate Policy**

#### **Intent to Graduate**

Candidates for graduation must file an Intent to Graduate online for Degrees, Diplomas, and Certificates. At that time, candidates will also complete the Graduating Student Opinion Survey.

There are priority dates in which you will need to file this. Please reference the academic calendar for these dates to ensure you file your Intent to Graduate on time. Generally, you should file your Intent to Graduate as soon as you have started your last term of classes for your program. Filing by these priority dates will ensure that you will be able to walk in the commencement ceremony and have your name published in the program.

~~Candidates for graduation must file an Intent to Graduate online for Degrees, Diplomas, and Certificates. At that time, candidates will also complete the Graduating Student Opinion Survey. Deadlines to file the Intent to Graduate are:~~

~~Academic Year 2024-2025~~

~~Fall—Friday, November 1, 2024~~

~~Spring—Friday, February 7, 2025~~

~~Summer—Friday, June 6, 2025~~

Upon completion of program requirements, the College may award the credential without student request.

Commencement exercises are held following the spring semester (May) and at the end of the summer session (August).

Students who graduate in December are invited to participate in the May commencement exercises.

Upon graduation, a student's Program of Study will end. Therefore, students must contact Academic Advising to declare a new Program of Study if they plan to continue enrollment at CFCC.

## **NON-DISCRIMINATION & TITLE IX SEXUAL HARASSMENT POLICY & PROCEDURES**

Title IX Sexual Harassment Policies & Procedures (Employee and Student Handbooks)

### **Statement of Non-Discrimination**

Cape Fear Community College is fully committed to the principles and practice of equal and inclusive employment and educational opportunities. Pursuant to federal and state laws, the College does not discriminate against applicants, students, employees, or visitors in any program or activity provided on the basis of race, color, national origin, sex (including pregnancy and pregnancy-related conditions), gender, religion, age, veteran status, or disability.

To comply, and under the guidance of Title IX of the Educational Amendments of 1972, Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI & VII of the Civil Rights Act of 1964, applicable state and federal statutes, and CFCC policies, this statement applies to all students, employees, and visitors of Cape Fear Community College. Furthermore, the Dean of Student Affairs serves as CFCC's Title IX Coordinator and has primary responsibility for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of the

College, as well as any other protected status as delineated above and retaliation for the purpose of interfering with any right or privilege.

## **Title IX Sexual Harassment**

Cape Fear Community College ("CFCC or the College") strives to make its campuses inclusive and a safe and welcoming learning environment for all members of the College community. Pursuant to multiple federal and state laws and administrative regulations and pursuant to College policy, CFCC prohibits discrimination in its education programs and activities based on sex.

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Under Title IX, discrimination on the basis of sex includes *quid pro quo* harassment, sexual harassment, sexual assault, stalking, dating, or domestic violence (collectively referred to as "sexual harassment"). The CFCC's Title IX Coordinator has oversight responsibility for handling sexual harassment complaints and for identifying and addressing any patterns and/or systemic problems involving sexual discrimination or harassment.

All allegations involving sexual harassment should be directed to CFCC's Title IX Coordinator and addressed under these procedures. For other complaints of discrimination or harassment that do not meet the definition of Sexual Harassment under Title IX, and are likewise prohibited, shall be governed under and construed in accordance with the CFCC Employee Handbook or the CFCC Student Code of Conduct.

### **I. DEFINITIONS**

The following definitions shall apply to this procedure. The definitions are not intended to operate as speech codes, promote content and viewpoint discrimination, or suppress minority viewpoints in the academic setting. Indeed, just because a person's speech or expression is deemed offensive by others does not mean it constitutes discrimination or harassment.

- A. Complainant** – an individual who is alleged to have been subjected to conduct that could constitute sexual harassment, as defined in these Procedures, and who was participating or attempting to participate in the College's education program or activity at the time of the alleged sexual harassment.
- B. Confidential Employees** – 1) employees with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and mental health counselors; 2) employees whom the College has specifically designated as Confidential Employees for purposes of providing support and resources to a Complainant; and 3) employees conducting human subjects research as part of a study approved by the College's Institutional Review Board. The College has designated the following as Confidential Employees: Licensed Professional Counselors
- C. Consent** – knowing, voluntary, and clear permission by word or action to engage in sexual activity. Consent is evaluated from the perspective of what a reasonable person would conclude are mutually understandable words or actions. Reasonable reciprocation can establish consent. Consent to some sexual contact (such as

kissing or fondling) cannot be assumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Consent has not been obtained in situations where the individual: i) is forced, coerced, pressured, manipulated, or has a reasonable fear that they will be injured if they do not submit to the act; ii) is incapable of giving consent or is prevented from resisting due to physical or mental incapacity (including being under the influence of drugs or alcohol); or iii) has a mental or physical disability which inhibits his/her ability to give consent to sexual activity.

- D. Dating Violence** – violence on the basis of sex committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. For purposes of this definition, Dating Violence includes but is not limited to sexual or physical abuse or the threat of such abuse.
- E. Domestic Violence** – violence on the basis of sex committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child in common; by a person with whom the Complainant cohabitates or has cohabitated as a spouse or intimate partner; by a person similarly situated to a spouse of the Complainant under the domestic violence laws of the State; or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic violence laws of the State.
- F. Education Program or Activity** – for purposes of these Procedures, this means any locations, events, or circumstances in which the College exercises substantial control over both the Respondent(s) and the context in which the alleged sexual harassment occurs.
- G. Formal Complaint** – a verbal or written report alleging sexual harassment against a Respondent that objectively can be understood as a request for the College to investigate the allegation(s) and make a policy violation determination. A Formal Complaint initiates a formal grievance process in which parties are entitled to due process protections. A Formal Complaint is separate and distinct from a Report, which provides only notice to the College of an allegation or concern about sexual harassment and provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures.
- H. Informal Resolution** – a resolution reached regarding an allegation of sexual harassment without going through the entire formal grievance process. Informal Resolution may include mediation, facilitated dialogue, conflict coaching, restorative justice, or other models of alternative dispute resolution. Informal Resolution cannot be used for a student's allegation of sexual harassment against a College employee.
- I. Report** – notice to the College of an allegation or concern about sexual harassment that provides an opportunity for the Title IX Coordinator to provide information,



resources, and supportive measures. When the College receives a Report of alleged sexual harassment, the College is deemed to have knowledge of conduct that reasonably may constitute sexual harassment.

- J. Respondent** – an individual who has been reported to engage in conduct that could constitute Sexual Harassment.
- K. Retaliation** – to intimidate, threaten, coerce, or discriminate against any person by the College, a student, employee, or a person authorized by the College to provide aid, benefit, or service under the College's education program or activity, for the purpose of interfering with any right or privilege secured by law or policy, or because the person has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.

The exercise of rights protected by the First Amendment does not constitute retaliation. It is also not retaliation for the College to pursue Policy violations against those who make materially false statements in bad faith in the course of a resolution under these Procedures.

- L. Sexual Assault** – an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system.
- M. Sexual Harassment** – a form of sex discrimination that means harassment on the basis of sex. Sexual Harassment includes hostile environment harassment, quid pro quo harassment, or any instance of sexual assault, dating violence, domestic violence, or stalking.

Hostile environment harassment is unwelcome sex-based conduct, which, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity. Hostile environment harassment is a fact-specific inquiry that includes consideration of the degree to which the conduct affected the Complainant's ability to access the College's education program or activity; the type, frequency, and duration of the conduct; the parties' ages, roles, previous interactions, and other factors that may be relevant; the location of the conduct and the context in which the conduct occurred; and any other sexual harassment in the College's education program or activity.

Quid pro quo harassment is when a College employee or agent who provides an aid, benefit, or service under the College's education program or activity and explicitly or impliedly conditions the provision of such aid, benefit, or service on a person's participation in unwelcome sexual conduct.

- N. Stalking** – engaging in a course of conduct on the basis of sex, directed at the Complainant, which would cause a reasonable person to fear for his/her safety or

the safety of others or suffer substantial emotional distress.

For purposes of this definition, "course of conduct" means two or more acts, including but not limited to acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- O. Standard of Evidence** – the College uses "preponderance of the evidence" as the standard for proof of whether a violation of this policy has occurred. In the student due process hearing and employee grievance process, legal terms like "guilt," "innocence," and "burden of proof" are not applicable. Student and employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. The College will find the Respondent either "responsible" or "not responsible" for violating these Procedures.
- P. Supportive Measures** – individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party that are offered to restore or preserve educational access, protect safety, or deter sexual harassment. Examples of support measures are referral to counseling, medical, or other healthcare services; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; leaves of absences; increased security and monitoring of certain areas of the College; and other similar measures.
- Q. Title IX Coordinator** – for purposes of these Procedures, the Title IX Coordinator refers to the Dean of Student Affairs. The Title IX Coordinator's office is in Union Station / Wilmington Campus. The phone number is 910-362-7191 and the email is [rmcgee@cfcc.edu](mailto:rmcgee@cfcc.edu).

## **II. SCOPE AND APPLICABILITY**

- A.** These Procedures apply to the conduct of and protect:
  - 1. College students and applicants for admission into the College;
  - 2. College employees and applicants for employment;
  - 3. College student organizations; and
  - 4. Third parties participating or attempting to participate in a College education program or activity.
- B.** These Procedures apply to conduct that occurs in any College Education Program or Activity or under circumstances where the College has disciplinary authority and of which the College has knowledge.

- C. When a party is participating in a dual enrollment program, the College will coordinate with the party's school district to determine jurisdiction and coordinate providing supportive measures based on the allegations and identities of the parties.

### **III. REPORTING**

#### **A. Reporting to Local Law Enforcement**

Individuals may report sexual harassment directly to local law enforcement agencies by dialing 911. Individuals who make a criminal allegation may also choose to pursue the College's grievance procedure simultaneously. A criminal investigation into the matter does not release the College from its obligation to conduct its own investigation (nor is a criminal investigation determinative of whether sexual harassment has occurred). However, the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence. In the event of such a delay, the College must make available supportive measures when necessary to protect the parties and/or the College community.

Individuals may choose not to report alleged sexual harassment to law enforcement authorities. The College respects and supports individuals' decisions regarding reporting; nevertheless, the College may notify appropriate law enforcement authorities if legally required or warranted by the nature of the allegations.

#### **B. Reporting to College Officials**

The College's Title IX Coordinator oversees compliance with these Procedures and Title IX regulations. Questions about these Procedures should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to sexual harassment may do so by reporting the concern to the College's Title IX Coordinator in person, by mail, by telephone, by email, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report of alleged sexual harassment.

#### **C. Employees' Mandatory Reporting**

All College employees, including student-employees, other than those deemed Confidential Employees, are Mandated Reporters and are expected to promptly report all known details of actual or suspected sexual harassment to appropriate officials immediately. Failure of a Mandated Reporter to report an incident of sexual harassment of which they become aware is a violation of College Policy and may subject the employee to disciplinary action.

#### **D. Confidential Employees' Reporting**

Confidential Employees designated by the College are not required to report actual or suspected sexual harassment. Confidential Employees must, however, provide a Complainant with the Title IX Coordinator's contact information and offer options and resources without any obligation to inform an outside agency unless otherwise required by law.

**E. External Contact Information**

Concerns about the College's application of these Procedures and compliance with certain federal civil rights laws may be addressed to:

Office for Civil Rights (OCR)

U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C.

20202-1100 Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Phone: (202) 453-6012

Equal Employment Opportunity Commission (EEOC) 131 M Street, NE

Washington, D.C. 20507 Email: [info@eeoc.gov](mailto:info@eeoc.gov) Phone: 1-800-669-4000

**IV. GRIEVANCE PROCEDURES**

**A. Scope**

1. Use of these grievance procedures applies to reports alleging sexual harassment carried out by employees, students, or third parties.
2. All reports of sexual harassment are taken seriously. At the same time, those accused of sexual harassment are presumed "not responsible" throughout this grievance procedure.

**B. Initial College Response and Assessment**

1. After receiving a report of sexual harassment, the Title IX Coordinator takes prompt and appropriate steps to:
  - a. Communicate with the individual who reported the alleged conduct;
  - b. Offer and implement supportive measures to eliminate and prevent the recurrence of sex harassment, deter retaliation, remedy the effects of sex harassment, and provide due process rights during a College investigation;
  - c. Provide the individual with a copy of this Policy and Procedure and
  - d. Determine whether the alleged conduct, as described by the reporting party, falls within the scope of this policy, and if so, initiate the investigation and resolution procedures outlined below.
  - e. The Title IX Coordinator may delegate the authority to take some or all of these steps to a Deputy Title IX Coordinator.
2. Supportive Measures
  - a. Any Party may seek modification or reversal of the College's decision to provide, deny, modify, or terminate supportive measures applicable to the Party. A request to do so should be made in writing to the Title IX Coordinator.
  - b. An impartial employee, the Vice President of Student Services, who

has the authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the definition of supportive measures as defined in this Procedure.

- c. The College will also provide the Parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances materially change.
- 3. There is no time limitation on providing a Formal Complaint to the Title IX Coordinator. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.
  - 4. False Allegations and Evidence
    - a. Deliberately false and/or malicious accusations under this Policy or Procedure are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a determination of a Policy violation.
    - b. Witnesses and Parties who knowingly provide false evidence, tamper with or destroy evidence, or deliberately mislead an official conducting an investigation or resolution process can be subject to discipline under appropriate College policies, procedures, and rules.
  - 5. Emergency Removals/Administrative Leave
    - a. The College may remove a student Respondent, upon receipt of a report, Formal Complaint, or at any time during the grievance process, on an emergency basis when the College performs an individualized safety and risk analysis and determines that an imminent and serious threat to the health or safety of any student or other individual justifies removal.
      - i. The risk analysis, performed by the Dean of Student Affairs, must recommend to the appropriate College official(s) to implement an emergency removal of a student and the conditions and duration of such emergency removal.
      - ii. In all cases in which an emergency removal is imposed, the student shall be given notice and an opportunity to challenge the removal decision immediately following the removal by submitting a written appeal to the President.
      - iii. Violation of an emergency removal under this Procedure is grounds for independent disciplinary action, up to and including suspension or expulsion.

