



NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY

BYLAWS OF THE BOARD OF TRUSTEES OF NORTH CAROLINA AGRICULTURAL AND TECHNICAL STATE UNIVERSITY

SECTION I. NAME

The name of this body shall be the Board of Trustees of North Carolina Agricultural and Technical State University. North Carolina Agricultural and Technical State University is a constituent institution of The University of North Carolina.

SECTION II. MEMBERSHIP

Membership of the Board of Trustees shall consist of thirteen persons chosen as follows: (i) eight elected by the Board of Governors, (ii) four appointed by the Governor, and (iii) the President of the Student Government Association of North Carolina Agricultural and Technical State University, *ex-officio*. (See G.S. 116-31 (d))

- A. In every odd-numbered year, the Board of Governors shall elect four persons to the Board of Trustees and the Governor shall appoint two persons to such Board; and the term of office of all such elected or appointed trustees (excluding *ex-officio* trustees) shall be four years commencing on July 1 of such odd-numbered year. (See G.S. 116-31(e) and (f))

- B. Whenever a member shall fail, for any reason other than ill health or service in the interest of the state or nation, to be present for three successive regular meetings of the Board of Trustees, his or her place as a member shall be deemed vacant. (See G.S. 116-31(j)) The Board of Trustees may recommend to the appointing authority that a member be removed due to misconduct as a Board member.

- C. The Board of Trustees may schedule one regular meeting per year to be held via video-conference or as needed for a special or emergency meeting. Any member of the Board of Trustees may attend and participate via any real-time electronic medium, such as by telephone or video-conferencing, for a maximum of two meeting per year, from July 1 to June 30. This limit on electronic attendance shall not apply in an emergency.
- D. Whenever any vacancy shall occur in the membership of the Board of Trustees among those appointed by the Governor, it shall be the duty of the Secretary of the Board of Trustees, or the Assistant Secretary at the request of the Secretary, to inform the Governor of the existence of such vacancy, and the Governor shall appoint a person to fill the unexpired term. Whenever any vacancy shall occur among those elected by the Board of Governors, it shall be the duty of the Secretary, or the Assistant Secretary at the request of the Secretary, of the Board of Trustees to inform the Board of Governors of the existence of the vacancy, and the Board of Governors shall elect a person to fill the unexpired term. (See G.S. 116-31(j))
- E. Any person who has served two full four-year terms in succession as a member of the Board of Trustees shall, for a period of one year, be ineligible for election or appointment to the Board of Trustees but may be elected or appointed to the board of another institution. (See G.S. 116-31(g))
- F. No member of the General Assembly or officer or employee of the State, The University of North Carolina, or any constituent institution shall be eligible for election or appointment as a trustee. No spouse of a member of the General Assembly, or of an officer or employee of a constituent institution may be a trustee of that constituent institution. Any trustee who is elected or appointed to the General Assembly or who becomes an officer or employee of the State, The University of North Carolina, or any constituent institution, or whose spouse is elected or appointed to the General Assembly, or becomes an officer or employee of that constituent institution shall be deemed thereupon to resign from his membership on the Board of Trustees. (See G.S. 116-31(h))

SECTION III. DUAL MEMBERSHIP PROHIBITED

No person may serve simultaneously as a member of the Board of Trustees and as a member of the Board of Governors. Any member of the Board of Trustees who is elected to the Board of Governors shall be deemed to have resigned as a trustee effective as of the date that his or her term commences as a member of the Board of Governors. (See G.S. 116-31(i))

SECTION IV. OFFICERS

A. Chair, Vice Chair and Secretary

The officers of the Board of Trustees shall be a Chair, a Vice Chair and a Secretary. These officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Board of Trustees. At the first meeting after June 30 of each year, the Board of Trustees shall elect from its membership a Chair, a Vice Chair and a Secretary. (See G.S. 116-32) Officers may be removed FOR MISCONDUCT after reasonable notice by a vote of no less than two-thirds (2/3) of the members of the Board.

B. Term of Office

The officers of the Board of Trustees shall serve for a term of one year and until a successor is elected. If the term of the Chair of the Board of Trustees expires before his or her successor as chair is elected, then the Vice Chair shall become the Interim Chair until the Chair's successor is elected. In all other circumstances, if a vacancy occurs in any of these offices, the Board of Trustees shall elect a person to serve for the remainder of the unexpired term. (UNC Code Sec. 401)

C. Chair

Unless the Chair resigns or is removed, the Chair shall hold office for one year or until a successor is selected and qualified. The term of office of the Chair of the Board of Trustees may not exceed more than two (2) one-year terms. The Chair may not succeed himself/herself beyond this established term of office.

