

# **Board of Trustees Policy Manual**

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MID-SOUTH  
COMMUNITY  
COLLEGE

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**Board Approved: June 12, 2000**

**Mid-South Community College  
2000 West Broadway  
West Memphis, AR 72301**

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## **Introduction**

This manual is the authentic source of Policies adopted by the Board of Trustees for the organization and administration of Mid-South Community College. Copies are available for all faculty and staff for reference in the Library Media Center and on the College website: [www.midsouthcc.edu](http://www.midsouthcc.edu).

To ensure that policies are kept current and to promote the purposes of the College, this manual will be reviewed in odd calendar years by the Human Resource Office, the Vice Presidents, the Executive Vice President and the President. Recommendations for revisions of policy may be made by any employee and forwarded to the Executive Vice President, who will coordinate discussion and consideration of such recommendations by College personnel. Revisions of policy must be approved by the Board of Trustees. Between reviews, the Office of the President will post any changes in the content(s) of this manual mandated by the Board of Trustees on the web site. Furthermore, it is the policy of the Board of Trustees to encourage ongoing input from the employees of the College. To the extent that any part of this manual conflicts with State or federal law, such laws shall govern.

## **PREFACE**

### **THE COLLEGE**

#### **Mission**

Mid-South Community College is a public, two-year institution of higher education with an open-door admission policy serving Crittenden County, Arkansas and the surrounding areas with a comprehensive educational program. The College is committed to the provision of high quality, affordable, and convenient learning opportunities consistent with identified student and community needs.

To meet these needs, the College provides quality academic and support programs, personnel, technology, administrative services, and facilities necessary to respond in a timely and effective manner.

#### **Purposes**

To provide community college general education and technical curricula which prepare students for further education, employment, and lifelong learning.

To provide programs, services, technology, and facilities which support individual development and access to further learning.

To provide affordable, accessible continuing education programs that enhance the personal, intellectual, social, cultural, and recreational needs of the community.

To foster economic development by providing a training and educational link between the College and business and industry.

To provide direction to the College's growth in response to community and student needs.

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**Board of Trustees Policy**  
**Mid-South Community College**  
**West Memphis, Arkansas**

**Code: 100**

**Title: Legal Basis and Membership**

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The current Mid-South Community College Board of Trustees was established under Ark. Code Ann. § 6-61-529 (1996).

On May 16, 1995, the Board of Trustees of the College chose to become a newly constituted board whose members are appointed by the Governor under the provisions of Ark. Code Ann. § 6-61-529.

Positions on the board shall become vacant as current terms expire, and persons who are residents and qualified electors of the community college district shall be appointed by the Governor for a term of six (6) years. To the extent possible, the Governor shall assure equitable representation on the Board with regard to race and geographic distribution from throughout the district.

Vacancies on the appointed board due to death, resignation, or other causes shall be filled by appointment of the Governor to serve the remainder of an unexpired term. A person so appointed is eligible for appointment to a subsequent full term on the board.

Legal Reference: Ark. Code Ann. § 6-61-529 (1996).

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code : 110**

**Title: Powers and Duties of The Board**

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Powers and Duties of the Board of Trustees are derived from Ark. Code Ann. § 6-61-521 (Supp. 1999).

Arkansas law grants the Mid-South Community College Board of Trustees the power and duty to:

- (01) Select its own Chairperson and such other officers as it may deem desirable from among its own membership.
- (02) Adopt and use a seal.
- (03) Determine, with the advice of the Arkansas Higher Education Coordinating Board, the educational programs of the community college.
- (04) Appoint and fix compensation and term of office of a President of the Community College, who shall be the executive officer for the Board of Trustees and for the community college.
- (05) Appoint, on nomination of the President, members of the administrative and teaching staffs and to fix their compensation and terms of employment.
- (06) Appoint, fix and determine qualifications, duties, compensations, and terms and conditions of employment of such other officers, agents and employees of the Community College as may be recommended by the President as required to carry out the provisions of law.
- (07) Grant diplomas and certificates.
- (08) Enter into contracts.
- (09) Accept from any government or governmental agency, or any other public or private body, or from any other source, grants or contributions of money or property which the Board may use for, or aid in, any of its purposes. If acceptance of such grant is conditioned upon the Board 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) Acquire, own, lease, use and operate property, whether real, personal or mixed, necessary for purposes of the community college.

