MARTIN COMMUNITY COLLEGE

Board of Trustees

Bylaws of the Board

Revised September 16, 2025

MARTIN COMMUNITY COLLEGE BOARD OF TRUSTEES
BYLAWS OF THE BOARD

Contents

MARTIN COMMUNITY COLLEGE
BOARD OF TRUSTEES
BYLAWS

ARTICLE I
Responsibility and Membership

Section 1: Jurisdiction and Responsibility

a) The Board of Trustees of Martin Community College is a body corporate established by an act of the North Carolina General Assembly (North Carolina General Statutes, Chapter § 115-D), 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) Individual members and/or committees of members of the Board of Trustees shall act and/or speak for the Board of Trustees only upon specific authorization and/or direction by the Board of Trustees.

c) The Board of Trustees has responsibility for 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.

d) The official title of the Board of Trustees and the corporate name of the institution shall be "The Trustees of Martin Community College".

e) Under the law, the Board of Trustees shall hold title to all real and personal property donated to the College or purchased with funds provided by the tax-levying authorities.

f) In discharging its fiduciary duties, the institution’s governing board is free from undue external influence and empowered to act in the best interests of the institution, including the students it serves.

Section 2: Membership

a) The Board of Trustees shall consist of fifteen members. Eight trustees shall be appointed by the General Assembly. Four trustees shall be appointed by the Martin County Board of Commissioners. (The commissioners may delegate the election of one or more of its trustees to the board of education.) Two trustees shall be appointed by the Bertie County Board of Commissioners. And the president of the student government association shall serve as an ex officio nonvoting member (N.C. Gen. Stat. § 115D-12(a)).

b) The term of the voting members of the Board of Trustees shall be so set by appointing agencies so that the term of one member in each group shall expire on June 30th every year.

c) The term of the Student Government Association President on the Board of Trustees of Martin Community College shall run concurrently with the term of office of the Student Government Association.

d) All trustees shall be residents of the administrative area of the institution for which they are selected or of counties contiguous to the administrative area (N.C. Gen. Stat. § 115D-12 (b)).

e) 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 the Trustees of that group and in the manner in which regular selections are made.

f) A member of the Board of Trustees may be removed by the Board of Trustees for cause in accordance with the N.C. Gen. Stat. § 115D-19. Under the law, the Board may declare vacant the office of a member who does not attend three consecutive scheduled meetings without justifiable excuse. A member who is not present for at least 50% of a meeting shall be counted absent. The Board 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. A Board may also declare vacant the office of a member who is not capable of discharging or is not discharging the duties of his/her office as required by law or lawful regulation or is guilty of immoral or disreputable conduct. The Board shall notify the appointing agency of any vacancy.

g) A member cannot be removed without due process, as provided for in the N.C. Gen. Stat. § 115D-19. The Board Chair is notified of the charge unless the charge(s) is/are levied against him/her. The Board must conduct a hearing for the purpose of investigating the charge(s) against the trustee. The trustee shall be given proper and adequate notice of the meeting and of the charges and is entitled to have representation at the hearing. The meeting shall be recorded; and if the charges are found to be true by an affirmative vote of two thirds of the members of the Board, the Board shall declare the office of the offending member to be vacant and shall notify the appointing agency.

h) A vacancy in the office of the Chair or Vice Chair of the Board may occur because of death, resignation, illness, departure of the member from the locality, personal reasons, etc. At a meeting of the Board (special called or regular), the Board shall elect from its membership a new Chair and/or new Vice Chair.

i) Board members may not have any contractual, full-time employment, or personal or familial financial interest in Martin Community College.

j) The Board of Trustees of Martin Community College shall maintain its office of record at Martin Community College.