- b. The College may place an employee on suspension with pay upon receipt of a report, Formal Complaint, or at any time during the grievance process. An employee does not have a right to appeal a determination to place the employee on suspension with pay pending the conclusion of the Title IX grievance procedure. Violation of the terms of the suspension is grounds for independent disciplinary action, up to and including dismissal.
- 6. The Title IX Coordinator may administratively close a Formal Complaint of sexual harassment at any time if:
  - a. The Complainant voluntarily withdraws any or all of the allegations in the Complaint and the Title IX Coordinator declines to initiate a Complaint;
  - b. The Respondent is no longer enrolled or employed by the College;
  - c. The College is unable to identify the Respondent after taking reasonable steps to do so; or
  - d. The College determines the conduct alleged in the Complaint would not constitute a violation of this Policy and Procedure, even if proven.

The Title IX Coordinator will notify the parties if a Formal Complaint of sexual harassment is closed under this section, including the reason(s) for closure, and direct the parties to the appropriate College office or department to resolve the report or complaint. All parties may appeal the Title IX Coordinator's dismissal of a Formal Complaint under this section by using the appeal procedures in Section VI, below.

- 7. Confidentiality/Privacy
  - a. The College makes every effort to preserve the Parties' privacy. The College will not share the identity of any individual who has made a report of sexual harassment, any Complainant, any individual who has been reported to be the perpetrator of sexual harassment, any Respondent, or any witness, except as permitted or required by or to fulfill the purposes of applicable laws and regulations.
  - b. Parties and Advisors are prohibited from unauthorized disclosure of information obtained by the College through these Procedures to the extent that information is the work product of the College, meaning it has been produced, compiled, or written by the College for purposes of its investigation and resolution of a Formal Complaint. It is also a violation of these Procedures to publicly disclose institutional work product that contains a Party or witness's personally identifiable information without authorization or consent.

8. Regardless of when alleged sexual harassment is reported, a Complainant must be participating in or attempting to participate in the College's education program or activity for a Formal Complaint to be investigated.
9. Consolidation
  - a. The College may consolidate complaints of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, when the allegations of sexual harassment arise out of the same facts or circumstances.

**C. Informal Resolution**

1. Any party may request the College facilitate an informal resolution to a sexual harassment complaint at any time prior to a final determination. The Title IX Coordinator may offer the parties the opportunity for informal resolution, too.
  - a. Upon a request for informal resolution, the Title IX Coordinator determines whether informal resolution is appropriate based on the facts and circumstances of the case. The Title IX Coordinator ensures that any proposed informal resolution is consistent with the College's obligations to prevent and redress sexual harassment.
  - b. A student's allegations of sexual harassment against a College employee are not eligible for informal resolution.
  - c. The Title IX Coordinator provides the parties with written notice of proceeding with an informal resolution, including the allegations of sexual harassment, the requirements of the informal resolution process, the potential terms that may be requested or offered in informal resolution, and what information the College will maintain, including any potential disclosures of information.
  - d. The Title IX Coordinator also designates an independent, neutral person to facilitate the informal resolution, which could be the Title IX Coordinator.
2. Informal resolution is voluntary.
  - a. The Complainant and Respondent must provide written consent for an informal resolution to take place.
  - b. Any party has a right to end the informal resolution process at any time prior to agreeing to a resolution and begin or continue the formal investigation and grievance process.
3. Informal resolution concludes the matter only when all parties have signed

a written agreement that confirms the resolution of the allegations.

- a. The resolution agreement must include a waiver of the parties' right to have a formal grievance process on the allegations that have been informally resolved.
- b. Parties are prohibited from revoking or appealing a resolution agreement. Should the Respondent violate the terms of an informal resolution agreement, such violation will subject the Respondent to an investigation and the formal grievance process contained in this procedure.

4. If a resolution agreement is not reached, the College will continue with a formal investigation.

#### **D. Investigations**

1. The goal of a formal investigation is to reach a determination as to whether a Respondent has violated one or more College policies prohibiting sexual harassment and if so, remedy the effects of a violation.
  - a. The Title IX Coordinator may include possible violations of other College policies that contributed to, arose from, or are otherwise related to alleged violations of this Policy and Procedure in the scope of an investigation.
  - b. The Title IX Coordinator gives written notice to the Complainant and Respondent of the investigation, providing sufficient details to allow the parties to respond and prepare for initial interviews, including the identity of the parties involved (if known), the conduct alleged to be sexual harassment, the date and location of alleged incidents (if known), the specific policies implicated, a statement that the Respondent is presumed not responsible and a determination of responsibility is made at the conclusion of the process, information regarding the parties' right to an advisor and the right to review relevant evidence, a statement that retaliation is prohibited, information about the confidentiality of the process, and notice that the College prohibits knowingly making false statements or submitting false information during the grievance process.
  - c. The Title IX Coordinator designates an investigator to investigate the allegations of sexual harassment. The Title IX Coordinator may serve as the investigator if the Title IX Coordinator is not serving in another role throughout the grievance process.
  - d. The investigator is also the decision-maker as to whether a Respondent has violated one or more College policies prohibiting sexual harassment, unless otherwise determined by the Title IX Coordinator.



2. Parties to an investigation can expect a prompt, thorough, and equitable investigation of complaints, including the opportunity for parties to ask questions, present witnesses, and provide information regarding the allegations.
3. Parties and witnesses should cooperate in the investigation process to the extent required by law and this policy. If a party or witness chooses not to participate or becomes unresponsive, the College reserves the right to continue its grievance process without their participation to ensure a prompt resolution.
4. The standard of proof used in investigations is "preponderance of the evidence." It is the College's responsibility to establish the standard of proof and gather evidence during investigations.
5. The College aims to bring all investigations to a resolution within forty-five (45) days from the date the Title IX Coordinator determines an investigation will commence.
  - a. Extensions of timeframe for good cause are allowed, so long as written notice and the reason for the delay are provided to the parties. Good causes include:
    - i. The complexity and/or number of the allegations;
    - ii. The severity and extent of the alleged misconduct;
    - iii. The number of parties, witnesses, and other types of evidence involved;
    - iv. The availability of the parties, witnesses, and evidence;
    - v. A request by a party to delay an investigation;
    - vi. The effect of a concurrent criminal investigation or proceeding;
    - vii. Intervening holidays, College breaks, or other closures;
    - viii. Good faith efforts to reach a resolution; or
    - ix. Other unforeseen circumstances.
  - b. Investigations typically include interviews with the Complainant, the Respondent, and any witnesses, and the objective evaluation of any physical, documentary, or other evidence as appropriate and available. The College will give the Complainant and the Respondent written notice of any interview, meeting, or hearing at which a party is invited or expected to participate. This written notice may be via e-mail.
  - c. The Title IX Coordinator will inform the Complainant and Respondent at regular intervals of the status of its investigation.
  - d. The Parties have an equal opportunity to present witnesses and other evidence tending to prove or disprove the allegations.

6. Interviews conducted as part of an investigation under this Procedure may be recorded by the College. Recordings not authorized by the College are prohibited.
7. The Complainant and Respondent have the right to be accompanied by an advisor of their choosing during all stages of an investigation.
  - a. A party may elect to change advisors during the process.
  - b. All advisors are subject to the same rules:
    - i. During the investigation, the advisor's role is limited to providing advice, guidance, and support to the Complainant or Respondent. An advisor is not permitted to act as a participant or advocate during the investigative process.
    - ii. Advisors are expected to maintain the privacy of the records shared with them.
    - iii. Advisors are expected to refrain from interfering with investigations.
    - iv. Any advisor who oversteps their role or interferes during an investigation process will be warned once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the advisor will be asked to leave. The Title IX Coordinator determines whether the advisor may return or should be replaced by a different advisor.
8. Prior to finalizing a report, the investigator provides all parties an equal opportunity to review any relevant evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint.
  - a. The Complainant and Respondent may submit a written response to the evidence, including any questions a party wants asked of another party or witness, within three (3) days after receipt of the evidence.
    - i. Responses must be submitted to the investigator via email, mail, or hand delivery by 5:00 p.m. Eastern Standard Time on the date responses are due.
    - ii. Responses may not exceed 10 double-spaced pages on 8.5x11 paper with one-inch margins and 12-point font.
  - b. The investigator considers any responses received from the parties and conducts any further investigation necessary or appropriate.
9. Following an investigation, the investigator submits an investigative report and written determination to the parties that fairly summarizes relevant evidence. The report and determination include a summary of the

allegations; a summary of the response; a summary of the investigative steps taken to verify the allegations and response; a summary of the evidence relevant to a determination of responsibility; a determination on the question of responsibility, including rationale for the result and any discipline sanction that the College is permitted to share pursuant to State or federal law; and the procedures and permissible bases for the parties to appeal.

10. In cases where the Respondent is a student after the investigative report and written determination has been sent to the parties, all parties shall have three (3) days to request a hearing. If either party requests a hearing, the hearing procedures described in College Procedure 5.3.2.2, *Discipline and Appeal for Non-Academic Violations* shall be followed, except that 1) all parties shall have the right to participate in the hearing to the extent required by Title IX, and 2) a single hearing officer will be utilized in lieu of a committee.

**E.** The following sanctions may be imposed for those who have violated these procedures:

1. Students
  - a. Verbal or Written Warning
  - b. Restrictions
  - c. Probation
  - d. Administrative withdrawal from a course without refund
  - e. Required Counseling
  - f. No Contact Directive
  - g. Suspension
  - h. Expulsion
  - i. Other consequences deemed appropriate to the specific violation
2. Employees
  - a. Verbal or Written Warning
  - b. Performance Improvement Plan
  - c. Required Counseling
  - d. Required Training or Education
  - e. Transfer or reassignment
  - f. Demotion
  - g. Suspension with or without Pay
  - h. Dismissal
  - i. Other consequences or conditions of employment deemed appropriate to the specific violation

If the investigator or hearing officer finds student expulsion or employee suspension, demotion, or dismissal is an appropriate sanction for a Respondent, but the investigator

does not have the authority to authorize such sanction, the investigator or hearing officer will make a recommendation of the sanction to the appropriate College official after the time for appeal has expired. If the investigator or hearing officer recommends the Respondent be expelled, suspended, demoted, or dismissed, during the time in which either party has to appeal, the Respondent shall remain in their current status (allowed on campus, on emergency removal, or on paid administrative leave) unless otherwise determined by the appropriate College official.

## **V. APPEALS**

After the investigator submits their investigative report and written determination to the Complainant and Respondent, all parties are given an equal opportunity to appeal the determination. Appeals may be based only on these grounds:

- A.** Procedural irregularity that would change the outcome;
- B.** New evidence that was not reasonably available at the time of the decision that would change the outcome; and/or
- C.** The Title IX Coordinator, investigator, or decision-maker had a bias or conflict of interest for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome.

Parties must submit any appeal, specifying at least one of the grounds above, to the Vice President of Student Services by 5:00 p.m. Eastern Standard Time via email or mail within three (3) days of receiving the written determination of responsibility. Appeals may not exceed ten (10) double-spaced pages on 8.5x11 paper with one-inch margins and 12-point font.

The College notifies all parties when an appeal is filed and provides all parties a copy of the appeal and a chance to submit a written statement supporting or challenging the outcome. Parties must submit written statements supporting or challenging the outcome to the Vice President of Student Services of the College by 5:00 p.m. Eastern Standard Time via email or mail within two (2) days of receiving a copy of an appeal.

Within ten (10) days of receiving an appeal, the Vice President of Student Services shall conduct a review of the record, including the appeal(s) received, any written statements supporting or challenging the outcome, the investigation report and written determination, and any accompanying evidence prior to issuing a written decision to the Complainant and Respondent that describes the result of the appeal and the rationale for the result. If the appeal does not provide information that meets the grounds for appeal, the Vice President of Student Services will deny the appeal.

The Vice President of Student Services written decision is final.

## **VI. PROTECTION AGAINST RETALIATION**

The College will not in any way retaliate against an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has

made a report or complaint, testified, assisted, participated, or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.

Retaliation is a violation of College policy regardless of whether the underlying allegations are ultimately found to have merit. Reports of retaliation are treated separately from reports or complaints of sexual harassment.

## **VII. LIMITED IMMUNITY**

The College community encourages the reporting of misconduct and crimes. Sometimes, complainants or witnesses are hesitant to report to College officials or participate in resolution processes because they fear they themselves may be accused of various policy violations. It is in the best interest of this College that as many complainants as possible choose to report to College officials and that witnesses come forward to share what they know. To encourage reporting, the College offers sexual harassment complainants and witnesses amnesty from minor policy violations.

## **VIII. SUSPENDING PROCEDURES**

In cases of emergency or serious misconduct, the College reserves the right to suspend this process and may enact appropriate action for the welfare and safety of the College community.

## **IX. EMPLOYEE EDUCATION AND ANNUAL TRAINING**

All College employees shall receive annual training on the following topics:

- A.** The College's obligation to address sex discrimination in its education programs or activities;
- B.** The scope of conduct that constitutes sex discrimination under Title IX, including the definition of "sex-based harassment"; and
- C.** All applicable notification and information requirements.

In addition to the training that all College employees must receive, the Title IX Coordinator, investigators/decision-makers, those hearing appeals, and those involved in any informal resolution process shall receive annual training on the following topics:

- A.** These grievance procedures;
- B.** How to serve impartially, including avoiding prejudgment of facts at issue, conflicts of interest, and bias;
- C.** Issues of relevance of questions and evidence; and
- D.** The types of evidence that are impermissible regardless of relevance.
- E.** In addition, for Title IX Coordinators: training on specific Title IX Coordinator responsibilities, the College's recordkeeping system, and Title IX recordkeeping requirements.

These Procedures will be posted on the College's website, and a hard copy will be kept on file in the Title IX Coordinator's office and made available upon request.

## **X. RECORDKEEPING**

The College maintains all records of Title IX grievance proceedings and all materials used to train Title IX personnel for a minimum of seven years.