(11) Dispose of property owned by the community college which is no longer necessary for purposes of the Community College upon such terms as shall meet the requirements of State agencies.

(12) 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 the Board shall be that prescribed for the Board of Trustees of certain colleges by Ark. Code Ann. § 6-62-201.

(13) Make such rules and regulations not inconsistent with the provisions of state law or with the rules and regulations of the State Board as are necessary for the proper administration and operation of the community college.

(14) Exercise all other powers not inconsistent with the provisions of state law which may be reasonably necessary to the establishment, maintenance, and operation of the community college.

Legal References: Ark. Code Ann. § 6-61-521 (Supp. 1999).

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**Board of Trustees Policy**  
**Mid-South Community College**  
**West Memphis, Arkansas**

**Code: 120**

**Title: Designation and Election of Board Officers**

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Pursuant to authority granted by Ark. Code Ann. § 6-61-521, the titles and officers of the Mid-South Community College Board of Trustees shall be:

1. Chairperson. The Chairperson shall preside at meetings of the Board of Trustees, appoint committee members, sign financial and legal documents as appropriate, and perform such other duties as may properly pertain to the position of Chairperson. The Chairperson shall be a voting member at Board meetings.
2. Vice Chairperson. The Vice Chairperson shall preside in the absence of the Chairperson.
3. Secretary. The Secretary shall sign legal documents as appropriate and perform such other duties as may be requested by the Board.

The officers of the Board shall be elected by the membership of the Board for a term of one year. The election shall be held at the first regular meeting in January, with electees assuming office at the next regular meeting. The nomination and election process shall be conducted by the Chairperson. The President shall inform the membership of who has previously served as officers.

Legal References: Ark. Code Ann. § 6-61-521 (Supp. 1999).

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**Board of Trustees Policy**  
**Mid-South Community College**  
**West Memphis, Arkansas**

**Code: 130**

**Title: Meetings of the Board of Trustees**

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All meetings of the Mid-South Community College Board of Trustees are conducted in accordance with the “Arkansas Freedom of Information Act.” Ark. Code Ann. § 25-19-106, Open Public Meetings, states:

Except as otherwise specifically provided by law, all meetings, formal or informal, special or regular, of the governing bodies of all municipalities, counties, townships, and school districts and all boards, bureaus, commissions, or organizations of the State of Arkansas, except grand juries, supported wholly or in part by public funds, or expending public funds, shall be public meetings.

The time and place of each regular meeting shall be furnished to anyone who requests the information.

In the event of emergency or special meetings, the person calling such a meeting shall notify the representatives of the newspapers, radio stations, and television stations, if any, located in the county in which the meeting is to be held and any news media located elsewhere which cover regular meetings of the governing body and which have requested to be so notified of such emergency **or** special meetings, of the time, place, and date, at least two (2) hours before such a meeting takes place in order that the public shall have representatives at the meeting.

Executive sessions will be permitted only for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of any public officer or employee. The specific purpose of the executive sessions shall be announced in public before going into executive session.

- a. Only the person holding the top administrative position in the public agency, department or office involved; the immediate supervisor of the employee involved; and the employee may be present at the executive session when so requested by the governing body, board, commission, or other public body holding the executive session.
- b. Any person being interviewed for the top administrative position in the public agency, department, or office involved may be present at the executive session when so requested by the governing board, commission or other public body holding the executive session.

No resolution, ordinance, rule, contract, regulation, or motion considered or arrived at in executive session will be legal unless, following the executive session, the public body reconvenes in public session and presents and votes on such resolution, ordinance, rule, contract, regulation or motion.

