

Kilgore Junior College District

Organization and By-Laws  
of the  
Board of Trustees

Background Information

On June 22, 1935, the Board of Trustees of the Kilgore Independent School District, in session, considered a petition of 176 "qualified property taxpaying voters of said school district" and then ordered an election "for establishing a junior college district within the Kilgore Independent School District, having the same meets and bounds as the Kilgore Independent School District." The petition and the Board order were presented to the Texas State Department of Education in Austin, Texas, on June 24-26, 1935, where request for "the establishment of a junior college district within the Kilgore Independent School District having the same meets and bounds as the said Kilgore Independent School District" was made. The request was approved by the unanimous vote of those members present, and Dr. L. A. Woods, State Superintendent of Public Instruction and ex-officio Secretary, State Department of Education, certified to this approval on July 17, 1935, from the minutes of the State Department.

The election was held on July 27, 1935, when the vote was 176 for and 1 against. The vote in the same election for levying taxes was 175 for and 1 against. The returns of this election were canvassed and declared passed by the Board of Trustees of the Kilgore Independent School District on August 1, 1935.

Since the meets and bounds were the same as the Kilgore Independent School District, and since the Kilgore Independent School District Board of Trustees took the initiative in establishing the institution, and since no provision in any of the proceedings provided for a governing board, by common consent and general expectation, the Kilgore Independent School

District Board assumed this duty.

In 1945, this same Board entered into an expansion program under Article 281 5-K-1 Civil Statutes of the State of Texas. This statute provided for election of a Board of Trustees, with the membership increasing in number with the expansion of the college district to a maximum of nine members.

Statutory authority for the creation and governance of junior colleges is found codified in Title 3, Subtitle G, Chapter 130, of the Texas Education Code. By-laws herein are in accordance with those statutes.

#### By-Laws

Section 1. Name. The official name of the college district shall be the Kilgore Junior College District. The College itself shall be known as Kilgore College.

Section 2. District Boundaries. In accordance with the initial district election and subsequent duly authorized annexations, the boundary lines of the Kilgore College District are coterminous with the contiguous territory made up of the Kilgore, White Oak, Sabine, Overton, Gladewater, Leverett's Chapel, and West Rusk Independent School Districts.

#### Section 3. Governing Board.

- a. The official name of the governing board of the district is the Kilgore Junior College District Board of Trustees.
- b. The number of trustees representing the district's constituents shall be nine, statutorily set by the Texas Legislature.

- c. Any vacancy occurring on the Board of Trustees through death, resignation, or otherwise, shall be filled by a special election ordered by the Board or by appointment by resolution or order of the Board. Such appointees shall serve until the next regular election.
- d. Representation on the Board of Trustees shall be as follows: 3 members from voting unit #2 (Gladewater, Sabine, and White Oak Independent School Districts); 3 members from voting unit #1 (Leverett's Chapel, West Rusk, and Overton Independent School Districts); and 3 members from voting unit #3 (Kilgore Independent School District).
- e. Each member of the Board shall be a qualified (registered) voter in the voting unit to be represented, reside in the voting unit to be represented, take the official oath of office, and serve without compensation (*Education Code 130.082 (d)*).
- f. Members of the Board shall not receive any remuneration or emolument of office, but they shall be entitled to reimbursement for their actual expenses incurred in performing their duties, to the extent authorized and permitted by the Board and by civil statute (*Education Code 130.082 (d)*).
- g. The Board shall elect one of its members as president of the Board, and the president shall preside at meetings and perform such other duties and functions as are prescribed by the Board.
- h. The President of the Board shall have a vote the same as the other members.
- i. The Recording Secretary for the Board shall be the designee assigned by the administration and approved by the Board. He/she shall be the official custodian of the minutes and perform other recording functions as prescribed by the Board.

- j. The Board shall elect other officers as follows:
  - (1) A Vice-President and (2) a Secretary. All officers of the Board shall be elected for two-year terms at the first regular meeting of the Board following the regular election of its membership.
- k. The term of office of each Board member shall be six (6) years, with staggered elections, causing one member to be elected from each of the three voting units every two years.
- l. Board elections will be conducted the second (2<sup>nd</sup>) Saturday in May of odd-numbered years (*Election Code 41.001*). At the regular election or any special election held to fill vacancies for the Board of Trustees, the candidate who shall have received the highest number of votes cast at such election for each position to be filled shall be declared elected. In the event of a tie vote, the respective candidates so tied shall participate in a coin toss to determine who shall be the duly elected Board Member unless one candidate withdraws (*Election Code 2.002*).
- m. Regular meetings of the Board shall be held at the call of the President of the Board no fewer than four times per year. Other meetings shall be called at the discretion of the Board President.
- n. The Board shall assume authority granted to it by state statute to appoint or employ such agents, employees, and officials as deemed necessary or advisable to carry out any power, duty, or function of said Board; and to employ a president or chief administrative officer, and upon the president's recommendation to employ faculty and other employees of the College.