## **SGA REPORT**

Ms. Cromartie presented the following report.

Thank you, and Good Afternoon. I am Madaline Cromartie, this year's Student Government Association President. It is my pleasure to be here today to report the current status of SGA. The CFCC Student Government Association sends greetings and thanks you deeply for your continued support. I would like to introduce our new Vice President, Ivan Ramirez.

### **SGA General Assembly Meeting**

On September 3rd, we held our first SGA General Assembly, where our four executive officers and new advisor, Taylor-Todd Williams, were introduced. The meeting had strong attendance, with 20-22 students, including 17 senators and representatives from various campus clubs like Phi Theta Kappa, the Nixon Leaders Center, and several others.

We discussed the goals and initiatives that we started last year and would like to bring into the new year, as well as setting new ones. Key initiatives include:

- Working with the Learning Lab to create an initiative for peer tutoring called "Students Helping Students."
- Increasing support for the Food Pantry through donations, more volunteer hours, and by seeking new donors or partnerships. To raise awareness, we're using QR codes around campus for students with questions. All officers and several senators have committed to volunteering at the pantry weekly as part of our service to the student body.
- Expanding the "Go with the Flow" feminine hygiene product initiative with the Feminist Alliance club to the state-level SGA.
- Increasing awareness of SGA by boosting student participation in clubs and fostering collaboration, having a stronger presence at campus events, and, more importantly, bringing attention to any and all extracurricular activities offered to students by Student Life.
- Planning a taco food truck and a Latino movie presentation for Hispanic Heritage Month.
- Creating a paper chain featuring words of encouragement for Suicide Prevention Month.
- We're excited for the divisional meeting at Carteret Community College in September and the Fall 2024 conference at Forsyth Technical in October. We're aiming for strong participation, with our advisor and I leading our delegation, including all executive officers and several senators.

This year has brought significant changes to SGA, but also notable accomplishments. I'm grateful for the smooth transition to a new administration and advisor as we remain focused on serving students effectively. I look forward to working with you all, and I appreciate your ongoing support.

### **FACULTY ASSOCIATION REPORT** - No report.

The Faculty Association President did not submit a formal report. Mr. Beaulieu made a few comments regarding the Faculty Association attendance at the last meeting and the upcoming Political Science Club County Commissioner Candidate Forum.

### **FOUNDATION REPORT**

Ms. Thompson presented the following report.

*July 4, 2024 – September 10, 2024*

2024-25 year-to-date revenue received: \$4,670,950.94 (950.3% increase over YTD 2023-24)

	<b>2024-25YTD</b>	<b>2023-24YTD</b>	<b>% Increase</b>
<b>New Donations</b>	\$791,768.64	\$429,730.97	84.2%
<b>Payments on Prior Commitments</b>	\$3,590,729.59	\$7,000.00	51,196.1%
<b>Planned Gift Revenue</b>	\$288,452.71	\$8,000.00	3,505.7%
<b>New Pledges (revenue not yet received)</b>	\$171,000.00	\$17,500.00	877.1%

*Fundraising Report as of September 23, 2024 – please see the full report attached.*

#### Notable Gifts (cash received)

- **\$2,804,887:** grant installment for Healthcare and Workforce Grant from the New Hanover Community Endowment.
- **\$773,842.59:** stock gift towards \$3M pledge for Nursing Wraparound Support from Mr. Daniel A. Saklad.
- **\$500,000:** support of new Nursing Pathways Scholarship from Novant.
- **\$61,750.00:** support of EMS program from Ogden-New Hanover Volunteer EMS
- **\$33,826.53:** raised for Athletics through Summer Camps, Tickets, and Concession sales.
- **\$29,000.00:** new endowed scholarship for Boatbuilding from Mr. Nevin P. Carr.
- **\$10,000.00:** unrestricted support from Mr. Tim Milam.

#### New Scholarships

- Jim Carr Memorial Wooden Boat Building Endowed Scholarship: merit-based scholarship for students in the Wooden Boat Building program
- OTSs Rock! Annual Scholarship: need-based scholarship for students in the Occupational Therapy Assistant program.
- Al Sidbury Trades Award: EWD reimbursement award for two students annually in the Electrical Apprenticeship, Carpentry, Plumbing and Pipefitting, or HVAC courses.

Upcoming Efforts

**November 14, 5-7 pm at Tim Milam's Motor Enclave:** Auto Tech Fundraising Event

**December 3, 6-7:30 pm at Saklad Center:** Dr. Penland Long-Term Healthcare Fundraising Event

**Fall 2025:** Annual Foundation Fundraiser

Announcements

**DATE OF NEXT MEETING – NOVEMBER 21, 2024**

Meeting adjourned at 6:00 pm.

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James P. Morton President/Secretary

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Michelle S. Lee, Recording Secretary

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## **INTRODUCTIONS AND RECOGNITIONS**

### **New Hires**

<b>Full Name</b>	<b>Job Title</b>	<b>Hire Date</b>
Brennan, Peter	Program Director, Geomatics	09/16/2024
Childress, Adrian	Director, Purchasing & Inventory	09/16/2024
English, Allison (Christy)	Sr. Executive Assistant to VP of Student Services	09/16/2024
Sanders, Savannah	Library Technician	09/16/2024
Grogan, Amy	Program Director, Marine Technology	10/07/2024
Johnson, Kenyata	Supervisor, Custodial Services Wilson Center	10/07/2024
Biskup, Mitchell	Instructor, Welding	10/14/2024
Sperry, Christopher	Instructor, Aviation Maintenance Technician (NHC Endowment Grant TFT)	10/14/2024
Casner, Kylee	AAC Advisor	10/28/2024
Castro-Estrada, Lisandro	Environmental Tech - NHC	10/28/2024
Letteer, Danielle	Lead Teacher, Child Development Center	10/28/2024
Malpass, Nichole	Environmental Tech - NHC	10/28/2024
Miller, Mara	Box Office Technician, Wilson Center	11/04/2024
Morgan, Charles	TFT Production Coord-Audio, Wilson Center	11/04/2024
Mulvihill, Shannon	Asst Director, Drop-in Child Care Center	10/28/2024
Murphy, Kaia	Lead Teacher, Drop-in Child Care Center	10/28/2024

### **Changes**

<b>Full Name</b>	<b>Job Title</b>	<b>Effective Date</b>
Brown, Charity	Health & Human Services Project Coordinator	09/23/2024
Gause, Victoria	Instructor, Dental Assisting-12 Month	10/01/2024
Mecca, Gina	Director, Career Services	10/01/2024
Jordan-Hall, Kelly	Continuing Education Technician	10/07/2024
Saxon, Michael	Instructor, Diesel and Heavy Equipment Technology-Interim	10/21/2024
Arteaga-Paredes, Antonio	Integrated Technology Lead	11/01/2024
Easton, Erin	Executive Director, EWD-Interim	11/01/2024
Hering, Jennifer	Students Records Coordinator	11/01/2024

Hewett, Jody	Lead Help Desk Technician-Interim	11/01/2024
Talbert, Erica	Senior Director, Workforce Development	11/01/2024
Robinson, Rodney	Nursing Simulation Coordinator	11/05/2024
Ardrey, Tameka	PD, Early Childhood Education/Interim Director of CDC	11/11/2024

### **Employees Leaving the College**

<b>Full Name</b>	<b>Job Title</b>	<b>Last Day</b>
Moxley, Sarah	Career Liaison-Pender Schools (Career Academy Grant)	10/03/2024
Rorie, Cryshaunda	Sr. Administrative Assistant	10/07/2024
Peoples, Peggy	Assistant Registrar	10/09/2024
Bohl, Jess	Program Director, HEATT	10/16/2024
Brown, Wilbur	Environmental Tech - North Campus	10/22/2024
Crews, Amy	Nursing Simulation Coordinator	10/23/2024
Moosman, Joshua	Environmental Tech - North Campus	10/28/2024
Castro-Estrada, Lisandro	Environmental Tech - North Campus	10/30/2024
Dennison, Kenneth	Senior Director, Marketing & Brand WC	10/31/2024
Bresnahan, Sandra	Teacher, Childcare Development Center	11/01/2024
Ortado, Maria	Coordinator, Student Accessibility Services	11/08/2024
Pittman, CaSandra	Director, Childcare Development Center	11/08/2024
Rawls, Lindsay	Admissions Records Specialist	11/08/2024

### **Retirements**

None

## **CHAIR'S 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 arrangements to do so. Ethics Training must be completed every two years.

The list of scheduled upcoming training sessions is listed at <https://ethics.nc.gov/seis/regular-filers>. Online Ethics Training is now available through this website. Please contact Michelle Lee at 910-362-7555 if you have any questions regarding this training.

### **Trustee Orientation**

All newly appointed and reappointed Trustees must complete an NCACCT orientation within 6 months of appointment or reappointment.

There will be an online version for your convenience. This information will be sent to you as soon as it is available.

### **Trustee Tour**

A tour of the North and Downtown campuses was offered to all trustees on October 8.

### **Holiday Party**

The annual CFCC Holiday Party will be held on December 6, 2024, at 11:30 am in Daniels Hall.

### **Foundation**

Please remember the CFCC Foundation when making holiday donations.

### **2025 Board of Trustees Meeting Dates**

Thursday, January 30, 2025

Thursday, March 27, 2025

Thursday, May 22, 2025

Thursday, July 17, 2025

Thursday, September 25, 2025

Thursday, November 20, 2025

## **PRESIDENT'S REPORT**

### **Hurricane Helene Community College Response and Recovery Fund**

The North Carolina Community College System launched the Hurricane Helene Community College Response and Recovery Fund after Hurricane Helene struck western North Carolina. This fund aims to support affected colleges and their communities, providing critical assistance for recovery efforts.

### **CFCC's Aid in Hurricane Helene Relief Efforts**

Christina Hallingse, Director of Media Relations, was deployed to Polk County in Western North Carolina to assist with crisis communication efforts in the aftermath of Hurricane Helene. Over the course of eight days, she played a pivotal role in crafting and distributing timely, accurate information to residents. By managing communication channels and working closely with local agencies and the media, Christina ensured the community remained informed and connected during a challenging time.

### **CFCC Featured in The Tarheel Surveyor Magazine**

Cape Fear Community College's new Geomatics program was recently highlighted in The Tarheel Surveyor, the biannual publication of the North Carolina Society of Surveyors. The article recognized CFCC's efforts to address North Carolina's growing demand for land surveyors through its innovative Associate in Applied Science (AAS) degree in Geomatics. The feature emphasized CFCC's commitment to preparing students for in-demand careers and building strong partnerships with industry leaders.

### **CFCC Foundation Audit**

Sharpe Patel, PLLC, conducted the CFCC Foundation audit, and no issues were reported. Mr. Jay Sharpe, the auditor, noted that this year's audit process was the smoothest yet for CFCC. A copy of the audit letter and report has been made available to each Board of Trustee member.

### **Partnership with Guitars for Vets**

CFCC has partnered with Guitars for Vets to provide free guitar lessons to veteran students. After completing the 10-week program, participants receive a free guitar and necessary maintenance components. Guitars for Vets helps veterans cope with PTSD and other service-related issues through personalized guitar instruction and a supportive community.

### **CFCC Women's Soccer Player Receives National NJCAA Player of the Week Honors**

CFCC student-athlete Johanna "Jo" Morales has made history by breaking the CFCC women's soccer record for the most goals scored in a single game. Morales' outstanding performance earned her National Junior College Athletic Association (NJCAA) Division II Women's Soccer Player of the Week honors for Week 4 this academic year. She scored eight goals and had one assist in just two games, with seven goals in one game against the University of South Carolina (USC) Sumter in September, leading her team to a 10-0 victory.

### **CFCC Dog Grooming to Offer Canine Care Services**

CFCC's Dog Grooming program now offers affordable, professional canine care services for community members until December 16. Students gain hands-on training in grooming techniques under experienced instructors, providing practical experience for careers in the animal care industry. Services include bathing, trimming, brushing, nail clipping, and ear cleaning.

### **College & Career Promise Program Enrollment**

Enrollment in Cape Fear Community College's College & Career Promise (CCP) program is on an impressive upward trajectory, reflecting a remarkable overall growth of 19.134 percent from 2021 to 2024. The program achieved a significant increase of 10.795 percent between the 2021/2022 and 2022/2023 academic years, followed by a solid 7.527 percent rise from 2022/2023 to 2023/2024. This ongoing growth clearly demonstrates Cape Fear Community College's commitment to successfully expanding its dual enrollment offerings and significantly enhancing access to college-level coursework for high school students.

### **Wilmington Biz Expo Conference**

The Wilmington Biz Expo Conference was held on October 2 at the Wilmington Convention Center. This year's conference topic was "Technology, Culture, Growth and Talent Development." CFCC attended and provided a table with information on our Economic and Workforce Development department.

### **EdNC Perspective Article**

An article titled "The Power of Listening: Aligning Educational Programs with Community Needs" was written and submitted to EdNC.org in October 2024. The article emphasizes the crucial role of community colleges in adapting their programs to meet the changing demands of the local workforce.

### **Indoor Cycling and Yoga Sessions for Employees**

The Health and Fitness Science program at CFCC now offers all employees free indoor cycling and yoga sessions. These sessions provide convenient opportunities for employees to maintain their health and wellness.

### **Upward Bound Program Collaboration**

CFCC's Upward Bound program recently teamed up with Upward Bound programs from UNCW, Fayetteville State University, and James Sprunt Community College for a special event focused on building self-confidence, fostering connections, and touring the UNCW campus. The day featured insightful information sessions and campus tours, giving students a first-hand look at college life and the opportunities available at a four-year institution. In addition, students engaged with one another during group sessions and interactive activities, building relationships across different colleges.

### **2024 Health Care Heroes Awards**

The Greater Wilmington Business Journal's *Health Care Heroes Awards* was held at the Wilson Center on November 1. CFCC's Dean of Health and Human Services, Mary Ellen Naylor, was

nominated in the *Health Care* Executive category, which honors an individual whose job performance is considered exemplary by people within their organizations, peers, and community members.