ARTICLE II
Officers and Their Duties

Section 1: Election and Term of Office

a) The corporate officers of the Board of Trustees shall be the Chair, the Vice Chair, and Secretary, and officers shall be elected from among the membership of the Board. The President of the College is not a member of the Board or an officer of the Board; but he/she may serve as the Recording Secretary to the Board. The President may appoint a designee to serve as the Recording Secretary to the Board.

b) The Chair of the Board shall call for nominations for the Nominating Committee at the November meeting to be elected by full Board vote* to nominate officers for the next year. The Nominating Committee shall recommend a Chair, Vice Chair, and Secretary to the Board for election at the first scheduled regular meeting at the beginning of the next fiscal year that begins July.

c) Each officer shall be elected for a period of one year but shall be eligible for re-election by the Board of Trustees.

d) The Nominating Committee shall annually recommend a slate of officers for the Board of Trustees operating according to the following process:

i. The Nominating Committee shall consist of three (3) members elected annually by the full board.

ii. The committee shall prepare a slate of officers consisting of the following: Chair, Vice Chair, and Secretary. The committee shall obtain the acceptance of each nominee prior to submission of its report. The proposed slate of officers will be included in the Board materials to be distributed in advance of the June meeting.

iii. Nominations from the floor may be made after the Nominating Committee report.

iv. The Board officers shall require a full Board vote*. Officers will be duly elected by receiving a majority vote.

v. If a vacancy occurs in the position of the Chair, Vice Chair, or Secretary, the committee shall nominate someone to fill the vacancy. Elections shall be performed by members at the next regular meeting following notice of said vacancy. Notice of such vacancy and the nomination of a person to fill the vacancy shall be sent by the Recording Secretary to the members with the Board materials for the next meeting. Future nominations may be made at the Board meeting as provided in item (b) above.

*As defined by Robert's Rules of Order, a full board vote is constituted by a quorum present in a regularly scheduled board meeting for business to occur.

Section 2: The Chair of the Board of Trustees

The Chair of the Board of Trustees shall appoint members of all standing committees and shall serve as ex-officio voting member of all committees of the Board of Trustees, execute all contracts and other documents on authority by and in the name of the Board of Trustees, preside at all meetings of the Board of Trustees, be the spokesperson for the Board, and discharge all other functions delegated to him/her by the Board of Trustees.

Section 3: The Vice Chair of the Board of Trustees

The Vice Chair of the Board of Trustees shall preside in the absence of the Chair and perform all duties of the Chair with the full authority during the absence or disability of the Chair.

Section 4: The Secretary of the Board of Trustees

The Secretary of the Board of Trustees shall preside in the absence of the Chair and Vice Chair and perform all duties of the Chair with full authority during the absence or disability of the Chair and Vice Chair.

Section 5: The Recording Secretary of the Board of Trustees

The President may serve as the Recording Secretary of the Board of Trustees, or he/she may delegate a designee to serve in this capacity. The Recording Secretary's duties shall be:

a) Keep an accurate record of the proceedings of the Board, including Executive Sessions unless his/her absence is expressly desired.

b) Have custody of the Corporate Seal of the Board, affix it to official documents, and attest same by his/her signature.

c) Have custody of all official records and documents of the Board.

d) Upon direction by the Chair and/or College President, issue notice of all meetings to the members of the Board and to the appropriate public entities.

e) Maintain an indexed compilation of all bylaw amendments and a copy of all policies, procedures, and regulations necessary for a clear understanding of a policy of the Board; and, all amendments thereto, the whole of which shall be known as the Policy Manual of the Board of Trustees for Martin Community College.

ARTICLE III
Duties and Responsibilities of the President of the College

a) The President shall be qualified by training, experience, habits, and philosophy to develop and maintain a comprehensive community college of high quality in accordance with State laws and regulations and sound public educational theory and practice.

b) The President shall attend and participate, without vote, in all meetings of the Board and Committees of the Board except where his/her absence is expressly desired.

c) The President shall have full authority and responsibility for the administrative and managerial aspects of the development and operation of the College, as allowed under the NC General Statutes.

d) The President is responsible for submitting public policy decisions to the Board; and as appropriate, polices recommended by faculty and staff to the Board of Trustees when he/she deems the policy to be in the best interest of students and the College. When requested by the Board of Trustees, the President shall develop a policy for consideration by the Board.

