

Board of Trustees Bylaws



Revised October 2023

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Preface

In [Chapter 115D of the General Statutes](#), the North Carolina General Assembly charges the Board of Trustees of Durham

es do not act alone but only in official meetings of the Board or upon authorization of the Board.

Section 2. Board Composition

Including the President, who serves as an ex officio, non-voting member, Durham Tech shall be led by a sixteen-member Board, who shall be selected as follows:

;
Education;

-voting member, by virtue of their election as the Col Government Association President, pursuant to GS 115D-12(a).

Consistent with GS 115D-12(a) and Session Law 2014-73, House Bill 1120, which is specific to Durham Tech alone, only one member of Board of County Commissioners may serve on the C simultaneously.

As specified in GS 115D-12, with the exception of the Student Government Association President, all trustees shall be residents of the C s service area or of contiguous counties. is designated to be Durham and Orange counties in North Carolina.

No person who has been employed full time by the College within the previous five years and no spouse or child of an individual currently employed full time by the College shall serve on the Board.

Section 3. Oath of Office

Members of the Board are required to take an oath of office following notice of appointment, including reappointment. The oath may be taken before a judge, clerk of superior court, justice of the peace, or notary public. The oath shall be filed

Section 4. Term of Office

Consistent with GS 115D-12 and 115D-13, appointments and subsequent reappointments shall be for staggered four-year terms. Vacancies occurring for whatever reason shall be filled for the remainder of the unexpired term by the agency or agencies authorized to select trustees and in the manner in which regular selections are made. Trustees continue to hold office until their successors have been appointed and have taken the oath of office.

Section 5. Removal from Office

A. As specified in GS 115D-19 (a), should the State Board have sufficient evidence that any member of the Board is not capable of discharging, or is not discharging, the duties of office as required by law or lawful regulations, or is guilty of immoral or disreputable conduct, the State Board shall notify the Chair of the Board, unless the Chair is the offending member, in which case the other members of the Board shall be notified. Upon receipt of such notice, the Board shall meet for the purpose of investigating the charges, at which meeting a representative of the State Board 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 Board minutes. If the charges are found to be true by an affirmative vote of two-thirds of the voting members of the Board, the Board shall declare the office of the offending member to be vacant.

- B. Consistent with GS 115D-19 (b), the Board may declare vacant the office of a member who does not attend three consecutive, scheduled meetings without a valid reason. The Board may also declare vacant the office of a member who, without a valid reason, 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 shall notify the appropriate appointing authority of any vacancy. The Chair may, at their discretion, excuse absences for valid reasons.

Section 6. Vacancies

As required in GS 115D-12 (c), a vacancy occurring on the Board shall be filled for the remainder of the unexpired term by the agency or entity authorized to make that trustee appointment. The agency or entity shall appoint a trustee for the remainder of the unexpired term in the same manner in which the agency or entity makes regular trustee appointments. Should the agency or entity not appoint a trustee within 60 days of the date the vacancy occurs, whether by creation of a vacancy or expiration of a term or for any other reason, the Governor shall make the appointment to fill the remainder of the term.

Section 7. Service on Foundation Board

As specified in GS 138A-38, a voting member of the Board may serve as an officer or member of the Durham Tech _____ of Directors. The majority of the Found _____ Board of Directors may not be comprised of the _____ President _____, or voting members of the Board _____ is not considered a conflict of interest.

Article III. Board Authority and Responsibility

Section 1. Governing and Policymaking Body

The trustees shall constitute the C _____ erning Board and shall serve as policymakers for the educational institution, with such authority and responsibility as granted by the General Statutes of North Carolina and as delegated to it by the State Board. The President, _____ faculty, and staff shall administer and implement policies established by the Board.

Section 2. Powers Granted to the Trustees

Powers granted to the trustees include, but are not limited to, the following:

- A. To employ the President as the chief administrator of the College for such term and under such conditions as the trustees may designate, with such employm

meet with the President; serve as the official spokesperson for the Board; consult with other trustees regarding their responsibilities as Trustees and ensure that all members adhere to the annual evaluation of the President and the Board; and provide counsel and consultation to the President, as well as discharge any other functions the Board so delegates.

D. Vice Chair

Board so delegates.

II
e any other functions the

E. Secretary

The Secretary shall keep an the

roceedings; have custody of
t same by

1. Be responsible, after consultation with the President, for reviewing policies and bylaws;
2. Be involved in long-range planning; and
3. Assume responsibility as the coordinating agents for all long-range studies and projects assigned to other standing committees.

D. Budget, Finance, and Infrastructure Committee

Charge: To ensure that annual budgeting and capital projects are aligned with the 2021-2026 Strategic Plan priorities, including workin

The Budget, Finance, and Infrastructure Committee shall consist of Trustees appointed by the Board Chair, who shall serve as an ex

least forty-eight (48) hours before any regular or special Board meeting is to take place. Public notices must include the date, time, and location of the regular meeting and the

- E. A trustee shall not cause the employment, appointment, promotion, transfer, or advancement of an acquaintance or family member to a position in the College. A trustee shall not participate in an action related to disciplining a member o

Appendix A

Conflict of Interest Disclosure Statement for the Voting Members of the
Durham Technical Community College Board of Trustees

1. Are you currently being compensated by Durham Technical Community College for services rendered to it within the previous twelve (12) months? If yes, please explain.

(Check One) _____ Yes _____ No

2. Do you anticipate being compensated by Durham Technical Community College during the upcoming twelve (12) months? If yes, please explain.

(Check One) _____ Yes _____ No

3. Is any individual bearing any familial



Appendix B

Conflict of Interest Abstention Statement for the Voting Members of the Durham Technical Community College Board of Trustees

To: Durham Technical Community College Board of Trustees

From: _____ (Printed Name)

_____ (Signature)

Re: Reasons for Abstention from Board of Trustees Action Pursuant to North Carolina General Statute §138A-36(b)

Meeting Date: _____

Meeting Type:

_____ Regular Meeting of the Full Board of Trustees

_____ Special Meeting

_____ Committee Meeting (Committee Name: _____)

Matter before the Board of Trustees (i.e., agenda item):

Four horizontal lines for writing the matter before the board.

Briefly summarize your reason(s) for abstention:

Four horizontal lines for summarizing the reason for abstention.