

*Bylaws and Policy  
Manual  
Pitt Community College  
Board of Trustees*



*Revised December 11, 2018*

*Revised August 1, 2021*

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***The bylaws of the Board of Trustees guide the internal operations of the board. The purpose of the bylaws is to enable the board to discharge its responsibilities in an orderly manner.***

## **ARTICLE I**

### **Responsibility and Jurisdiction**

#### **Section 1.**

##### **Legal Base of Authority**

- a) The legal authorization for Pitt Community College is Chapter 115D, Article I; Section 115D-4 of the General Statutes of North Carolina. The Board of Trustees of Pitt Community College is a body corporate established by an act of the North Carolina General Assembly (Chapter 115D, General Statutes of North Carolina) and it possesses all of the powers of a body corporate for the purposes created by or that may exist under provisions of the law.
- b) The Board of Trustees is responsible for mission and policy formation directed toward the development and operation of the College in accordance with the provisions of the law and the standards of the State Board of Community Colleges.
- c) The official title of the Board of Trustees and corporate name of the institution shall be "The Trustees of Pitt Community College."

#### **Section 2.**

##### **Membership and Attendance**

- a) The Board shall consist of twelve voting members and the President of the Student Government Association, who shall be an ex officio non-voting member (G.S. 115D-12). Four Trustees shall be elected by the Pitt County Board of Education, four Trustees shall be elected by the Board of Commissioners of Pitt County, and four Trustees shall be appointed by the Governor of North Carolina.
- b) All terms for appointed or elected members shall normally be for a period of four (4) years and shall commence on July 1 and terminate on June 30 four (4) years hence (G.S. 115D-13).
- c) All trustees shall be residents of the administrative area of the institution for which they are selected or of counties contiguous thereto with the exception of members provided for in subsection (a) of this section, Group Four, the President of the Student Government or the chairman of the executive board of the student body of each community college established pursuant to this Chapter shall be an ex officio nonvoting member of the board of trustees of each said institution (G.S. 115D-12).
- d) Vacancies occurring in any group for whatever reason shall be filled for the remainder of the unexpired term by the agency or agencies authorized to select trustees of that group and in the manner in which regular selections are made. Should the selection of a trustee not be made by the agency or agencies having the authority to do so within 60 days after the date on which a vacancy occurs, whether by creation or expiration of a term or for any other reason, the Governor shall fill the vacancy by appointment for the remainder of the unexpired term.
- e) No person who has been employed full time by the community college within the prior 5 years and no spouse or child of a person currently employed full time by the community college shall serve on the board of trustees of that college.
- f) Members of the Board of Trustees may be removed by the Board of Trustees only for cause and by due process as provided for in Chapter 115D-19, General Statutes of North Carolina. Should the State Board of Community Colleges have sufficient evidence

that any member of the board of trustees of an institution is not capable of discharging, or is not discharging, the duties of his office as required by law or lawful regulation, or is guilty of immoral or disreputable conduct, the State Board shall notify the chairman of such board of trustees, unless the chairman is the offending member, in which case the other members of the board shall be notified. Upon receipt of such notice there shall be a meeting of the board of trustees for the purpose of investigating the charges, at that meeting a representative of the State Board of Community Colleges may appear to present evidence of the charges. The allegedly offending member shall be given proper and adequate notice of the meeting and the findings of the other members of the board shall be recorded, along with the action taken, in the minutes of the board of trustees. If the charges are, by an affirmative vote of two-thirds of the members of the board, found to be true, the board of trustees shall declare the office of the offending member to be vacant. Nothing in this section shall be construed to limit the authority of a board of trustees to hold a hearing as provided herein upon evidence known or presented to it. A board of trustees may declare vacant the office of a member who does not attend three consecutive, scheduled meetings without justifiable excuse. A board of trustees may also declare vacant the office of a member who, without justifiable excuse, does not participate within six months of appointment in a trustee orientation and education session sponsored by the North Carolina Association of Community College Trustees. The board of trustees shall notify the appropriate appointing authority of any vacancy. (1963, c. 448, s. 23; 1979, c. 462, s. 2; c. 896, s. 13; 1979, 2nd Sess., c. 1130, s. 1; 1989, c. 521, s. 2; 1995, c. 470, s.)

