

**BYLAWS
OF THE BOARD OF TRUSTEES
OF ELIZABETH CITY STATE UNIVERSITY**

(Revised September 1988)
(Revised December 19, 1995)
(Revised June 9, 1998)
(Revised September 11, 2001)

ARTICLE I

Purpose

The purpose of the Board of Trustees of Elizabeth City State University (hereinafter, Board of Trustees) is to perform the duties and exercise the powers prescribed by the applicable provisions of Chapter 116 of the North Carolina General Statutes and by The Code of the Board of Governors of The University of North Carolina.

ARTICLE II

Organization

Section 1. Membership

The membership of the Board of Trustees shall be composed of thirteen (13) persons: Eight (8) elected by the Board of Governors; Four (4) appointed by the Governor; and the president of the Student Government Association of Elizabeth City State University shall serve ex officio.

Section 2. Terms of Office - Elective and Appointive

In every odd-numbered year, the Board of Governors shall elect four persons to this Board and the Governor shall appoint two persons to this Board. The term of office of all Trustees, excluding the ex officio Trustee, shall be four (4) years, commencing on July 1st of such odd-numbered year. The term of office of the ex officio Trustee shall be for one (1) year commencing on July 1st of each year.

Section 3. Persons ineligible for Membership

- 1) Any person who has served two full four-year terms in succession as a member of this Board shall, for a period of one year, be ineligible for election or appointment to the Board. However, such person may be appointed to the Board of Trustees of another institution of The University of North Carolina.

- b) No member of the North Carolina General Assembly or officer or employee of the State of North Carolina or of any constituent institution of The University of North Carolina or spouse of any such member, officer, or employee shall be eligible for election or appointment as a Trustee of the Board.
- c) No person may serve simultaneously as a member of the Board and as a member of the Board of Governors of The University of North Carolina.

Section 4. Vacancies

- a) Any Trustee who is elected or appointed to the North Carolina General Assembly or who becomes an officer or employee of The State of North Carolina or of any constituent institution of The University of North Carolina or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee shall be deemed thereupon to resign from membership on the Board of Trustees.
- b) Any Trustee who is elected or appointed to the Board of Governors shall be deemed to resign as a Trustee of this Board effective as of the date that his or her term commences as a member of the Board of Governors.
- c) Whenever any vacancy shall occur in the membership of the Board among those appointed by the Governor, it shall be the duty of the Secretary of the Board of Trustees to inform the Governor of the existence of such vacancy and the Governor will appoint a person to fill the expired term. Whenever any vacancy shall occur among those elected by the Board of Governors, it shall be the duty of the Secretary of the Board to inform the Board of Governors of the existence of the vacancy and the Board of Governors will elect a person to fill the unexpired term.
- d) 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.

Section 5. Trustee Emeritus Honorary members

Upon a motion by a member of the Board of Trustees, election of Trustee Emeritus shall be upon an affirmative vote of a majority of voting Trustees present at a properly called meeting at which a quorum is present. A Trustee Emeritus shall have none of the obligations of membership, but shall be entitled to all privileges, except those of making motions, voting, holding office and attending closed sessions of the full Board and Executive Committee; provided further that a Trustee Emeritus has no membership privilege that is inconsistent with State law or The Code of the Board of Governors of The University of North Carolina.

ARTICLE III Powers and Duties

The Board of Trustees shall promote the sound development of Elizabeth City State University within the functions prescribed for it, helping to serve the people of The State of North Carolina 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. This Board shall serve as advisor to the Board of Governors on matters pertaining to Elizabeth City State University and shall also serve as advisor to the Chancellor concerning the management and development of Elizabeth City State University.

ARTICLE IV Officers

Section 1. Election

At the September meeting of each year, the Board of Trustees shall elect from its membership a Chair, Vice Chair and Secretary, each of whom shall serve for a term of one (1) year and until his successor is elected. 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.

Section 2. Chair

The Chair shall preside at the meetings of the Board of Trustees. In his or her absence, the Vice Chair shall preside, if present. Otherwise, the Chair shall designate some other member of the Board to perform such duty. Together with the Secretary and or the Vice Chair, the Chair shall execute all papers to which it is necessary to affix the seal of the University. The Chair shall be a member, ex officio, of all committees of the Board, to which he or she is not formally

designated a member.