When present, the Chair shall preside at all meetings of the Board. The Chair's signature shall appear on diplomas and other documents issued by the authority of the Board. The Chair may call special and emergency meetings of the Board, decide all questions of order and any disputes as to these Bylaws, and perform such other duties as the Board of Trustees may prescribe.

D. Vice Chair

The Vice Chair will assist the Board Chair in performing the duties of Chair. At such times when the Chair is absent or incapacitated, the Vice Chair shall preside at Board meetings and perform other duties of the Chair as needed at that time. The Vice Chair shall also perform any such other duties as the Board of Trustees or the Chair may prescribe.

E. Secretary

The Secretary shall call the roll at each meeting of the Board, review the drafts of minutes, and present minutes to the Board for its approval. The Secretary may delegate whatever functions he/she deems appropriate to a University employee to serve as an Assistant Secretary.

SECTION V. COMMITTEES

- A. The Board of Trustees may establish and delegate to such standing and ad hoc committees as it may create such of its powers as it deems appropriate. Committees shall be composed of members of the Board and be appointed by the Board Chair. The Board Chair may participate in and vote on items at a committee meeting which the Chair attends, but will not count toward a quorum unless the Chair is also appointed as a member of the committee.
- B. The term of committee appointees shall run concurrently with that of the Chair of the Board. The Chair of each committee shall be appointed by the Board Chair, and each committee Chair will be the presiding officer of his/her committee. A member of the Board shall be eligible to chair any specific committee for no more than two (2) consecutive terms. In filling vacancies for unexpired terms, a chair who has served more than half a term is considered to have served a full term.
- C. The duty of each committee shall be to consider and to make recommendations to the Board upon matters referred to it. The respective committees shall report to the Board their recommendations for the consideration of the Board, but committee action or approval is not required prior to approval or action by the Board.
- D. All standing and ad hoc committees will hold and conduct their meetings in accordance with requirements of law. All committees shall keep minutes of their proceedings, showing actions and recommendations, and shall report to the Board as required. The delegation of any authority of the Board to any committee shall not operate to relieve the Board or any member thereof of any responsibility imposed by law or the Constitution of North Carolina.
- E. Until approved by the Board, action taken by any committee shall not be binding on the Board unless the committee has been given specific power by the Board to bind it by such action.
- F. The Executive Committee of this Board shall be a standing committee, which shall consist of the Chair, Vice Chair, Secretary, and Chairs of all standing committees. The Executive Committee may approve appointments to Senior Academic and Administrative Officer positions. The Executive Committee may take immediate action if an emergency requiring such action arises between Board meetings.

SECTION VI. MEETINGS

A. Frequency

The Board of Trustees shall hold not fewer than four (4) regular meetings a year and may hold such additional meetings as may be deemed desirable. (See G.S. 116-32)

Meetings may be held by conference telephone or electronic means including closed circuit television. All meetings shall be open to the public unless, consistent with the requirements of state law, a meeting is closed to the public by a motion duly made and adopted by the Board in an open meeting. Access to the public will be given pursuant to the North Carolina Open Meetings Law.

B. Regular Meetings

The regular meetings shall be held four (4) times yearly, generally in the months of September, November, February and April. After the schedule of regular meetings is established for the coming year, a copy of that schedule, showing the time and place of regular meetings, shall be kept on file with the Secretary of State and posted on the A&T website. The time and place may be changed by the Chair upon at least seven (7) days written notice to Board members and the public, as set out directly above.

C. Special Meetings

Special Meetings of the Board of Trustees may be called by the Chair at his or her discretion or shall be called by the Secretary upon the written request of not fewer than four members of the Board of Trustees. A special meeting called by the Secretary shall be held within twenty days of receipt by the Secretary of the fourth written request for such special meeting. A notice specifying the date, time, and place of a special meeting of the Board of Trustees shall be mailed or transmitted electronically by the Assistant Secretary to each member of the Board of Trustees at least ten days in advance of the date of the meeting.