e) The President shall recommend all educational programs and co-curricular programs which are deemed to be in the best interest of the citizens of the school area and of the state of North Carolina, which are educationally and financially feasible and which are not in conflict with the requirements of the statutes or the standards of the State Board of Community Colleges: (1) Freshman and sophomore courses of a college of arts and sciences, (2) Organized curricula for the preparation of technicians; (3) Courses and curricula in vocational, trade and technical specialty areas; and (4) Courses and programs in general adult education.

f) The President shall appoint lay advisory committees for programs of the College where needed.

g) The President shall advise the Committee on Buildings and Grounds and the Board of Trustees on the planning, construction, and modification of physical facilities.

h) The President shall advise the Board of Trustees on the financial and budgetary needs of the College.

i) The President is authorized to sign contracts in the name of the College consistent with the policies, rules, regulations, and funds available.

j) The President is authorized to transfer moneys from one appropriation to another within the same fund, subject to regulations and policies of the Board, state and federal regulations and laws. The President shall report any state budget transfers to the Board at its next regular meeting, and the amendments shall be entered into the minutes.

k) The President controls all fundraising activities of the College, and is the liaison with the MCC Foundation, Inc.; shall serve on the Foundation Board; communicate college needs to the Foundation; shall keep the Board of Trustees informed of Foundation initiatives.

l) The President assigns employees to work on Foundation initiatives to support the College.

m) The Board shall at all times exercise its control of the College through the President.

n) The President shall have full authority and responsibility for the operation of the College, within the budgets approved by the Board, and in compliance with the North Carolina General Statutes, the policies of the Board of Trustees, and the regulations of the State Board of Community Colleges.

o) The President shall be responsible for the selection, employment, and dismissal of personnel required for the operation of the college, subject to the standards established by the State Board of Community Colleges and Board approved policies for the College.

p) The President shall have the authority and responsibility for shaping, implementing, and administering the educational and general policies of the College. He/she shall recommend to the Board changes to be made in the programs and services to be provided. The President may, as appropriate, delegate responsibility for implementing policies and procedures.

q) The President or his/her designee shall recommend items to be included in the current expense budget and the capital outlay budget.

r) All actions of the Board of Trustees, not in conflict with the General Statutes or State Board of Community College regulations, shall be binding on the President, and it shall be the President's duty to carry out all policies of the Board.

s) The President shall discharge any other functions not in conflict with the General Statutes, regulations of the State Board of Community Colleges, or Board approved policies which the Board of Trustees may delegate to the President.

ARTICLE IV
Powers and Duties of the Board of Trustees

The Board of Trustees shall have such powers and duties as provided in the N.C. Gen. Stat. § 115D-19 and as delegated to it by the State Board of Community Colleges. The powers and duties of Trustees include, but are not limited to, the following:

a) Establish the basic qualifications for and elect a President for such term and under such conditions as it may fix, such selection to be subject to the approval of the State Board of Community Colleges.

b) Acquire, hold, and transfer real and personal property, enter into contracts, institute and defend legal actions and suits, and exercise such other rights and privileges granted by the State Board of Community Colleges as may be necessary for the management and administration of the institution (N.C.Gen.Stat. § 115D-14).

c) Apply the standards and requirements for admission and graduation of students and other standards established by the State Board of Community Colleges.

d) Provide all or part of the instructional services for the institution by contracting with other public or private educational organizations or institutions of the State, according to regulations and standards adopted by the State Board of Community Colleges.

e) Upon recommendation by the President, establish and terminate programs of instruction it deems appropriate for the College and for which financial resources are adequate to ensure quality.

f) Require the execution of such studies and take steps as are necessary to ensure that the functions of the College are those that are most helpful and feasible in light of the resources available to the College.

g) Oversight of all college funds is the responsibility of the Board of Trustees. An annual budget shall be prepared and submitted for final approval as directed by the State Board of Community Colleges. The college's Board is responsible for using these funds in accordance with State Board of Community Colleges' policies as well as in accordance with state and federal laws and regulations. The Board also provides input on local budget requests to be submitted to the appropriate Boards of Commissioners for the college's required supplemental appropriation.