### **Section 3.**

#### **Duties and Responsibilities**

The Trustees of Pitt Community College shall constitute the local administrative board with such powers and duties as specified in the General Statutes of North Carolina and delegated to it by the State Board of Community Colleges, to include but not be limited to the following:

- a) To appoint a president of the College for such term and under such conditions as the trustees may fix such election to be subject to the approval of the State Board of Community Colleges, and to evaluate the President annually.
- b) To provide for the employment of the personnel required for the operation of the College upon nomination by the President, subject to standards established by the State Board of Community Colleges.
- c) To purchase, sell, exchange, or lease any land, easement, or right-of-way which shall be necessary for the proper operation of the institution, upon approval of the State Board of Community colleges, and if necessary, to acquire land by condemnation in the same manner and under the same procedures as provided in General Statutes Chapter 40A. For the purpose of condemnation, the determination by the trustees as to the location and amount of land to be taken and the necessity therefore shall be conclusive.
- d) To apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges.
- e) To provide all or part of the instructional services for the institution by contracting with other public or private organizations or institutions in accordance with regulations and standards adopted by the State Board of Community Colleges.
- f) To establish and discontinue programs of instruction within the College.
- g) To receive and accept donations, gifts, bequests, and the like from private donors and to apply them or invest any of them and apply the proceeds for purposes and upon the terms

which the donor may prescribe and which are consistent with the provisions of State Law and the regulations of the State Board of Community Colleges.

- h) To review and adopt interim and final expense and capital outlay budgets.
- i) To encourage the establishment of private, nonprofit corporations to support the institution. The president, with approval of the board of trustees, may assign employees to assist with the establishment and operation of such corporation and may make available to the corporation office space, equipment, supplies and other related resources; provided, the sole purpose of the corporation is to support the institution. The board of directors of each private, nonprofit corporation shall secure and pay for the services of the State Auditor's Office or employ a certified public accountant to conduct an annual audit of the financial accounts of the corporation. The board of directors shall transmit to the board of trustees a copy of the annual financial audit report of the private nonprofit corporation.
- j) To perform such other acts and do such other things as may be necessary or proper for the exercise of the foregoing specific powers, including the adoption and enforcement of all reasonable rules, regulations, and bylaws for the government and operation of the institution under the law and for the discipline of students.

## **ARTICLE II Organization**

### **Section 1.**

#### **Election and terms of office. *Revision approved 07/13/2021.***

The officers of the Board of Trustees shall be a chairperson, a vice-chairperson, and a secretary. These officers shall be elected annually after July 1<sup>st</sup> in accordance with G.S. 115D-18. In further accordance with G.S. 115D-18 (including amendments made by Session Law 2018-92), all three officers of the board shall be elected for a period of one year but shall be eligible for reelection by the board. The board shall ensure that the process for election of board officers is inclusive and allows for all interested board members the opportunity to be nominated for an office. The Nominating Committee will submit a slate of officers to the full board for approval at the first meeting of the fiscal year. In the event that there are no additional nominations, the slate of officers may be approved by acclamation. Should there be additional nominations from the floor, the trustees will elect the board officer(s) by written ballot, with the officer achieving a simple majority of votes elected. In the event of a vacancy, the Nominating Committee may put forward a candidate to be considered for election by the full board at any regular or special meeting of the board. The elected officer shall serve through the term of the vacated position.

### **Section 2.**

#### **Duties of Board Officers**

- a) The board chair of the Board of Trustees shall preside at all meetings of the Board of Trustees, appoint trustee committee assignments, serve as spokesperson for the board, initiate periodic evaluation of the president and the board, and periodic review of the institution mission, and shall perform such other duties as set forth by other board or state board guidelines.
- b) The board vice-chair, in the absence of the board chair, shall assume and discharge any and all duties pertaining to the office chairperson.
- c) The secretary of the Board of Trustees shall ensure the accurate record keeping of the proceedings of the Board by reviewing minutes as recorded by the Administrative Assistant to the President before officially recording and distribution to members of the Board. In addition, the Secretary shall perform the duties of the Vice Chair during the

absence of the Vice Chair.

