



# College of The Albemarle Policy

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**Title: College Governance**

**Related Policy and Procedures: 1-3: College Committee Structure; 1-9: Development Policy**

**Divisions of Responsibility: President's Office; Institutional Research, Planning, Effectiveness and Technology**

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College of The Albemarle employs a shared governance model in which various entities make recommendations and/or decisions that impact the institution. The makeup, purpose, and responsibilities of these governing bodies are delineated in this policy.

## **I. Board of Trustees**

Throughout this manual, all mention of the term "Board" refers to the College of The Albemarle Board of Trustees.

### **A. Appointments**

The Board of Trustees, established by North Carolina General Statute 115D of Article 2, is the legal body with specific authority over the College. The Board consists of 20 members and is appointed as follows:

1. Four trustees are appointed by the Governor,
2. Four trustees are appointed by the Pasquotank Board of Commissioners,
3. Four trustees are appointed by the Elizabeth City – Pasquotank County Board of Education,
4. Two trustees are appointed by the Dare County Board of Commissioners,
5. One trustee is appointed by the Chowan County Board of Commissioners,
6. One trustee is appointed by the Perquimans County Board of Commissioners,
7. One trustee is appointed by the Currituck County Board of Commissioners,
8. One trustee is appointed by the Camden County Board of Commissioners,
9. One trustee is appointed by the Gates County Board of Commissioners, and
10. The President of the COA Student Government Association serves as an ex officio, nonvoting member of the Board.

Appointments and subsequent re-appointments are for staggered terms of four years.



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The Board of Trustees of College of The Albemarle is organized pursuant to Article 2 of Chapter 115D of the General Statutes of North Carolina and is charged with governing the college. The trustees' function within the provisions of this statute and the laws of the United States and the State of North Carolina and the policies, rules, and regulations of the State Board of Community Colleges and the North Carolina Community College System.

### **B. Characteristics and Responsibilities**

In accordance with "Section 4: Governing Board" of the SACSCOC *Principles of Accreditation*, the Board shall:

1. exercise fiduciary oversight of the institution.
2. ensure that both the presiding officer of the board and a majority of other voting members of the board are free of any contractual, employment, personal, or familial financial interest in the institution.
3. not be controlled by a minority of board members or by organizations or institutions separate from it.
4. not be presided over by the chief executive officer of the institution.
5. ensure a clear and appropriate distinction between the policy-making function of the board and the responsibility of the administration and faculty to administer and implement policy.
6. define and address potential conflicts of interest for its members.
7. protect the institution from undue influence by external persons or bodies.
8. define and regularly evaluate its responsibilities and expectations of itself.
9. select and regularly evaluate the institution's chief executive officer.

### **C. Meetings**

The Board shall meet at least six times each year, with a minimum of one meeting per quarter. The regular meetings of the Board are held at the Elizabeth City Campus on a day agreed upon by the Board, unless the Chair shall fix another time and/or place for the meeting. The Board of Trustees complies with the North Carolina open meetings laws, which means that anybody from the general public may attend regular board meetings. In addition to regular meetings, special meetings may be called by the Chair of the Board, a majority of the trustees, or by the President of the College in consultation with the Chair as long as a reasonable notice is given.



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### D. Removal from Office

Pursuant to North Carolina General Statute 115D-19 of Article 2:

1. Should the State Board of Community Colleges have sufficient evidence that any member of the Board of Trustees 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 of Community Colleges shall notify the Chair of the Board of Trustees, unless the Chair is the offending member, in which case the other members of the Board of Trustees 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 which 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 of Trustees shall be recorded, along with the action taken, in the minutes of the Board of Trustees. If the charges are found to be true, by an affirmative vote of two-thirds of the members of the Board of Trustees, the Board of Trustees shall declare the office of the offending member to be vacant.
2. The investigative meeting shall include a fair process during which the alleged offending member shall be given the opportunity to respond to the charges before a decision is made by the Board of Trustees.
3. A member of the Board of Trustees who has unexcused absences from as many as one-fourth of any type of Board meeting, including regular, special and committee, in any fiscal year may be considered as having resigned from the Board and thereby to have created a vacancy on the Board. The Chair may, at his or her discretion, excuse absences for valid reasons. Trustees who are unable to attend a meeting will inform the Chair and/or President's Office at least 48 hours prior to the meeting, except in emergency situations.