### **GE Aerospace and GE Aerospace Foundation**

GE Aerospace and the GE Aerospace Foundation have awarded CFCC \$100,000 to enhance its Computer-Integrated Machining program. The donation will provide 10 full-ride scholarships and help fund a 40-hour machining boot camp for local high school students, supporting the program's planned expansion to serve 75 students in the coming years.

### **Cape Fear Association of Nursing Students (CFANS)**

The Cape Fear Association of Nursing Students (CFANS) volunteered with Vigilant Hope on 4 Saturdays this semester to host breakfast for the homeless and provide clothing donations, health assessments, and basic first aid.

### **NCMPR Medallion Awards**

CFCC has been recognized for its exceptional marketing and communication efforts, winning three Medallion Awards, one gold and two bronze, from the National Council for Marketing & Public Relations (NCMPR). The Medallion Awards are highly competitive and honor outstanding achievements in design and communication among community and technical colleges across the NCMPR's seven districts. The regional competition is open exclusively to marketing and public relations professionals at two-year colleges.

### **Spooktacular Soirée**

CFCC's English Department hosted a Spooktacular Soirée on October 31, spearheaded by John Hrebik, English and University Transfer Department Chair. This open mic event celebrated students' creativity in writing and music.

### **Veteran's Day Ceremony**

CFCC's Veterans Day Ceremony was held on November 11 in Union Station, Room 170, at the Downtown campus. This event had a strong attendance, including several members of the Board of Trustees.

### **PACE Grant**

CFCC has received the distinction of being one of only eight community colleges in North Carolina chosen to participate in the inaugural cohort of the PACE (Promoting Access to Continued Education) student retention grant program. This grant initiative is slated to commence in January 2025, with the primary goal of enhancing student retention through comprehensive support services designed to address various student needs, which will officially launch in the fall of 2025. These services aim to foster an inclusive educational environment, promote student success, and ultimately improve retention rates at the college.

### **Tutoring Services**

The Tutoring Department at CFCC has recently begun collaborating with Academic Affairs, significantly improving its services. This partnership has led to an 18 percent increase in total tutoring hours offered, ensuring students have more opportunities to receive academic support.

Additionally, the department has seen a 14 percent rise in the number of students served, highlighting its growing reach and effectiveness in assisting learners. Remarkably, there has been an unprecedented 1,800 percent increase in the number of faculty members contributing their time to tutoring hours, reflecting a strong commitment from the faculty to support student success through personalized tutoring assistance. This collaboration underscores the importance of academic support and aims to enhance the overall educational experience for all students at CFCC.

### **North Carolina Association of Veterinary Technicians (NCAVT)**

The Veterinary Medical Technology program hosted a successful North Carolina Association of Veterinary Technicians (NCAVT) Conference and Alumni event on October 19. Veterinary Medical Technology faculty Kim Lewis and Nate Moyer were named President and Education Coordinator for the NCAVT, respectively.

### **Career Resource Center**

In an effort to increase career services for students and streamline processes, CFCC has recently opened a Career Resource Center (CRC). The CRC supports students in exploring, identifying, and pursuing career goals by providing guidance on career planning, job search strategies, and skill development. The CRC also connects students to employment and education opportunities through networking and partnerships with employers while educating them on job market trends and career navigation.

### **Fall Open House**

CFCC's Fall Open House was held on November 13 at the North Campus. This event promoted all CFCC programs and allowed current and prospective students to tour the campuses and explore program opportunities. Employees were on hand to answer questions about our programs, student athletics and clubs, admissions, and more.

### **Manufacturing Day Expo**

CFCC's annual Manufacturing Day Expo was held on November 20 at North Campus. The expo offered area middle and high school students, CFCC students, and the public an opportunity to connect with 30 local manufacturing employers and learn about job training programs available at the college.

### **National Apprenticeship Week**

CFCC is hosting a weeklong series of industry-focused career fairs during National Apprenticeship Week, November 17-23. Each day CFCC will spotlight a different industry, connecting job seekers with employers and showcasing CFCC's workforce training programs. Local employers will be on-site at each career fair to provide information on job opportunities within their respective fields. Students and community members are encouraged to share copies of their resumes with employers and take advantage of potential networking and job placement opportunities.

## COMMITTEE REPORTS

### FACILITIES & EQUIPMENT COMMITTEE

#### New Hanover County Capital Outlay

New Hanover County Capital Outlay Projects 2023-2024 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status and Estimated Completion Date
1	NA#1/NB#2 Building Chiller Plant Replacement		\$ 455,775.00	\$ 20,000.00	\$ 475,775.00	\$ 650,000.00	\$ 174,225.00	Installation start set for 10/24
5	NC Commercial & Residential Burn Buildings Gas System & Computer Controls Replacement		\$ 436,584.37	\$ 51,033.63	\$ 487,618.00	\$ 550,000.00	\$ 62,382.00	Awarded. System being fabricated for Winter 2024 install.
Completed Projects						\$ 720,000.00	\$ (236,607.00)	
Category Totals						\$ 1,920,000.00	\$ -	

New Hanover County Capital Outlay Projects 2024-2025 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status and Estimated Completion Date
1	F Building Chiller Replacement				\$ -	\$ 110,000.00	\$ 110,000.00	Soliciting design/build contractors
2	N Campus NB Bldg. Replace Exterior Mansonry Failing at Arches				\$ -	\$ 90,000.00	\$ 90,000.00	Soliciting design/build contractors
3	S Building (2) Chillers Replacement				\$ -	\$ 1,000,000.00	\$ 1,000,000.00	Soliciting design/build contractors
4	S Building HVAC Reno Phase 2				\$ -	\$ 720,000.00	\$ 720,000.00	Soliciting design/build contractors
Category Totals						\$ 1,920,000.00	\$ 1,920,000.00	



### Wilson Center Multipurpose Addition

WA Building - Wilson Center Multipurpose Addition Project - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	WA Building - Wilson Center Multipurpose Addition	\$213,000.00	\$3,226,453.00	\$75,932.00	\$3,515,385.00	\$3,515,385.00	\$0.00	Construction

**State Capital Improvement Infrastructure Funds (SCIF)**

Wilmington Campus Galehouse A Building - Replacement of Entry Soffits Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	Wilmington Campus Galehouse A Building Replacement of Entry Soffits	\$0.00	\$ 60,000.00	\$ -	\$60,000.00	\$60,000.00	\$0.00	Construction

ADA Renovations Package 2024 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	ADA Renovations Package 2024	\$0.00	\$ -	\$ -	\$0.00	\$100,000.00	\$100,000.00	Preparing to Bid

HVAC Controls Replacments 2024 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	HVAC Controls Replacment 2024	\$0.00	\$ -	\$ -	\$0.00	\$1,200,000.00	\$1,200,000.00	Negotiating Design/Build Contract

Wilmington Campus HVAC Renovations (A-106 and W Burnett Building)- Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	Wilmington Campus HVAC Renovations (A106 & W Burnett)	\$0.00	\$ 121,578.75	\$ 43,266.84	\$164,845.59	\$165,200.00	\$354.41	Complete

L Building 2nd Floor Interior Renovation - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	L Building 2nd Floor Interior Reno	\$261,200.00	\$2,574,915.00	\$63,870.00	\$2,899,985.00	\$2,899,985.00	\$0.00	Preconstruction estimating and design approvals.

Wilmington Campus Lecture Hall Renovation S002 and L107 Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	Wilmington Campus Lecture Hall Renovations S002 and L107	\$0.00	\$ -	\$ -	\$0.00	\$150,000.00	\$150,000.00	Preparing to Bid

NA McKeithan Building Atrium Glazing System Renovation Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	NA McKeithan Building Atrium Glazing System Renovation	\$0.00	\$ -	\$ -	\$0.00	\$100,000.00	\$100,000.00	Preparing Bid Solicitation

Wilmington Campus McLeod Building S - Elevator Tower Roof Replacement Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	Wilmington Campus McLeod Building S Elevator Tower Roof Replacement	\$0.00	\$ 50,000.00	\$ -	\$50,000.00	\$50,000.00	\$0.00	Construction

Wilmington Campus McLeod Building S - HVAC Terminal Renovation Phase III Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	Wilmington Campus McLeod Building S HVAC Terminal Renovations Phase III	\$0.00	\$ -	\$ -	\$0.00	\$1,400,000.00	\$1,400,000.00	Soliciting Design/Build Contractors - RFQ Closes 12/5/24

### **Amended 3-1 S Building Elevator Tower Roof Replacement**

An additional \$40,000 is needed for the S Building Elevator Tower Roof Replacement project to include replacement of the transition roof and other needed repairs for a project total of \$90,000.

### **3-1 Wilmington Campus HVAC Renovations**

## **Saklad Center Renovation Phase 2**

<b>HHS Building Health &amp; Human Services Phase 2 Renovation - Status Summary Report</b>								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	HHS Bldg. Health & Human Services Phase 2 Renovation	\$606,205.00	\$5,215,104.00	\$4,178,691.00	\$10,000,000.00	\$10,000,000.00	\$0.00	Construction

**Surf City Center Addition**

SA Building Addition - Status Summary Report								
		Encumbrances - Subtotals						
Item	Project	Design	Construction	Other Contracts	Total Encumbrance	Budget	Remaining	Status
1	SA Building Addition	\$348,137.00	\$3,202,500.00	\$449,363.00	\$4,000,000.00	\$4,000,000.00	\$0.00	Design

# FINANCE COMMITTEE

## State Budget 2-1

DCC 2-1 (Rev. 11-2019)

NORTH CAROLINA COMMUNITY COLLEGE SYSTEM  
COLLEGE FY 2024-25 BUDGET  
(EXCLUDING CAPITAL IMPROVEMENT PROJECTS)

Summary Page

College Name: Cape Fear CC  
Institution Number: 810

	1	2	3	4
	State Budget	County Budget	Institutional Budget	Total Budget
<b>Summary of Revenues (excluding capital improvement projects)</b>				
State*	\$ 72,955,571			\$ 72,955,571
County Funds		\$ 12,631,067		\$ 12,631,067
Institutional Funds			\$ 39,040,450	\$ 39,040,450
Operating Revenue Subtotal	\$ 72,955,571	\$ 12,631,067	\$ 39,040,450	\$ 124,627,088
Fund Balance Appropriated		\$ -	\$ -	\$ -
<b>Total Funds Available</b>	<b>\$ 72,955,571</b>	<b>\$ 12,631,067</b>	<b>\$ 39,040,450</b>	<b>\$ 124,627,088</b>
<b>Summary of Expenditures (excluding capital improvement projects)</b>				
1XX Institutional Support	\$ 11,413,540	\$ 1,475,327	\$ 1,100,000	\$ 13,988,867
2XX Curriculum Instruction	\$ 37,351,525	\$ -	\$ 3,200,000	\$ 40,551,525
3XX Continuing Education	\$ 7,229,768	\$ -	\$ 3,750,000	\$ 10,979,768
4XX Academic Support	\$ 7,320,109	\$ -	\$ -	\$ 7,320,109
5XX Student Support	\$ 5,169,905	\$ -	\$ 230,000	\$ 5,399,905
6XX Plant Operations & Maint.	\$ -	\$ 11,155,740	\$ 20,000	\$ 11,175,740
7XX Proprietary/Other	\$ -	\$ -	\$ 10,527,500	\$ 10,527,500
8XX Student Aid	\$ -	\$ -	\$ 16,800,000	\$ 16,800,000
9XX Capital Outlay (excluding capital improvements)	\$ 4,470,724	\$ -	\$ -	\$ 4,470,724
<b>Total Budgeted Expenditures</b>	<b>\$ 72,955,571</b>	<b>\$ 12,631,067</b>	<b>\$ 35,627,500</b>	<b>\$ 121,214,138</b>
<b>Net (Est. Revenues - Expenditures)</b>	<b>\$ (0)</b>	<b>\$ -</b>	<b>\$ 3,412,950</b>	<b>\$ 3,412,950</b>

\*Includes Federal funds that are allocated to colleges by the State Board and are processed through the 112.

## State Budget Revision

CAPE FEAR COMMUNITY COLLEGE				
State Budget Revision Report for Fiscal 2024 - 2025				
Allocation Description		July - Aug	Sept - Oct	YTD
2023 - 2024 Carryover Allocation to 2024 - 2025:		2,575,467		2,575,467
Equipment	1,674,843			
Books	98,693			
Basic Skills Performance-Based Funding	113,772			
Other Performance-Based Funding	688,159			
Apprenticeship Building America Grant Program - FY 23-24 Carryforward		4,000		4,000
Career Academies for At-Risk Students - Carryforward - FY 23-24		588,669		588,669
Construction Training Building Careers (Construction Academies) - FY 23-24 Carryforward		43,857		43,857
Customized Training Allocation for GAF - Burgaw			3,123	3,123
Customized Training Allocation for GE Aviation			40,450	40,450
Customized Training Allocation for Paper Foam		1,650	1,288	2,938
Customized Training Allocation for Polyhose		235		235
Customized Training Allocation for Vantaca		17,518	6,408	23,926
Improving Career & Technical Education (CTE) Carry Over Funds			61,908	61,908
Enrollment Growth Reserve - FY 23-24 Carryforward		246,942		246,942
Faculty Recruitment and Retention Carryforward - Recurring Obligations		1,366,499		1,366,499
Finish Line Grants - State Appropriations - Recurring		31,249		31,249
High-Cost Healthcare Workforce Expansion Program - FY 23-24 Carryforward		400,000		400,000
High-Cost Healthcare Workforce Expansion Program - FY 24-25		400,000		400,000
High-Cost Healthcare Workforce Start-Up Program - FY 24-25		500,000		500,000
NC Career Coach Program		42,466		42,466
Nursing Faculty Salary Adjustment Allocation for FY 23-24 Carryforward - Recurring Obligations		200,350		200,350
Short-Term Workforce Development Grant		37,311		37,311
Title II Adult Education & Family Literacy Act (AEFLA) Federal Allocation		299,374		299,374
Underserved Student Outreach and Advising (Longleaf Commitment) - FY 23-24 Carryforward		70,297		70,297
Unexpended Budget Stabilization - Carryforward to FY 23-24		691,798		691,798
Wraparound Services (EANS II) FY 23-24 Carryforward		16,233		16,233
<b>Total Additional Allocations</b>		<b>7,533,915</b>	<b>113,177</b>	<b>7,647,092</b>