h) Perform such other acts and do such other things as may be necessary or proper for the exercise of the foregoing specific powers, including adoption of the mission statement for the College and adoption and enforcement of all reasonable policies, rules, regulations, and bylaws necessary for the governance and operation of the College. Rules and regulations of the State Board of Community Colleges, and the North Carolina General Statutes shall have precedence over bylaws and policies of the MCC Board of Trustees.

i) Establish goals and evaluate the performance of the President annually and report the results to the State Board of Community Colleges by June 30 each year. The performance evaluation shall include the performance categories and other requirements specified in accordance with 1C SBCCC 300.2 of the State Board of Community Colleges Code.

j) Engage annually in Board development and self-appraisal activities in accordance with the College's accrediting entity and local needs.

k) Approve policies for the College for inclusion in the Institutional Policies and Procedures Manual for Martin Community College. The Board of Trustees has ultimate approval authority over institutional policies. The President or his/her designee is responsible for the development of proposed policies or policy revisions for presentation to the Board of Trustees.

l) The Board reserves for itself all other duties, responsibilities, and powers, not inconsistent with N.C. Gen. Stat. § 115D-19 or the regulations of the State Board of Community Colleges.

ARTICLE V
Committees

Responsibilities and Authority, Types of Committees, and Method of Appointment

The Board and/or the Board Chair may establish such standing committees and such ad hoc committees that she/he deems necessary to secure and protect the College's welfare. The Board Chair shall appoint the Chairperson as well as members of all committees and shall serve as a voting, ex-officio member of all committees.

Section l: Responsibilities and Authority of Committees

a) If the Board of Trustees in a regular or special meeting authorizes a Committee to act on a matter referenced to it, the Chair of the Committee shall report within a reasonable time to the Board of Trustees in writing the action taken and the action of the Committee shall be subject to ratification by a majority vote of the Board of Trustees; otherwise, Committee action shall be reported as a recommendation for consideration and action by the Board of Trustees at a regular or special meeting. Voting rights are only given to those assigned to a particular committee.

b) It shall be the privilege of the Chair of the Board of Trustees to establish additional standing committees and/or temporary ad hoc committees as the need arises.

Section 2: Types of Committees

1. Executive Committee of the Board of Trustees

The Executive Committee shall consist of the Chair of the Board, the Vice Chair, the Secretary, and at least two other members appointed by the Chair of the Board of Trustees. The Chair of the Board of Trustees serves as the Chair of the Executive Committee. The Executive Committee during the intervals between the meetings of the Board of Trustees shall have and exercise all the powers, privileges, and prerogatives of the Board of Trustees except those expressly reserved herein to be exercised by the Board of Trustees in regular or special meetings. At each meeting of the Board of Trustees, the Executive Committee shall report on its activities since the last meeting of the Trustees, with such suggestions and recommendations, as it shall deem expedient for the best interest of the College.

a) The Chair of the Executive Committee, the Board Chair, may call meetings of the Committee at any time in accordance with the law governing open meetings. The Executive Committee may at any time request the counsel of other members of the Board of Trustees before making a decision.

b) The Board Chair shall convene as necessary the Executive Committee to address critical College issues or matters that need immediate Board action. When appropriate and feasible, the Chair may call a meeting of one of the other appropriate standing committees to review and take action on the issue or matter. The two committees may meet jointly or separately.

c) Executive Committee during the intervals between the meetings of the Board of Trustees shall have and exercise all the powers, privileges, and prerogatives of the Board of Trustees except those expressly reserved herein to be exercised by the Board of Trustees in regular or special meetings. All the acts of the Executive Committee made in accordance with these bylaws shall be subject to ratification at the next regular scheduled meeting of the Board of Trustees by a majority vote.