For Special Meetings, a written notice of the meeting stating its purpose (i) shall be posted at the door of the Board of Trustees' usual meeting room at least 48 hours before the time of the meeting, (and in an area accessible to the public if the building containing the usual meeting room is closed to the public continuously for 48 hours before the time of the meeting), (ii) shall be mailed, e-mailed, or delivered to each newspaper, wire service, radio station, television station, and any other entity or individual that has filed a written request for notice with the Assistant Secretary of the Board of Trustees, and (iii) shall be posted on the A&T website prior to the scheduled time of the meeting. This notice shall be

posted and mailed, e-mailed, or delivered at least 48 hours before the time of the meeting.

The Board of Trustees may require each newspaper, wire service, radio station, television station, and any other entity or individual submitting a written request for notice to renew the request annually.

Any matter of business may be considered at any special meeting of the Board of Trustees, except that

- (1) The Board in special session may not revoke, alter or amend any order, policy, resolution or vote done, made or adopted at any regular meeting, unless that action is voted for at the special meeting by two-thirds of the authorized membership of the Board of Trustees; in absence of such two-thirds affirmative vote, any order, vote, policy, resolution or other act done, made or adopted at a special meeting that is contrary to or at variance with any order, vote, policy, resolution or other act done at a previous regular meeting shall be null, void and of no effect.
- (2) The Board in special session may not act on matters that have been specifically reserved by the Board at a regular meeting for action only at regular meetings. The special session, by affirmative vote of two-thirds of the authorized membership of the Board, shall overrule this limitation on action.

D. Emergency Meeting

When, in the judgment of the Chair, an emergency meeting is needed, notice may be given to Board members by telephone, e-mail, or other electronic medium. For an emergency meeting, the Board of Trustees shall cause notice of the meeting to be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request for emergency notice with the Assistant Secretary of the Board of Trustees, which includes the newspaper's, wire service's, or station's telephone number, and the notice shall be posted on the A&T website prior to the scheduled time of the meeting. This notice shall be given either by e-mail, by telephone, or by the same method used to notify the members of the Board and shall be given immediately after notice has been given to the Board members.

Only business connected with the emergency may be considered at a meeting to which notice is given pursuant to this paragraph. (See G.S. 143-318.12)

E. Agenda

A copy of the agenda for each regular meeting of the Board of Trustees, including, insofar as is practicable, copies of all reports and other materials to be presented to the regular meeting as part of the agenda, shall be mailed or transmitted electronically by the Secretary or Assistant Secretary to each member of the Board of Trustees at least five days in advance of the date of the regular meeting. If practicable, a copy of the agenda for each special meeting of the Board of Trustees, with reports and other materials to be presented shall be mailed or transmitted electronically to each member of the Board of Trustees at least five days in advance of the date of the special meeting. If such advance mailing or electronic transmission is not practicable, the agenda for a special meeting may be presented to the members of the Board of Trustees as the first order of business at the meeting.

The agenda for a regular or special meeting of the Board of Trustees shall be prepared by the Chancellor or his staff, in consultation with the Chair. All requests for inclusion of a given item on the agenda of a particular meeting shall be filed, with supporting documents, if any, with the Chancellor to be included on the agenda of the special meeting. Generally, ten days is considered sufficient time to submit such requests and supporting documents.

The provisions of this section shall not be construed to prohibit the Chancellor or any member of the Board of Trustees from requesting consideration by the Chair, at any regular or special meeting, of any item whether or not the item is on the agenda, subject to approval by majority vote of those present.

Any member may request a delay in consideration of an agenda item from one meeting to the next, but no agenda item may be so delayed more than once by any member. Such a request shall not be granted if there is a vote to proceed by the lesser of (a) two-thirds (2/3) of the members legally present or (b) by seven (7) Board members legally present.

SECTION VII. ACTION AS A BOARD

The authority of the Trustees is conferred upon them as a Board, and Trustees bind the Board and the University only by acting together as a Board. No individual member shall commit the Board to any policy, declaration, or action without prior approval of the Board.

All communications to the Board from the officers and faculty of the University and the officers of any affiliated entities shall be transmitted through the Chancellor of the University. This provision does not preclude a right to approach members of the Board.

All communications from the Board or any of its committees addressed to any officer, faculty member, or other employee of the University shall be transmitted through the office of the Chancellor. This provision does not preclude individual members of the Board from contacting any person within the University community.