## State Budget Summary

CAPE FEAR COMMUNITY COLLEGE					
STATE BUDGET					
EXPENDITURES AND RECEIPTS					
FOR CALENDAR MONTH OF OCTOBER 2024					
	State Budget Allotment for Year*	Actual Expenditures This Month	Actual Expenditures This Year	Budget Balance This Year	% of Budget Expended
Institutional Support	\$ 11,417,058.00	753,776.83	3,412,611.30	\$ 8,004,446.70	29.89%
Instruction - Curriculum	37,348,007.00	2,924,407.21	11,486,241.34	\$ 25,861,765.66	30.75%
Instruction - Non-Curriculum	7,317,996.00	595,834.45	2,292,081.14	\$ 5,025,914.86	31.32%
Academic Support	7,320,109.00	479,687.63	2,025,037.12	\$ 5,295,071.88	27.66%
Student Support	<u>5,169,905.00</u>	<u>426,744.03</u>	<u>1,818,906.87</u>	<u>\$ 3,350,998.13</u>	<u>35.18%</u>
Total: CURRENT EXPENSE	68,573,075.00	5,180,450.15	21,034,877.77	\$ 47,538,197.23	30.68%
Equipment	3,520,053.00	458,157.96	1,171,616.14	2,348,436.86	33.28%
Books	176,301.00	11,677.59	29,375.55	146,925.45	16.66%
Categorical Equipment	836,278.00	-	9,502.41	826,775.59	1.14%
Total: CAPITAL OUTLAY	4,532,632.00	469,835.55	1,210,494.10	3,322,137.90	26.71%
<b>GRAND TOTAL ***</b>	<b><u>\$ 73,105,707.00</u></b>	<b><u>\$ 5,650,285.70</u></b>	<b><u>\$ 22,245,371.87</u></b>	<b><u>\$ 50,860,335.13</u></b>	<b><u>30.43%</u></b>

\*\*\*Baseline Budget, Carryfowards and Special Allocations- Awaiting Additional Formula Budget for Enrollment Growth


## **County Budget Summary**

### **NEW HANOVER & PENDER COUNTY BUDGET - CAPE FEAR COMMUNITY COLLEGE**

#### **EXPENDITURES AND RECEIPTS FOR THE CALENDAR MONTH OF OCTOBER 2024**

	County Budget Allotment for Year	Actual Expenditures This Month	Actual Expenditures This Year	Budget Balance This Year	% of Budget Expended
Institutional Support	1,475,327.00	47,513.47	199,434.82	1,275,892.18	13.52%
Plant Operation	7,713,281.00	690,038.66	2,901,319.98	4,811,961.02	37.61%
Plant Maintenance	3,442,459.00	259,049.12	1,090,503.43	2,351,955.57	31.68%
Total: CURRENT EXPENSE	12,631,067.00	996,601.25	4,191,258.23	8,439,808.77	33.18%
Buildings & Grounds	3,723,972.00	135,410.00	250,885.00	3,473,087.00	6.74%
Equipment	0.00	0.00	0.00	0.00	0.00%
Total: CAPITAL OUTLAY	3,723,972.00	398,581.00	890,212.00	3,473,087.00	23.90%
GRAND TOTAL	16,355,039.00	1,395,182.25	5,081,470.23	11,912,895.77	31.07%

## Institutional Funds

<b>Cape Fear Community College</b>					
<b>Institutional Funds</b>					
<b>Year-to-Date Budget Report</b>					
<b>October 31, 2024</b>					
<b>Current Unrestricted Funds</b>	Beginning Fund Balance	Revenues	Expenses	Ending Fund Balance	
Miscellaneous Current General	10,269,131.45	286,570.18	320,841.74	10,234,859.89	
Collection Fee & Payment Plan Revenue	453,637.72	41,612.02	631.00	494,618.74	
Self Supporting	636,381.86	107,819.87	102,774.42	641,427.31	
Specific Fees	3,845,985.34	451,898.97	98,367.92	4,199,516.39	
Patron Fees	1,147,732.76	55,586.31	77,665.12	1,125,653.95	
Transcript Fees	226,250.17	18,312.14	59,567.00	184,995.31	
Student Insurance	25,157.46	-	7,308.50	17,848.96	
Finl Aid & Veteran's Coordinator Admin Fees	76,068.19	1,077.68	2,816.02	74,329.85	
Total Current Unrestricted Funds	16,680,344.95	962,877.17	669,971.72	16,973,250.40	
<b>Current Restricted Funds</b>	Beginning Fund Balance	Revenues	Expenses	Ending Fund Balance	
Financial Aid Federal Awards	-	7,132,409.32	7,132,409.32	-	
Wilson Center Funds	1,387,515.82	19,911.48	-	1,407,427.30	
Wilson Center Maintenance Funds	-	-	-	-	
Grants	1,251,241.97	2,103,349.29	2,194,018.21	1,160,573.05	
Financial Aid State Awards	38,720.75	413,391.57	382,244.30	69,868.02	
Financial Aid Administration	39,432.87	7,624.41	-	47,057.28	
Scholarships	47,395.76	250,725.61	453,909.18	(155,787.81)	
Total Current Restricted Funds	2,764,307.17	9,927,411.68	10,162,581.01	2,529,137.84	
<b>Proprietary Funds</b>	Beginning Fund Balance	Revenues	Expenses	Ending Fund Balance	
Live Projects incl Ships Special Project	37,841.87	3,300.00	(459.14)	41,601.01	
Wireless Consortium	29,591.25	12,039.85	24,149.84	17,481.26	
Humanities and Fine Arts Center	(471,610.37)	2,041,560.07	2,062,051.14	(492,101.44)	
CFCC Bookstore	3,365,938.50	10,576.49	31,394.05	3,345,120.94	
Daycare Center	210,769.38	229,205.33	226,888.58	213,086.13	
Vending	153,572.43	21,430.99	23,395.00	151,608.42	
Parking	2,929,761.11	439,202.64	377,347.40	2,991,616.35	
Student Activity & Sea Devils Account	860,994.28	328,789.60	304,233.93	885,549.95	
Total Proprietary Funds	7,116,858.45	3,086,104.97	3,049,000.80	7,153,962.62	

## **CURRICULUM COMMITTEE**

### **Proposed Program**

#### **Artificial Intelligence (AI) Program**

The Artificial Intelligence (AI) curriculum is designed to provide students with the knowledge and skills necessary for employment and growth in the AI profession.

Coursework includes various subject areas related to AI fundamentals, machine learning, deep learning theory, and hands-on training in multiple AI domains for the purpose of creating and implementing artificial intelligence across a broad range of applications.

Graduates may qualify for entry-level AI positions such as AI engineer, AI project manager, AI researcher, AI consultant, AI architect, conversational AI specialist, AI automation engineer, AI software engineer, and machine learning specialist.

## **PLANNING COMMITTEE**

### **CFCC's Vision Statement**

Cape Fear Community College is a premier educational attainment and innovative training resource for our service area with the power to transform lives and strengthen our communities. By providing opportunity and support, we empower every student to achieve their highest potential. Our intention is for Cape Fear students to complete their educational goals, inspired to lead, thrive, and contribute meaningfully to our communities locally and beyond.

**CFCC's Mission Statement**

At Cape Fear Community College, our mission is to provide dynamic and supportive learning opportunities, environments, and services fostering academic achievement, career-focused training, professional and personal success.

## **CFCC's Goals**

1. Offer innovative and accessible educational programs that meet the diverse needs of our learners.
  - Build on existing delivery formats that improve success and completion rates
  - Respond to local economic and workforce needs by developing programs with multiple entry points and outcomes
  - Create pathways to career and credit-bearing degrees
2. Support students to persist and complete their educational goals by providing robust services and resources.
  - Provide support for personalized success and learning pathways
  - Expand and enhance learning support opportunities to increase student engagement
  - Increase student awareness of financial and personal support resources to encourage persistence and completion
3. Cultivate mutually supportive partnerships with business, industry, and educational entities to enhance career and persistence opportunities for students and graduates.
  - Develop career and job placement opportunities with local business and industry
  - Develop direct-admit opportunities with higher education institutions
  - Engage external partners to develop a culture of support and persistence

## **ADMINISTRATIVE AND PERSONNEL COMMITTEE**

### **EMPLOYEE HANDBOOK POLICY REVISIONS**

#### **Procurement Card Policy**

##### **Introduction**

Cape Fear Community College (CFCC) has joined the North Carolina State Contract 946A VISA Procurement Card (P-Card) Program.

<https://ncadmin.nc.gov/documents/statetermcontracts/stc946a/946a-procurement-card>

The procurement card (P-Card) is a payment tool which offers an expansion of the existing CFCC procurement processes. The Card will allow departments to make transactions without having to submit a requisition for the issuance of a purchase order or a check request. Having a P-Card is a privilege that comes with responsibilities. This manual will serve as your guideline when using your P-Card. Whenever in doubt, you should always call our office. We are here to assist and ensure the success of the P-Card Program.

The intent of the procurement card program is to provide Cape Fear Community College and departments with a streamlined method of payment for department related supplies and/or services, thereby reducing the volume of individual check payments to vendors. It is intended to be used by authorized staff for authorized purchases. Please refer to the Cape Fear Community College website for College Policy and Procurement Purchasing Guidelines.

CFCC expects you to exercise the same good judgment in your purchases of supplies and services with CFCC's procurement card as you would with your own card. CFCC expects you to offer the same level of care and protection for the college procurement card as you would with your own credit card.

##### **Definitions**

**Agency:** Cape Fear Community College

**Approvers:** The Individual who is responsible for coordinating/reconciling/approving each transaction by the cardholder in their hierarchy. Must have easy accessibility to all transactions.

**HUB: Historically Underutilized Business Vendor:** ~~A "preferred supplier" that CFCC has authorized the cardholder to use in accordance with purchasing policies.~~ Historically Underutilized Business is a business which is majority owned or managed by one or more minority persons, women, or disabled persons.

**Cardholder:** A faculty or staff person who has been issued a P-Card and is authorized by the college to make purchases for the college in accordance with CFCC purchasing guidelines.

**Supervisor/Account Manager:** The person responsible for approving the cardholder's purchases. This person may or may not be the cardholder.

**Statement of Account:** The monthly listing of all items purchased on a specific CFCC VISA P-



Card. This statement must be reconciled with the P-Card Transaction Log.

**Single Transaction Limit (STL):** The dollar amount allowed for each single transaction.

### **Why Use the P-Card?**

Cape Fear Community College recognizes the significant administrative costs associated with the End-to-End processing of the normal purchase order. Introducing layers of organization increases costs to the process, and, particularly in low-dollar purchases, more administrative layers frequently do not add any attendant value.

The North Carolina State Contract 946A Procurement Card Program is designed to streamline these processes. This program is designed to reduce paperwork and handling costs. By using this program, the traditional requisition - pricing inquiry - order placement - delivery of goods - invoice - voucher review and payment cycle is greatly reduced.

Potential benefits to CFCC include:

- Significant reduction in the number of low-value transactions handled by the Purchasing and Accounts Payable departments.
- Substantially reduce acquisition cycle time for users.
- Higher levels of user satisfaction.
- Improves relations with vendors--they receive payment within 3 days.
- Provides CFCC with a rebate incentive providing all payments for purchases are made in full within the monthly grace period.
- Integrate card spending data into the accounting and information system
- Minimize card misuse and fraud with account-level authorization controls
- Obtain better data on employee purchases
- Improve employee convenience

### **Requesting a Card**

- All full-time college employees, excluding temporary employees designated by their supervisor, may be permitted to apply for a Procurement Card via e-form in SoftDocs.
- WORKS and procedure training are required for all new cardholders and approvers.
- Each P-Card is uniquely assigned to an employee using CFCC funds and is tied to a specific funding source.

- The Purchasing Dept will notify the cardholder when the card has been received to set up training.
- A CFCC P-Card is not tied to an individual's personal credit line.

### **Activating the Card**

- The card must be activated by the cardholder using the 1-800 number on the card. The cardholder will be prompted to provide his/her credit card number and any personal information that was included on the P-Card application form.
- It is good business practice ~~for c~~Cardholders to sign the back of ~~their~~~~your~~ P-Card.
- Lost or Stolen Cards: cardholders should immediately notify Bank of America (24hr Customer Service Line: 1-888-449-2273) and the Purchasing Dept/P-card Administrator.

### **Training**

All cardholders are required to attend a training session on using the card. Additional training sessions may be required by the CFCC ~~P-Card Administrator~~ Purchasing Department if an audit reveals that unauthorized purchases have been made and/or updates are deemed necessary.

### **Separation from Cape Fear Community College**

Upon retirement or resignation, the cardholder will return the P-Card to Human Resources. Human Resources will return cards to the ~~P-Card Administrator~~ Purchasing Department. ~~P-Card Administrator~~ The Purchasing Department will work with the cardholder's department to ensure that any changes in personnel will not disrupt the purchase of goods.

### **Spending Limits (Credit & Single Transaction)**

The current single transaction limit (STL) for all CFCC cardholders is \$5,000. Monthly credit limits are determined by a cardholder's supervisor and budget needs. Cardholders may request permanent monthly spending/credit limit increases with supervisor approval via email to the ~~P-card Administrator~~ Purchasing Department. In addition, cardholders may request temporary single transaction limit (STL) increases by submitting a request to the ~~P-Card Administrator~~ Purchasing Department via email. The CFCC Business Office is approved for a \$25,000 single transaction limit by State Purchase & Contract. If a cardholder requires an STL that exceeds \$5,000, they can contact the ~~P-card Administrator~~ Purchasing Department for review & a temporary STL increase, or the ~~P-card Administrator~~ Purchasing Department may purchase on their behalf if necessary. State Purchase and Contract must approve all single transaction increases that exceed \$25,000, so please allow 48-hour notice for STL requests.