### **Section 3.**

#### **Administrative Support for the Trustees of Pitt Community College**

The Executive Administrative Assistant to the President may be appointed by the Chair as the official administrative support for the Board. Upon appointment, the Administrative Assistant will:

- Attend all meetings of the Board.
- Keep an accurate record of the proceedings of the Board.
- Present the minutes to the Secretary of the Board of Trustees for review and approval prior to distribution and filing.
- Have custody of all official records and documents of the Board.
- Have custody of the signature stamp of the Board Chair and affix it to routine official documents whenever necessary.
- Prepare and maintain an indexed compilation of all bylaws and amendments thereto, a copy of all policies, procedures, and regulations of the Board and all amendments thereto, the whole of which shall be known as the Bylaws and Policy Manual of the Board of Trustees, Pitt Community College.
- Issue, after conferring with the Chair, notice of all meetings of the Board to members of the Board, to the President of the College and to notify the public as required by the Open Meetings Law.

### **Section 4.**

#### **The President of the College**

The President shall be appointed by the Board of Trustees and approved by the State Board of Community Colleges. Duties and authority of the president include the following:

- Full responsibility and authority (granted by the Board of Trustees) for implementing policy sufficient for the smooth and effective operation of the college pursuant to the statutes of the federal and state government, the policies, rules, and regulations of the State Board of Community Colleges, and the policies of the Board of Trustees.
- Determining the titles and assigning duties, as appropriate, of all personnel in the College
- Establishing a table of organization for the College.

### **Section 5.**

#### **Committees** (*revision approved 12/11/18*)

- Building and Grounds Committee - concerned with planning, design and funding of future construction of facilities and grounds projects and the maintenance of existing buildings and properties.
- Finance and Audit Committee - concerned with financial operations of the College, including federal, state, county, and institutional funds.
- Executive Committee - functions in an advisory capacity, but does not take any action in place of the full board. The committee's members will be the chairs of the board's standing committees, the officers, and the immediate past chair.
- Personnel Committee - concerned with the hiring of new employees and with the efficiency of present employees, as well as the annual evaluation of the president. The committee reviews, develops, updates, and implements personnel policies concerning the operation of the College.

- Policy/Program Committee - concerned with the implementation of new curricula, with the progress of present curricula, and student support services. The committee reviews, develops, updates, and implements institutional policies and functions in an advisory capacity concerning the college's athletic programs.
- Nominating Committee - presents a slate of officers for approval by the full board at the first meeting of the fiscal year.

The president and board chairperson shall serve as ex-officio members of each committee of the board.

## **Section 6.**

### **Honorary Trustee** (*revision approved 8/28/18*)

Recognition of outstanding commitment and service to Pitt Community College

- a) In recognition of outstanding commitment and service to Pitt Community College, the Board of Trustees may grant honorary status to one of its past Pitt County Community College or Foundation board members, or emeritus status to one of the past employees of the college.
- b) Procedure for granting a former Trustee or Foundation Board Member Honorary Status
  - a. The Board of Trustees may vote to appoint a retired or retiring member of the PCC Board of Trustees or Foundation Board who has distinguished him/herself through notable service and dedication to the College to serve as honorary trustee or foundation board member. If retiring from either Board, the honorary appointment will become effective at the time of retirement. The honorary trustee or foundation board member will be privileged to attend board meetings and assist the respective board in an advisory capacity but will not have voting powers. The candidate for honorary trustee or honorary foundation board member must be nominated by a current member of the Trustees. Nominations will be routed through the Office of the President. The Board Chair will present the letter of nomination to the Board of Trustees. Approval of the appointment as honorary trustee and honorary foundation board member will require that two-thirds or greater of board members present at a regular meeting of the Board are in favor of the appointment.
- c) Procedure for granting a former employee emeritus status.
  - a. A former employee of Pitt Community College may be granted Emeritus status. The candidate must be recommended by a current employee and nominated by the President of Pitt Community College. The Board Chair will present the letter of nomination to the Board of Trustees. Approval of the emeritus appointment will require that two-thirds or greater of board members present at a regular meeting of the Board are in favor of the appointment.
- d) Qualifications for recognition as honorary trustee, foundation board member, or emeritus employee.
  - a. Honorary trustees and honorary foundation board members must have served for at least 8 cumulative years in the capacity of trustee or foundation board member and have distinguished him/herself through notable dedication and service to the college. Emeritus employees must have served Pitt Community College for a minimum of 15 cumulative years, and have demonstrated active involvement in the College, supporting the College's mission and programs. The emeritus employee will no longer serve or is planning to no longer serve in an official capacity. If planning to no longer serve, the appointment as emeritus will be effective at the time of separation from the College.

