

National Park College

Bylaws of the Board of Trustees

Article I – Legal Basis

The National Park College Board of Trustees was organized and functions under the provisions of Act 103 of the 1973 General Assembly, as amended, and Act 678 of 2003. Subject to these laws, the Board of Trustees shall have ultimate authority over the College, the departments thereof, its funds, and its operations. The Board's bylaws and other board policy statements shall take precedence over all other institutional statements, documents, and policies.

Article II – Board Powers and Duties

In accordance with § 6-61-521, the powers and duties of the local board are as follows:

1. To select its own chairman and such other officers as it may deem desirable from among its own membership;
2. To adopt and use a seal;
3. To determine, with the advice of the Arkansas Higher Education Coordinating Board, the educational program of the community college;
4. To appoint and fix the compensation and the term of office of a president or chancellor of the community college;
5. To appoint, upon the nomination of the president or chancellor, members of the administrative and teaching staffs and to fix their compensation and terms of employment;
6. Upon the recommendation of the president or chancellor, to appoint or employ such other officers, agents, and employees of the community college as may be required to carry out the provisions of §§ 6-61-101 -- 6-61-103, 6-61-201 -- 6-61-209, 6-61-212 -- 6-61-216, 6-61-301 -- 6-61-305, 6-61-401, 6-61-402, 6-61-501 -- 6-61-524, and 6-61-601 -- 6-61-603 and to fix and determine their qualifications, duties, compensation, and terms and conditions of employment;
7. To grant diplomas and certificates;
8. To enter into contracts;
9. (A) To accept from any government or governmental agency, from any other public or private body, or from any other source grants or contributions of money or property, which the local board may use for or in aid of any of its purposes.
(B) If acceptance of a grant is conditioned upon the local board's obtaining interim financing from a local financial institution and if the grant makes a provision for the repayment of the interim loan from the grant itself, then the local board is authorized to contract for the required interim financing;
10. To acquire, own, lease, use, and operate property, whether real, personal, or mixed, which is necessary for purposes of the community college;
11. To dispose of property owned by the community college which is no longer necessary for purposes of the community college upon such terms and conditions as shall meet the requirements for state agencies;

12. To exercise the right of eminent domain to condemn property necessary for the use of the community college. The procedure to be followed in the exercise of the right of eminent domain by a local board shall be that prescribed for the boards of trustees of certain state colleges by § 6-62-201;
13. To make rules and regulations not inconsistent with the provisions of §§ 6-61-101 -- 6-61-103, 6-61-201 -- 6-61-209, 6-61-212 -- 6-61-216, 6-61-301 -- 6-61-305, 6-61-401, 6-61-402, 6-61-501 -- 6-61-524, and 6-61-601 -- 6-61-603 or with the rules and regulations of the state board as are necessary for the proper administration and operation of the community college; and
14. To exercise all other powers not inconsistent with the provisions of §§ 6-61-101 -- 6-61-103, 6-61-201 -- 6-61-209, 6-61-212 -- 6-61-216, 6-61-301 -- 6-61-305, 6-61-401, 6-61-402, 6-61-501 -- 6-61-524, and 6-61-601 -- 6-61-603 which may be reasonably necessary to the establishment, maintenance, and operation of a community college.

Article III – Trustee Ethics

1. To devote time, thought, and study to the duties and responsibilities of a community college board member in order to render effective and creditable service.
2. To work with fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debates of points of issue.
3. To base personal decisions upon all available facts in each situation; to vote honest conviction in every case, not swayed by partisan bias of any kind; therefore, to abide by and uphold the final majority decision of the board.
4. To remember at all times that the Board has no legal authority outside its meetings, and to conduct relationships with the community, college staff, the local citizenry, and all media of the community on the basis of this fact.
5. To resist every temptation and outside pressure to use the position as a community college board member for individual benefit or for the benefit of any other individual or agency apart from the total interest of the community college district.
6. To recognize that it is as important for the board to understand and evaluate the educational program of the community college as it is to plan for the business of college operation.
7. To bear in mind under all circumstances that the primary function of the board is to establish the policies by which the community college is to be administered, but that the administration of the educational program and the conduct of college business shall be left to the employed president of the community college and his/her professional and non-professional staff.
8. To welcome and encourage active cooperation by citizens, organizations, and the media of communication in the district with respect to establishing policy on current college operation and proposed future developments.
9. To support the state and national community college trustees' association.
10. Finally, to strive step by step toward ideal conditions for the most effective community college board service to the community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and the perpetuation of our representative democracy."

(Gleaned from TRUSTEESHIP-HANDBOOK FOR COMMUNITY COLLEGE AND TECHNICAL INSTITUTE TRUSTEES, by George E. Potter, ACCT, 1979)

Article IV – Candidacy

Any person who is a resident of the College District and a qualified elector may become a candidate for a position on the Board of Trustees. The candidate shall follow procedures set forth in § 6-61-520 for filing for candidacy with the Garland County Board of Election Commissioners.