Section 3. Vice Chair

In the absence or inability of the Chair to discharge the duties of that office, all duties pertaining to the office of the Chair of the Board of Trustees shall devolve upon and be executed by the Vice Chair.

Section 4. Secretary

The Secretary shall see that faithful records of all proceedings are kept; shall conduct correspondence, give notice of time and place for holding each meeting, regular or called, and shall see that all documents entrusted to his or her care are filed and safely kept at the University. The books and papers so preserved shall be subject at all times to the inspection of the Board of Governors, the Board of Trustees, or of any duly authorized committee of either Board, but shall be surrendered only to an agent or officer appointed to receive them and upon proper receipt therefore. The Secretary shall keep the Board of Governors, through the Secretary of the University, fully and promptly informed concerning activities of the Board of Trustees, including notice of any changes in membership of the Board or in its Committee structure or Bylaws, notices of meetings and a copy of the minutes of all meetings.

Section 5. Appointments by the Chancellor

- a) Assistant Secretary and Senior Liaison Officer. The Chancellor, with the consent of the Board of Trustees, may appoint persons to serve as the Assistant Secretary and Senior Liaison Officer to the Board. Copies of all minutes, papers and documents of the Board may be certified by its Assistant Secretary with the same force and effect as though such certification were made by the Secretary of the Board.
- b) Corresponding and Recording Secretary. The Chancellor may also appoint, with the advice and consent of the Board of Trustees, a Corresponding and Recording Secretary from his or her staff to assist the Assistant Secretary.
- c) Persons to serve as ex officio liaisons to all Board committees.

ARTICLE V
Committees

Section 1. Board of Trustees

The Board of Trustees may create standing and special committees as it deems appropriate and proper for the oversight of the affairs of the University. The standing committees and special committees shall exercise powers as delegated and perform duties subject to the direction and approval of the Board. Each established committee may make recommendations to the Board for the adoption of new and revised university policies.

Section 2. Standing Committees

- a) There shall be five standing committees of the Board as follows: the Executive and Personnel Committee; the Academic Policies and Programs Committee; the Budget, Finance and Audit Committee; the Buildings and Property Committee; and the Student Affairs Committee. The Chair of the Board of Trustees shall appoint all members of the standing committees.

Section 3. Duties of Standing Committees

- a) Executive and Personnel Committee. The Chair of the Board of Trustees shall be Chair of the Executive and Personnel Committee. The Chair shall appoint members of this committee consisting of the Vice Chair, Secretary and two other board members, appointed at the regular meeting held in the month of September. The Executive and Personnel Committee shall have full power to act for the Board, except that it shall not have the power to alter or revoke any order, resolution or vote of a regular or special meeting of the Board of Trustees. The Executive and Personnel Committee shall submit in writing all of its actions to the Board of Trustees at its next regular meeting for ratification or final approval. It shall also recommend to the Board final approval of the appointments of all faculty and administrative officers, and their promotions which do not require approval of the Board of Governors upon request of the Chancellor. Personnel actions requiring Board of Governors approval must be submitted to the Board through this committee prior to submission to the Board of Governors. The Executive and Personnel Committee may recommend action upon appellate review of

major grievances coming from the staff through the Chancellor to the Board of Trustees.

- b) Academic Policies and Programs Committee. The Academic Policies and Program Committee shall be composed of a minimum of three members of the Board and shall make recommendations to the Board on matters relating to the establishment of new degree programs; program revisions and/or discontinuations; policy proposals of the faculty and/or student body; mission statement; long range planning and general development; retention and graduation rates; and the instructional, research and public service programs of the University.
- c) Student Affairs Committee. The Student Affairs Committee shall be composed of a minimum of three members of the Board and shall make recommendations to the Board on matters related to all areas of student life other than the formal instructional activities. It shall have oversight responsibilities for student financial aid and scholarships consistent with state and federal laws, student health services, intercollegiate athletic programs, student conduct and discipline, non-academic counseling and student government.
- d) Budget, Finance and Audit Committee. The Budget, Finance and Audit Committee shall be composed of a minimum of three members and shall review financial matters, annual audit reports and make recommendations to the Board on financial matters pertaining to budget administration; the endowment program; fundraising; development and planning; tuition, fees and deposits, and auxiliary enterprises.
- e) Buildings and Property Committee. The Buildings and Property Committee shall be composed of a minimum of three members and shall make recommendations to the Board on matters involving capital projects and improvements to campus buildings; and the purchase, sale or exchange of real property. It shall also consider and make recommendations on matters of parking, traffic, vehicle registration and regulations relating to campus security.