- e) Titles of honorary (honorary) and emeritus appointments
  - a. Trustees and Foundation Board members who receive honorary appointments will receive the title "Honorary Trustee" or "Honorary Foundation Board Member". Employees who receive emeritus appointments will receive the title "Emeritus" followed by their job title (e.g. Emeritus Vice President, Emeritus Administrative Assistant, etc.).
- f) Privileges of Honorary and Emeritus status
  - a. Those appointed, as honorary trustees, honorary foundation board members, or emeritus employees will be listed on the college web site, have their names appear on a plaque displayed at the college, receive special invitations to events, and receive other recognition as may be deemed appropriate by the Board of Trustees.

## **ARTICLE III**

### **Meetings**

#### **Section 1.**

##### **Regular Meetings/Closed Meetings**

- a) Regular meetings of the Board of Trustees shall be held in the following months of each fiscal year: August, October, December, January, March, and May. Meetings may be conducted in person, virtual, or in combination.
- b) All meetings shall be open to the public. Minutes of board meetings are public documents or writings and thus are open to inspection by the public. When matters pertain to institutional affairs which are of interest to the public, board members should speak only in such a manner as to express the general consensus of the board. A closed meeting may be held in any meeting by a majority vote of the voting members present for the consideration of matters provided for in the revised North Carolina Open Meetings Law, effective October 1, 1994.
- c) Meetings of the Board of Trustees shall be conducted according to *Robert's Rules of Order*.
- d) The chairperson and president shall cooperate in preparing an agenda for each meeting. Trustees may propose matters for consideration not included in the agenda.
- e) The president shall attend and participate in all meetings of the board.

#### **Section 2.**

##### **Special Meetings**

Special meetings may be held upon the call of the chairperson or the president.

#### **Section 3.**

##### **Notice of Meetings**

- a) Members and officers of the Board and the President shall be notified in writing by the Secretary of the time and place of all regular meetings at least seven (7) days in advance.
- b) Members and officers of the Board and the President shall be notified in writing by the Secretary of the time, place and purpose(s) of special meetings, which may be called by the Chair or the President as early as possible but not less than seventy-two (72) hours prior to the meeting.
- c) Members and officers of the Board and the President shall be notified in writing or verbally by the Secretary of the time, place and purpose(s) of emergency meetings, which may be called by the Chair or the President as early as possible.

- d) The news media and general public shall be given such notice as is required by the North Carolina Open Meetings Law, effective October 1, 1994.

#### **Section 4.**

##### **Quorum**

A simple majority of the voting members of the Board of Trustees shall constitute a quorum. All actions taken by the board will require a motion, a second to the motion and for approval, and an affirmative vote of a simple majority of members present. Official actions taken by the board will occur only when it convenes as an official body.