SECTION VIII. CONDUCT OF BOARD BUSINESS

A. Quorum

The Board must have a quorum to conduct business. A quorum for the conduct of business by the Board of Trustees shall consist of a majority of the members currently in office.

B. Presiding Officer

The Chair shall preside at all meetings of the Board of Trustees. In the absence of the Chair, the Vice-Chair shall preside. In the absence of the Vice-Chair, a presiding officer shall be elected to preside by and from the membership of the Board of Trustees.

C. Power to Vote

All members of the Board of Trustees may vote on all matters coming before the Board for consideration, but no member may vote by proxy. No vote concerning any matter under consideration by the Board of Trustees or by a committee of the Board of Trustees may be cast in absentia or by mail.

D. Rules of Order

Except as modified by specific rules, policy, or regulations enacted by the Board of Trustees, Robert's Rules of Order (latest edition) shall constitute the rules of parliamentary procedure applicable to all meetings of the Board of Trustees and its committees.

E. Notice

A notice specifying the date, time and place of each meeting of the Board of Trustees shall be mailed or transmitted electronically by the Secretary, or Assistant Secretary at the request of the Secretary, to each member of the Board of Trustees at least fifteen (15) days in advance of the date of the meeting. Any matters of business may be considered at a regular meeting of the Board of Trustees.

F. Minutes

The Secretary or Assistant Secretary shall keep minutes of all meetings of the Board of Trustees; shall file, index and preserve all minutes, papers and documents pertaining to the business and proceedings of the Board; shall be custodian of the Seal of North Carolina Agricultural and Technical State University and of all records of the Board; and shall attest to the execution by the Chair of all legal documents and instruments of North Carolina Agricultural and Technical State University.

At least 30 days prior to a meeting of the Board of Trustees, the Secretary or Assistant Secretary shall transcribe the minutes of the prior meeting(s) and mail or transmit electronically a copy to each member of the Board of Trustees, or post the minutes to the website. The minutes of a meeting of the Board of Trustees shall be included in the agenda for the succeeding regular meeting. The minutes of a meeting of the Executive Committee shall be mailed for informational purposes to each member of the Board or posted to the website and shall be included in the agenda for the succeeding meeting of the Executive Committee.

G. Closed Sessions

All meetings of the Board of Trustees shall be open to the public. Consistent with the requirements of North Carolina law, the meeting may be closed to the public by majority vote of a quorum of the Board membership.

H. Keeping the Board of Governors Informed

The Secretary of the Board of Trustees, or the Assistant Secretary at the request of the Secretary, shall keep the Board of Governors, through the Secretary of the University system, fully and promptly informed concerning activities of the Board of Trustees, including notice of any changes in the membership of the Board of Trustees or in its committee structure or bylaws, notices of meetings and a copy of the minutes of all meetings.

SECTION IX. POWERS AND DUTIES

A. General Powers and Duties

The Board of Trustees shall promote the sound development of North Carolina Agricultural and Technical State University within the functions prescribed for it, helping it to serve the people of the state in a way that will complement the activities of the other institutions and aiding it to

perform at a high level of excellence in every area of endeavor. The Board of Trustees shall serve as advisor to the Board of Governors on matters pertaining to North Carolina Agricultural and Technical State University and shall serve as an advisor to the Chancellor concerning the management and development of the institution. (See G.S. 116-33)

B. Academic, Administrative and Head Coach Personnel

The Board of Trustees on the recommendation of the Chancellor shall approve personnel actions as follows:

(a) conferral of tenure;

(b) appointments and reappointments of head athletic coaches;

(c) appointments, promotions, compensation and retreat rights for the Provost and all Vice Chancellors;

(d) establish salary ranges for Deans and other similarly situated administrators that are not included in the annual Board of Governor's study establishing salary ranges (includes Tier I Senior Academic and Administrative Officer positions: all Deans, University Librarian, University Counsel, Executive Assistant to the Chancellor, and Assistant to the Chancellor).

C. Discharge or Suspension

Subject to the policies of this Board and consistent with applicable policies of the Board of Governors, all discharges or suspensions of faculty members and administrative personnel, other than those subject to the State Personnel Act, shall be effected by the Chancellor. A discharged or suspended employee shall have such rights of appeal from the action of the Chancellor as may be prescribed by the Code of the Board of Governors of the University of North Carolina (the Code) or policies of the Board of Governors, or policies of the Board of Trustees.

