Board of Trustees
Procedure Manual
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1. TRUSTEES:

1.1 Trustee Roles and Responsibilities:

Community College Boards of Trustees are responsible for ensuring that their colleges are integral parts of their communities and serve their ever-changing needs. Boards are accountable to the community for the performance and welfare of the institutions they govern.

Collectively, Trustees form a Board of Trustees. As stewards of the institution, the Board of Trustees advance the mission of the college through policy. Individual Trustees have specific responsibilities to contribute to the effective function of the Board of Trustees as a whole. Trustees know their roles and their communities, as they represent the public interest. They are visionary and thoughtful leaders. They understand the college culture and programs, and support the college’s pursuit of its mission. Trustees act with integrity and respect, and use their influence appropriately. They avoid situations where there are actual or perceived conflicts of interest. Wise Trustees work together as a team to guide their college to excellence and success.

1.2 Trustee Job Description

The Board of Trustees exists to represent the general public. Boards discuss multiple viewpoints and issues in public, and have strategies to include the public in the policy-making process. Effective Trustees and Boards:

- Know community needs and trends
- Link with the community
- Seek out and consider multiple perspectives when making policy decisions
- Debate and discuss issues in public
- Serve the public good

All members of the Board should regularly attend Board meetings and make a serious commitment to actively participate in the deliberations of the Board. All Board members have a responsibility to stay informed about matters that come before the Board; they must prepare themselves for meetings and review and comment on minutes and reports.

Board members should be willing to volunteer for and accept assignments made to them by the Board President and they should strive to complete those assignments completely and on time. Board members should be willing to serve on a committee and to stay informed about the committee matters. Members should strive to know all members of the Board and build a working relationship with them that leads to a collegial working environment. Members should participate actively in the evaluation of the Board and in Board retreats. They may also be asked to participate in fundraising and in college events.

1.3 Act as a Unit

The Board is a corporate body. It governs as a unit, with one voice. This principle means that individual Trustees have authority only when they are acting as a Board. They have no power to act on their own or to direct college employees or operations. The power of governance is
expressed through one voice. As individuals, Trustees make no commitments of behalf of the Board to constituents, nor do they criticize or work against Board decisions.

In order for Boards to be cohesive and well-functioning units, Trustees must work together as a team toward common goals. Boards should have structures and rules for operating that ensure they conduct their business effectively and efficiently, that Board agendas are clear and informative and Board meetings are run in an appropriate manner.

### 1.4 Set the Policy Direction

Governing Boards establish policies that provide direction and guidance to the President and staff of the college. A major Board responsibility is to define and uphold a vision and mission that clearly reflect student and community expectations. This responsibility challenges Boards to think strategically, concentrate on the “big picture,” and focus on the future learning needs of their communities. It requires that Boards consult widely with community groups as well as the administration, faculty, staff, and students of the college. Trustees engage in exciting, creative, thoughtful discussions as they explore the future and envision what they want their communities to be.

### 1.5 Board Eligibility

To be eligible to be a candidate for, or elected or appointed to, the office of Kilgore College Trustee, a person must:

- 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.
- Serve without compensation.

*(Education Code 130.082 (d))*

A Trustee vacates the office if he or she ceases to reside in the Trustee district he or she represents. *(Education Code 130.0822 (h))*

### 1.6 Board Member Training

Each member of a governing Board shall attend training as required by state law. All training certificates must be maintained by both the Trustee and in the KC President’s Office, and should be available for public inspection upon request.

#### 1.6.1 Texas Open Government Laws

The Texas Open Meetings Act *(Government Code 551.005)* and the Public Information Act *(Government Code 552.012)* impose mandatory open government educational requirements on elected and appointed officials. Trustees have 90 days within which to complete Open Government training required by state law.

The Office of the Attorney General offers free online training courses to ensure that all government officials have a good command of both open records and open meetings laws. Upon completion of the online training, you will receive a code to
access your Certificate of Completion. After printing the certificate, submit it to the Assistant to the President.

1.62 Public Funds Investment Act Training
Elected and appointed officers must attend at least one training session relating to the person’s responsibilities under this chapter within 90 days of taking office.