#### **Section 5.**

##### **Order of Business**

The order of business at meetings of the Board shall follow the printed agenda. The agenda may vary according to need but could include the following topics:

- Welcome and Call to Order
- Roll Call
- Pledge of Allegiance and State Government Ethics Statement
- Approval of Agenda
- Approval of Minutes
- Recognition of Visitors
- Program Presentation
- Foundation Report
- Student Success Report
- Student Trustee Report
- President's Report
- Board Chair's Report
- Committee Reports
  - Executive Committee Report
  - Building & Grounds Committee Report
  - Finance & Audit Committee Report
  - Policy/Program Committee Report
  - Personnel Committee Report
- Consent Agenda
- Open for Board Members
- Closed Session (if necessary)
- Adjournment

#### **Section 6.**

##### **Individual or Group Hearings**

Any individual or organized group who desires to appear before the Board shall state in writing the purpose of such appearance and the name of each person who is to appear as a spokesperson. The statement shall be filed with the Chair or Secretary at least seven (7) days in advance of the meeting at which the appearance is desired in order that it may be included in the agenda for the meeting. Nothing herein shall be deemed to prohibit the Board from recognizing a group or individual at any Board meeting who wishes to be heard.

**ARTICLE IV**  
**Orientation/Training of Trustees**

**Section 1.**

**Orientation**

Upon notification by the appropriate appointing agency and the appointment of a new trustee to the board of trustees of Pitt Community College, the President shall initiate an orientation program for the new trustees. The orientation program shall include (but not be limited to) the following:

- a) Letters of congratulations and welcome from the President and Chairperson of the Board of Trustees of PCC will be mailed to the new trustees along with copies of appropriate materials such as: (1) Bylaws and Policy Manual of the Board of Trustees, Pitt Community College, (2) General Statutes that govern the Community College System, (3) other items relating to the duties and responsibilities of trustees and board of trustees, and (4) current college catalog and other informational materials that describe the program activities, purposes, mission, etc. of the college. When feasible, these materials will be mailed to the new trustees prior to their first meeting of the Board.
- b) The President will inform new trustees of the availability of the College staff to discuss with them the many different aspects of the college and the opportunities for service, the problems and concerns, the policies, and funding, etc. The President and Chairman of the Board of Trustees will co-chair a formal orientation program for new board members each year. The orientation should include topics concerning the mission and purpose of the North Carolina Community College System, the history of Pitt Community College, roles and responsibilities of trustees, fiscal planning and management, legal authority selection, evaluation, and assessment of the president, policy development, educational programs, institutional planning and assessment, and personnel management. Experienced trustees should be provided continuing orientation to maintain and improve their effectiveness. The agenda for the orientation program will be a review of the following: The College's mission statement, its organizational structure, the budget process, functions of standing committees, various educational programs offered, and a tour of the facilities. In addition to participating in the orientation with the president, all new trustees will participate in an orientation session with the North Carolina Association of Community College Trustees.
- c) The Board's secretary is to maintain a record of board members' dates of service and notify appropriate appointing agencies by in a timely manner of upcoming board vacancies. The board's suggestions for appointments to the board may be forwarded to the appointing agencies at that time.

**Section 2.**

**Professional Development**

Participation in professional meetings and activities is a primary means of obtaining the on-going skills, knowledge, and background information necessary for effective leadership as a trustee.

- a) All PCC trustees will be encouraged to participate in various training sessions and meetings sponsored by the college for trustees. Trustees will also be encouraged to participate in the institution's planning sessions and board retreats.
- b) Trustees will be encouraged to participate in NC Association of Community College Trustees (NCACCT) regional and state meetings. The NCACCT requires new and reappointed trustees to participate within six months of their appointed date to attend an orientation session during one of their regularly scheduled meetings. The Ethics

Commission of North Carolina requires the completion of the “Statement of Economic Interest” form before being sworn into office and attends ethics training within six months of their appointment. Trustees will also be notified and encouraged to attend national professional meetings sponsored by the Association of Community College Trustees, the American Association of Community Colleges, the Association of Governing Boards, and other similar national organizations. The Chairperson of the Board of Trustees will present a notice of upcoming meetings at regular trustee meetings.

### **Section 3.**

#### **Compensation**

- a) Trustees shall receive no compensation for their services but shall receive reimbursement, according to regulations adopted by the State Board of Community Colleges, for cost of travel, meals and lodging while performing their official duties. The reimbursement of the trustees from State funds shall not exceed the amounts permitted in G.S. 138-5.