2. Committee on Buildings and Grounds

The Committee on Buildings and Grounds shall consist of at least three (3) members of the Board of Trustees, the appointed Chairperson of the committee and the Chairperson of the Board of Trustees, who shall serve as an ex-officio member with voting privileges. The Committee shall meet as necessary to discharge its' functions and to accomplish any special tasks assigned to it by the Board of Trustees and shall have the following regular functions:

a) To request and/or recommend to the Board that studies be conducted relating to sites, buildings, and grounds.

b) To review and discuss information regarding the institution's campus planner and architect, additions, deletions, and/or alterations to the College's buildings and grounds and make recommendations to the Board for approval.

c) To review planning, architectural, and construction projects and contracts data; ensure that all appropriate provisions are included necessary for the protection of the interests of the institution, including the welfare and safety of the general public, the employees, and the students of the institution; and make recommendations to the Board on these matters.

d) To recommend to the Board, after consultation with the President, a long-range campus plan and architectural plans for all construction.

e) To recommend to the Board of Trustees the immediate and long-range plans, after consulting with the President, regarding the immediate and long-range building and facilities needs of the institution.

f) To recommend to the Board the call for bids on college construction and the awarding of the contract.

g) To recommend to the Board of Trustees the securing or granting of easements and right-of- ways.

The Committee on Buildings and Grounds shall have such other functions, regular and special, as the Board of Trustees may authorize.

3. Committee on Budget and Finance

The Committee shall consist of at least three (3) members of the Board of Trustees, the appointed Chairperson of the committee, and the Chair of the Board who shall serve as ex-officio voting member. The Committee shall, subject to applicable standards and regulations of the State Board of Community Colleges, have the following regular functions:

a) Make recommendations to the Board of Trustees regarding the fiscal policies of the College.

b) To receive, study, and recommend to the Board of Trustees, with such modifications as it deems appropriate, the President's recommended budgets for current operations and capital outlay.

c) To receive, study and recommend to the Board of Trustees, with modifications it deems appropriate, any special or unusual expenditures of any type recommended by the President.

d) To receive, study and take such actions as it deems appropriate on any reports on the budget, purchasing and accounting functions presented to it by the President.

e) To recommend to the Board of Trustees policies and decisions regarding investment of any surplus or restricted monies.

f) To represent the Board, as appropriate, before the Board of County Commissioners, the Legislature, the State Board of Community Colleges, and other agencies in matters concerned with the securing adequate financial support for the needs of the College for current operating expenses and capital outlay.

g) To recommend to the Board of Trustees a tax levy of a rate adequate for the local support for current expenses of the College.

h) To recommend to the Board of Trustees that issuance of bonds or notes to be effected and recommended that special taxes be levied for the purpose of meeting payments of principal and interest on such bonds and notes when the capital outlay requirements of the College make such action necessary.

i) To recommend to the Board of Trustees, with modifications it deems appropriate, the President’s recommended budget for current operating and capital outlay.

j) To receive and examine the audit of the College books and make such recommendation to the Board as it may deem appropriate.

4. Curriculum Committee

The Curriculum Committee of the Board shall consist of at least three (3) members of the Board of Trustees, the appointed Chairperson of the committee, and the Chairperson of the Board of Trustees, who shall serve as an ex-officio member with voting privileges. The Curriculum Committee shall be responsible for the review of the College's current programs as well as proposed programs to be presented to the Board of Trustees for approval. As practical and feasible, recommendations from the President will be reviewed and acted upon by the Curriculum Committee before it goes to the Board. The Curriculum Committee shall, subject to the applicable standards of the State Board of Community Colleges and state laws and regulations, have the following regular functions:

a) Review and study data collected by the College during the development of a program of study; and upon recommendation of the President, recommend to the Board of Trustees the establishment of a new program of instruction or the expansion of an existing program of study.

b) Review data collected by the College; and upon recommendation from the President, recommend to the Board termination of an existing College program of study.

c) Recommend, upon recommendation from the President to the Board policies related to curriculum, admissions, and retention of students.

5. Nominating Committee

The Nominating Committee shall annually recommend a slate of officers for the Board of Trustees operating according to the following process:

a) The Chair of the Board shall call for nominations for the Nominating Committee at the November meeting to be elected by full Board vote to nominate officers for the next year. The Nominating Committee shall recommend a Chair, Vice Chair, and Secretary to the Board for election at the first scheduled regular meeting at the beginning of the next fiscal year that begins July.