D. Personnel Policies

The Board of Trustees may adopt personnel policies not otherwise prescribed by state law, or by the Code or policies of the Board of Governors, for personnel in all categories of University employment. Policies adopted by the Board of Trustees regarding academic tenure and promotion shall be effective upon review by the senior vice president for academic affairs and the vice president and general counsel, and approved by the president.

North Carolina Agricultural and Technical State University shall give equal opportunity for employment and compensation, without regard to race, color, national origin, religion, gender, age, disability, genetic information, veteran status, political affiliation, gender identity, gender expression, and sexual orientation to all persons otherwise qualified.

E. Chancellor Selection

In the event of a vacancy in the Chancellorship, the Chair of the Board of Governors shall, in consultation with the President of the University of North Carolina system and the Chair of the Board of Trustees, designate a member of the Board of Governors to serve on the search committee in a nonvoting, advisory capacity as the Board of Governors' representative. The Board of Governors' representative shall, in collaboration with the President, encourage members of the Board of Governors to recommend individuals (who are not members of the Board of Governors) for possible service on the search committee.

~~†The Chair of the Board of Trustees, working in conjunction in consultation with the President of the University of North Carolina system, shall establish a search committee composed of representatives of the Board of Trustees, the faculty, the student body, staff, the alumni and the community such other representatives of campus constituencies as may be appropriate. In addition to the nonvoting, advisory representative of the Board of Governors on the search committee, that representative will recommend to the Chair of the Board of Trustees one to two individuals for possible service on the search committee, who shall not be members of the Board of Governors.~~

The Board of Governors' representative shall also: 1) collaborate with the President and Chair of the Board of Trustees in developing a matrix of skills and backgrounds to be represented among members of the search committee; 2) encourage Board of Governors members to recommend individuals for possible search committee membership; 3) assist the President, Chair of the Board of Trustees, and General Administration professional staff in narrowing recommendations for search committee membership received from the members of the Board of Governors; 4) attend search committee meetings as an additional resource to the committee; 5) refrain from actively participating in interviews of candidates and in search committee deliberations regarding candidates; 6) observe all confidentiality requirements related to the search; and 7) assist in providing general updates to the Board of Governors on the status of the search.

Upon the establishment of the search committee, the Chair of the Board of Trustees, in consultation with ~~and~~ the President, shall ~~jointly~~ establish a budget and identify staff for the committee.

UNC General Administration shall maintain expertise and resources necessary to support the Chancellor search.

Members of the Board of Governors may elect to receive any public notices of search committee meetings and Chancellor search open fora. The chair of the Board of Trustees shall ensure that the President receives periodic updates concerning the status of the search and the projected schedule for concluding interviews and delivering recommendations of three (3) candidates to the President.

~~The search committee, through the Chair of the Board of Trustees, shall make a preliminary report to the president when the committee is preparing a schedule of initial interviews. The campus search committee shall recommend an unranked slate of three (3) candidates to the Board of Trustees for consideration. The Board of Trustees, following receipt of the report of the search committee, shall recommend the unranked slate of three (3) candidates for consideration by the President in designating a nominee for the Chancellorship, or return the slate to the search committee for further action. At the completion of the campus interview process, the search committee shall recommend a slate of three candidates to the trustees for consideration. The Board of Trustees, following receipt of the report of the search committee, shall recommend at least three names for consideration by the president in designating a nominee for the chancellorship, for approval by the Board of Governors. See UNC Policy Manual 200.8 for more details.~~

F. Academic Program

The Board of Trustees shall be responsible for ensuring the institution's compliance with the educational, research, and public service roles assigned to it by the Board of Governors, either by express directive or by promulgated long-range plans of the Board of Governors.

G. Academic Degrees.

Subject to authorization by the Board of Governors of the nature and general content of specific degree programs which may be offered, North Carolina Agricultural and Technical State University shall determine whether an individual student shall be entitled to receipt of a particular degree. No appeal from such decision shall lie beyond the Board of Trustees, unless it is permitted by the Code or policies of the Board of Governors.

H. Honorary Degrees, Awards and Distinctions.

The Board of Trustees shall be responsible for approving the names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by North Carolina Agricultural and Technical State University, subject to such policies as may be established by the Board of Governors and Board of Trustees.

I. Budget Administration.

The Board of Trustees shall advise the Chancellor with respect to the development of budget estimates for North Carolina Agricultural and Technical State University and with respect to the execution and administration of the budget, as approved by the General Assembly and the Board of Governors.