ARTICLE VI

Meetings

Section 1. Regular Meetings

There shall be four (4) regular meetings of the Board of Trustees each year. These meetings shall be held on the second Tuesday in the months, September, December, March and June. Regularly scheduled meetings may be rescheduled to other days within the above months, at the request of the Chair or upon the written request of at least seven (7) members of the Board for exceptional circumstances, with ten (10) days written notice to all Board members, prior to the rescheduled date. A notice specifying the time and place of each regular meeting of the Board shall be mailed, sent by facsimile or E-mail, by the Secretary or Assistant Secretary, to each member of the Board at least seven days in advance of the meeting. The Chancellor of the University shall provide a convenient place within/without the University for meetings. Any matter of business may be considered at a regular meeting of the Board. Members of the Board of Trustees may waive notice of time, place or purpose of any regular or special meeting of the Board by written notice, and attendance at any such meeting shall be deemed waiver of notice. A majority of the membership of the Board shall constitute a quorum for the transaction of business at all authorized meetings.

Section 2. Special Meetings

A special meeting of the Board of Trustees may be called by the Chair and shall be called by the Secretary upon the written request of not fewer than six members of the Board, or upon request of the Chancellor. A special meeting called by the Secretary shall be held within fourteen (14) days of receipt by the Secretary of the sixth written request for such special meeting. A notice specifying the time and place of a special meeting of the Board of Trustees shall be mailed or sent by facsimile by the Secretary to each member of the Board at least ten (10) days in advance of the meeting date; but notice of three (3) days may be given by telephone, telegraph or facsimile, when in the judgment of the Chair, an emergency exists. Any matter of business relating to Elizabeth City State University may be considered at a special meeting of the Board, except that:

- a) The Board of Trustees in special session may not revoke, alter or amend any order, resolution or vote done, made or adopted any regular meeting, unless that action is voted for at the special meeting by two-thirds (2/3) of the authorized membership of the Board of Trustees; in the absence of such two-thirds (2/3) affirmative vote, any order, vote, resolution or other act does, made or adopted at a special meeting that is contrary to or at variance with any order, vote, resolution or other act done at a previous regular meeting shall be null, void and of no effect.
- b) 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 of the Board, unless the special session, by

affirmative vote of two-thirds (2/3) of the authorized membership of the Board shall overrule this limitation on action.

Section 3. Agenda

- a) At least seven (7) days prior to each regular meeting of the Board of Trustees, a copy of the agenda, including (insofar as is practicable) copies of all reports and other written materials to be presented at the regular meeting, shall be mailed and/or sent by facsimile to each member of the Board. Insofar as is practicable, a copy of the agenda for each special meeting of the Board, with reports and other written materials to be presented, shall be mailed or sent by facsimile to each member of the Board at least five (5) days in advance of the special meeting. When matters are to be considered by a committee between the time of the mailing of the agenda and the time of any regular or special meeting of the Board and are expected to be presented to the Board for action at the meeting, all members of the Board shall be mailed such materials as a committee may prescribe by standing rule or as the Chair of a committee may designate, in order to inform the Board, insofar as may be feasible, of the nature of the action that might be asked of it.

- b) The agenda for a regular or special meeting of the Board of Trustees shall be prepared by the Chancellor or his/her staff with the approval of 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 of the University in sufficient time to be reported to the Chair by the Chancellor prior to the regular or special meeting in question in order to permit a determination with respect to the propriety and practicability of, including that item on the agenda.

Section 4. Conduct of Business

- a) A quorum of the Board or of its several committees shall consist of a majority of the members of the Board of Trustees or of its several committees.