## II. College of The Albemarle Foundation Board of Directors

The College of the Albemarle Foundation was formed with the approval of the Board of Trustees in 1980. Under the Foundation's bylaws, the Board of Trustees of the College are responsible for appointing at least two members of the Board of Trustees to serve as members of the Foundation Board of Directors which is responsible for overseeing the financial donations and investments of the College. The College President shall also be appointed by the Trustees as a voting member of the Board of Directors of the Foundation. The College President and one of the appointed Trustees who is also a Director of the Foundation shall be appointed to the Executive Committee of the Foundation's Board of Directors.



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### III. Faculty Senate

The purpose of the Faculty Senate is to promote quality instruction, to foster an environment conducive to job satisfaction and to provide a forum for the free exchange of ideas. This governing body includes all regular full-time faculty members, including program coordinators and department chairs, having the title of instructor, assistant professor, associate professor, or professor.

### IV. Faculty Senate Executive Committee (FSEC)

The Faculty Senate Executive Committee is comprised of three elected officers: the President, Vice President, and Secretary, plus representatives from the other campuses, not to exceed three. The Vice President of Learning provides resource support for the Faculty Senate Executive Committee. This governing body communicates faculty matters to the administration. The Faculty Senate Executive Committee provides a conduit between the Faculty Senate and administration of the college to discuss freely issues of the College. The Faculty Senate is empowered to discuss issues related to administration and maintenance of the mission of College of The Albemarle without fear of reprisal.

The terms of office for the officers and representatives of the Faculty Senate Executive Committee shall be three years. Once a term is completed, an individual is not eligible to serve on the Faculty Senate Executive Committee for three full academic years.

If no faculty member will commit to a three-year term, the FSEC can appoint a willing candidate to serve for a single academic year.

### V. Staff Council

The Staff Council supports the mission of College of The Albemarle – to transform lives in an accessible, supportive environment that promotes academic excellence, student success, workforce development, community partnerships, and responsible stewardship. The Staff Council also supports the College's core values of Community, Integrity, Respect, Diversity and Teamwork.

The Staff Council is a nominated body representing all staff of the College, enhancing the college culture in a positive and proactive way, providing clear and open lines of communication among administration, faculty and staff.

The Staff Council consists of a President, Vice President, Secretary, Treasurer, Webpage Officer, and Representatives from each classification category: (Professional, Clerical, Technical/Paraprofessional, Maintenance/Custodial and Part-time.) To be eligible as a representative or officer, employees must have worked at the College for at least nine months and not be on a plan of improvement.



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Terms of Officers shall be for one year except if a vacancy occurs in the office before the one year has expired. In such a case, the person that fills the vacancy will have an opportunity to be elected for another term in that office.

Representatives shall serve two-year terms and shall be eligible for re-nomination. Terms will be staggered.

### **VI. General Powers, Duties, and Responsibilities of the President**

Throughout this manual, all mention of the term “President” refers to the President of College of The Albemarle. The President shall be elected by the Board of Trustees, subject to the approval of the State Board, and shall hold office under the terms and conditions approved by the Board of Trustees. The President, who is the Chief Administrative Officer, reports directly to the Board and functions with its guidance and at its direction. The President is responsible for implementing all Board policies, rules and regulations and is responsible for providing the quality of leadership and management leading to the successful accomplishment of the College mission and vision. The President is responsible for an efficient organizational structure to achieve orderly and effective programs of educational services and institutional maintenance.