J. Property and Buildings.

The Board of Trustees shall be responsible, subject to policies of the Board of Governors and all legal requirements relative to the construction of state-owned buildings, for the following matters concerning campus capital construction projects that have been approved by the Board of Governors and authorized by the State of North Carolina: (1) the selection of architects or engineers for buildings and improvements requiring such professional services; (2) the approval of building sites; (3) the approval of plans and specifications; and (4) the final acceptance of all completed buildings and projects.

The Board of Trustees shall be responsible to the Board of Governors for preparing and maintaining a master plan for the physical development of North Carolina Agricultural and Technical State University, consistent with the total academic and service mission of the institution as defined and approved by the Board of Governors.

Any proposal involving the acquisition or disposition by the institution of any interest in real property shall be recommended by the Board of Trustees and must be approved by the Board of Governors; provided that if the proposal involves an interest in real property that is valued at less than \$50,000, the Board of Trustees may authorize such transaction and proceed to obtain the necessary approvals from appropriate State officials and agencies, without first obtaining the approval of the Board of Governors; and provided, further, that the Board of Governors, under circumstances that it considers appropriate and following notice from it to the Board of Trustees, may take action necessary to effect the acquisition or disposition of an interest in real property that is related to or affects the institution, without receipt of a recommendation from the Board of

Trustees. The value of an interest in real estate shall, with respect to a lease, be deemed the annual rental thereof. The Board of Trustees delegates to the Chancellor the power to authorize for the institution the acquisition or disposition by lease of interests in real estate valued at less than \$25,000, subject to any necessary approval from State officials and agencies.

K. Endowments and Trust Funds.

Subject to applicable provisions of State law and to such terms and conditions as may be prescribed from time to time by the Board of Governors, the Board of Trustees shall be responsible for the preservation, maintenance, and management of all properties, both real and personal, funds and other things of value which, either separately or in combination, constitute all or any part of the authorized endowment or trust funds, either currently in existence or to be established in the future, for the benefit of North Carolina Agricultural and Technical State University. (See G.S. 116-11(2); 116-12; 116-36; 116-36.1; 116-36.2)

L. Admissions.

Subject to such enrollment levels and minimum general criteria for admission as may be established by the Board of Governors, North Carolina Agricultural and Technical State University shall establish admissions policies and resolve individual admission questions for all schools and divisions within the institution. No appeal concerning an individual admission case shall lie beyond the Board of Trustees, unless it is permitted by the Code or policies of the Board of Governors.

Admission to North Carolina Agricultural and Technical State University shall be on the basis of merit, and there shall be no unlawful discrimination on the basis of race, color, religion, gender, national origin, age, disability, veteran status, genetic information, political affiliation, gender identity, gender expression, or sexual orientation.

M. Tuition, Fees, and Deposits.

(1) General Authority of Boards of Trustees.

The Board of Trustees shall cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term, as have been approved by the Board of Governors. (See G.S. 116-11(7) and G.S. 116-143)

(2) Tuition and Fee Deposits.

The Board of Trustees shall require the payment of such advance deposits, at such times and under such conditions as may be required by State law or by the Board of Governors. (See G.S. 116-143)

(3) Application Fee.

The Board of Trustees shall require the payment of such nonrefundable application fees, in connection with each application for admission, as may be required by State law or by the Board of Governors. (See G.S. 116-143)

(4) Acceptance of Obligations in Lieu of Cash.

Subject to policies prescribed by the Board of Governors, the Board of Trustees shall establish policies concerning the acceptance of obligations of students, together with such collateral or security as may be deemed necessary or proper, in lieu of cash, in payment of tuition and fees. (See G.S. 116-143)

(5) Fee Recommendations.

Subject to policies prescribed by the Board of Governors, the Board of Trustees, in consultation with the Chancellor, shall recommend to the President the amounts of fees to be charged at the institution for applications, athletics, health services, student activities, educational and technology, retirement of debt incurred for capital improvements projects authorized by the General Assembly, course, and special fees. In carrying out this responsibility, the Board of Trustees and the Chancellor shall ascertain that the benefits of the activity or service are commensurate with the recommended fee that is required to support the activity or service. Recommended fees should be consistent with the philosophy set forth in the North Carolina Constitution, which states that the benefits of the University of North Carolina, of which North Carolina Agricultural and Technical State University is a constituent institution, should be extended to the people of the State free of expense, as far as practicable.