Training under this section must include education in investment controls, security risks, strategy risks, market risks, and diversification of investment portfolio. Training can be satisfied by viewing the Public Funds Investment Act DVD (provided by the College President’s Office). Trustees must sign the “Protecting Public Funds: Your Responsibilities under the Public Funds Investment Act” acknowledgement form and submit it to the Assistant to the President. (Government Code 2256.007)

1.63 Best Practices
New Trustees are required to attend sessions for best practices in campus financial management, financial ratio analysis, and case studies using financial indicators. These sessions provided by the Texas Higher Education Coordinating Board satisfy the training requirement for newly appointed and elected Trustees. (Education Code 61.084)

1.7 Board Committees

Board Committees meet as needed. Service on a committee will mean additional meetings. Committees include:

- Executive Committee (President, Vice President and Secretary of the Board)
- Audit Committee
- Investment Committee
- Minerals Committee
- Nominating Committee (3 Presidents of the Board, current and past, or if not available, President selects 2 other Trustees to serve on the committee with him or her)
- Property Committee

Board Committees always contain less than a quorum of members so they are not subject to the Open Meetings Act and committee meetings do not need to be posted. However, if the Board of Trustees grants a Committee the authority to supervise public business, then that Committee meeting must be posted. (For instance, if the Committee is authorized to finalize a contract for the Board).
1.8 Conflicts of Interest

Elected and appointed Trustees shall complete a “Local Government Officer Conflicts Disclosure Statement” kept on file in the KC President’s office. This form shall be used to disclose areas of possible conflict of interest where the Trustee must abstain from participation. This form shall be updated annually in June, is available for public inspection upon request and will also be posted on the Board website. (Local Government Code 171)

Kilgore College Trustees shall not accept or solicit any gift, favor, service or benefit that the Trustee should reasonably know is offered with the intent to influence their decisions or actions. Likewise, the Trustee may not solicit, accept, or agree to accept any unauthorized gifts, services, or other benefits from having exercised the powers and responsibilities of their official positions.

1. Trustees of Kilgore College shall not accept gifts, either in-kind or of money, or excessive entertainment, from a vendor.
   a. Gifts include any items not obviously of an advertising nature. Gifts of an advertising nature are those with the name of the firm affixed which have an estimated value of $50.00 or less. (Texas Penal Code 36.10.a.6)
   b. Excessive entertainment shall include, but not be restricted to, transportation beyond district boundaries, and overnight accommodations.

2. The Trustee shall not solicit an employee for favors, services or other benefits as those shall constitute a conflict of interest between the Trustee and the employee.

3. A Trustee must be very careful in any business dealings (outside of KC business) with either the College President or the Liaison to the Board or their immediate family members so that any conflict of interest or perceived conflict of interest is avoided.

A Trustee who believes he or she has or may have a conflict of interest shall file the updated conflicts disclosure statement with the Assistant to the President not later than 5 p.m. on the seventh business day after the date on which the Trustee becomes aware of the facts that require the filing of the statement. (Local Government Code 176.003 (a)) That Trustee will also notify the Executive Committee of the Board and shall recuse himself/herself from any discussion, deliberation and vote related to this conflict.

1.9 Board Officers

The Board shall be authorized to elect a President, Vice President and Secretary at the first regular meeting of the Board following the regular election of members, or at any time thereafter in order to fill a vacancy. (Education Code 130.082 (d))

1.10 Plan for Succession

The President of the Board of Trustees will be succeeded by the Vice President of the Board in case the President is no longer able to perform his/her duties due to resignation, sudden incapacity or death. The board will have the option of selecting a replacement officer as noted in Section 1.9.
1.11 Board Vacancies

Any vacancy occurring on the Board 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. A person appointed to fill a vacancy in a Trustee district must be a resident of that Trustee district.  
(Education Code 130.082 (d))

If a Board seat becomes vacant during its prescribed term, the Board will usually appoint someone to the position.  An appointment to the Board may be made with the intent to ensure that the Board is representative of the constituency served by the Board. The procedure is:

- The Nominating Committee will advertise for the open position.
- Any qualified applicant from the correct voting unit can be nominated and apply for the position.
- The Nominating Committee will review the list of applicants. They can request resumes, references, etc. They will interview applicants and may go through any steps they deem appropriate. When they have one preferred nominee they will present that person to the Board for discussion and a vote.
- An appointed Trustee will only serve until the next regular election. The Trustee must run for the remainder of the term for that seat in a Special Election held at the same time as the next regularly scheduled election.

