

### Establishment of the Center for Public Television

WHEREAS, the 1979 session of the General Assembly authorized and directed the Board of Governors to establish the University of North Carolina Center for Public Television, to establish the Board of Trustees of the Center and to delegate to the Board of Trustees "such powers and duties as the Board of Governors deems necessary or appropriate for the effective discharge of the functions of the Center"; and

WHEREAS, at its meeting on November 9, 1979, the Board of Governors appointed eleven persons to serve on the Board of Trustees of the Center; and

WHEREAS, the Governor has appointed four persons to serve on the Board of Trustees, the President of the Senate has appointed one person and the Speaker of the House of Representatives has appointed one person, all pursuant to authority given by statute:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. There is hereby established, effective May 1, 1980, the University of North Carolina Center for Public Television. [N.C.G.S. § 116-37.1(a)]
2. There is hereby established, effective May 1, 1980, the Board of Trustees of the University of North Carolina Center for Public Television [See N.C.G.S. § 116-37.1(b)]
  - a. The Board of Trustees shall be composed of twenty-two persons chosen as follows:
    1. Eleven appointed by the Board of Governors;
    2. Four appointed by the Governor;
    3. One senator appointed by the President of the Senate [changed in 1983 by statute];
    4. One member of the House of Representatives appointed by the Speaker of the House [changed in 1983 by statute];
    5. The secretary of the Department of Cultural Resources, *ex officio*;
    6. The superintendent of Public Instruction, *ex officio*;
    7. The State President of the Community College System, *ex officio*; and
    8. The President of the University of North Carolina, *ex officio*. [See N.C.G.S. § 116-37.1(b)(1)]

- b. Six of the eleven persons initially appointed by the Board of Governors shall serve for two-year terms, and five shall serve for four-year terms. [See N.C.G.S. § 116-37.1(b)(1) and see minutes of the Board of Governors dated November 9, 1979]
- c. Two of the four persons initially appointed by the Governor shall serve for two-year terms and two for four-year terms. [See N.C.G.S. § 116-37.1(b)(1)]
- d. The person appointed by the President of the Senate shall serve for a term of four years and shall be eligible for reappointment, but if he ceases to be a member of the Senate, he shall be deemed to have resigned from the board. [changed in 1983 by statute] [See N.C.G.S. § 116-37.1(b)(1)]
- e. The person appointed by the Speaker of the House of Representatives shall serve for a term of four years and shall be eligible for reappointment, but if he ceases to be a member of the House of Representatives, he shall be deemed to have resigned from the board. [changed in 1983 by statute] [See N.C.G.S. § 116-37.1(b)(1)]
- f. After the initial appointments, all persons appointed by the Board of Governors, by the Governor, by the President of the Senate and by the Speaker of the House of Representatives shall be appointed for four-year terms, provided that, if a vacancy occurs during a term, the vacancy shall be filled for the remainder of the unexpired term by appointment of the original appointing authority for the vacant seat. [See N.C.G.S. § 116-37.1(b)(1) and (5)]
- g. Any person appointed by the Board of Governors who has served two full four-year terms in succession shall, for a period of one year, be ineligible for reappointment.
- h. In making appointments to the Board of Trustees the appointing authorities shall give consideration to promoting diversity among the membership, to the end that, in meeting the responsibilities delegated to it, the Board of Trustees will reflect and be responsive to the diverse needs, interests and concerns of the citizens of North Carolina [See N.C.G.S. § 116-37.1(b)(1)]
- i. No person shall be appointed to the Board of Trustees who is an employee of the State or of any constituent institution; a public officer of the State as defined in N.C.G.S. §§ 147-1, 147-2, and 147-3(c); a member of the Board of Governors; a trustee of a constituent institution; or the spouse of any of the foregoing; provided, however, that the President of the Senate may appoint a senator and the Speaker of the House of Representatives may appoint a member of the House, in accordance with the provisions of the statutes [changed in 1983 by statute]. Any other appointed member of the Board of Trustees who after appointment becomes any of the foregoing shall be deemed to have resigned from the Board of Trustees. [See N.C.G.S. § 116-37.1(b)(1) and (2)]
- j. Each *ex officio* member of the Board of Trustees may designate in writing a proxy for specified meetings which the *ex officio* member finds he or she is unable reasonably to attend. [See N.C.G.S. § 116-37.1(b)(3)]
- k. Each appointive member of the Board of Trustees who fails, for any reason other

than ill health or service in the interest of the State or the nation, to attend three consecutive regular meetings of the Board of Trustees, shall be deemed to have resigned from the Board of Trustees [See N.C.G.S. § 116-37.1(b)(4)]

I. Whenever a vacancy occurs during the term of an appointive member the chairman of the Board of Trustees shall promptly notify the secretary of the University of North Carolina of the vacancy, and the secretary shall give written notice of the vacancy to the appropriate appointing authority. [See N.C.G.S. § 116-37.1(b)(5)]

3. At the first meeting after May 1 of each even-numbered year the Board of Trustees shall elect from its appointive membership a chairman and a vice chairman to serve for terms of two years. No *ex officio* member shall be eligible to serve as chairman or vice chairman. No person shall serve as chairman for more than two full two-year terms in succession. The director of the Center shall serve as secretary of the board. Copies of all minutes, papers, and documents of the board may be certified by the secretary.

4. The Board of Trustees shall prepare by-laws that deal, to the extent the Board of Trustees sees fit, with such topics as regular and special meetings of the board, the organization of the board for the conduct of its business and the procedures to be followed in handling its business. The by-laws, and any amendments thereto, shall become effective upon approval by the Board of Governors.

5. As of June 30 of each year the director shall prepare for the Board of Trustees and the President, and through him for the Board of Governors, a report on the operation of the Center for the preceding year. He shall make such additional reports to the Board of Trustees, the President and the Board of Governors as they may from time to time request.

6. The Board of Trustees shall promote the sound development of the University of North Carolina Center for Public Television, helping it to serve the people of the State and aiding it to perform at a high level of excellence in every area of endeavor. More specifically, the Board of Trustees is charged, working with the director of the University of North Carolina Center for Public Television, to do the following:

- a. To review, on a continuing basis, the status of public television in North Carolina;
- b. To advise the President and Board of Governors with respect to whether the programming and other activities of the Center are meeting the special educational and cultural needs of the State;
- c. To recommend to the President ways through which public television can improve and expand its service to potential viewers;
- d. To assist, as needed, in the raising of non-State funds for the support of the activities of the Center;
- e. To give advice to the President on the structure and organization of the Center;
- f. To help define, on a continuing basis, the program goals of the Center;

- g. To advise on program standards for the Center;
  - h. To help coordinate the efforts of volunteers and community interest groups who are concerned with public television;
  - i. To advise on and assist with the public relations of the Center;
  - j. To assist, on request of the President and with his leadership, in the development and maintenance of good relations between the Center and appropriate State and federal agencies; and
  - k. To advise and assist in the development and maintenance of long-range plans for the Center.
7. The Board of Trustees shall serve as the "community advisory board" to the licensee as required by the Federal Public Telecommunications Financing Act of 1978.
8. The Board of Governors shall not be deemed by any of the provisions of this resolution, or otherwise, to have delegated any responsibility it may have as licensee of the broadcast facilities of the University of North Carolina. [See N.C.G.S. § 116-37.1(b)]
9. The chief administrative officer of the Center shall be a director, who shall be elected by the Board of Governors upon recommendation of the President and who shall be responsible to the President. [See N.C.G.S. § 116-37.1(c)]