N. Student Financial Aid.

All scholarships and other forms of financial aid to students that are limited in their application to or are supported from sources generated by

North Carolina Agricultural and Technical State University shall be administered pursuant to such policies as may be prescribed by the Board of Trustees and subject to the terms or any applicable laws and policies of the Board of Governors.

O. Student Services.

The Board of Trustees, upon recommendation of the Chancellor, shall determine the type, level and extent of student services (such as health care, athletic programs, and counseling) to be maintained for the benefit of students at the institution, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors.

P. Student Conduct, Activities, and Government.

Under such policies as may be prescribed by the Board of Governors and the Board of Trustees, the Chancellor shall be responsible for the regulation of student conduct, and the regulation and approval of organized, institutionally-recognized student activities, the definition of roles and functions of any institutionally-recognized system of student self-government, and student participation in the governance of any aspect of the institutional programs and services. No appeal concerning such activities shall lie beyond the Board of Trustees, unless it is permitted by the Code or policies of the Board of Governors.

Q. Intercollegiate Athletics.

Subject to such policies as may be prescribed by the Board of Governors and the Board of Trustees, the Chancellor shall be responsible for the establishment and supervision of the institution's program of intercollegiate athletics.

R. Traffic and Parking Regulations.

The Board of Trustees shall have and exercise such authority as is conferred by State law on the Board of Governors for the regulation of traffic and parking and for the registration of motor vehicles operated on the campus of North Carolina Agricultural and Technical State University. (See G.S. 116-44.3 through 116-44.5) The Chancellor shall be responsible to the Board of Trustees for enforcement of all regulations adopted for traffic and parking regulation and vehicle registration.

S. Campus Security.

Subject to applicable provisions of State law and such policies as may be adopted by the Board of Governors or the Board of Trustees, the Chancellor shall be responsible for the maintenance of campus security.

T. Auxiliary Enterprises, Utilities, and Miscellaneous Facilities.

Pursuant to applicable provisions of State law and policies of the Board of Governors, the Board of Trustees shall have authority and responsibility for the adoption of policies applicable to the control and supervision of campus electric power plants, water and sewer systems, and other utilities and facilities (See G.S. 116-35).

SECTION X. DEFENSE OF, SETTLEMENTS, AND JUDGMENTS AGAINST BOARD MEMBERS

Board members are considered ~~agents-employees~~ of the University for purposes of Articles 31 (“Tort Claims against State Departments and Agencies”) and 31A (“Defense of State Employees, Medical Contractors and Local Sanitarians”) of Chapter 143 of the North Carolina General Statutes. As such, they are covered by the provisions N.C.G.S. 143-300.2 et seq., which with certain limitations, in brief, provide that upon request of an ~~agent-employee~~ or former ~~agent employee~~, the State may provide for the defense of any civil or criminal action or proceeding brought against him/her in his/her official or individual capacity, or both, on account of an act done or omission made in the scope and course of his/her ~~acting as an agent employment of the~~ as a University employee. If the State represents the Board member, consistent with law, the State shall pay (i) a final judgment awarded in a court of competent jurisdiction against an ~~agent-employee~~ of the State or (ii) the amount due under a settlement of the action. This is a summary of the statutory provisions. To the extent it differs from N.C.G.S. 143-300.2 et seq., the statutes prevail over this summary. (N.C.G.S. 116-11(13a))

SECTION XI. AMENDMENT OF BYLAWS

These bylaws may be amended at any regular or special meeting of the Board of Trustees by an affirmative vote of two-thirds of the membership of the Board, provided that no amendment may be adopted unless its substance first has been introduced at a preceding regular or special meeting of the Board. The voting on such amendments, however, shall not be permitted less than thirty days after the amendment shall have been introduced.

SECTION XII. SUBORDINATION

To the extent that any of these bylaws may be inconsistent with the Code of the Board of Governors, as the Code may be amended from time to time, said Code shall control.

Approved by the Board of Trustees

Date document is effective: Upon approval

Revised: October 19, 1983
 January 18, 1984
 February 17, 1999
 October 18, 1999
 (and possibly other dates)
 September 19, 2007
 November 19, 2010
 November 18, 2016
 April , 2017

Chair of the Board of Trustees