### BYLAWS OF EAST CAROLINA COLLEGE

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### Article I

Name

The name of the institution shall be East Carolina College.

#### Article II

Board of Trustees, subject to the confirmation of the General

### Section 3: It shall be the duty of said Board of Trustees to

The purpose of East Carolina College as set forth in the charter as amended by H. G. No. 908 and C. H. No. 1142, ratified by the General Assembly June 6, 1957, is:

The primary purpose of East Carolina: the preparation of young men and women as teachers, supervisors, and administrators for the public schools of North Carolina, including the preparation of such persons for the master's degree. Said institution may also offer undergraduate instruction in the liberal arts and sciences, and such other programs as are deemed necessary to meet the needs of its constituency and of the State and as shall be approved by the North Carolina Board of Higher Education, consistent with appropriations made therefor.

The charter of East Carolina College as amended June 6, 1957, provides:

### Article III

# The Board of Trustees

### Membership

Section 1: The Board of Trustees of the institution shall consist of twelve persons appointed for terms of eight years each, beginning July 1 of an odd-numbered year, the terms to be staggered so that three vacancies occur every two years.

a. Members of the present Board of Trustees shall serve out their respective terms and until the next succeeding July 1. At the expiration of their present terms, as thus extended, new appointments to the Board of Trustees of said institution shall be made so as to provide a Board of Trustees of twelve members appointed for terms of eight years each, the terms to be staggered so that three vacancies shall occur every two years.

b. Members of the Board of Trustees shall be subject to removal for cause by the Governor and Council of State.

c. Whenever a trustee shall fail to be present for two successive regular meetings of the Board of Trustees, without just cause as determined by the Board, his position as trustee shall be deemed vacant, and said vacancy shall be filled as herein provided.

Section 2: The Governor shall make all appointments to said Board of Trustees, subject to the confirmation of the General Assembly in Joint Session assembled.

#### Meetings

Section 3: It shall be the duty of said Board of Trustees to hold not less than two regular meetings a year as fixed by the Trustees, at which the Board shall consider recommendations of the President of the institution, and transact such other business as may properly come before it.

- a. The regular meetings of the Board of Trustees shall be held in October and in May.
- b. In addition to these two regular meetings, special meetings may be called by the President of the College, by the Chairman of the Board or by any three members thereof, by giving ten days notice thereof by mail to each member of the Board. In such notice, the purpose of the special meeting and the general character of the special business to be transacted shall be stated. The Board may by unanimous vote of those present at such special meetings, conduct any business other than that for which the meeting was specifically called, just as in a regular meeting.

Section 4: The Board may at its discretion, authorize the Executive Committee to act in its stead in all matters which may arise between special meetings or it may authorize the Executive Committee to act on specific matters; i.e., purchase of land, contracts, and all financial matters pertaining to buildings and repairs.

#### Officers and Committees

Section 5: At the first meeting after June 30 of each year the Board of Trustees shall elect one of their own members as chairman and one as vice-chairman, and designate such committees of the Board, and endow them with such powers, as may be deemed proper and wise for the management of the affairs of the institution. The chairman shall appoint the committees so designated. A quorum of the Board of Trustees for the transaction of business shall consist of a majority of the members of the Board. All action of the Board of Trustees shall be taken by a majority vote, a quorum being present.

### Powers and Responsibilities

Section 6: The Board of Trustees of said institution is hereby constituted a body corporate and an agency of the State of North Carolina under the name and style of "The Board of Trustees of East Carolina College" and by that name may sue and be sued, make contracts, acquire real and personal property by gift, purchase, or devise, and exercise such other rights and privileges as are ordinarily exercised by corporations of like character and as are necessary for the proper administration of the affairs of said institution.

- a. The Board of Trustees of said institution and its successors in office shall hold in trust for the State of North Carolina title to all property now held, or which shall be later acquired by said Board.
  - b. The Board of Trustees of said institution shall be responsible for the management of all the affairs of the institution, subject to the applicable laws of the State of North Carolina, and shall have the duty to provide for the handling and expenditure of all moneys whatsoever belonging to, appropriated to, or in any way acquired by the institution; it shall provide for the erection of all buildings, the making of all needed improvements, the maintenance of the physical plant of said institution, and may do all things deemed useful and wise for the good of the institution.
  - c. It shall be the duty of the Board of Trustees to elect a president of the institution and to fix his salary within the schedule provided by law, and to fix his tenure of office. Upon the recommendation of the president, it shall be the duty of the Board of Trustees to elect other officers, teachers, and employees, to fix their duties, tenure of office, and within the schedule provided by law, their salaries. The Board of Trustees shall also establish bylaws for the management of the institution's affairs, and rules and regulations for the general management of the institution, and the discipline of the students.
  - d. The Board of Trustees of said institution, upon the recommendation of the faculty, is hereby authorized and empowered to confer or cause to be conferred such degrees as are usually conferred by similar institutions subject to the authority of the North Carolina Board of Higher Education to determine and approve the kinds of degrees to be conferred by the institution.
  - e. Said institution, now operating a campus laboratory or demonstration school, may continue to do so under