ARTICLE VI
Meetings

The Board shall meet as often as may be necessary for the conduct of business but shall meet at least six times a year, as specified in the N.C. Gen. Stat. § 115D-18. Meetings may be called by the Chair, a majority of the trustees, or by the College Chief Executive Officer.

Section 1: Regular Meeting

The regular meetings of the Board of Trustees shall be determined and/or changed by the Board at a scheduled meeting of the Board. The number of annual regular meetings shall meet the requirements of the N.C. Gen. Stat. § 115D-18 as cited above. All regular meetings of the Board, except closed sessions permitted by the Open Meetings Law, shall be open to the public.

A closed session may be called at any meeting upon the motion of any member of the Board of Trustees subject to the limitations stipulated by the Open Meetings Law.

Section 2: Special Meetings

The time, place, and purpose(s) of special meetings may be fixed by the Chairperson and/or the President. The business to be transacted at any special meeting of the Board of Trustees shall generally be confined to such matters as have been specified in the call to members and officers of the Board of Trustees. All special meetings of the Board shall be open to the public, except for closed sessions permitted by the Open Meetings Law.

Section 3: Notices of Meetings

Members of the Board of Trustees shall be notified in writing (mail, fax, or email), with the exception of special called meetings, to address extenuating situation of the time and place of all meetings and the purpose. The agenda for regular meetings and the appropriate related documents shall be sent 72 hours in advance of the meeting. Public notice of any meetings of the Board shall be given as required by the N.C. Gen. Stat. § 143-318.12 entitled "Public Notice of Official Meetings."

Members should be notified as soon as possible of a special meeting and the purpose(s). Except in extenuation emergency situations, the notice will be given at least forty-eight (48) hours in advance of the meeting. The notice can be given at a regular meeting, by mail, phone, fax, or email.

Section 4: Quorum

A quorum shall constitute a majority of the actual membership, which excludes vacancies, of the Board. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members present shall be counted as present for purposes of determining whether a quorum is present. No business (action) shall be transacted without an affirmative vote of at least a majority at a meeting of the Board. No member may vote by proxy or cast a vote by mail.

Section 5: Agenda

The President of the College will provide the Chairperson with a list of those items to be presented to the Board of Trustees and with his/her recommendations and, where appropriate, with fifteen (15) copies of any document to be presented as information or for action by the Board of Trustees. The Chairperson shall receive items for consideration for the agenda from the President and Board of Trustees at least five working days prior to the regular meeting of the Board. However, the Chair may revise an Agenda to correct an error and/or to include an item that she/he deems important to the operation of the College regardless of the date he/she receives such items.

Section 6: Parliamentary Rules

The most commonly used version or the updated modified version of Roberts Rules of Order shall be followed in conducting the meetings of the Board of Trustees unless otherwise determined by the Board Chairperson.

Section 7: Individual or Group Appearances at Meetings

Any individual or organized group who desires to appear before the Board of Trustees shall state in writing the purpose of such appearance and the name of each person who is to appear as spokesperson. The statement shall be filed with the President and the Chair at least ten (10) days before the meeting at which the appearance is desired in order that it may be included, if deemed appropriate by the Chair, on the agenda for the meeting. Oral statements made by persons wishing to address the Board shall be limited to five minutes each, not to exceed fifteen minutes per meeting of the Board, for an individual or group hearing.

ARTICLE VII
Policies, Rules, and Regulations

Section 1: Personnel

It shall be the purpose of the Board of Trustees at all times to ensure that all employees of all classifications in the College shall be of such character, habits, philosophy, qualifications, experience, and competence that their influence upon the students, each other, and upon the various publics of the College is wholesome and constructive.

Section 2: Academic Freedom and Responsibility

The Board of Trustees is committed to the dissemination of knowledge, the engendering and development of skills, competencies, and understandings, and to the nurture of those personal and intellectual habits and attitudes, which are peculiar to responsible individuals in a free, open, democratic society. The Board of Trustees, therefore, is committed to protecting academic freedom in the College. The Board of Trustees shall likewise require the exercise of responsible judgment on the part of personnel of the College as they exercise academic freedom in accomplishing the objectives of the institution.