National Park College complies with the Governor’s Executive Order 98-04 with respect to issues involving nepotism.

Article V – Length of Term

The term of office for each of the nine Board positions is six years.

Article VI – Officers of the Board

The officers of the National Park College Board shall be a Chair, a Vice Chair, and a Secretary/Treasurer. Election of officers shall be held at the regular annual meeting in January. The terms of office shall be for a period of one year. If any office shall become vacant by reason of death, resignation, or any other cause, the Board shall provide recommendations to the Governor to hold office for the unexpired term. The Governor will appoint a successor.

Duties of Officers

The duties of the officers are as follows:

1. The Chair shall preside at the meetings of the Board of Trustees, appoint appropriate committees, sign legal documents, serve as an ex-officio member on the Board of Governors of the Foundation, and perform other such duties as may properly pertain to this office.
2. The Vice Chair shall preside at meetings in the absence of the Chair, serve as an ex-officio member on the Board of Governors of the Foundation, and shall perform other duties as designated by the Board.
3. The Secretary/Treasurer shall be responsible for ensuring that accurate and complete minutes of the meetings of the Board of Trustees, are maintained containing a record of all resolutions adopted by the Board, shall have published all legal notices, and perform all other such duties as may be prescribed. The Secretary/Treasurer shall be the keeper of the seal of the College. The Secretary/Treasurer shall also have prepared a monthly finance report, shall have prepared an annual budget, and shall see that all funds are deposited in a depository designated by the Board.

Election of Officers

At the final board meeting of each even-numbered calendar year (usually occurring in late November), the Board Chair will begin the process to establish a slate of officers for consideration at the January meeting. The Board Chair can serve as the nominating officer, or delegate that role to another member of the board.

Individuals can be nominated for more than one office, but may not serve in more than one office per term. Individuals may also nominate themselves for one or more offices.

Officers will generally serve two-year terms, and may serve consecutive terms if so voted by the Board.

Article VIII – Meetings and Procedures

Meetings

The National Park College Board of Trustees subscribes to and fully supports the Arkansas Freedom of Information Act (§ 25-19-101). Media representatives are always notified in advance of Board meetings, committee meetings, and any special meetings under the provisions of the above act. Executive sessions of the Board are held within the guidelines of § 25-19-106.

The Board of Trustees directs that all meetings, formal or informal, special or regular, relating to the business of the College be open to all interested persons except for legally authorized executive personnel sessions of the Board of Trustees or confidential student welfare matters.

All questions concerning the Freedom of Information Act should be directed to the Office of the President and/or the Chair of the Board of Trustees.

The Board follows the procedures outlined in these bylaws regarding the following meetings:

1. An annual meeting will be held the fourth Wednesday in January of each year at 3:00 p.m. in the College Board room or at another place or time as designated by members of the Board. The Board will determine a regular date, time, and place for monthly meetings, to be altered only when necessary and when agreed upon by the Board.
2. An agenda for each regular meeting shall be prepared by the Chair and distributed to Board members and the news media at least two days prior to the date of the meeting. Nothing herein shall preclude the Board from considering any matter not on the agenda, if a majority agrees. However, the Board has no obligation to take official action on any matter not on the agenda until the next meeting of the Board.
3. Special meetings may be called by the Chair. Actions taken at such special meetings shall have the same effect as those taken at regular meetings. Members of the Board shall be notified promptly for called meetings. Media representatives will also be notified as soon as possible with a minimum of two hours' notice prior to the meetings.
4. Executive sessions may be held for the purpose of discussing personnel matters. If the employee involved wishes, the employee may elect an open meeting. No resolution considered or arrived at in executive session will be legal unless, following the executive session, the Board reconvenes in public session and presents and votes on such resolution.

Procedures

A majority of the members of the Board shall constitute a quorum and a majority of the members present at a meeting shall govern. The Board will act in accordance with the rules of parliamentary procedure contained in ROBERT'S RULES OF ORDER (Revised).

The monthly agenda may contain the following items of business:

1. Call to Order
2. Roll Call
3. Introduction of guests
4. Approval of minutes of previous meeting(s)
5. Old Business

6. Committee Reports
7. Ratification of Personnel
8. Special Reports
9. New Business
10. Campus Newsletter
11. Adjournment

If possible, all resolutions or recommendations requiring Board action should be submitted in writing.

Meetings of the Board shall be open to the public. It is recommended that groups or individuals wishing to appear before the Board first contact the President of the College, regarding the nature of the request. If necessary, the President will contact the Chair of the Board to place the item on the agenda. It is recommended that such requests be made at least three days prior to the Board meeting.

Article IX – Committees

At various times the Chair of the Board of Trustees may appoint committees, both temporary and/or standing committees. Past committees have included the Presidential Search Committee, Site Selection Committee, Building Committee, Budget Committee, Long-Range Planning Committee, and The Higher Learning Commission (NCA) Steering Committee.

Current committees are the Budget and Finance Committee and the Building and Campus Development Committee.