### **HUB Reporting**

~~Bank of America will furnish CFCC a quarterly report of HUB (Historically Underutilized Businesses) vendors. The P-Card Administrator will periodically furnish a list of HUB Vendors to all P-Card users to increase participation with these vendors.~~

### **Authorized Use**

*The P-Card is designed for repetitive small or large commodity-type purchases.*

1. The North Carolina Administrative Code [01 NCAC 05B. 1523](#) governs the P-Card Rules. As per memorandum from Division of Purchase and Contract dated June 17, 2022, the per-transaction limit shall be \$25,000 for general purchases and for all travel-related purchases (including airfare, hotel/lodging, and transportation/rental cars) including current NC sales tax and applicable freight.
2. The cardholder will inform the vendor that the goods are to be taxed at the current rate even if the item is sold tax-exempt. **(CFCC is not Tax-Exempt).**
3. The cardholder strives to obtain the best value for the College by using “preferred suppliers” as identified by CFCC Purchasing.
4. The cardholder will comply with all State Purchase and Contract guidelines set forth in the CFCC Purchasing Procedures Manual.
5. The cardholder will support the utilization and participation of HUB vendors when possible. ~~in accordance with the CFCC HUB Plan which is available for review.~~
6. Prior to use, the cardholder will check the budget and will not “overspend” budget availability. The monthly spending limit on your P-card is not a reflection of your actual budget.
7. Emergency situations (as defined by [01 NCAC 05B. 1601](#) or the Governor’s declaration) shall be approved by the ~~P-Card Administrator or Director of Purchasing and Inventory~~ Purchasing Department.
8. Equipment repairs must be reported to the ~~Equipment Inventory Coordinator Purchasing~~ Department if the equipment is removed from campus to have work completed so a notation can be made in Colleague.
9. Institutional memberships may be paid using the P-card. Memberships are for CFCC and must be transferable if the employee leaves the College. Individual memberships may not be paid using the P-Card unless approved by the VP of Business Services.
10. Meals associated with meetings and/or visitors.
11. Payment of seminar, conference registration, airline tickets, shuttle, taxi services, hotel, and parking fees. The state has a \$5 maximum limit on tips for shuttle and taxi services. A CFCC Travel Request must have been completed and approved prior to these charges being made. See note below.
12. **When uncertain if a purchase should be made with a P-Card, contact the Procurement Office Purchasing Department.**

\*\*\* NOTE \*\*\*

Documentation that ~~the r~~Registration fee will be paid with P-Card must be included with travel request. Travel should be approved prior to the registration fee being paid with a P-Card. Purchasing will not be responsible for verifying. It is the responsibility of the cardholder to ensure this happens.

### **Unauthorized Use**

1. Splitting purchases into multiple transactions so that previously mentioned limits or state purchasing guidelines are avoided.
2. Backorders are not allowed.
3. Cash advances, controlled substances, personal purchases, telephone calls, or monthly telephone service fees.
4. Alcoholic beverages unless it is for classroom instruction, culinary events, Foundation events, or the Wilson Center.
5. Gift Cards/Debit Cards (IRS regulations consider gift cards/debit cards to be a cash equivalent with a requirement to be added to an employee's W-2 earnings as taxable income.) Gift cards for students purchased by the Foundation or Student Services are an exception.
6. Sponsorship payments with the exception of the CFCC Community Relations Department.
- ~~7. Laptops or tablets of any dollar value. See note below.~~
- ~~8. Furniture purchases of any dollar value. See note below.~~
- ~~9. Equipment purchases of any dollar value. See note below.~~
7. Laptops, tablets, furniture, and equipment purchases of any dollar value. In certain instances, the Purchasing Department may purchase laptops, furniture, or equipment with a P-card.
- ~~10.8. Adobe (software or related) purchases. These requests are to be made through the E-Procurement system.~~
- ~~11.9. All software and IT related licenses must go through IT's approval and be purchased by IT's P-card.~~
- ~~12.10. Meals (travel-related) are not allowed since the State provides a Subsistence Rate. This rate is an allowance related to meal costs (including gratuities). Travel-related meals are allowed if they are an approved function for Cape Fear Community College students or athletes.~~
- ~~13.11. Gasoline for personally owned vehicles. Gasoline for college-owned, leased, and/or rented vehicles are exceptions.~~

~~14.12.~~ Contractual services (PSA or Performance Agreements) should not be paid with the CFCC VISA P-Card since Cape Fear Community College is legally responsible for reporting this income to the federal and state governments.

13. No merchandise shall be shipped to the cardholder's residence (Ship to Downtown or North Campus only).

~~15.14.~~ Expedited purchases shall be made by the Purchasing Department only.

**\*\*\*NOTE\*\*\***

~~When uncertain if a purchase should be made with a P-Card, contact the Procurement Office. Expedited purchases shall be made by the Equipment Inventory Coordinator only. In certain instances, the Equipment Inventory Coordinator may purchase laptops, furniture, or equipment with a P-card.~~

### **Policy Enforcement**

The delegation of authority to purchase goods using the card is a privilege that automatically ceases upon separation from the college or upon reassignment to another department. The authority to enforce this policy lies with the ~~P-Card Administrator and the business office~~ Purchasing and Business Departments.

### **Cause for Employee Suspension/Termination**

Fraudulent or willful misuse of the card, including willful use of the card to make personal purchases even if you intend to reimburse the college, will result in notification of administration, disciplinary action/card withdrawal, up to and including termination of employment.

### **Cause to Suspend or Revoke Individual Card Privileges**

- Willful misuse of the card or inappropriate expenditures
- Charges for non-approved travel
- Delinquent receipts
- Splitting transactions to circumvent transaction limits
- Exceeding appropriate funds available
- Noncompliance with state contracts
- Failure to comply with the Single Transaction Limit levels SHALL result in the immediate temporary/permanent suspension of the cardholder's purchasing card by Purchase and Contract for a minimum period of thirty (30) days.

### **Reinstatement of Cards**

All delinquent reports must be turned in to the ~~P-Card Administrator~~ Purchasing Department before consideration can be given to reinstate the account.

A memo from the department head needs to be submitted explaining the reason for the ~~discrepancy, violation~~ that caused the cancellation, and steps to prevent it from happening in the future.

All accounts, regardless, will be required to wait at least one week from receipt of a completed reconciliation report and memo for the account to be reinstated.

## **Resources**

- Historically Underutilized Business Report (Quarterly):  
<https://ncadmin.nc.gov/businesses/historically-underutilized-businesses-hub>
- HUB Vendor Search: <https://evp.nc.gov/vendors/vendorsearchadvanceform/?id=aff084f6-3f2e-ef11-840a-001dd809c6fc>
- Purchasing Flexibility Report (Annually – Due Feb 1)
- EO50 Reports (As required) <https://files.nc.gov/ncdoa/documents/files/EO50.pdf>  
• ~~E0143 (Monthly on the 1<sup>st</sup>): Executive Order Number 143[CSG1]~~
- NC Community College System: <https://www.nccommunitycolleges.edu/>
- NCCCS Purchasing Manual: <https://www.nccommunitycolleges.edu/college-faculty-staff/budget-finance/purchasing-fixed-assets/>
- NCCCS Agency Specific Term Contracts: <https://www.nccommunitycolleges.edu/college-faculty-staff/budget-finance/purchasing-fixed-assets/>
- NC Dept of Administration: <https://ncadmin.nc.gov/>
- NC Purchase & Contract: <https://ncadmin.nc.gov/about-doa/divisions/purchase-and-contract>
- NC Procurement Rules & Manuals: <https://ncadmin.nc.gov/government/procurement/procurement-rules>
- NC DIT Procurement: <https://it.nc.gov/resources/statewide-it-procurement-office>
- CFCC Purchasing Manual: <http://intranet.ad.cfcc.edu/departments/purchasing/>

## **CFCC FOUNDATION BYLAWS**

### **BYLAWS**

Amended and Restated Bylaws  
Cape Fear Community College Foundation, Inc.

ARTICLE I: PRINCIPAL OFFICE AND REGISTERED AGENT

ARTICLE II: STATUS

ARTICLE III: PURPOSES

ARTICLE IV: BOARD OF DIRECTORS

ARTICLE V: OFFICERS

ARTICLE VI: FISCAL YEAR

ARTICLE VII: INDEMNIFICATION

ARTICLE VIII: LIMITATION ON ACTIVITIES

ARTICLE IX: GENERAL

ARTICLE X: AMENDMENTS TO BYLAWS

ARTICLE XI: AMENDMENTS TO ARTICLES OF INCORPORATION

ARTICLE XII: REFERENCES

ARTICLE XIII: ADOPTION

Appendix I: MEMORANDUM OF UNDERSTANDING

## **ARTICLE I: PRINCIPAL OFFICE AND REGISTERED AGENT**

- A. Principal Office.** The principal office of the Cape Fear Community College Foundation, Inc., a nonprofit corporation incorporated under the laws of the state of North Carolina (hereinafter the “Foundation”), shall be located at 411 North Front Street, Wilmington, New Hanover County, North Carolina.
- B. Registered Agent.** The Foundation will have and continuously maintain a registered agent in the state of North Carolina and the Foundation Board shall appoint and continuously maintain in service a registered agent.

## **ARTICLE II: STATUS**

The corporation is organized pursuant to Chapter 55A of the North Carolina General Statutes and has qualified as a Section 501 (c) (3) Public Charity corporation under the provisions of the Internal Revenue Code of the United States of America, and no provisions of these bylaws shall act to eliminate to chance said status without an affirmative vote of the Board of Trustees.

## **ARTICLE III: PURPOSES**

The purposes of the Foundation, as stated in the Articles of Incorporation and subject to the limitations of Article IX, hereof, include:

- A.** To engage in fundraising activities and to accept gifts and contributions in any form and of any property, including without limitation, both real and personal property, to be used for the purposes of the Foundation set forth above; and, sources for furtherance of the purposes of the Foundation; and,
- B.** To apply for and secure financial grants from public and private sources for furtherance of the purposes of the Foundation;
- C.** To make distributions in any form and of any property, including without limitation, both real and personal property, for the purposes of the Foundation; and
- D.** To undertake any activity whatsoever that is in furtherance, directly or indirectly, of the purposes of the Foundation and,
- E.** To exercise any and all powers that may be conferred upon nonprofit corporations under Chapter 55A of the North Carolina General Statutes or any corresponding provisions of any future North Carolina Statutes in furtherance of the purposes of the Foundation;



## ARTICLE IV: BOARD OF DIRECTORS

**A. General Powers.** The business and affairs of the Foundation shall be managed by its Foundation Board. The directors shall in all cases act as a Board, and they may adopt such rules and regulations for the conduct of their meetings and management of the Foundation as they may deem proper, not inconsistent with these bylaws and the laws of the state of North Carolina.

**B. Number, Tenure, Election of Directors.** The number of directors shall be set by the Board of Directors, not to exceed seventeen, inclusive of the President of the College and the Chair of the Board of Trustees (or their designee). Directors shall be elected by the Board of Directors upon a majority vote of those present in sufficient numbers to constitute a quorum. Directors shall be elected at the annual meeting for term of three years. Directors can be elected by majority vote to fill vacancies for the remainder of the unexpired term. Terms of directors shall be staggered for rotation, with one-third of the directors subject to appointment or reappointment annually, or as close to one-third as is feasible.

Directors may serve up to two consecutive three-year terms. A break in service of one year is required before a Director may return to the Foundation Board after filling two consecutive terms.

### **C. *Ex Officio* Directors.**

#### **1. Voting Members:**

In addition to the elected members of the Foundation Board, but inclusive to the total voting membership, the following persons shall be *ex officio* voting members of the Board: the Chair of the Board of Trustees (or ~~his/her~~their designee) and the President of Cape Fear Community College.

#### **2. Non-voting Members:**

The ~~Vice President of Advancement and the Arts~~Executive Director of the Foundation and the CFCC Chief Financial Officer (serving as Foundation Treasurer) shall be non-voting *ex officio* members of the Foundation Board.

Additional non-voting *ex officio* members may be elected by the Board at any time and will not be considered in the total number of Directors [see section B]. These may include without limitation:

[1] A representative of the Alumni

[2] A representative of the CFCC faculty

[3] A representative of the Student Body

~~[4] Emeritus Foundation Directors~~

~~The CFCC Foundation Board may honor outgoing or former Foundation Board Directors who have contributed significant ways to the growth and development of CFCC Foundation by granting them Emeritus status. This section authorizes the granting of non-voting Emeritus status under the following conditions:~~

~~1. The Board of Directors may confer lifetime Emeritus status on an individual that has served 10 or more years of service, and has a history of annual personal giving and substantial leadership on the Foundation Board that is significantly beyond the norm. Emeritus members shall be entitled to attend any meeting of the CFCC Foundation.~~

~~2. Nomination for Emeritus status shall be initiated by the CFCC Executive Committee at the annual meeting Committee, with a presentation of the name and qualifications of the candidate for Emeritus status to the CFCC Foundation Board for subsequent election by a unanimous vote of the members in attendance at the annual meeting, so long as a quorum is present.~~

~~3. There shall be no more than one nomination for Emeritus status during any fiscal year, and no more than three Emeriti shall serve on the Board at any one time. The number of Emeriti Directors shall not be included in the total number of Foundation Board members.~~

**D. Regular Meetings.** A regular meeting of the Foundation Board shall be held once each quarter at a date, place, and time to be determined. Notice of said regular meeting shall be sent to the members of the Foundation Board at least two weeks prior to the date of the meeting.

The ~~Vice President of Advancement and the Arts and the Executive Committee,~~Executive Director of the Foundation in consultation with the ~~President~~President, shall plan the meeting agenda. The Chair may receive agenda items from the Executive Committee, Foundation Board, the President and other interested parties until two weeks prior to the meeting date. Meeting materials, including the Consent Agenda, will be distributed at least one week prior to the meeting and will provide Foundation Board with information in advance about all items to be discussed and/or acted upon at the meeting, to the extent possible.

