

COLLEGE OF THE OUACHITAS
Board of Trustees
Bylaws

- I. Name and Authority
 - A. The Arkansas State Board of Higher Education, under the authority of Act 1244 of 1991 enacted by the Arkansas General Assembly, on July 1, 1991, designated Ouachita Vocational Technical School as a technical college which became part of the Arkansas Technical and Community College System under the coordination of the State Board of Higher Education.
 - B. The institution shall be known and distinguished by the name of “Ouachita Technical College.” The College was officially renamed to “College of the Ouachitas” by the Arkansas Legislature effective July 1, 2011. The Board of Trustees of College of the Ouachitas (“Board”) shall be responsible for the administration and operation of the College pursuant to the powers and duties enumerated by Act 1244 of 1991 and rules and regulations adopted by the Arkansas Department of Higher Education (ADHE) and shall be further responsible for the provision of services to meet the two-year post-secondary educational needs of those citizens located within the service area of the College.
 - C. The College of the Ouachitas will not discriminate on the basis of race, color, creed, religion, sex, national origin, age, or disability status in the providing of educational services or in the admission to, employment by, or promotion within the College. The Board shall comply with Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; the Drug-Free Schools Act; the Drug-Free Workplace Act; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act; the Americans with Disabilities Act of 1990; the Family Educational Rights and Privacy Act; the Student Right to Know Act; the Campus Security Act; and all other applicable state and federal laws, rules, and regulations.
- II. The Board of Trustees
 - A. Membership
 - 1. Membership. The Board of Trustees shall consist of seven members who shall be appointed by the Governor and subject to the confirmation of the Senate. A.C.A. 6-53-302(a)
 - 2. Term of Office. The term of office of board members shall be seven years. The initial board appointees shall determine their terms by lot so that no more than one term shall expire during any year. A.C.A. 6-53-302(b). Upon completion of a term, members may be asked to serve another term.
 - 3. Qualifications. Members of the Board shall be qualified electors of the service area of the College and knowledgeable in business, labor, industry, or economic development. No candidate for public office, holder of public office in the state, certified or non-certified employee of a public school district, classified or non-classified employee of any community college, vocational-technical school, or institution of higher learning, or any member of a board of trustees of a school district, community college, or institution of higher

learning, or his or her spouse, shall serve as a member of the Board. A.C.A. 6-53-302(c), (d)

4. Vacancies. When a vacancy occurs in the membership of the Board, the President of the College shall so notify the Governor who shall appoint a successor to the person who vacated membership to serve the unexpired term of the person succeeded. A.C.A. 6-53-302(e)

B. Officers

At its first regular meeting after July 1 each year, the Board shall elect from its membership for a one-year term, and until their respective successors have been elected, a Chair, Vice Chair, and a Secretary. The Executive Administrative Assistant to the Board of Trustees will serve as an assistant to the Secretary for the purpose of taking and transcribing the minutes of the board meetings.

III. Meetings and Bylaws

A. Meetings

1. Regular Meetings. Regular meetings of the Board shall be held at least quarterly and shall be held at a time and place as the Chair designates.
2. Special Meetings. Special meetings of the Board may be called by the Chair at his or her discretion or upon the call of not fewer than four members of the Board.
3. Electronic Meetings. Meetings may be held electronically (e.g. conference phone call or by email), provided every party to the meeting can understand the communication occurring during the meeting.
4. Open Meetings. All meetings of the Board shall be open to the public, including electronic meetings, unless, consistent with the requirements of the Arkansas Freedom of Information Act, a meeting is closed to the public for the consideration of personnel matters.
5. Executive Session. The board shall adjourn to executive session for the consideration of personnel matters. Should any decision be made during an executive session, the Board must reconvene in public session for official action. A.C.A. 25-19-106
6. Bylaws. The Bylaws shall be subject to amendment at any meeting of the Board provided any such proposed change is a matter of the agenda in accordance with the procedures outlined herein.
7. Public notice as required by the Arkansas Freedom of Information Act shall be given to all meetings.