In that regard, the President’s duties include:

- A.** Responsibility for all administrative and managerial aspects of the College as designated by North Carolina General Statute 115D and by the Board of Trustees.
- B.** Responsibility for sound fiscal management, to include advising the Board of financial and budgetary needs of the College and recommending the items to be included in the current expense budget and the capital outlay budget.
- C.** Responsibility for managing personnel and making decisions concerning the employment, retention, and dismissal of employees.
- D.** Recommending policies to the Board when deemed in the best interest of the College and/or when requested to do so by the Board.

The President will identify and assign to the appropriate administrative units the responsibility for development, maintenance, and/or implementation of all college policies.

- E.** Taking the initiative in shaping and maintaining the educational policies and the character of the College and recommending changes in the programs and services provided by the college.



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- F.** Recommending curriculum programs and other educational programs deemed in the best interest of the citizens of northeast North Carolina (Camden, Chowan, Currituck, Dare, Gates, Pasquotank, and Perquimans counties) and the State of North Carolina. Programs should be educationally and financially feasible and should be consistent with state law and with standards of the State Board of Community Colleges.
- G.** Appointing of lay advisory committees as needed.
- H.** Consulting with the Board Chair on agendas for meetings of the Board.
- I.** The President represents the College at all meetings of the COA Foundation Board of Directors and of the Executive Committee. The President shall have general supervision of the affairs of the Foundation such as, receiving and accepting for the College private donations, gifts, bequests, and the like; applying them or investing any of them and applying the proceeds for purposes and upon terms the donor may prescribe consistent with statutory provisions and regulations of the State Board of Community Colleges; and maintaining proper records for all such transactions as information for the Board on the receipts and disposition of all such gifts. The President is ultimately responsible for fund-raising activities.
- J.** Signing all degrees, diplomas, and certificates awarded by the College and securing the signature of the Chair of the Board of Trustees on these documents.
- K.** Establishing such rules and procedures for the College as may be necessary to implement the policies and regulations of the Board of Trustees and the State Board of Community Colleges and providing each trustee with copies of all such rules and procedures in the form of a manual.
- L.** The President has the authority to close campus locations as deemed necessary in an emergency situation. In addition, the President has the authority to modify course schedules, adjust the academic calendar, and authorize telework. The President also has the authority to grant emergency leave status for employees with the approval of the Chairman and/or Vice-Chairman of the College of The Albemarle Board of Trustees. (See policy 2-40) The President shall inform the Board of Trustees of all actions taken.
- M.** Discharging such other duties and functions as the Board may assign or delegate from time to time.
- N.** Maintaining good communications with local governmental and civic organizations. Serving as the primary representative and ambassador of the College to the Community.



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- O.** Determining and maintaining the College's organizational structure as displayed in the College's Organizational Chart.
- P.** The President holds administrative authority for the College and all of its operations, programs and services. If the College sponsors intercollegiate athletics, the President is ultimately responsible for and exercises administrative and fiscal control over the athletics program.
- Q.** When the President is absent from campus for a period of two (2) or more days and is unable to perform assigned duties, the President will appoint, in writing, a member of the President's Leadership Team to assume authority for administrative decisions.
- R.** In situations of emergency, or in the event of the President's serious disability, death, resignation, dismissal, or prolonged absence from the office for any other reason, administrative authority for the College shall be determined by the Board of Trustees.

### **VII. President's Leadership Team**

The purpose of the President's Leadership Team is to oversee day-to-day operations of the college, to serve as a conduit of information from the college's various departments to the Board of Trustees and vice versa, and to facilitate cross-functional communication between departments. While operational oversight is the day-to-day focus for the team, each member is expected to lead the college through positive influence, open communication, and leadership which fosters and cultivates an exceptional, collegial environment.

President's Leadership Team is comprised of employees who directly report to the President and may include other selected personnel. The President's Leadership Team, representing the President's administrative cabinet, meets on a regular basis at the Elizabeth City Campus.

Any individual or organized group within the college seeking a decision from President's Leadership Team may request items be added to the agenda by contacting the Office of the President.

April, 2012

June 28, 2022

August 2, 2022

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**Date Approved by Board of Trustees**

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**Date of Last Review**

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**Date of Last Revision**