## **ARTICLE V**

### **Policies**

### **Section 1.**

#### **General Provisions**

- a) The policies of the Board of Trustees express the intentions of the board with regard to the College. The policies approved by the Board of Trustees should reflect institutional issues. The Board authorizes the President and executive administration (vice presidents) to implement the policies and to develop administrative policies that concern the operations and services of the College.
- b) Ordinarily, the Board’s policies should be stated in general terms with the aim of guiding the administration and faculty of the College.
- c) The relationship between the board, president, faculty and the public should be safeguarded by the adoption and publication of a bylaws and policy manual in which policy decisions gathered from board minutes are noted.
- d) By an affirmative vote of a majority of the quorum present at a properly called meeting of the Board, the Board may make or amend such policies, rules and regulations as may be authorized by law and as may be required in its judgment for the effective discharge of its responsibilities and for the effective operation of the College.
- e) The Board shall, upon recommendation of the president, approve new associate degree programs, diploma programs, and programs for immured groups. The president shall have the authority to develop and implement short-term certificate programs and general adult educational courses, consistent with and in conformity with the NC Administrative Code, Title 23, Chapter 2 Community College System.
- f) The Board of Trustees will award associate degrees, diplomas, and certificates.

### **Section 2.**

#### **Notification and Publication**

- a) The Administrative Assistant to the President shall be responsible for providing to each member of the Board and the President a copy of all current Board bylaws, institutional policies, and other appropriate rules and regulations.

### **Section 3.**

#### **Conflict of Interest and Ethical Conduct** *(revision approved May 24, 2021)*

- a) It is the policy of the Board of Trustees of Pitt Community College that all Trustees and all employees of the College have a duty to avoid conflicts of interest and appearances of conflict of interest concerning the affairs of the College. Trustees shall not knowingly use their position in any manner which will result in financial benefit, direct or indirect, to a Trustee, a Trustee's family, or an individual, organization, or group with whom a Trustee is associated. To address potential conflicts of interest the following "Ethics Awareness and Conflict of Interest Reminder" shall be read at every Board of Trustees meeting: "In accordance with the state government Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. Does any Board member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved." Trustees will adhere to the Conflict of Interest provisions of G.S. 14-234 and the State Government Ethics Act. It is also Board policy that Trustees follow applicable codes of conduct for trustees such as those outlined in the North Carolina Association of Community College Trustees Code of Ethics for Community College Trustees, as well as conventional ethical practices that require higher education boards to remain free from undue influence from political, religious, or other external bias. Furthermore, it is the expectation that Trustees work to protect the College from conflicts of interest, ethical lapses, and undue influences.

### **Section 4.**

#### **SACS Accreditation Compliance** *(revision approved May 24, 2021)*

North Carolina Administrative Code for Community Colleges, Title 23, Chapter 2(C), Section .0603 Accreditation by the Southern Association states,

"All colleges shall obtain and maintain regional accreditation by the Southern Association of Colleges and Schools. The System President, when requested, will provide assistance to colleges seeking regional accreditation."

Pitt Community College is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award Associate Degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Pitt Community College.

As a qualifying institution, PCC provides federal funding for eligible students and preserves the transferability of PCC courses to other regionally accredited institutions.

#### **SACS COMPLIANCE POLICIES AND PROCEDURES:**

Pitt Community College shall comply with the standards set forth in The Principles of Accreditation: Foundations for Quality Enhancement and related policies. The President shall appoint an Institutional Accreditation Liaison for SACSCOC. It is the responsibility of the Accreditation Liaison to help the College fulfill its responsibilities with the Commission and maintain a working relationship with the assigned Commission Vice President.

#### **Substantive Change**

As a Commission requirement for membership, the College must comply with the current Policy on Substantive Change for Accredited Institutions of the Commission on Colleges. A substantive change is a significant modification or expansion in the nature and scope of an

accredited institution. The College President, with assistance from the Accreditation Liaison, shall submit substantive change notifications to the PCC Board of Trustees and to the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). The College has taken the following steps to assure timely notification of substantive changes: The SACS Accreditation Liaison has the responsibility of training new leaders and administrators on the substantive change policy as they move into new positions of responsibility at the College.