Section 3: Diplomas and Certificates

The signatures of the Chair of the Board of Trustees and the President shall be affixed to all degree and diplomas awarded in recognition of the completion of curriculum programs, and to all certificates awarded in recognition of the completion of special Continuing Education courses/programs, including courses/programs in supervisory development, police, fire and emergency medical services, hospitality, and such other similar programs. The signature of the President shall be affixed to certificates awarded in recognition of completion of all other general adult, basic adult, and extension short courses.

Section 4: Conflict of Interest

In accordance with N.C. Gen. Stat. § 138A; and, in order to avoid conflict of interest, the appearance of conflict of interest, or the appearance of impropriety, the Board of Trustees shall adhere to the following:

a) Members of the Board of Trustees shall not have pecuniary interest, directly or indirectly, proximately, or remotely, in supplying any goods, wares, or merchandise of any kind to the College.

b) Members of the Board of Trustees shall not solicit or accept any gift, favor, or other benefit, either directly or indirectly, for reward or promise of reward for influence in recommending or procuring any merchandise or service.

c) The N.C. Gen. Stat. § 138A prohibits board members (and other public officials) from contracting for their own benefit. Board members may not use their authority to enter into contracts that financially benefit them.

d) Board members have a specific duty to recuse themselves from participating in board hearings if they cannot be impartial on a matter. Therefore, a board member who has already decided on an issue prior to the hearing and/or is closely tied to the issue and/or participant must recuse himself or herself from any discussion or decision-making.

e) Board Members shall file Statements of Economic Interests upon appointment to the Board and periodically thereafter. Board members shall attend ethics training provided by the State Board of Ethics as required by the General Statutes of North Carolina.

f) Board members shall attend within six months, as required by State statutes, the Orientation and Training Session conducted by the North Carolina Association of Trustees.

Policies of the North Carolina Community College System or laws of the State of North Carolina shall supersede this policy.

Section 5: Institutional Related Organizations

An institutional related organization's constitution adopted by the organization's membership and approved by the Board of Trustees shall automatically become a part of the rules and regulations of the Board of Trustees and as such shall be subject to amendment by the Board of Trustees.

Section 6: Compensation and Reimbursement

Trustees shall receive no compensation for their services, but, shall receive per diem reimbursement, according to the regulations adopted by the State Board of Community Colleges, for cost of travel, meals, and lodging while fulfilling their official duties.

Section 7: Office of Record

The Board shall maintain its office of record in the administrative offices in Building One on the main campus of Martin Community College.

Section 8: Body Corporate

Individual trustees or committees of the Board shall act only upon specific authorization or direction of the Board.

Section 9: Conflicting Authority

In the event of conflict between these bylaws, the Corporate Charter of the laws of the state of North Carolina, the laws of the state of North Carolina shall have primary precedence, and the Corporate Charter shall have penultimate precedence.

Section 10: Code of Ethics

Members of the Board will strive to improve community college education, recognizing that policy decisions should be made only after full discussion at publicly announced Board meetings. Board members will render all their decisions based on the available facts and their independent judgments, refusing to surrender that judgment to individuals or special interest groups who might wish to exert undue influence upon a member of the Board or the Board. The Board will protect the institution from any undue influence from political, religious, or other external bodies.

Section 11: Succession to the President

Unless the Board decides otherwise, the General Administrative Authority shall provide an acting President in the event of death, serious disability, or prolonged absence for extenuating circumstances until the Board selects a temporary or permanent president.

ARTICLE VIII
Adoption, Amendments, Notification, and Publication

Section 1: Adoption and Amendment of By Laws

By affirmative vote of a majority of the members of the Board, except as authorized by 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 their responsibilities and for the effective operation of the College.

Section 2: Notification and Publication

The Recording Secretary of the Board shall be responsible for providing each member of the Board and the President, if the Secretary is a designee of the President, a copy of all current Board bylaws, policies, and procedures. Furthermore, these documents shall be available for inspection by interested persons at reasonable times during regular business hours of the College.

Document History
Amended and Approved on September 16, 2025