B. Agenda

1. The agenda for a regular or special meeting of the Board shall be prepared by the President in consultation with the Chair. Members of the Board may submit items to be included on the agenda by notifying the President.
2. A copy of the agenda for each regular meeting of the Board and, insofar as is practicable, copies of all reports and other materials to be presented at the regular meeting as a part of the agenda, shall be provided to each member of the Board at least five (5) days in advance of the meeting.

C. Conduct of Business

1. Quorum. A quorum for the conduct of business of the Board shall consist of four members of the Board.
2. Presiding Officer. The Chair shall preside at all regular and special meetings of the Board. In the absence of the Chair, the Vice Chair shall preside. In the absence of the Vice Chair, a presiding officer shall be elected by and from the membership of the Board.
3. Power to Vote: All members of the Board may vote on all matters coming before the Board for consideration. It shall require a majority of the members present to take official action on a matter.
4. Rules of Order: Except as modified by these Bylaws, Roberts Rules of Order (latest edition) shall constitute the rules of parliamentary procedure applicable to all meetings of the Board and its committees.

D. Minutes

The Executive Administrative Assistant to the Board of Trustees shall keep minutes of all meetings, 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 shall attest the execution by the Chair of all legal documents and instruments of the College.

E. Committees

1. College Finance Committees: The Board shall establish a College Finance Committee, consisting of the full board. The College Finance Committee shall consider matters concerning the budget, audit report review, construction, bond issues, contracts, and real and personal property.
2. Special Committees: Special committees may be appointed by the Chair of the Board.
3. The Board shall select two from among its members to serve on the College Foundation Board of Directors.

IV. Powers and Duties

- A. To acquire, hold and transfer real and personal property, to enter into contracts, to institute and defend legal actions and suits, and to exercise such other rights and privileges as may be necessary for the management and administration of the College; A.C.A. 6-53-302(f)(1)

- B. To appoint the President of the College; A.C.A. 6-53-302(f)(2)
 - C. To appoint, upon nomination of the President, members of the administrative and teaching staffs; A.C.A. 6-53-302(f)(3)
 - D. To determine, with the approval of the Arkansas Higher Education Coordinating Board (AHECB), the educational program of the College; A.C.A. 6-53-302(f)(4)
 - E. To make rules and regulations consistent with Act 1244 of 1991 and with the rules and regulations of the Arkansas Higher Education Coordinating Board (AHECB) as are necessary for the proper administration and operation of the College; A.C.A. 6-53-302(h)
 - F. May contract with the Department of Career Education, a non-profit organization, a local school board within its service area, or a business and/or industry partner to offer secondary level general academic and vocational and technical courses and programs, adult literacy courses, industry training, or other services needed by citizens of the service area of the College; A.C.A. 6-53-306
 - G. May establish and operate a transportation system for students within the service area of the College assigned by the Arkansas Higher Education Coordinating Board (AHECB); A.C.A. 6-53-305
 - H. Shall set both in-district and out-of-district student tuition and fees at a reasonable level to the greatest extent possible so as not to exclude citizens because of cost; A.C.A. 6-53-304. The Board may also establish tuition and fees for out-of-state and international students whose official residency is outside a community college district.
 - I. Other powers and duties as provided by Act 1244 of 1991 and as delegated to it by the Arkansas Higher Education Coordinating Board (AHECB). A.C.A. 6-53-302(f)(5)
- V. Officers of the College
- A. President

The President of the College shall serve at the pleasure of the Board. When a vacancy occurs in the office of the President, the Board shall conduct a search in order to find the best possible candidate.
 - B. Other Officers and Staff

The Board, upon nomination of the President, shall appoint members of the administrative and teaching staffs of the College. When a vacancy occurs in the teaching and administrative staff, the position shall be filled in accordance with sound search and selection practices. When a vacancy occurs in any cabinet level position, the College shall conduct a search in order to find the best possible candidate.
 - C. Compensation of Faculty and Staff

The Board may set compensation levels for the teaching and administrative staff, consistent with the provisions of state law, applicable state regulations and the appropriation acts of the Arkansas General Assembly.