The Offices of the Vice President of Academic Affairs and the Assistant Vice President of Academic Affairs will notify the Accreditation Liaison of any preliminary discussions, which could potentially result in actions, which are defined as substantive changes. The Accreditation Liaison will ensure that all such pending changes are presented to the Curriculum Committee.

## **ARTICLE VI Fiscal Policy**

### **Section 1.**

#### **General Policy**

- a) The fiscal operations of the college shall be carried out in accordance with the Community College Fiscal Control Act enacted by the 1981 General Assembly and under any changes subsequently made to this Act by the legislature. Provisions of this act have been codified in the Community Colleges Laws of North Carolina issued in 1982; and updates; more specifically, Chapter 115D, Article 3 and 4A, Sections 115D-31 through 115D-58.13.

### **Section 2.**

#### **Role of the Chief Financial Officer**

- a) Under the direct supervision of the President, the Chief Financial Officer shall serve as the Chief Fiscal Officer and shall be responsible for carrying out the provisions of this act.
- b) The Chief Financial Officer shall, upon invitation of the President, meet with the Board of Trustees' Finance and Audit Committee in the role of an informant and advisor on fiscal matters.
- c) The Chief Financial Officer shall act as the Board of Trustees' agent in the sale, exchange, or lease of College property as provided for in G.S. 115D-15 and G.S. 160A-274.

### **Section 3.**

#### **Deficit Spending**

- a) The College shall never operate by means of deficit spending by fund. The Chief Financial Officer shall notify the President when and if certain proposed expenditures would result in deficit spending. The Board of Trustees shall be notified at the end of the fiscal year of any institutional fund account which has a negative balance at year end, unless such as instance exists for a planned reason, such as an anticipated reimbursement

### **Section 4.**

#### **Disbursement of Funds**

- a) All disbursements of checks for salaries, goods and services and other items acquired by the College are to be signed by two employees. The two authorized employees are the President and Chief Financial Officer.

**ARTICLE VII**  
**Budget and Expenditure of Funds**

**Section 1.**

**Balanced Budgets**

- a) The college shall operate all funds under a balanced budget. A balanced budget is defined as when appropriated revenues equal appropriated expenditures.
- b) The President shall submit a unified budget for approval by the Board of Trustees at the beginning of each fiscal year that reflects the sources and uses of all funds under the control of the college.

**Section 2.**

**Authorization of County Commissioners**

- a) By resolution, the Pitt County Board of Commissioners has given blanket approval to the Trustees of Pitt Community College to make necessary line item changes in the local county budget subject to such limitations as are from time to time adopted by the Pitt County Board of Commissioners.

**Section 3.**

**Budget Adjustments**

a) **State Funds**

The President is authorized to make line item transfers in the state funded budget as provided for in section 115D-58 of the General Statutes and subject to all provisions of the state Board of Community Colleges.

b) **County Funds**

The President is authorized to make line item transfers in the County funded budget as provided for in Section 115D and as directed by the Board of County Commissioners.

c) **Institutional Funds**

The President is authorized to make line item transfers in the Institutional Fund budget as provided for in Section 115D, by the Board of Trustees, and by any other controlling authority of the respective fund in the institutional fund group.

d) **Approval of Budgetary Transfers**

The Board of Trustees of Pitt Community College shall approve all adjustments made for the budgets for all funds. The Chief Financial Officer shall report to the trustees all budget adjustments for all fund groups and additions to or deletions from these funds on a periodic basis for board approval.

**Section 4.**

**Expenditure of Funds**

- a) The President, as the Chief Administrative Officer, is authorized to expend funds as specified in the approved unified budget and in accordance with applicable Federal, State, and Local law.
- b) The President is authorized to establish certain unrestricted funds which source is from vending and other revenues and expend these funds at his discretion as long as expenditures do not exceed revenues.