- b) The Chair shall preside over all regular and special meetings of the Board of Trustees. In the absence of the Chair, the Vice Chair shall preside. In the absence of both, the Chair and the Vice Chair, a presiding officer shall be elected by and from the membership of the

Board.

- c) All members of the Board of Trustees¹ may vote on all matters coming before the Board for consideration. No member may vote by proxy.
- d) Except as modified by specific rules and regulations enacted by the Board of Trustees, Robert's Rules of Order Newly Revised (latest edition) shall constitute the rules of parliamentary procedure applicable to all meetings of the Board of Trustees and its several committees.
- e) The order of business at all meetings shall usually be:
 - ii Roll Call
 - iii Approval of minutes of previous meeting and of Executive Sessions
 - iv Report of Committees
 - v Chancellor's Report
 - vi Other Business
 - vii Executive Session
 - viii Resumption of Open Session
 - ix Adjournment

Section 5. Minutes

- a) The Secretary or Assistant Secretary, with the assistance of the Corresponding and Recording Secretary, shall keep minutes of all meetings of the Board, shall file, index and preserve all minutes, papers and documents pertaining to the business and proceedings of the Board; shall be custodian of all records of the Board; and, when required, shall attest the execution of all legal documents and instruments of Elizabeth City State University.
- b) Within thirty (30) days after each meeting of the Board, the Secretary or Assistant Secretary shall cause to be transcribed the minutes of the meeting and mail a copy to each member of the Board.

Section 6. Executive Session

By order of the Chair or by vote of a majority of the members present at any meeting of the Board, the Board may convene in executive session, consistent

¹Trustee Emeritus Honorary Members are not entitled to vote, pursuant to Article II, Section 5.

with State law and policy.

Section 7. Keeping Board of Governors Informed

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

Section 8. Amendments and Suspensions of Code Provisions

Any provisions of this Code (except those required or governed by The Code of the Board of Governors of The University of North Carolina or by statutory or constitutional provisions of the State of North Carolina) may be suspended at any regular or special meeting of the Board of Trustees, for that meeting, by affirmative vote of two-thirds (2/3) of the authorized membership of the Board.

ARTICLE VII

Action Without Formal Meeting

Any action required or permitted to be taken by the Board of Trustees or by any committee thereof may be taken without a formal meeting. Meetings may be conducted by mail, telephone, telegram, cable, or in any other way the Trustees shall decide. However, the action so taken shall be ratified by the members of the Board of Trustees or of the committee involved, as the case may be, at the next regular meeting of the Board or the committee.

ARTICLE VIII

Powers and Duties of the Board of Trustees

Section 1. General Powers and Duties

The Board of Trustees shall promote the sound development of Elizabeth City 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 the University and shall also serve as advisor to the Chancellor concerning the management and development of the institution.

Section 2. Other Powers and Duties

The Board of Trustees shall have such other powers and duties, not inconsistent with provisions

of State law, as are specified in said Code or as shall be defined and delegated by the Board of Governors.

Section 3. Academic and Administrative Personnel

- a) With respect to all faculty positions with permanent tenure and all senior administrative positions, namely vice chancellors, assistants to the chancellor and directors of major educational and public service programs, the Chancellor, following consultation with the Board of Trustees, shall forward to the President recommendations with respect to such appointments, promotions and compensation. If the President concurs in such recommendations, he shall forward them to the Board of Governors for approval.
- b) With respect to all faculty and administrative positions, other than those identified in (a) above, and other than those subject to the State Personnel Act, the Chancellor shall forward his recommendations for appointment, promotion and compensation to the Board of Trustees; subject to applicable provisions of the University Code and to such policies as may be established by the Board of Governors. The action of the Board of Trustees with respect to such personnel actions shall be final.
- c) Subject to regulations of the Board of Trustees 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 University Code, Policies of the Board of Governors or Regulations of the Board of Trustees.
- d) The Board of Trustees may adopt personnel policies otherwise prescribed by State law, the University Code or policies of the Board of Governors, for personnel in all categories of University employment. Elizabeth City State University shall give equal opportunity for employment, without regard to race, religion, color, creed, national origin, sex or disability, to all persons otherwise qualified.

