

NUMBERED MEMO CC24-029

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

FROM: Jonnell Carpenter, *NCCCS General Counsel*

SUBJECT: Substantive Change - Proposed Amendment to 1C SBCCC 300.1 Presidential Selection Process (Delegate Authority to Personnel Committee)

DATE: July 23, 2024

On February 20, 2024, the State Board of Community Colleges (SBCC) provided public notice that it initiated the rulemaking process to amend the following rule:

1C SBCCC 300.1 – Presidential Selection Process (Delegate Authority to Personnel Committee)

The SBCC received public comments on this rule through March 21, 2024. After consideration of the public comments, the SBCC is recommending a change to the proposed amendment to 1C SBCCC 300.1 – Presidential Selection Process (Delegate Authority to Personnel Committee). The change constitutes a substantive change under 3A SBCCC 100.2(I).

The proposed amendment including the substantive change is published on the NC Community College System's website, [Numbered Memos - NCCCS \(ncccommunitycolleges.edu\)](https://ncccommunitycolleges.edu). For your convenience, a copy of the proposed rule, with the substantive change indicated, is attached to this memorandum. **The items bolded (other than the headings), indicate the proposed change that the SBCC approved. "Strikeouts" indicate deletion of prior suggested language and "underlines" indicate the proposed addition of language.** Please post a copy of the proposed rule

with the substantive change in prominent places so that all individuals affected by the proposed change will be informed.

Any member of the public has the right to submit written comments on the proposed substantive change. 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 substantive change must be received within five (5) business days and by no later than 5:00 p.m. on July 30, 2024.** Written comments shall be directed to the following address: Jonnell Carpenter, 5001 Mail Service Center, Raleigh, NC 27699-5001 or by email to publiccomments@nccommunitycolleges.edu. Thank you for your attention to this matter.

CC24-029

E-mail Copy
Attachments



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
12 requirements and other procedural matters while also providing technical assistance
13 to the board of 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
17 position. The State Board may waive this requirement at the request of the board of
18 trustees if 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
20 for 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
24 President's designee shall confirm that the board of trustees completed a
25 background check to 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) The State Board delegates authority to its Personnel Committee to consider and
5 assess the candidates submitted by the System President. Following consideration,
6 ~~and assessment~~ assessment, and approval of the candidate(s), the Personnel
7 Committee Chair of the SBCC or the SBCC Chair shall authorize the System
8 President to communicate the Personnel Committee's or the SBCC's assessment to
9 the board of trustees.
- 10 (g) The board of trustees shall proceed with the final election process and submit the
11 board of trustees' final election to the SBCC for approval. The board of trustees
12 shall submit the board's recommendation in writing to the System President at least
13 five business days prior to the next meeting of the SBCC.
- 14 (a) The SBCC shall act upon the board of trustees' election at the SBCC's regularly
15 scheduled **or special called** meeting following receipt of the local board's election
16 unless delayed for cause as determined by the SBCC.
- 17 (b) The System Office shall convey in writing to the ~~chairman~~ Chair of the board of
18 trustees the SBCC's action on the board of trustees' election. The action of the SBCC
19 is final.
- 20 (c) Until the SBCC votes to approve the final candidate and communicates its approval
21 to a college, no college shall publicly communicate or publicly confirm or deny the
22 name of the final candidate submitted to the SBCC for approval.
- 23 (d) No college shall execute a contract prior to SBCC action to approve the local board's
24 presidential election without a provision specifying that the effective date of the
25 contract is subject to the SBCC's approval of the presidential election.

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

28 *Eff. [October 1, 2018](#).*

29 *Amended Eff. _____; [February 1, 2020](#)*

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