

§ 115D-2.2. State Board of Community Colleges.

- (a) The State Board of Community Colleges is established.
- (b) The State Board of Community Colleges shall consist of 22 members, as follows:
 - (1) The Lieutenant Governor or the Lieutenant Governor's designee shall be a member ex officio.
 - (2) The Treasurer of North Carolina or the Treasurer's designee shall be a member ex officio.
 - (3) The Commissioner of Labor or the Commissioner's designee shall be a member ex officio.
 - (4) The Governor shall appoint to the State Board four members from the State at large and one member from each of the six Trustee Association Regions defined in G.S. 115D-62. Each appointment by the Governor shall be for a term of four years and until a successor is appointed and qualifies. Any vacancy occurring among the Governor's appointees before the expiration of term shall be filled by appointment of the Governor. The member appointed to fill a vacancy shall meet the same residential qualification, if any, as the vacating member and shall serve for the remainder of the unexpired term of that member.
 - (5) The General Assembly shall elect eight members of the State Board from the State at large to a term of four years and until a successor is elected and qualifies. The Senate shall elect four members and the House of Representatives shall elect four members in accordance with subsection (c) of this section.
 - (6) The person serving as president of the North Carolina Comprehensive Community College Student Government Association shall be an ex officio member of the State Board. If the president of the Association is unable for any reason to serve as the student member of the State Board, then pursuant to the constitution of the Association, the vice-president of the Association shall serve as the student member of the State Board. Any person serving as the student member of the State Board must be a student in good standing at a North Carolina community college. The student member of the State Board shall have all the rights and privileges of membership, except that the student member shall not have a vote.
- (c) At each session of the General Assembly held in an odd-numbered year, the Senate and the House of Representatives shall elect from a slate of candidates made in each chamber. The slate shall be prepared as provided by resolution in each chamber. If a sufficient number of nominees who are legally qualified are submitted, then the slate of candidates shall list at least twice the number of candidates for the total seats open. All qualified candidates shall compete against all other qualified candidates. All candidates shall submit a statement of economic interest to the State Ethics Commission for review under G.S. 138A-24.
- (d) When a vacancy occurs among the members elected by the two chambers of the General Assembly, the chamber that originally elected the vacating member shall elect a person to fill the vacancy in the same manner as required for election under subsection (c) of this section when the General Assembly next convenes. The election shall be for the remainder of the unexpired term.
- (e) Upon receipt of a referral from the State Ethics Commission in accordance with G.S. 138A-12(m) concerning a member of the State Board of Community Colleges, the principal clerk of the chamber of the General Assembly receiving the referral shall immediately refer the matter to the committee selected pursuant to subsection (c) of this section. That committee may recommend to that chamber a resolution providing for the removal of the Board member. If the

committee's proposed resolution is adopted by a majority of the members present and voting of that chamber, the public servant shall be removed, and the seat previously held by that Board member becomes vacant.

(f) No person may be appointed or elected to more than two consecutive terms of four years on the State Board. Election or appointment to a partial term to fill a vacancy does not count toward the term limitation.

(g) No member of the General Assembly, no officer or employee of the State, and no officer or employee of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No spouse of a member of the General Assembly or of an officer or employee of the Community College System or of an institution under the jurisdiction of the State Board shall be eligible to serve on the State Board. No person who within the prior five years has been an employee of the Community Colleges System Office shall be eligible to serve on the State Board.

(h) At its first meeting after July 1 of each odd-numbered year, the State Board shall elect from its membership a chair and such other officers as it may deem necessary.

(i) The State Board of Community Colleges shall meet at stated times established by the State Board, but not less frequently than 10 times a year. The State Board of Community Colleges shall also meet with the State Board of Education and the Board of Governors of The University of North Carolina at least once a year to discuss educational matters of mutual interest and to recommend to the General Assembly such policies as are appropriate to encourage the improvement of public education at every level in this State; these joint meetings shall be hosted by the three Boards according to the schedule set out in G.S. 115C-11(b1). Special meetings of the State Board may be set at any regular meeting or may be called by the chair. A majority of the qualified members of the State Board shall constitute a quorum for the transaction of business.

(j) Whenever any vacancy shall occur in the appointed or elected membership of the State Board, the chair shall inform the appropriate appointing or electing authority of the vacancy.

(k) The State Board of Community Colleges may declare vacant the office of an appointed or elected member who does not attend three consecutive scheduled meetings without justifiable excuse. The chair of the State Board shall notify the appropriate appointing or electing authority of any vacancy. (2021-90, s. 25.2(a); 2021-133, s. 2.)