- o. Board election expense shall be borne by the College District and conducted in accordance with the Texas Education Code and the Texas Election Code (*Election Code 31.093(a), 41.001(d)*).
- p. A Board member may be removed from the Board for those reasons specified in the Texas Constitution, Art. V, Sec. 24; Loc. Gov't. Code 87.011, 87.012, 87.013, 87.031; Education Code 44.032(e) and 130.0845. A Trustee vacates the office if he or she ceases to reside in the Trustee district he or she represents (*Education Code 130.082 (h)*).

Section 4. Committee Structure. The Board, from time to time, uses Committee Structure to facilitate its workings. The President of the Board is welcome to attend any committee meeting of the Board. Although committees may be formed for specific purposes, the common operating committees of the College Board may include:

- a. Executive Committee – composed of the officers of the Board of Trustees. Meets regularly with the College President and other staff as needed to review Board agenda items and to facilitate planning, coordination, and communication with the entire Board.
- b. Investment, Finance & Audit Committee – will advise the College’s Board of Trustees with regard to:
  - any amendments or revisions of the College’s investment policy
  - an investment strategy for the transition of investments
  - account balances and strategic budgetary advice
  - structure and findings of internal and external audits
- c. Policy & Personnel Committee – will advise the College’s Board of Trustees with regard to:

- proposed policy
  - amendments or revisions to current College policy
  - amendments or revisions to Board Bylaws and Procedure Manual
  - personnel issues
- d. Property & Facilities Committee – will advise the College’s Board of Trustees with regard to:
- available and current real estate, property and facility needs
  - future direction for property and facilities
  - strategic facilities planning
- e. Student Success Committee – will advise the College’s Board of Trustees with regard to:
- student success initiatives
  - data related to student success
  - *Achieving the Dream* and *Texas Completes* initiatives
  - institutional annual and strategic planning
- f. Other committees may be formed as needed.

Section 5. Amendments to the Kilgore Junior College District Organization and By-Laws. These By-Laws may be modified or amended by a majority of the Board of Trustees at any regular Board Meeting providing that the amendment has been read at a previous Board meeting and the Board of Trustee members have all received written copies of the proposed amendment.

#### Duties and Responsibilities

Duties, Authority, and Responsibilities of the Board of Trustees, Kilgore College.

1. The Board is a policy-making body, not an executive agency. It should always delegate to the president the application of its policies and should never try to perform executive acts.
2. The Board should recognize clearly the areas in which its members are personally competent and should always delegate authority over matters in which its members have competence.
3. The authority of the Board resides only in the Board as a whole. An individual member of the Board, as such, has no authority whatever except as authority may have been specifically delegated to the individual member.

The External Functions of the Board are:

1. To represent the community and interpret social trends in terms of institutional policies.
2. To obtain funds for the operation and extension of the institution, securing financial resources to support adequately the institutional goals.
3. To bear the legal responsibility and authority for all aspects of the operation of the college.

The Internal Functions of the Board are:

1. To be responsible for final determination of institutional policies.
2. To select the chief administrative officer and in some cases to select Board members. The selection of a president is the most important single act of a Board of Trustees.
3. To confirm or reject the recommendation of its president in the following:
  - a. Establishing requirements for admission of students and for the general organization of the work of the institution, considering the recommendations of faculty and administrative officers.

- b. Granting degrees to those recommended by the faculty.
  - c. Approving and confirming appointments, conditions of service, ranks, remunerations, retirements, promotions, for staff. Legal employment contract must be approved by the Board.
  - d. Establishing tuition and fees rates.
  - e. Approving plans for physical development of institutional plant.
  - f. Adopting budget and revising it from time to time.
  - g. Receiving and examining reports of officers.
4. To adopt policy regulations pertaining to the duties and responsibilities of the administration and instructional staff.
  5. To appraise and evaluate policies and practices from time to time.

1<sup>ST</sup> UPDATE APPROVED 10/08/1996

2<sup>ND</sup> UPDATE APPROVED 01/14/1997 (SECTION 3 d)

3<sup>RD</sup> UPDATE APPROVED 02/10/1998 (SECTION 4 g & h)

4<sup>TH</sup> UPDATE APPROVED 06/30/1998 (SECTION 3.p & SECTION 5)

5<sup>TH</sup> UPDATE APPROVED 02/14/2006 (SECTION 1, SECTION 3 a, c, & p, SECTION 4, SECTION 5)

6<sup>TH</sup> UPDATE APPROVED 03/09/2009 (SECTION 4, A)

7<sup>TH</sup> UPDATE APPROVED 03/04/2013 (SECTION 3.1)

8<sup>th</sup> UPDATE APPROVED 09/14/2015 (BACKGROUND INFORMATION, p. 2; SECTIONS 3.e, 3.f, 3.k, 3.l, 3.o, 3.p, 4, 4.c, 4.d, 4.h; Duties and Responsibilities, #2, #3; Internal Functions of the Board, 3.c, 3.d, #4)

9<sup>th</sup> UPDATE APPROVED 05/9/2016 (SECTION 4.b Committee Structure)

10<sup>th</sup> UPDATE APPROVED 02/27/2017 (SECTION 3.1 Board Election Date)

11<sup>th</sup> UPDATE APPROVED 04/10/2017 (SECTION 3.1 In The Event of a Tie Vote)