

TITLE 3: HUMAN RESOURCES
DIVISION 1: EDUCATION

§ 12114. Board of Trustees: Nominating Committee, Vacancies and Removal.

(a) There shall be a nominating committee established and shall be composed of: one member of the Board, who shall be an ex-officio chairperson of the nominating committee and shall not be entitled to any vote; one member from the community at large; one member representing a business or an industry; and the CEO of the Institute. The members of the nominating committee shall be appointed by the chairperson of the Board of Trustees. The nominating committee shall be responsible for proposing names to fill the vacant position on the Board of Trustees. For any vacancy occurring in the Board, the nominating committee shall provide a list of names to the Governor from which the Governor shall appoint a Board member to fill the vacancy. Any vacancy caused by resignation, removal, death or otherwise shall, within 90 days of the vacancy, be filled for the period of the unexpired term pursuant to 3 CMC §§ 11022–11023.

(b) A member of the Board may be removed before the expiration of his or her term for incompetence, neglect of duty, or malfeasance only by a vote of three-fourths of the Board members serving and not by action of the Governor.

(c) A member of the Board is automatically removed if he or she has at least three consecutive unexcused absences.

(d) The Board shall adopt rules of procedure for these removal proceedings, which shall include appropriate notice and pre-removal hearing requirements.

(e) After a gubernatorial election, no “courtesy resignation” shall be requested of any Board members by the incoming administration.

Source: PL 20-92 § 2 (Feb. 18, 2019), modified.

Commission Comment: The Commission added a semicolon after “composed of” in (a) and modified “3 CMC §§ 11022 and 11023” to “3 CMC §§ 11022–11023” in (a) and changed the final punctuation in (e) to a period pursuant to 1 CMC § 3806(g).