**E. Special Meetings.** Special meetings of the Foundation may be called by, or at the request of, the Chair of the Foundation, the President, the ~~Vice President of Advancement and the Arts~~Executive Director of the Foundation, any three Foundation members, or at the request Chair of the Board of Trustees. The person authorized to notify the Foundation Board of the meetings shall fix the place and time for holding any special meetings of the Foundation. Notice of a special meeting shall be sent to the Foundation Board at least 48 hours prior to the date of the meeting, whenever possible. The business to be transacted at any special meeting of the Board shall be confined to such matters as have been specified in the notice to members and officers of the Board.

**F. Annual Meeting.** The first regular board meeting held in a new fiscal year shall be the annual meeting at which time officers shall be elected.

**G. Attendance.** Following two consecutive absences by a director, the Chair shall contact that director to determine ~~his~~their intention of attending future meetings or resigning and the director shall be sent a letter advising possible removal from the Board in the event of a third consecutive absence. The Foundation Board may remove a Foundation Director upon three consecutive absences. Notice of such removal shall be given to the Foundation member upon removal.

**H. Quorum.** A majority of the number of voting directors or members fixed in accordance with these Bylaws shall constitute a quorum for the transaction of business at any meeting of the Foundation Board of any Committee of the Foundation Board.

If a quorum is not present, the presiding officer of the Foundation Board or Committee may call for a vote on a motion from the members who are not present. This vote may be conducted by electronic means or by telephone. If the procedures outlined in the Voting section below are followed, these votes will be added to the votes of the members present at the meeting to determine if the motion passes.

**I. Voting.** A majority of the number of directors fixed in accordance with these Bylaws shall constitute a quorum for the transaction of any business at any meeting of the Foundation Board. If a more stringent vote is required, it will be outlined in these Bylaws. In the case of a tie vote, the Chair will break the tie with ~~his/her~~their vote.

~~Directors may participate in regular and special meetings and vote by telephone/Skype or other simultaneous means when unusual circumstances require. Directors may “attend” a Foundation Board meeting by telephone via conference call; their participation and votes must be evident to the remaining members at the time of the discussion and vote, and will be reflected in the meeting minutes. Directors participate in a meeting through any means of communication by which all participating directors may simultaneously hear each other during the meeting. Each director who attends a meeting through such means of communication is deemed to be present.~~ Electronic participation and voting may be allowed, so long as this participation is evident to the remaining members at the time of the discussion and vote, is reflected in an approved communication modality, and recorded in the minutes where votes are taken.

**J. Manner of Acting.** The act of the majority of the Foundation Directors present at a meeting at which a quorum is present shall be the act of the Foundation Board.

Informal Action by Directors: Action taken by a majority of the directors without a meeting is nevertheless Foundation Board action if written consent to the action in question is signed

by all the directors and filed with the minutes of the proceedings of the Foundation Board, whether done before or after the action is taken.

**Meeting by Telephone:** Any one or more directors may participate in any meeting of the Foundation Board by means of a conference telephone or similar communications device which allows all persons participating in the meeting to hear each other, and such participation in the meeting shall be deemed presence in person at such meeting.

- K. Removal of Directors.** Any director may be removed by a 2/3 vote of the remaining active membership of the Foundation Board of Directors. The Chair will notify the member in advance of plans to vote on their removal, and follow up with a notice of their removal in writing after the Foundation has voted.
- L. Resignation.** A director may resign at any time by giving written notice to the Foundation, the Chair or Secretary of the Foundation. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Foundation and the acceptance of the resignation shall not be necessary to make it effective.
- M. Compensation.** No compensation shall be paid to any elected member of the Foundation Board of Directors.:-
- N. Presumption of Assent.** A director of the Foundation who is present at a meeting of directors at which action on any corporate matter is taken shall be presumed to have assented to the action unless ~~his/her~~their dissent shall be entered in the minutes of the meeting.
- O. 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.
- P. 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.
- Q. Standing Committees.** Standing Committees shall include the Executive Committee ~~and the, Investment~~the Investment Committee, ~~and the Major Events Committee.~~ -The Chair of the Board shall serve as an *ex officio* voting member of all Committees.
- 1. The Executive Committee** shall consist of four (4) members, i.e., the Board Chair, the Vice Chair and two additional members to be appointed by the Chair. ~~-~~The Executive Committee shall be named at the Annual Meeting.

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 Chair of the Executive Committee may call meetings of the Committee at any time.

All actions 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.

**2. The Investment Committee shall ensure the enforcement of the Foundation's Investment Policy. The Investment Committee will be no less than four (4) members and will be named at the Annual Meeting.**

The Investment Committee, as fiduciaries, are responsible for ensuring the investment process is managed in a prudent manner, seeking to meet the Foundation's return objectives and maintaining the real or inflation-adjusted value of the portfolio. The Investment Committee is responsible for recommending asset allocation and investment policies for the Foundation Board with the support of an Investment Advisor.

**R. Committee Meetings.** Meetings of Committees may be called by the Chairperson of the Committee, or by the Board Chair, by giving written or oral notice of the meeting at least three (3) days before the meeting, specifying the time, place and agenda of the meeting.

1. **Committee Actions.** A majority of the voting members of a Committee shall constitute a quorum for the transaction of business at any meeting of the Committee. The act of a majority of the voting members present at a meeting at which a quorum is present shall be the act of the Committee. Action taken by the required majority of the voting members without a meeting is nevertheless Committee action if written consent to the action in question is signed by all of the voting members of the Committee and filed with the minutes of the proceedings of the Committee, whether done before or after the action so taken.
2. **Attendance.** Any one or more members may participate in a meeting of the Committee by means of a conference telephone or similar communications device which allows all persons participating in the meeting to hear each other; such participation in a meeting shall be deemed presence in person at such meeting.
3. **Waiver of Notice.** Any member of the Committee may waive notice of any meeting. Attendance by a member of the Committee at a meeting shall constitute a waiver of notice of the meeting, except where the member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened.

4. **Recording Secretary.** The Chairperson of the Committee shall appoint a Recording Secretary to take minutes of the proceedings of the Committee.
  5. **Removal of Committee Members.** Following two consecutive absences by a committee member, the Chair shall contact that member to determine their intention of attending future meetings or resigning from the committee, and the member shall be sent a letter advising possible removal from the committee in the event of a third consecutive absence.
- S. Executive Committee.** The Executive Committee, to the extent authorized by law, shall have and may exercise all of the authority of the Foundation Board, except that the Executive Committee shall not have authority to: (1) approve or propose to directors any action that is required to be approved by directors under North Carolina Nonprofit Foundation Act or any successor to such statutes; (2) amend the Foundation's Article of Incorporation; (3) adopt, amend or repeal the Foundation Bylaws; or (4) approve any plan of merger that does not require director approval.
1. **Executive Committee Actions.** Any resolutions adopted or other action taken by the Executive Committee within the scope of the authority delegated to it by the Board shall be deemed for all purposes to be adopted or taken by the Board. The designation of the Executive Committee and the delegation thereto of authority shall not operate to relieve the Board, or any member thereof, of any responsibility or liability imposed upon it or them by law.
    - a) A majority of the members of the Executive Committee shall constitute a quorum for the transaction of business at any meeting thereof and actions of such committee must be authorized by the affirmative vote of a majority of the members of the Executive Committee then in office, unless otherwise stated in these Bylaws.
  2. **Regular Meetings.** Regular meetings of the Executive Committee may be held without notice at such time and place as the Executive Committee may fix from time to time.
  3. **Special Meetings.** Special meetings of the Executive Committee may be called by any member thereof upon not less than one day's notice stating the place, date and hour of such meeting, which notice may be by mail, by electronic mail or by telephone, and if mailed, shall be deemed to be delivered when deposited in the United States mail addressed to any member of the Executive Committee. Any member of the Executive Committee may, in a signed writing, waive notice of any meeting, and no notice of any meeting need be given to any member thereof who attends in person. The notice of a meeting of any committee need not state the business proposed to be transacted at the meeting.
  4. **Removal of Executive Committee Members.** Any voting member of the Executive Committee may be removed from the committee at any time with or without cause by an

affirmative vote of a majority of the Foundation directors then in office. Vacancies in the membership of the committee resulting from death, resignation, disqualification, or removal shall be filled by the Executive Committee.

- T. *Ad Hoc* Committees.** The Foundation may also convene *ad hoc* committees to address issues that are not ongoing [example: To study a specific proposal or opportunity, manage a real estate transaction, manage a fundraising campaign, etc.]. The Board Chair shall appoint the members of and serve as an *ex officio* voting member of all *ad hoc* committees. The *ad hoc* committee shall be identified in the minutes of the meeting where it is approved by the Board, citing the purpose, goals, membership and approximate duration of the committee; *ad hoc* committees may include members who are not members of the Foundation, so long as they constitute a minority of the committee membership.

**U. Board Member Responsibilities**

**Service:**

- To serve a minimum of one full term for three years.
- To serve as community ambassador for CFCC students.
- To be objective when evaluating the programs and policies of the Foundation.
- To ensure that all legal, regulatory and ethical requirements are fulfilled.
- Participate as needed in decisions that relate to financial issues including those relating to investments, property and trusts.
- Work collaboratively with the President's office and Foundation staff to meet goals of the Foundation.
- Further the mission and goals of the Foundation.
- To use knowledge, understanding and personal networks to spread the word about the Foundation.

**Expectations:**

- To attend quarterly board meetings and committee meetings to which one is appointed and help form and meet the goals of that committee.
- Meet the annual giving goal of 100% participation of the Board in an annual personal gift to the College to the extent of ~~his/her~~their ability.
- ~~● Responsible for securing at least one sponsorship at a major Foundation fundraiser.~~
- ~~● Become educated on planned giving and able to discuss with a prospect.~~
- Attend fundraising events.
- ~~● Host or sponsor a cultivation event for prospective donors.~~
- Identify, cultivate and steward donors and prospects for long-term involvement in the College.
- Join Foundation staff on donor and prospect cultivation, solicitation, and stewardship visits, as requested.
- ~~● Bring potential donors on campus for events, tours, lunches, etc.~~



- Recommend others who can serve on the board and/or committees.
- Thank donors of the Foundation for their generosity.

## ARTICLE V:

### Officers and Their Duties

**A. Officers.** The officers of the Foundation shall be the Chair, Vice Chair, Treasurer, Secretary of the Foundation.

**B. Officer Election and Term of Office.** The Chair and Vice Chair shall be elected at the annual meeting from among the volunteer membership of the Foundation Board, based on the slate of officers presented by the Executive Committee, and shall serve for one year or until a successor shall be duly elected. The Chair and Vice Chair may serve up to two consecutive one-year terms. After two consecutive one-year terms are served, a break of one year is required before a Director may return to an officer position on the Foundation Board.

The ~~Vice President of Advancement and the Arts~~Executive Director shall be an employee of Cape Fear Community College approved by the President and the Board of Trustees, and presented to a meeting of the Board of Directors after ~~his or her~~their appointment.

The Treasurer of the Foundation shall be an employee of Cape Fear Community College who has been named Chief Financial Officer by the President of the College. The term of office for the Treasurer shall continue throughout the individual's term of employment in that position.

The Secretary of the Foundation Board shall be an employee of Cape Fear Community College who has been named ~~Vice President of Advancement and the Arts~~by the Executive Director. The term of office for the Treasurer shall continue throughout the individual's term of employment in that position.

**C. Chair.** The Foundation Board Chair, in consultation with the Executive Director, shall appoint the chairs and members of and serve as an *ex officio* voting member of all committees of the Board, preside at all meetings of the Board, call meetings of the Board, and discharge all other functions delegated by the Board.

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

**E. Secretary of the Foundation.** The Secretary shall:

- a) Notify all members of the time and place of Foundation Board meetings.
- b) Shall present on any matters desired.



- c) Keep an accurate record of the proceedings of the Foundation Board.
- d) Have custody of all official records and documents of the Foundation Board.
- e) Prepare and maintain all bylaws and amendments thereto as well as a copy of all policies and procedures of the Foundation Board.
- f) The Secretary, with the Chairman of the Foundation Board, as necessary shall execute all exterior documents on authority of and in the name of the CFCC Foundation Board.
- g) The Secretary will ensure donor intent is honored and documented.

**F. Recording Secretary.** The Foundation may appoint a Recording Secretary, for a period of one year, who will be eligible for reappointment. ~~G. Recording Secretary: The Foundation Board may appoint a Recording Secretary, for a period of one year, who will be eligible for reappointment.~~

**G. Treasurer of the Foundation.** The Treasurer shall have custody of all money and securities of the Foundation and shall keep adequate and correct books and accounts of the Foundation's properties and transactions. In addition, the Treasurer shall:

- a) Have oversight responsibility for all funds and securities of the Foundation, the receipt and recording of contributions and monies due and payable to the Foundation from any sources whatsoever, and the depositing of all such monies in the name of the Foundation in such depositories as shall be selected by the Foundation Board;
- b) Prepare, or cause to be prepared, a true statement of the Foundation's assets and liabilities as of the close of each fiscal year, all in reasonable detail, which statement shall be made and filed at the Foundation's registered office or principal place of business in the State of North Carolina;
- c) Prepare, or cause to be prepared, a proposed budget for the Foundation's activities for the following fiscal year, all in reasonable detail, which statement shall be presented to the Foundation Board at its respective annual meetings; and
- d) In general, perform all of the duties as from time to time may be assigned to him/her by the Chair or by the Board, or by these bylaws.
- e) The President and Foundation Treasurer/Chief Fiscal Officer of the College, or ~~his/her~~their designee, will co-sign all checks issued by the Foundation.

**H. Officer Compensation.** No elected officer or elected member of the Foundation shall receive any salary from the Foundation. The ~~Vice President of Advancement and the Arts/Secretary~~Executive Director and Treasurer of the Foundation, who serve as *ex officio* officers of the Foundation, are paid by the College.

**I. Removal of Officers.** Any officer elected or appointed by the Foundation Board may be removed for cause or upon a three-fourths vote of the Board of Directors active membership. The Chair will notify the officer in advance of plans to vote on their removal, and follow up

with a notice of their removal in writing after the Foundation has voted. If the officer to be removed is the Chair, the Vice Chair will undertake this responsibility.