Section 4. Vacancy in the Chancellorship

- a) In the event of a vacancy in the Chancellorship, the Board of Trustees shall establish a search committee composed of representatives of the Board of Trustees, the faculty, the

student body and the alumni. Upon establishment of the search committee, the Chair of the Board of Trustees and the President shall jointly establish a budget and identify staff for the committee.

- b) The search committee shall make a preliminary report to the President through its Chair, when the committee is preparing a schedule of interviews of those persons it considers to be the final list from whom it anticipates the Trustees' nominee will be chosen. The President will then be given an opportunity to interview each of these candidates.
- c) The Board of Trustees, following receipt of the report of the search committee, shall recommend at least two names for consideration by the President in designating a nominee for the Chancellorship, for approval by the Board of Governors.
- d) Upon election, the Chancellor shall hold office at the pleasure of the Board of Trustees and/or Board of Governors.

Section 5. Budgets and Finance

- a) Budgets. The biennial (or annual as the case may be) budget for the University should be presented to the Board of Trustees or its Executive Committee for review. Based on the annual and/or biennial budget for maintenance and operation approved by the General Assembly and the Board of Governors, the Chancellor may, in his/her discretion, present, in his/her annual report or in a report at a subsequent meeting, a budget for each fiscal year of the biennium.
- b) Investment of Funds. As may be authorized by the Board of Governors, the Board of Trustees authorizes the State Treasurer or his/her duly appointed person to execute in the proper name the certificates or other writing necessary to effect the transfer or surrender of registered bonds of the United States or other bonds or securities held by the Vice Chancellor for Business and Finance or Chancellor for Elizabeth City State University. The Board of Trustees further authorizes the Chancellor to establish with the Vice Chancellor for Business and Finance the policy for investment of all funds which become available for investment from endowment, or construction project funds derived from sale of revenue bond in custody of or for the institution. In case of endowment funds, the Chancellor may authorize any other legally constituted agency approved by the Board of Trustees at the next regular meeting immediately following the action or included in the

annual report.

Section 6. Capital Outlay and Property

- a) Capital Outlays. When the Board of Trustees review and/or approves the budget of the University for presentation to the appropriate State officials, it gives authority to the Chancellor to act as permitted and/or directed by the Board of Governors, and act for the Board of Trustees in completing and accepting completed capital improvement projects and then report to the Board as to the date of completion and recommend acceptance of such projects.
- b) Names of Buildings. The permanent names of all buildings must be approved by the Board of Trustees.
- c) Sale of Property. As may be authorized by the Board of Governors, the Board of Trustees must approve sale, exchange, or other disposal of all real estate.

Section 7. Academic Program

The Board of Trustees shall be responsible for insuring the University'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.

- a) Academic Degrees. Subject to authorization by the Board of Governors of the nature and general content of specific degree programs which may be offered by an institution, each institution shall determine whether an individual student shall be entitled to receipt of a particular degree. No appeal from such an institutional decision shall lie beyond the Board of Trustees, unless it is alleged that the institutional decision was violative of an established policy of the Board of Governors.
- b) 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 memorial distinction be conferred by the University, subject to such policies as may be established by the Board of Governors.

ARTICLE IX
Long-Range Plan

Section 1. Development Program

As may be authorized by the Board of Governors, the Board of Trustees shall approve the long range general development program designed to meet existing and future needs of the University. Modification in this program shall be approved at the appropriate times.

Section 2. Site Plan

As may be authorized by the Board of Governors, the site plan for the University must be approved by the Board of Trustees; once approved, it remains the site plan of the University until modified by the Board. After the Board's approval of the site plan, the Chancellor has the authority, after securing the approval of appropriate State officials, to buy any of the properties included in the plan for which there are available funds.

ARTICLE X
Chancellor

Section 1. General Authority

The administrative and executive head of Elizabeth City State University shall be the Chancellor, who shall exercise complete executive authority therein, subject to the direction of the President of The University of North Carolina. He or she shall be responsible for carrying out policies of the Board of Governors and the Board of Trustees.

