

**MINUTES**  
**State Board of Community Colleges**  
**SBCC BOARD POLICY AND GOVERNANCE COMMITTEE**  
**Thursday, August 15, 2019**

**SBCC BOARD POLICY AND GOVERNANCE COMMITTEE MEMBERS PRESENT**

Bob Stephens, Chair	Hari Nath
Lisa Estep *	Sam Powell

Via phone \*

Absent: William Holder, Jim Rose, and Scott Shook

**OTHER SBCC BOARD MEMBERS PRESENT**

Breeden Blackwell	Bill McBrayer
Frank Johnson	Ann Whitford

**OTHERS IN ATTENDANCE**

Jennifer Haygood	Andrea Poole	Linda Suggs (Gates Fnd)
Jonathan Harris	Jane Stancill	Walter Dalton (NCACCP)
Bryan Jenkins	Scott Corl	Alex Granados (EdNC)
Kimberly Gold	Sondra Jarvis	
Elizabeth Grovenstein	Dorothy Strickland	

**CALL TO ORDER**

Mr. Stephens called the SBCC Board Policy and Governance Committee meeting to order at 10:01 a.m. in the Dr. W. Dallas Herring State Board Room in Raleigh, NC.

**ROLL CALL**

Mr. Jenkins took the roll of the SBCC Board Policy and Governance Committee members.

**ETHICS STATEMENT**

Mr. Jenkins read the Ethics Awareness and Conflict of Interest Statement. No conflicts noted.

**APPROVAL OF THE AGENDA**

Mr. Stephens requested a motion to approve the August 15, 2019, meeting agenda. Dr. Powell moved, seconded by Mr. Nath, and the agenda was approved by the Committee via voice vote.

**APPROVAL OF THE MINUTES**

Mr. Stephens requested a motion to approve the July 18, 2019, meeting minutes. Dr. Powell moved, seconded by Mr. Nath, and the minutes were approved by the Committee via voice vote.

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**FOR FUTURE ACTION**

**Changes to the State Board Code affecting the State Board of Proprietary Schools: Repeal and Replace the Due Process Chapter (Title II, Chapter B) (Attachment POL 01)**

Ms. Haygood provided context for the committee as to why this change is being requested. For a few years, we have been working with the State Board of Proprietary Schools to enable them to act as an independent body. Currently there is no avenue to proceed. Staff has discussed how to streamline the process to work better together and allow the State Board of Proprietary School to have an authoritative voice.

Mr. Harris reviewed the proposed rule changes. It is recommended that Chapter B sections 100 and 200 be repealed and be replaced with three subchapters (300, 400, and 500). Currently if an entity calls the State Board of Proprietary Schools and asks licensure questions, those calls are handled by Mr. Corl. The issue identified is that if an entity calls into the State Board of Proprietary Schools and the Board disagrees with Mr. Corl's advice, there is no path to take. The first proposed chapter would address how the process will work (section 300.2). The other two chapters will mimic the proposed structure from the first chapter, so they are consistent.

Subchapter 500 addresses the investigation of the SB of Proprietary Schools. It helps address the back and forth that has occurred in the past.

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**FOR ACTION**

**Adoption of 1A SBCCC 200.6 - "Delegation of Contractual Authority" (Attachment SBG 01)**

Mr. Harris said this rule is the delegation of contractual authority. There was an additional comment and put out for additional 5 days. It is ready to be adopted into code. Ms. Haygood said this codifies the biannual reporting. There would be a report in the FC package as has been our practice.

Dr. Powell made a motion to approve Adoption of 1A SBCCC 200.6 - "Delegation of Contractual Authority" (Attachment SBG 01), seconded by Mr. Nath and approved unanimously by the Committee.

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**Adoption After Review of Public Comments 1H SBCCC 200.1 - "Allocation of Funds" (Attachment SBG 02)**

Mr. Harris said this is like the last item with the reporting requirement. We did get one additional comment of a technical nature that we recommend accepting. Does not need to go out for another 5-day comment period

Dr. Powell made a motion to approve Adoption After Review of Public Comments 1H SBCCC 200.1 - "Allocation of Funds" (Attachment SBG 02), seconded by Ms. Estep and approved unanimously by the Committee.

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**State Board Bylaws (Attachment SBG 03)**

Mr. Stephens said the recommended changes were reviewed and presented last month and is proposed for action to be adopted at this meeting. There were goals to assure that it aligned with the State statute in relation to open meetings, special meetings, and open meetings. Mr. Harris said there is a distinction made in the state laws and it was a little blurred in our current bylaws. The reason for Article V being added is there is no requirement that there be a notice for an emergency meeting. In the current bylaws it states three days which could hamper the board if there is a true emergency that needs to be addressed. This language tracks the language out of the statute. The emergency meeting can be called by the chair and is provided to the members as soon as practicable. The only thing that can be addressed is the reason for the called emergency session. At a special meeting, anything can be considered at a specially called meeting of the Board. The Specially called meeting is a 48hr notice.

Mr. Stephens said that we publish our meetings on the website, so the additional meetings that are called outside our regular schedule. Dr. Powell confirmed that this aligns with state law and Mr. Harris agreed.

Mr. Harris reviewed all the changes in Article VI.

Ms. Whitford asked if there must be a reason for the emergency meeting in the notice for the emergency meeting. Mr. Harris checked the statute and said the statute does not say that you have to say what the emergency is referenced 143.318.12 subsection B(3) for an emergency meeting... which includes

Article XIII shows changes – Pol is POL and Gov and makes LEG affairs to a standing committee. This change is one that was not presented last month. Will have to suspend the rules to allow this to be approved at the current meeting.

Dr. Powell made a motion to suspend the rules and move the section moving Legislative Affairs to standing committee status, seconded by Mr. Nath.

Mr. Nath made a motion to approve State Board Bylaws (Attachment SBG 03) as amended to include Legislative Affairs as a standing committee, seconded by Ms. Estep and approved unanimously by the Committee.

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**Recommendations for Initial Proprietary School Licensure (Attachment POL 02)**

Mr. Corl provided a description of the licenses. All the contingencies on the first two schools have been met. No comments or questions.

Dr. Powell made a motion to approve Recommendations for Initial Proprietary School Licensure (Attachment POL 02), seconded by Mr. Nath and approved unanimously by the Committee.

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**FOR INFORMATION**

Annual Report of Proprietary Schools (Attachment POL 03)

Mr. Stephens said he did not realize how much fee income comes from this program. Ms. Haygood recommended that members look at page four. There were no questions or comments.

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Policy Committee Charter (Attachment POL 04)

Mr. Stephens said if the Board approves Governance and Policy to become one committee according to the bylaws then there will need to be a new charter. Mr. Harris confirmed that once the change is approved, the charter will be revised for approval.

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SBCC Code Report – July 2019 (Attachment SBCCC 01)

The Committee was asked to review the Code report and let staff know if there are any questions.

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**ADJOURNMENT**

Dr. Powell motioned for the meeting to adjourn, seconded by Mr. Nath at 10:45 a.m. and unanimously approved by the Committee.

Respectfully submitted,  
Sondra Jarvis