- J. Officer Vacancies.** A vacancy in any elected office because of death, resignation, removal, disqualification or otherwise, may be filled by the directors for the unexpired portion of the term. Subject to the provisions of the Vice Chair section of Article V, the Executive Committee may recommend, and the Foundation Board may appoint, a replacement officer for the remainder of the vacating officer's term.

## **ARTICLE VI: FISCAL YEAR**

The fiscal year of the Foundation shall begin the first day of July in each year.

## **ARTICLE VII: INDEMNIFICATION**

- A.** The Foundation indemnifies each member of its Board of Directors, as described in Article IV hereof, and each of its officers, as described in Article V hereof, for the defense of civil or criminal actions or proceedings as hereinafter provided and, notwithstanding any provision in these Bylaws, in a manner and to the extent permitted by applicable law.
- B.** The Foundation indemnification of each of its directors and officers, as aforesaid, from and against any and all judgments, fines, amounts paid in settlement, and reasonable expenses, including attorneys' fees, actually and necessarily incurred or imposed as a result of such action or proceeding, or any appeal therein, imposed upon or asserted against him or her by reason of being or having been such a director or officer and acting within the scope of ~~his or her~~their official duties, but only when the determination shall have been made judicially that he/she acted in good faith for a purpose which he/she reasonably believed to be in the best interests of the Foundation and, in the case of a criminal action or proceeding, in addition, had no reasonable cause to believe that ~~his/her~~their conduct was unlawful. All determination in the foregoing by the Board of Directors shall rely on the advice of independent legal counsel on questions involved.
- C.** Every reference herein to a member of the Board of Directors or officer of the Foundation shall include every director and officer thereof or former director and officer thereof. This indemnification shall apply to all the judgments, fines, amounts in settlement, and reasonable expenses described above whenever arising, allowable as above-stated. The right of indemnification herein provided shall be in addition to any and all rights to which any director or officer of the Foundation might otherwise be entitled and the provisions hereof shall neither impair nor adversely affect such rights.

## **ARTICLE VIII: LIMITATION ON ACTIVITIES**

The Foundation is organized and operated exclusively for charitable, educational and scientific purposes within the meaning of sections 170 (c) (2) (B), 501 (c) (3), 2055 (A) (2), and 2522 (A)

(2) of the Internal Revenue Code. No substantial part of the activities of the Foundation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Foundation shall be empowered to make the election authorized under section 501 (h) of the Internal Revenue Code. The Foundation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision herein, the Foundation shall not carry on any activities not permitted to be carried on by any organization -

- a) Exempt from federal income taxation under section 501 (a) of the Internal Revenue Code as an organization described in section 501 (c) (3) of such Code.
- b) Described in section 501 (a) (1), (2), or (3) of the Internal Revenue Code (as the case may be), and/or
- c) Contributions to which are deductible under sections 170 (c) (2), or 2055 (a) (2), or 2522 (a) (2) of the Internal Revenue Code.

## **ARTICLE IX: GENERAL**

**A. Rules for Meetings.** All meetings of the Board shall be conducted pursuant to the provisions of ROBERT’S RULES OF ORDER, REVISED, unless stated otherwise in these bylaws.

**B. Contracts.** The Board of Directors may authorize ~~the Vice President of Advancement and the Arts~~Executive Director and the Foundation Treasurer to enter into a contract or execute and deliver an instrument on behalf of the Foundation. Such authority will be identified in the minutes of the meeting in which this authority is extended. All contracts require the approval of the College’s CFO and President.

**C. Donations.** Any person or agent making gifts to Cape Fear Community College Foundation, Inc., may designate the purpose for which the gift shall be administered and distributed. These shall be known as Designated/Restricted Gifts. The College may accept or reject the object or condition as offered. All gifts made without condition shall be added to and merged with other undesignated/unrestricted gifts. The College may reject any gift which it deems not to be in the best interest of the Foundation.

**D. Annual Appointment of Outside Auditor.** An outside auditor shall be appointed annually, based on a recommendation from the Finance & Investment Committee. That auditor shall perform an annual audit of financial operations and make a report to the Foundation Board of Directors at the conclusion of the audit.

**E. Waiver of Notice.** Whenever any notice is required to be given to any director by law, by the Articles of Incorporation or by these bylaws, a waiver of the notice in writing signed by the person or persons entitled to such notice, whether before or after the time stated in the notice, shall be equivalent to the giving of the notice.

**F. Gender.** In interpreting these bylaws, all nouns or pronouns shall be deemed to refer equally to all genders.

## **ARTICLE X: AMENDMENTS TO BYLAWS**

These Bylaws may be amended by an affirmative vote of three-fourths of the Board of Directors voting membership, and must be approved by the CFCC Board of Trustees.

A copy of exact wording of an amendment to be considered at a meeting shall be distributed to each member of the Board one week prior to the date of the meeting. An amendment so made shall be effective immediately upon approval of the Board of Trustees unless an effective date is specifically adopted at the time the amendment is enacted.

## **ARTICLE XI: AMENDMENTS TO ARTICLES OF INCORPORATION**

The articles of incorporation of the Foundation may be amended by an affirmative vote of three-fourths of the Board of Directors active membership.

## **ARTICLE XII: REFERENCES**

References herein to sections of the Internal Revenue Code are provisions of such Code as those provisions are now enacted, as of 1954 and subsequent amendments, or to corresponding provisions of any future United States internal revenue law.

*(Bylaws were originally signed by the Foundation Chair and Executive Director on May 23, 1996.)*

Amended 06/2005	Amended 10/16/2014
Amended 04/17/2014	Amended 08/13/2015
Amended 07/21/2016	<u>Amended 09/13/2024</u>

## **ARTICLE XIII: ADOPTION**

These Amended and Restated Bylaws of the Cape Fear Community College Foundation, Incorporated are adopted this the 24-13 day of JulySeptember, 20162024, by action of the Board of Directors of the Cape Fear Community College Foundation, Incorporated.

## **Acknowledgement**

Foundation Board Chair

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Title

Executive Director, Foundation

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Title

Foundation Treasurer/CFCC CFO

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Title

CFCC President

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Title

**~~Secretary, CFCC Foundation Board~~**

## **Appendix I: MEMORANDUM OF UNDERSTANDING**

between Cape Fear Community College and Cape Fear Community College Foundation, Inc.

~~Appendix I: COMMITTEE CHARTERS~~

~~Executive Committee~~

~~Finance and Investment Committee~~

~~Grants and Scholarships Committee~~

## **SGA REPORT**

Thank you for having me here this evening. Since my last report, SGA has held two General Assembly meetings. The meetings were well attended by officers, senators, and representatives from student clubs and organizations.

Last month, the executive officers attended the N4CSGA Fall 2024 Conference at Forsyth Tech Community College. This experience allowed us to step out of our comfort zones, share our stories, and enhance our leadership skills. We gained valuable insights by learning from the experiences and leadership approaches of other schools, which we're excited to bring back to Cape Fear CC. We look forward to the Spring divisional meeting and conference in February.

In October, SGA hosted a *Spooky Screenings* event behind Union Station, showing *Hocus Pocus* and offering popcorn, candy, and drinks. The event saw great student engagement with attendees, friends, and families, inspiring us to maintain this level of involvement in future events. Coming up, we have *Falling for Fun* in November and *Calm and Connect* in December, designed to help students decompress before finals.

To increase visibility on campus, we introduced a "Get to Know Your Executive Officers" feature on social media and distributed brochures highlighting our team, roles, contact info, general assembly dates, and a QR code for senator applications. Additionally, we are creating flyers with QR codes to further encourage senator recruitment.

The SGA is collaborating with Sabrina Terry, Vice President of Student Services, on a holiday support project for Mayland Community College, a small school in Spruce Pine, NC, that was significantly impacted by the recent Western North Carolina floods. Unlike other affected schools, Mayland has received little attention, making this an ideal opportunity to offer holiday assistance. Our current ideas include organizing a fundraiser, creating an Amazon or Walmart wish list, or partnering with N4CSGA to coordinate deliveries.

Sabrina Terry is collaborating with us on the *Students Helping Students* peer tutoring initiative. In the coming weeks, we'll meet with the Learning Lab staff and SGA Senator Michael King, who has volunteered to lead this effort. This meeting will help us outline our plan to bring the initiative to life.

Support for the Food Pantry has grown, with a schedule now filled by students, work-study, and employee volunteers. Counseling is adding a computer to the pantry for students to easily sign in, share ideas, and address questions or concerns. Counseling has also teamed up with SGA for a Thanksgiving Food Drive from November 4-15. Flyers listing needed donations will include QR codes linking to Amazon and Walmart wish lists, allowing items to be shipped directly to the pantry. SGA is promoting the drive, directing students to additional resources like Mother

Hubbard's Cupboard and Catholic Charities, and spreading the word on campus through class visits, clubs, and flyers.

The student body deeply appreciates your support and the time you dedicate to helping us share our progress as we work toward greater success.

## **FACULTY ASSOCIATION REPORT**

The faculty have been very busy this fall as we've been adapting to new and exciting changes taking place across the college. This year, we've been asked to become more engaged with campus life on the college and the results have largely been positive. We feel we've added even more to a wonderful and fulfilling experience for our students here at CFCC by volunteering to offer our services for different areas in need of support. Many have reinvigorated our clubs, others have volunteered to work in the Nixon center, the Veterans center, the learning lab, or the tutoring center. Having our faculty in these areas helps our students get to know us and helps us get a better understanding of their needs at Cape Fear.

Our first Faculty Association two meetings for the Fall Semester have been well attended. We've discussed issues relating to salary, campus safety, and the academic calendar. These and other conversations have helped inform our administration of our unique perspective as they make decisions.

Several faculty have volunteered to attend recruiting events this fall and many more plan to attend the upcoming events we have scheduled for later this semester. This volunteer service reflects great credit upon the individuals who take the time to advance the college's mission. They do so based on a belief in both the college's mission and on the ability of their discipline or profession to affect change and help their students grow and achieve their dreams. I would like to recognize and thank them for their volunteer effort!

On a personal note, this will be my last time addressing you as the president of the Faculty Association. My term does not expire until the start of April, but numerous family obligations have forced me into the painful realization that it's time for someone else to step up who can better represent the needs and interests of our faculty and share their perspectives with the administration. I would like to thank President Morton and the administrative leadership team for working with me these past two years. They have been reliable partners and collaborators. I started my term by promising to focus on salaries. During my term, President Morton has given the faculty two \$1,500 bonuses, and a significant raise on top of the state mandated raises. We have also worked to change the grading policy to better align with our partners in the University and K-12 system, we have addressed faculty concerns about our former learning platform and transitioned to Canvas with a great amount of help and support, and we've had our concerns heard on countless other issues. I want to thank everyone I've had the privilege of working with for making sure that we have a mechanism for positive communication. It really takes a team.

I would also like to thank the faculty. Serving in this role has opened my eyes to so many different people across so many areas of this wonderful institution. Representing them and having the opportunity to share their story with you has been one of the highlights of my career. I couldn't be prouder of the incredible professionals who work every day to make our students' dreams become realities. This is without a doubt the best job I can think of and the people who do it are the biggest reason why. I sincerely hope that my replacement continues bringing you their stories in the faculty spotlight portion of the FA report.



Finally, I'd like to thank all of you for the work you do providing governance for the college. It's been a great pleasure getting to know you. Even though I am stepping down I remain open and available to you all should you seek any advice or perspective from a regular instructor. I wish everyone a very happy holiday season.

## **FOUNDATION REPORT**

*September 11, 2024 – November 8, 2024*

**2024-25 year-to-date revenue received by the Foundation: \$4,957,471.43.**

<b>Gift Revenue</b>	<b>2024-25YTD</b>	<b>2023-24YTD</b>	<b>% Increase</b>
<b>New Donations</b>	\$850,720.53	\$679,298.71	25.2%
<b>Pledge Payments</b>	\$853,411.19	\$18,400.00	4,538.1%
<b>Planned Gifts Received</b>	\$288,452.71	\$8,000.00	3,505.7%

<b>Total Grant Revenue</b>	<b>2024-25YTD</b>
<b>New Grant Funds Received</b>	\$1,150,000
<b>Grant Funding from Prior Awards</b>	\$4,241,898.73

### Notable Gifts since 9.11.24 (cash received)

- **\$52,000:** new endowed scholarship for GLOW graduates from Mr. Tom Rosamilia and Dr. Karen Coblens
- **\$40,000:** naming gift payment to support dental programs from Ms. Pamela Evans-Stein
- **\$36,000:** new endowed award for a variety of EWD programs from Rose and Chip Jones
- **\$18,480:** continued support of Food Bank of Central and Eastern NC Scholarship
- **\$12,500:** continued support of the Ministering Circle Endowed Scholarship
- **\$12,032.34:** stock gift continued support of the James & Madeline Hickmon Memorial Endowed Scholarship from Mr. and Mrs. Heide H. Trask
- **\$10,000:** continued support of Pattie and Arka Shanks Vocational Scholarship from Ms. Pattie Shanks

### Notable Grants since 9.11.24 (cash received)

- **\$150,000:** support of Dental program expansion and equipment from the Cape Fear Memorial Foundation

### New Scholarships since 9.11.24 (cash received)

- Coblens/Rosamilia Family GLOW Endowed Scholarship will support a graduate of GLOW with financial need
- Rose and Chip Jones Trades Endowed Award will support 5 students annually in one of the following EWD programs: Electrical Line worker, Welding, Construction Management, Machining, and Trucking Driving.
- Ruth Morgan Ferguson Practical Nursing Scholarship will support 3 first-generation college students in the Practical Nursing program with financial need
- Richard F. Trubia Annual Nursing Scholarship and Richard F. Trubia Annual Music Scholarship will support students in Nursing or the Music program with financial need

### Upcoming Efforts

**December 3, 6-7:30pm at the Saklad Center:** Dr. Penland Long-Term Healthcare Fundraising Event

## **ANNOUNCEMENTS**

**DATE OF NEXT MEETING** – January 30, 2025