

Board Highlights

Hilda Pinnix-Ragland, Chair

H. Martin Lancaster, NCCCS President

Volume 103
December 15, 2006

**SUMMARY OF OFFICIAL BUSINESS –
STATE BOARD OF COMMUNITY COLLEGES (SBCC)
12-15-2006**

(For details, see official minutes or contact the Office of Board Affairs.)

SUMMARY OF THE CHAIR'S OPENING REMARKS

- The Chair called the meeting to order and called the roll for the telephonic meeting. Members were thanked for their attendance with 19 members present. (Mr. Shaw and Mr. Smith were absent at roll call. Mr. Shaw later joined the group. Ms. Pinnix-Ragland, Dr. Powell, Mr. Arnold representing Lt. Governor Perdue, and Ms. Wortham representing Treasurer Moore were in the Board Room and all others attended by telephone.)

The Board received and approved the following items:

- 2006-2007 Community College Program Start-up Grant Awards: Total allocation of \$375,000 to be distributed to Asheville-Buncombe Technical CC, Central Piedmont CC, Sandhills CC, and Stanly CC as outlined in Attachment Prog. 1
- Golden LEAF Scholars Program - Two-Year Colleges: Grant agreement with the Golden LEAF Foundation in the amount of \$500,000 for the Golden LEAF Scholars Program for 2007
- Synopsis of Findings in Response to Allegations Made with Respect to Blue Ridge Community College: Report prepared by David J. Sullivan and Richard Sullins that had been distributed by mail was discussed and the following resolution was approved:

A Resolution of the State Board of Community Colleges

Whereas, the North Carolina General Assembly has given the State Board of Community Colleges the authority to adopt and execute such policies, regulations, and standards concerning the establishment, administration, and operation of the institutions comprising the North Carolina Community College System, and which the State Board has done through Title 23 of the Administrative Code, and

Whereas, the State Board of Community Colleges has the legal and moral obligation to both the students and taxpayers to ensure that local boards of trustees are maintaining prescribed standards of administration and instruction and that the taxpayer's money and student tuition and fees are being spent in accordance with the law, and

Whereas, the State Board of Community Colleges acknowledges the tremendous value of autonomous Boards of Trustees, the responsiveness and flexibility they bring to the Community College System and the benefits that the citizens of North Carolina have reaped under a balanced system of State and local control for almost fifty years, and

Whereas, the effectiveness of an institution is dependent on the effectiveness of its board of trustees which is itself dependent on the board of trustees' ability to retain the support and good will of the entire community for which it holds the college in trust, and

Whereas, the Trustees of Blue Ridge Community College have failed in their obligations to oversee and supervise the actions of the College President in the operation of its intercollegiate athletics programs, resulting in material findings by the Office of the State Auditor, the North Carolina Community College System, and by the Trustees themselves, and that such failures led directly to a depletion of financial reserves that could have benefited significant numbers of students in Henderson and Transylvania counties, and

Whereas, the Trustees of Blue Ridge Community College are ultimately responsible for these failures, and

Whereas, these failures include violations of the Constitution of the State of North Carolina, the North Carolina General Statutes, the North Carolina Administrative Code, and the Code of Federal Regulations, and

Whereas, the Trustees of Blue Ridge Community College have implemented some corrective measures to address these failures, but have neglected to reprimand the President of Blue Ridge Community College and have neglected to take appropriate actions to correct other failures that have been documented by official findings and which continue to this day, be it therefore

Resolved, that the State Board of Community Colleges does hereby find such conduct to be contrary to law as well as the spirit and the traditions of the North Carolina Community College System, and be it further

Resolved, that the State Board of Community Colleges does hereby censure and condemn the failures of the Trustees of Blue Ridge Community College to provide proper oversight of its College President in the management and administration of the College in accordance with statutory law, administrative regulation, and policies adopted by the Board, and be it further

Resolved, that as a consequence of this censure, that the State Board of Community Colleges directs that

1. The Trustees of Blue Ridge Community College make full and complete restitution to the State of North Carolina of those state funds that have been misdirected to support the operation of its intercollegiate athletics programs since January 1, 2002;
2. Blue Ridge Community College shall immediately cease and desist from using state funds for any purpose that either directly or indirectly supports the operation of intercollegiate athletic programs; and
3. The Trustees of Blue Ridge Community College recover the fair market value for the use of college athletic facilities for private athletic activities that its coaches have conducted using those facilities.

The amount of restitution and recovery is to be determined jointly by the Chief Financial Officers of the North Carolina Community College System and Blue Ridge Community College, and reported to the State Board of Community Colleges no later than January 31, 2007.

Adopted on this 15th day of December, 2006, in the City of Raleigh.

Hilda Pinnix-Ragland
Chair

H. Martin Lancaster
System President

Summary of Chair Pinnix-Ragland's Closing Remarks:

- Date of Next Meeting(s):
January 18-19, 2007 NCCCS, 200 West Jones Street, Raleigh, NC 27893

**Contacts: Richard Sullins or Mary Gardner
NCCCS, State Board Affairs
200 W. Jones Street, Caswell Building
5001 Mail Service Center
Raleigh, NC 27699-5001**

Telephone: 919/807-6969 or 919/807-6970 Fax: 919-807-7164

e-mail: sullinsr@ncccommunitycolleges.edu or gardnerm@ncccommunitycolleges.edu