1.12 Removal of Board Members

Board members may be removed from office for:

- Attendance: It is a ground for removal of a member of the Board of Trustees of a junior college district that the member is absent from more than half of the regularly scheduled Board meetings that the member is eligible to attend during a calendar year, not counting an absence for which the member is excused by a majority vote of the Board.
- Incompetence: which means:
  - Gross ignorance of official duties.
  - Gross carelessness in the official discharge of those duties.
  - Unfitness or inability to promptly and properly discharge official duties because of a serious physical or mental defect that did not exist at the time of election.
- Official misconduct: Intentional or unlawful behavior relating to official duties as a Trustee entrusted with the administration of justice or execution of the law.
- Conviction by a legal court-of-law for public intoxication or DWI/DUI.
- Conviction of a Trustee by a jury for any felony or for misdemeanor official misconduct.
- Actions for the removal of Board members must be brought before the judge of the district court holding jurisdiction, except that any court convicting a Trustee of a felony or official misconduct shall order immediate removal. (Local Government Code 87.011, 87.012, 87.013, 87.031; Education Code 44.032 (e))
2 MEETINGS

2.1 Meeting Structure

Regular Board meetings are usually held on the second Monday of the month. The Board is subject to monthly meetings, but usually meets 10 times per year: September, October, November, December, January, February, April, May, June and August. The Assistant to the President will forward, via email, a Trustee availability request for meetings. Trustees are asked to indicate whether they are able to attend the specified meetings. Emergency meetings and special meetings are allowed as prescribed by state laws.

2.2 Quorum

This is a nine member Board, serving staggered six year terms. A majority of the Board, five members of a nine-member Board, regardless of the number vacancies, constitutes a quorum for meeting of the Board. (Government Code 551.001(6), 311.013(b))

2.3 Meeting dates and posting

Board meetings are usually held in the Faculty Lounge of the McLaurin Administration Building at KC-Kilgore. Meetings begin promptly at 6:30 pm unless posted otherwise.

- Notice of the date, hour, place and subject of each regular meeting of the Board shall be given as follows:
  - Notice shall be posted in a prominent place on the first floor of the McLaurin Administration Building on the KC Campus at least 72 hours before the regularly scheduled meeting.
  - An announcement shall be provided to the general public through posting on the Kilgore College website at www.Kilgore.edu, at the Gregg County Courthouse and through local media outlets 72 hours in advance of the scheduled meeting.
  - Meetings of the Board shall be open to the public as prescribed by law.

2.4 Agenda

The official agenda is prepared by the President or Presiding Officer of the Board of Trustees. Suggested agenda items are submitted to President or Presiding Officer with a copy to the Assistant to the President. The draft agenda will be reviewed by the College President, Liaison to the Board and the Executive Committee of the Board. The college attorney will be consulted if needed. The official agenda and supporting documentation will be distributed to Board members prior to the meeting in their Board meeting packets. If possible, all exhibits for action items will be included in the packets to give Trustees ample time to consider their decisions.

2.5 Placing an Item on the Agenda

The Executive Committee of the Board and the College President generally meet at noon on the seventh day preceding the scheduled meeting to finalize the agenda.
The College President or the Board President (or Presiding Officer) may place items on the agenda for presentation to the Board.

Any Trustee may request to the Board President or Presiding Officer any item they wish to have considered for placement on the agenda. The President or Presiding Officer must be notified of the item no later than noon of the seventh day preceding the scheduled meeting. Notification must be made in writing through correspondence or email. The President or Presiding Officer may work with the Trustee proposing the item and the college attorney if needed to clarify the item and to ensure the item complies with applicable laws.

