

**NORTH CAROLINA CENTRAL UNIVERSITY
BOARD OF TRUSTEES
SPECIAL CALL MEETING OF THE
EXECUTIVE/PERSONNEL COMMITTEE**

SEPTEMBER 29, 2021

The NCCU Board of Trustees held a Special Call Meeting of the Executive/Personnel Committee via telephone conference on Wednesday, September 29, 2021. Chairman Holloway called the meeting to order at 3:00 p.m. This meeting was conducted pursuant to the provisions of the Open Meetings Act that apply during states of emergency and that allow for public bodies to meet via electronic means. The law requires, however, that all votes are to be taken by roll call.

Chairman Holloway recognized Trustee Oita Coleman to call the roll.

ROLL CALL VOTE:

Chairman Holloway	Present
Trustee Allison	Present
Trustee Coleman	Present
Trustee Herrera	Present
Trustee Johnson	Present

There were five (5) members present. A quorum was established.

Others present: Chancellor Johnson Akinleye, Attorney Fenita Morris Shepard, Attorney Keir Morton Manley and Ms. Dottie Fuller

NOTE: In accordance with the Attorney General’s Advisory Letter Public Bodies can conduct Open Meetings electronically pursuant to NCGS 143.318.13. The public body must comply with statutory requirements and provide notice and access of the meeting to the public, in this case through electronic means so members of the public as well as media may be present via ZOOM or Dial in Access.

ADOPTION OF THE AGENDA: It was moved by Trustee Coleman and properly seconded by Trustee Johnson that the agenda be adopted.

Trustee Allison	Yes
Trustee Coleman	Yes
Trustee Herrera	Yes
Trustee Johnson	Yes

Motion carried with four (4) votes in the affirmative.

CHAIR'S REMARKS: Chairman Holloway informed the Board, as Chair, it is his responsibility to remind all members of the Board of their duty under the State Government Ethics Act to avoid conflicts of interest and appearances of conflict of interest as required by this Act. Each member has received the agenda for this Special Call meeting of the Board of Trustees Executive//Personnel Committee and related information. If any board member knows of any conflict of interest or appearance of conflict with respect to any matter coming before the Board of Trustees at this meeting, the conflict or appearance of conflict should be identified at this time. No conflict was presented.

Chairman Holloway recognized University General Counsel Fenita Morris-Shepard to present the delegation project including the delegated authority flow chart, delegated authority table and proposed Resolution to Amend and Restate Delegated Authority from the Board of Trustees of North Carolina Central University.

Background

On July 22, 2021, in an effort to ensure a comprehensive restatement of current campus-level delegations, the Board of Governors instituted The Delegation Project. This Project directed each campus Board of Trustees to identify and restate the specific powers and authorities vested in them which they have delegated to any entity or person other than the full board, including identifying sub-delegations.

It is important to note that the universe of delegated authorities subject to this review is limited to only those authorities which have been delegated to the campus Board of Trustees – thus, this review did not contemplate authorities delegated directly to the chancellor or other campus officials by the Board of Governors, through the president, or which are vested in the chancellor as the administrative and executive head of the institution subject to the direction of the president pursuant to state law (N.C.G.S. § 116-34).

By October 1, 2021, each board of trustees of the constituent institutions shall adopt a proposed resolution amending and restating in detail all delegations of authority by the board of trustees of that institution to any board of trustees committee, the chancellor, or

other campus entity, employee, officer, or agent - *including any and all sub-delegations of authority - and providing that any authority not delegated expressly by such resolution is vested immediately in the board of trustees of that constituent institution.*

The NCCU Office of Legal Affairs prepared the Delegation Authority Table (attached) and the proposed Resolution (attached) for the NCCU Board of Trustees Executive Personnel Committee review and consideration. To support and further illustrate the proposed Resolution, the Delegated Authority Table was prepared and will be incorporated into the Resolution by reference. A Delegation of Authority flow chart (attached) was provided in this packet for further clarification.

During discussion about the delegation of authority and the proposed resolution, Trustees raised an interest in the following: 1) pursuing management flexibility for NCCU, pursuant to state statutory and UNC System policy requirements and 2) increased control regarding the university's enrollment cap. With respect to the second item, and more specifically, the Board would like to have the latitude and flexibility—after admitting and exhausting the number of qualified, in-state students— to increase its current cap for the admission of out-of-state students. The Board appreciates that pursuing those items further is outside of the scope of this exercise, but requested that this be brought nonetheless to the attention of President of the University of North Carolina System Office, Mr. Peter Hans also for review and consideration.

After considerable discussion and suggestions it was moved by Trustee Johnson and properly seconded by Trustee Herrera that the NCCU Board of Trustees Executive Personnel Committee adopt the Proposed Resolution to Amend and Restate Delegated Authority from the Board of Trustees of North Carolina Central University, and the Supplementary Table of Authority. The Proposed Resolution, Supplementary Table of Authority, as well as the Memo to UNC General Counsel Andrew Tripp, to be forwarded to UNC President Peter Hans for his review and consideration.

Trustee Allison	Yes
Trustee Coleman	Yes
Trustee Herrera	Yes
Trustee Johnson	Yes

Motion carried with four (4) votes in the affirmative.

There being no further business, it was moved and properly seconded to adjourn.

Trustee Allison	Yes
Trustee Coleman	Yes
Trustee Herrera	Yes
Trustee Johnson	Yes

Motion carried with four (4) votes in the affirmative.

Respectfully submitted:

Kevin M. Holloway, Chairman