



1 **State Board of Community Colleges Code**

2 **TITLE 1. COMMUNITY COLLEGES**

3
4 **CHAPTER C. PERSONNEL**

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

7
8 **1C SBCCC 300.5 PRESIDENTIAL REELECTION PROCESS**

9 (a) When a local board of trustees reelects its college president by renewal or
10 extension of its existing employment contract with its college president (the “Existing
11 Presidential Contract”), such board of trustees shall request that the State Board of
12 Community Colleges (SBCC) approve such reelection by taking the following actions:

13 (1) The local board of trustees shall ensure that any motion to approve the
14 proposed employment contract renewal or extension is contingent upon the
15 approval of such reelection by the SBCC.

16 (2) The Chair of the local board of trustees shall submit on college letterhead
17 a letter notifying the State Board of Community Colleges of its approval of
18 a proposed presidential contract renewal or extension at least ninety (90
19 days prior to the expiration of the Existing Presidential Contract. The letter
20 of intent shall include the following:

21 (A) The expiration date of the Existing Presidential Contract.

22 (B) The new expiration date resulting from the proposed presidential
23 renewal or extension.

24 (C) Any contractual provision empowering the local board of trustees to
25 renew or extend the Existing Presidential Contract and thereby enter
26 into the proposed presidential contract renewal or extension.

27 (D) Any new contractual provision, or modification of any contractual
28 provision allowing for the amendment of the Existing Presidential
29 Contract, which allows for the Existing Presidential Contract’s
30 subsequent renewal or extension.

31 (E) An affirmation that the local board of trustees approved the proposed
32 presidential contract renewal or extension at a properly noticed and
33 scheduled meeting.

34 (F) An affirmation that the proposed presidential contract renewal or
35 extension includes a clause conditioning its effectiveness upon the
36 approval of the reelection of the college president by the SBCC.

37 (G) An affirmation that the local board of trustees has completed the
38 college president's evaluation in compliance with 1C SBCCC 300.2.

39 (H) An affirmation that the local board of trustees has complied with the
40 requirements for sound fiscal management practices, as codified in
41 1A SBCCC 200.4.

42 (I) A request that the SBCCC approve the reelection of the college
43 president.

44 (3) The SBCC may request additional materials from the local board of trustees
45 it may reasonably deem necessary to consider the approval of the
46 reelection of the college president.

47 (b) If a local board of trustees does not have an Existing Presidential Contract with its
48 college president, such board of trustees shall request that the SBCC approve the
49 reelection of such college president by taking the following actions:

50 (1) The local board of trustees shall at the first properly noticed and scheduled
51 meeting each calendar year, vote to request that the SBCC approve the
52 reelection of such college president.

53 (2) The local board of trustees shall ensure that any motion to approve such
54 request notes that the reelection of such college president is contingent
55 upon approval of such reelection by the SBCC.

56 (3) If the local board of trustees approves such request, the Chair of the local
57 board of trustees shall submit on college letterhead a letter notifying the
58 SBCC of its request that the SBCC approve the reelection of the college
59 president. The letter of intent shall include the following:

- 60 (A) Whether the local board of trustees is actively negotiating the terms
61 of a future contract with such college president.
- 62 (B) An affirmation that the local board of trustees approved the request
63 to approve the reelection of the college president at the properly
64 noticed and scheduled meeting.
- 65 (C) An affirmation that the local board of trustees has taken substantial
66 measures to memorialize any binding understandings between the
67 board of trustees and the college president with respect to such
68 college president's employment and a detailed description of such
69 measures.
- 70 (D) An affirmation that the local board of trustees has completed the
71 college president's evaluation in compliance with 1C SBCCC 300.2.
- 72 (E) An affirmation that the local board of trustees has complied with the
73 requirements for sound fiscal management practices, as codified in
74 1A SBCCC 200.4.
- 75 (4) The SBCC may request additional materials or information from the local
76 board of trustees it may reasonably deem necessary to consider the
77 approval of the reelection for the college president.
- 78 (c) Following the request of a local board of trustees that the SBCC approve the
79 reelection of its college president, the SBCC shall take the following actions:
- 80 (1) The SBCC shall add the approval of the reelection of such college president
81 on the agenda for the regularly scheduled SBCC meeting following receipt
82 of the local board's letter of intent; provided that, such letter of intent is
83 received by the SBCC not less than five (5) business days prior to such
84 meeting.
- 85 (2) Following the approval or denial of the approval of any college president's
86 reelection by the SBCCC, the System Office President or their designee
87 shall convey the SBCC's decision in writing to the Chair of the local board
88 of trustees within five (5) business days of such decision.

89 (3) The decision of the SBCC to approve or deny the approval of the reelection
90 of a college president is final; provided, however, that:

91 (A) Nothing in this section may preclude the withdrawal of an approval
92 request and resubmission thereof prior to a final decision by the
93 SBCC. Notwithstanding anything contained in this subdivision, any
94 resubmission of an approval request must comply with the
95 requirements of this Code provision as though it were a new approval
96 request.

97 (B) Any decision by the SBCC not to approve a local board of trustees'
98 request to approve the reelection of a college president or extend or
99 renew such college president's contract shall have no effect on the
100 enforceability of an Existing Presidential Contract, which will remain
101 in force in accordance with its terms.

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

104 Eff. _____
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