BOARD POLICY

BOARD ORGANIZATION: BOARD OFFICERS, OFFICIALS, COMMITTEES

I. BACKGROUND and/or LEGAL REFERENCE

In discharging its duties the Board shall function in accordance with applicable state and federal statutes, controlling court decisions, and applicable regulations promulgated pursuant to statute by state and federal agencies. Opinions of the Attorney General shall be used for guidance in interpretation of applicable law. The Board shall constitute a body corporate and shall have the exclusive power to manage and govern the College District. *Education Code 1.001(a), 130.082(d), 130.084; Texas Ass’n of Steel Importers, Inc. v. Texas Highway Commission, 372 S.W. 2d 525 (Tex. 1963)*

All authority not vested by the laws of the state in the Coordinating Board or in the Central Education Agency shall be reserved and retained locally in the College District or in the Board as provided in the laws applicable. *Education Code 130.002.*

II. POLICY

A. Board Internal Organization: Board Officers and Officials

1. Election of Officers

Officers of the Board shall be elected at the first regular meeting of the Board following the regular election of Board members in even-numbered years, or at any time thereafter in order to fill a vacancy. The Board shall be authorized to elect:

a. Chair: A President, who shall be a member of the Board.
b. Vice Chair: A Vice Chair, who shall be a member of the Board.
c. Secretary: A Secretary, who shall be a member of the Board.
d. Other Officers: Any other officers, as deemed necessary or advisable.

*Education Code 130.082(d)*

2. Duties and Responsibilities of Board Officers

a. The Board Chair shall:

i. The Chairman of the Board shall preside at all meetings, sign all contracts duly authorized by the Board or authorize the college president to sign on behalf of the board.

ii. Have a vote the same as the other members.

iii. Decide all questions or order in accordance with Roberts Rules of Order, as modified by Board policy and/or applicable law.

iv. Promote Board unity and share all information with other Board members in a timely fashion.

v. Perform such other duties and functions as are prescribed by the Board and as authorized by law.
b. The Board Vice Chair shall:
   i. Act in the capacity and perform the duties of the Board Chair in the event of the absence, death, resignation, disability, or disqualification of the Board Chair in an interim capacity only.
   ii. Become Board Chair only upon being elected to the position.
   iii. Sign or attest to all legal documents in the absence of the Secretary, and as required by state or federal law or Board policy.
   iv. Perform such other duties and functions as are prescribed by the Board and as authorized by law.

c. The Board Secretary shall:
   i. Be the official custodian of the minutes, books, records, and seal of the Board.
   ii. Sign or attest to all legal documents as required by Board policy or applicable law.
   iii. Perform other duties and functions as prescribed by the Board and as authorized by law.

B. Board Internal Organization: Board Committees

The Board may from time to time as it deems necessary create committees to facilitate the efficient operation of the Board. The Chairman of the Board may appoint special ad hoc committees to perform specific duties. When the work of a special committee has been completed, the committee shall become automatically inactive. The work of all such special committees shall be fact-finding and advisory; and, at the completion of their work, they shall submit oral or written reports to the full Board at the next regular or called meeting.

A committee that includes one or more Board members and has supervision or control over public business or public policy is subject to the Open Meetings Act when it meets to discuss that public business or policy.

A committee that includes less than a quorum of Board members is not subject to the Open Meetings Act if it serves a purely advisory function, with no power to supervise or control public business. However, should the committee actually function as something more than a merely advisory body with the result that it in fact supervises or controls public business or policy, it must comply with the Open Meetings Act to avoid depriving the public of access to the Board’s actual decision-making process.


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