The Board President or Presiding Officer shall ensure that any topics the Board or individual Trustees have requested be addressed are either on that agenda or are scheduled for deliberation at a subsequent meeting to occur no later than the next regularly scheduled Board meeting.

In accordance with Texas Open Meetings laws, no Board member can place an item on the agenda less than 72 hours in advance of the meeting, except in an emergency as defined by the Texas Government Code

2.6 Board Dinner

The Board dinner is a time honored tradition at KC and is a time for the Board to meet in fellowship with each other and members of the college administration. It is a time to build better working relationships that lead to a collegial working environment. Dinner is usually provided before each meeting. The dinner meeting is usually a social function, but it is posted on the agenda. Occasionally, there will be an educational presentation at the dinner and the subject matter will be included in the posting. You will receive an email from the Assistant to the President asking if you will be attending the dinner. Please respond quickly so that plans can be made accordingly.

2.7 Citizen Comments

During the “Citizens Comments” section of the Board agenda, any member of the public may address the Board of Trustees on a matter of public concern. The person wishing to address the Board must make a written request before the meeting on a form provided at the meeting. The President or Presiding Officer of the Board may limit the time permitted for public comment. The Board does not comment or deliberate on the “Citizens Comments” except as authorized by Government Code 551.042. (Government Code 551.042)

3 OTHER

3.1 Board Website

The Board website can be found at: http://www.kilgore.edu/hr_board_trustees.asp
Trustee Information, Trustee Organization and By-Laws, Regular Meeting Dates, Meeting Agenda, Meeting Minutes and Standing Committees can be found on the website.
3.2 College ID/Parking Permits

All Trustees will be given a college ID badge and a college parking permit. These are maintained through the Kilgore College Police Department.

3.3 Mileage

Trustees shall be reimbursed for attending meetings/events by personal automobile at the state approved rate. Trustees are encouraged to submit a “Reimbursement Worksheet” form on a regular basis (period: not to exceed 60 days). The Assistant to the President has the forms and processes your completed forms.

3.4 Travel

Trustees may attend local, state, regional and national conferences. Travel arrangements are coordinated by the Assistant to the President. The Assistant to the President will forward information to all Trustees regarding upcoming conferences and will confirm hotel and conference registration. Trustees are required to submit a “Reimbursement Worksheet.” Out-of-pocket expenses can be included on this form. Board members shall be reimbursed for reasonable actual expense for meals at conferences. For reimbursement of such expenses, the Board member shall submit the itemized receipt, a list of the attendees, and the purpose of the business meal. Expenses for alcoholic beverages and related gratuities will not be reimbursed. The Assistant to the President has the forms and processes your receipts and completed forms.

3.5 Invitations to College Events

Trustees are encouraged to attend college special events. The Assistant to the President will inform the Trustee via email of any special college events.

3.6 College Commencement Participation

All Trustees are invited and encouraged to attend the Kilgore College commencement ceremonies. KC has a ceremony at the end of the spring semester and at the end of the fall semester. The Assistant to the President will provide information to the Trustees on dates and receptions.

3.7 Media Recommendations for Trustees

Upon being contacted by the media, advise and consult with the Board of Trustees President and/or with the College President for an informed and accurate response.

- Determine if the issue is an “operational” matter or a “policy” matter. Trustee comments on policy matters are entirely appropriate. On operational questions, it frequently is best to refer those to the President’s office to check the status of the matter, including finding out whether or not Kilgore College is aware of the issue.

- Before getting back to the reporter, think through the points you want to make, as well as any additional potential questions the reporter might have. The President’s office or Kilgore College’s public relations office can help you work through this process.
- Keep your comments to the point, and look to reinforce key Kilgore College messages about the high quality of education offered at Kilgore College, Kilgore College’s commitment to the community not only to offer a high quality of education but also to be a good steward of public trust and tax dollars and to the openness and accountability of the college, its Trustees and administrators.

- If you feel you are being drawn into a “gotcha” or “ambush” situation, ask the reporter, again, what the story is about and consider referring the matter back to Kilgore College.