Beginning with the month of June each year, Mid-South Community College Board Meetings will be regularly scheduled at 7:00 p.m. on an every other month meeting basis. The regular meeting place will be on the North Campus in the Smith Board Room. The regular date, time and location of the meeting may be changed by the Board. All meetings are open to the public with the exception of Executive Sessions.

The Chairperson will ensure that an agenda is prepared by the President for each regular meeting and delivered to each Board member and the news media at least three days prior to the date of the regular meeting. The Board reserves the right to consider and act on matters not included on the advance Agenda.

Special meetings may be called by the Chairperson or any four (4) members of the Board. When the Chairperson or any four (4) Board members determine that a special meeting is required, each member of the Board shall be promptly notified. Actions taken at special meetings have the same effect as those taken at regular meetings.

A simple majority of the Board membership shall constitute a quorum. A simple majority vote of a quorum of those present and voting shall be sufficient to pass a resolution. *Robert's Rules of Order, Revised* shall be the guide for parliamentary procedures during Board deliberations.

Legal Reference: "Arkansas Freedom of Information Act" and Ark. Code. Ann. § 6-51-521 (Supp. 1999).

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code: 140**

**Title: Policies Not Contained in this Manual**

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The development of the Board of Trustees Policy Manual is an attempt to define and codify policies which guide the overall operation of the College. The manual is intended as a reference for the Board and as an aid to key administrators in the consistent interpretation and application of College policies stated herein as well as in other publications relevant to the operation of the institution.

To include all policies and procedures contained in other documents in this manual as well would be impractical. However, each employee should be familiar with the documents and the policies and procedures contained therein which are pertinent to his or her areas (s) of responsibility. The documents referred to are as follows:

- C *The Mid-South Community College Catalog*
- C *The Employee Handbook*

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code: 150**

**Title: Mission and Purposes**

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### **Mission**

Mid-South Community College is a public, two-year institution of higher education with an open-door admission policy serving Crittenden County, Arkansas and the surrounding areas with a comprehensive educational program. The College is committed to the provision of high quality, affordable, and convenient learning opportunities consistent with identified student and community needs.

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To foster economic development by providing a training and educational link between the College and business and industry.

To provide direction to the College's growth in response to community and student needs.

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code: 160**

**Title: The College President**

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The Board of Trustees is the steward for the State of Arkansas and the citizens of Crittenden County, entrusted with the responsibility of formulation a body of policies to insure that Mid-South Community College operates in such a way that the mission is achieved and that the best interest of the citizens of Crittenden County remains the major priority.

The Board is the policy-making body of the College. The implementation of policy and the day-to-day administration is entrusted to an appointed chief executive officer.

The Board delegates this indispensable role to the President of the College, and hereby assigns the following responsibilities and duties to that position:

1. Be directly responsible to the Board of Trustees for the overall administration of the College in pursuit of the stated College Mission and Purposes.
2. Provide the organizational structure and administrative direction necessary for the College to effectively and efficiently direct funds and personnel toward accomplishment of the College Mission.
3. Provide an organizational structure and direction for curriculum development and the teaching/learning process which promotes excellence and provides faculty with a voice in the development of educational policy and procedure.
4. Provide an effective two-way communications system for the free flow of information and ideas within the College and the community.
5. Institute a planning process that insures the long- and short-range relevance of educational programs, wise use of financial resources, acquisition and maintenance of buildings and grounds, and the health and welfare of students and employees.
6. Establish an evaluation system to account for the excellence and efficiency of programs, administrators, faculty, and staff.
7. Assume responsibility for the fiscal management of the College, providing the Board with an Annual Budget for approval and regular reports detailing expenditures, revenues and cash balances.

