



Trustee Removal from Office

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Approved by and date:

Board of Trustees 06/19/2017

Executive Leadership Team 05/10/2017

Policy:

In accordance with the Texas Constitution, Local Government Code and the Texas Education Code, Kilgore College Trustees can be dismissed only for appropriate reasons and by a fair process.

Procedures:

Approved by and date:

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Actions for the removal of Board members must be brought before the judge of the district court holding jurisdiction (Local Government Code 87.001, 87.012, 87.013, 87.015, 87.031; Education Code 44.032 (e)).

An officer may be removed for:

- a. Incompetency. "Incompetency" means:
 1. Gross ignorance of official duties;
 2. Gross carelessness in the discharge of those duties; or
 3. 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 the officer's election.
- b. Official misconduct. "Official misconduct" means intentional, unlawful behavior relating to official duties by an officer entrusted with the administration of justice or the execution of the law. The term includes an intentional or corrupt failure, refusal, or neglect of an officer to perform a duty imposed on the officer by law.
- c. Intoxication on or off duty caused by drinking an alcoholic beverage. Intoxication is not grounds for removal if it appears at the trial that the intoxication was caused by drinking an alcoholic beverage on the direction and prescription of a licensed physician practicing in this state.
- d. The conviction of a board member by a jury for any felony or for misdemeanor official misconduct. The conviction of a public officer by a petit jury for any felony or for a misdemeanor involving official misconduct operates as an immediate removal from office of that officer.
- e. Nonattendance of board meetings if 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.

Tex. Const. Art. V, Sec. 24; Local Gov't Code 87.011(2)–(3), .013, .031; Education Code 130.0845