the now existing plan of operation, consistent with the appropriations made therefor. Section 6: The Board of Trustees of daskitetion is hereby ditol to similar to vones Article IV sacques vood a betuillance 19 3993 the total and and to alvie brie onen end cabot enflored President Pasident contracts, actual resond passonal phoparty by giffe, purchase, Section 7: It shall be the duty of the President of said institution to attend all meetings of the Board of Trustees, to be responsible for the keeping of a full and complete record of such meetings, and to act as custodian of all records, deeds, contracts, and the like. It shall be the duty of the president to keep the Board of Trustees fully informed of the operations of the institution and its needs. State of North Carolina title to all property now a. Whenever the term of office of any member of the Board of such institution is about to expire, or should a vacancy occur for any cause, the president, with the approval of the chairman of the Board of Trustees, shall immediately notify the Governor, to the end that he may make an appointment to fill such vacancy. being the tour and and and so severated evenous b. The President shall be the administrative and executive head of the institution, and shall not be a member of the Board of Trustees. He shall prepare annually for the Board of Trustees a detailed report of the operations of the institution to be filed with the offical records of the Board of Trustees and one copy to be filed with the North Carolina Board of Higher Education. c. The President of the institution shall recommend courses of study, subject to the approval of the Board of Trustees, and further subject to the authority of the North Carolina Board of Higher Education to determine the major functions and activities of state-supported institutions of higher education. edt Contremensment not sweiveldetes es onie Article V end bus general management do the end the sold the Endowment Fund Section 8: The Board of Trustees is authorized to establish a permanent endowment fund. Such Board of Trustees shall appoint an investment Committee, to be known as "The Board of Trustees of the Endowment Fund of the East Carolina College" which Board of Trustees of the Endowment Fund is hereby created as an agency of the Board of Trustees of the College to do the specific things enumerated. The Board of Trustees of the Endowment Fund shall consist of five members, including the chairman of

the Board of Trustees of the College, to be chosen by the Board of Trustees of said College.

- b. The chairman of the Board of Trustees of the College shall be the chairman of the Board of Trustees of the Endowment Fund.
- c. The Trustees of said Endowment Fund may receive gifts, donations, and bequests, may in their discretion retain such in the form in which they are made, and may use the same as a permanent endowment fund. Said trustees may retain in such permanent endowment fund any other moneys or securities of any kind that may come to them from the Board of Trustees of the Endowment Fund, excepting always the moneys received from State appropriations, and from tuition, fees, and the like, collected from students and used for the generl operation of the College. The Trustees of the Endowment Fund shall have power to sell any property, real or personal, of the fund, at either public or private sale.
- d. The Trustees of the Endowment Fund shall be responsible for the prudent investment of the fund, in the exercise of their sound discretion, without regard to any statute or rule of law relating to the investment of funds by fiduciaries.
  - e. The principal of said Endowment Fund shall be kept intact and only the income therefrom may be expended. The Trustees of the Endowment Fund shall determine what is income and what is principal.
  - f. It is not the intent that the income from such Endowment Fund shall take the place of State appropriations or any part thereof but that it shall supplement the State appropriations to the end that the institution may improve and increase its functions, may enlarge its areas of service and may become more useful to a greater number of people. All expenditures of moneys from the Endowment Fund shall in all cases be approved by the Board of Trustees of the institution and expended under the Board's direction. Funds from the Endowment Fund shall not be expended for a purpose which will impose a financial burden on the State of North Carolina without first securing the approval of the North Carolina Board of Higher Education and the Advisory Budget Commission.
  - g. The Board of Trustees of the institution shall establish standards for such scholarships as may

be awarded from proceeds of said Endowment Fund and may change or alter such standards from time to time.

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h. Nothing in this section shall be construed to prevent the Trustees of the Endowment Fund from receiving gifts, donations, and bequests and from using same for such lawful purposes as the donor or donors designate, subject always to the approval of the Board of Trustees of the Institution, and subject, further, to the approval of the North Carolina Board of Higher Education and the Advisory Budget Commission if the expenditure of funds would impose a financial burden on the State of North Carolina.

## Article VI

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## Discipline

Section 9: The President of East Carolina College, the administrative officers and the entire staff are charged with the responsibility of conducting the affairs of the College in the interest of the students and the people of North Carolina in accordance with the best educational principles and practices of colleges of its kind.

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