## **ARTICLE VIII**

### **Insurance**

a) **Role of Board of Trustees**

The Board of Trustees shall provide property and liability insurance as provided under the provisions of G.S. 115D-25, Workers Compensation Insurance as provided in G.S. 115D-25, purchase of annuity income contracts for employees as provided in G.S.115D-25 and cost of insurance for buildings, contents, motor vehicles, etc. as provided for under G.S. 115D-32(2)b.

b) **Risk Evaluation**

At least once every five years, or more often when directed by the Board of Trustees, a competent insurance consultant shall be employed to examine the insurance coverage carried by the College and advise the Trustees as to whether the College and its Board of Trustees are sufficiently covered by the proper kinds and amounts of insurance.

## **ARTICLE IX**

### **Cash Management Policy**

- a) It is the policy of the Pitt Community College Board of Trustees that all funds received and disbursed by the college be managed and accounted for to maximize the interest bearing investment of cash to include all funds within the control of the Board of Trustees as is required by G.S. 147-86, G.S. 143-1, and G.S. 115-D.4a, G. S. 115- D.58.6 and the State Treasurer's Memorandum of April 28. 1986.
- b) The State Treasurer shall be the designated depository for all funds received by the institution. All warrants, drafts and checks shall be drawn against the State Treasurer in accordance with the policies and procedures set forth by his office.
- c) It shall be the responsibility of the Chief Fiscal Officer of the college as the authorized representative of the President to be responsible for the development of the procedures and internal controls to ensure compliance and administration of this policy.

## **ARTICLE X**

### **Safekeeping of Legal Papers**

- a) The Vice-President of Administrative Services shall be responsible to the President for the safekeeping of all legal papers such as deeds, easements, insurance policies, etc. This does not include student records, which are the responsibility of the Assistant Vice President, Enrollment Services.

## **ARTICLE XI**

### **Accounting Systems**

- a) The Chief Financial Officer is designated as the authorized representative of the President to establish, maintain, and operate the financial accounting systems required for financial reporting to the North Carolina Community College System and to account for all funds received and disbursed by the institution.

- b) The Business Office is to make all payments in the name of the College based on official invoices backed by the official purchase order for supplies and materials and salaries based on Professional Employee Contracts signed by the President and the employee.

**ARTICLE XII**  
**Central Purchasing**

- a) The Board of Trustees adopts as official policy the concept of central purchasing. Central purchasing of all supplies and equipment will be administered by a central purchasing office under the direction of the Chief Financial Officer. Purchasing will be governed by contracts made by or with the approval of the Purchase and Contract Division of the Department of Administration.

**ARTICLE XIII**  
**Private Donations, Gifts, Bequests**

- a) The Board of Trustees may receive and accept private donations, gifts, bequests, and the like and apply it for the purposes and upon the terms, which the donor may prescribe and which are consistent with the provisions of the State Law and the regulations of the State Board of Community Colleges. The Board of Trustees endorses the Pitt Community College Foundation, Inc. Gift-in-Kind policy, the purpose of which is to ensure that only items that are useful to Pitt Community College (PCC) are accepted by the Foundation and/or the College and that the items are used as the donor intended.

**ARTICLE XIV**  
**Accounts Receivable**

**Section 1.**

**Amounts Owed to the College**

- a) The President is given the authority to establish such administrative policies, and procedures and pursue with vigor the collection of all debt and credits owed to the College within the limits prescribed within applicable State and Federal laws, rules, and regulations.

**Section 2.**

**Student Accounts Receivable**

**Student Accounts Receivable**

- a) Any account balances that are outstanding at the end of the term shall be deemed delinquent.

**Transcripts, Degrees, Diplomas, and Certificates**

- b) The College shall withhold such transcripts, degrees, diplomas, and/or certificates from students and, prohibit them from registering the following instructional period(s) until when any debt owed to the College has been paid or a repayment plan has been accepted under proper authority by the College

**ARTICLE XV**  
**Amendments**

- a) The Bylaws and Policy Manual of the Board of Trustees may be amended at any meeting by a two-thirds vote of a quorum of the board present at the meeting, provided notice is given at a previous meeting.