Section 2. Relation of the Chancellor to the Board of Governors and the President

- a) It shall be the duty of the Chancellor to keep the President, and through him or her, the Board of Governors, fully informed concerning the operations and needs of the University. Upon request, the Chancellor shall be available to confer with the President or with the Board of Governors concerning matters that pertain to the University. As of June 30th of each year, the Chancellor shall prepare for the Board of Governors a detailed report on the operation of the institution for the preceding year. He or she shall make such additional reports to the President the Board of Governors as the President or the Board of Governors may require.
- b) The Chancellor shall make recommendations for development of the educational programs of the University and shall serve as general adviser to the President, and through the Board of

Governors, with respect to all programs and activities of the institution.

- c) The Chancellor shall be responsible to the President for the administration of the institution, including the enforcement of the decisions, actions, policies and regulations of the Board of Governors applicable to the institution.
- d) Subject to policies prescribed by the Board of Governors and by the institutional Board of Trustees, the Chancellor shall make recommendations for the appointment of personnel within the institution. With respect to all personnel matters, including appointments, promotions, removals and compensation for the institutions academic administrative and other staff, which are required to be acted upon by the Board of Governors, the Chancellor shall make recommendation to the President.
- e) The Chancellor shall present to the President all matters concerning the institution which are to be considered by the Board of Governors or any of its committees. In accordance with prescribed administrative procedures uniformly applicable to all institutions, the Chancellor shall participate in the development of the proposed budget of The University of North Carolina.
- f) The Chancellor shall be the official medium of communication between the President and all senior administrative officers, deans, heads or chairmen of departments, directors and all other administrative officers, faculty members, students and employees.

Section 3. Relation of the Chancellor to the Board of Trustees

- a) It shall be the duty of the Chancellor to attend all meetings of the Board of Trustees and to be responsible for keeping the Board of Trustees fully informed on the operation of the institution and its needs.
- b) During the September meeting of each year, the Chancellor shall prepare for the Board of Trustees a detailed report on the operation of the institution for the preceding year. The Chancellor shall also submit such additional reports to the Board of Trustees as he may deem wise or as the Board may require. He shall seek counsel of the Board of Trustees concerning the affairs of the institution.
- c) The Chancellor shall be responsible to the Board of Trustees for enforcing all policies, rules and regulations of the Board of

Trustees.

- d) The Chancellor shall be the official medium of communication between the Board of Trustees and all individuals, officials, agencies and organizations, both within and without the institution.

Section 4. Relation of the Chancellor to Elizabeth City State University

- a) Subject to policies established by the Board of Governors, the Board of Trustees or the President, the Chancellor shall be the leader of and the official spokesperson for Elizabeth City State University. He/She shall promote the educational excellence and general development and welfare of the institution; shall define the scope of authority of faculties, councils, committees and officers of the institution; and all projects, programs and institutional reports to be undertaken on behalf of the institution shall be subject to his or her authorization and approval.
- b) Subject to any policies or regulations of the Board of Governors or of the Board of Trustees, it shall be the duty of the Chancellor to exercise full authority in the regulation of student affairs and in matters of student discipline in the University. In the discharge of this duty, delegation of such authority may be made by the Chancellor to faculty committees and to the administrative or other officers of the institution, or to the agencies of student government, in such manner and to such extent as may be by the Chancellor be deemed necessary and expedient. In the discharge of his/her duty with respect to matters of student discipline, it shall be the duty of the Chancellor to secure to every student the right or due process of fair hearing, the presumption of innocence until found guilty, the right to know the evidence and to face witnesses testifying against him/her and the right to such advice and assistance in his/her own defense as may be allowed under the regulations of the institution as approved by the Chancellor. In those instances where the denial of any of these rights is alleged, it shall be the duty of the President to review the proceedings.

Section 5. Intercollegiate Athletics

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

ARTICLE XI

Amendment of Bylaws

These Bylaws may be amended at any regular meeting of the Board of Trustees by the affirmative vote of two-thirds (2/3) of the membership of the Board, provided that the substance of the proposed amendment is filed with the Secretary or Assistant Secretary and is mailed or sent by facsimile to each member at least ten (10) days before the meeting.

ARTICLE XII Subordination to University Code

To the extent that any of these Bylaws may be inconsistent with The Code of The University of North Carolina, as the same may be amended from time to time, said Code shall control.

Amended and Adopted by the Board of Trustees
of Elizabeth City State University

Charles W. Penny
Chairman

Betty S. Meggs
Secretary

Date