



NORTH CAROLINA COMMUNITY COLLEGE SYSTEM

Peter Hans
President

24 July 2018

IMPORTANT INFORMATION

MEMORANDUM

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

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

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

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

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

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



State Board of Community Colleges Code

Notice of Proposed Rulemaking Form

Date: 24 July 2018

Title, Chapter, Subchapter, and Rule Number of Rule Proposed to be Adopted, Amended, or Repealed	Adopt 1C SBCCC 300.1
---	----------------------

Specify whether the SBCC proposes to adopt amend, or repeal a rule:

Adopt (new rule)	Amend (change existing rule)	Repeal (delete entire rule)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Rationale for proposed adoption, amendment or repeal:	As recommended by the System Governance Task Force, the SBCC is initiating the rulemaking process to adopt this proposed rule to provide clarity and consistency by codifying the SBCC's process to approve the election of community college presidents.
--	---

Proposed Effective Date of Rule	October 1, 2018
--	-----------------



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

3
4 **CHAPTER C. PERSONNEL**

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

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

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

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

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

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

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

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

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

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

22 *Eff.* _____