8. Assume responsibility for College facilities, equipment and property, maintaining high standards of security, maintenance, and appearance.
9. Recruit and maintain a highly qualified faculty and professional staff with recommendations to the Board for confirmation of all appointments, assignments, promotions, suspensions, and dismissals of contractual employees.
10. Recruit, appoint, assign, promote, suspend, or dismiss classified staff in accordance with federal and state law and local policy.
11. Faithfully comply with all federal, state, and local laws.
12. Provide procedures to protect the health and safety of students, faculty, and staff while on campus.
13. Recommend new and revised policies to the Board.
14. Insure that all federal, state, and local reporting requirements are met promptly and accurately.
15. Maintain constructive relations with educational, governmental, business, industrial and civic organizations, and the general public.
16. Represent the College in the community, state, and nation.
17. Provide motivational leadership to all segments of the College.
18. Maintain an awareness of community needs for higher education.
19. Participate in professional and social organizations on a local, state, and national level.
20. Perform such other duties as may be assigned by the Board.

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code: 170**

**Title: Commitment to Access**

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The Board of Trustees is the policy-making body of Mid-South Community College that is responsible to the community and the state for providing quality higher education in Eastern Arkansas. It is recognized that an optimum balance between accessibility and standards must be maintained. High quality graduates can often be guaranteed by imposing very high and rigid entrance requirements. Such requirements would, however, reduce accessibility to an unacceptable level. Conversely, if the College accepts for admission any person without regard for ability, capacity for college-level work, or potential, the quality standards would ultimately erode.

The typical student population seeking admission to a community college presents a wide range of aspirations, levels of motivation, and capabilities. In order to attain the desired balance between accessibility and quality standards, procedures are needed to address this diversity.

The Board, therefore, directs the President to adopt admission procedures to accomplish the College's mission and purposes while promoting access and opportunity.

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code: 200**

**Title: Anti-Discrimination**

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It is the policy of the College that no person shall, on the basis of race, color, sex, national origin, age or disability, be subjected to any discrimination prohibited by the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act, as amended; the Equal Pay Act of 1963; American with Disabilities Act; Section 504 of the Rehabilitation Act of 1973; Title IX of the Educational Amendments of 1972; and other applicable laws, regulations, and Executive Orders. This policy applies to recruitment, employment, and subsequent placement, training, promotion, compensation, continuation, probation, discharge, and other terms and conditions of employment over which the College has jurisdiction. The President shall develop appropriate procedures to implement this policy.

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**Board of Trustees Policy**  
**Mid-South Community College**  
**West Memphis, Arkansas**

**Code : 210**

**Title: Drug Free Workplace**

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It is the policy of the State of Arkansas and the Board of Trustees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in or on the property of the College is strictly prohibited. Violation of this policy can subject employees to discipline up to and including termination.

Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on or in College property shall be subject to disciplinary action, including termination.

The term “controlled substance” means any drug listed in 21 U.S.C., Section 812, and other federal regulations. These drugs include, but are not limited to alcohol, heroin, cocaine, PCP, and “crack cocaine.” Also included are legal drugs which are not prescribed by a licensed physician.

The following procedures will be followed in the event an employee is convicted for violation of any federal, state, or local criminal drug statute where such violation occurred on or in College property:

1. An employee is required by law to inform the College in writing within five days after he or she is convicted for violation of any federal, state, or local criminal drug statute where such violation occurred on the College campus or in or on College property.
2. Mid-South Community College shall notify any United States government agency with which a contract has been made within 10 days after receipt of such notice of conviction from the employee or actual notice of such a conviction.
3. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she shall be subject to disciplinary action, up to and including termination. The College may require the employee to enroll in and successfully complete a drug abuse program sponsored by an approved private or governmental institution. This will be at not cost to the College.

Federal law requires that all College employees abide by this policy as a condition of further employment on any federal contract.

Legal Reference: United States Drug Free Work Place Act of 1988.

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code : 220**

**Title: Public Information and College Publications**

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The President shall establish guidelines and procedures for college publications and the release of public information, including a review process by the President or his or her designee.

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code: 230**

**Title: Community Use of Facilities**

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The College has as its first priority to serve the educational needs of students. Beyond this, the facilities should be available for the community for public service programs and activities. The Board of Trustees is committed to these mutually inclusive ideas.

The President, or designee, shall maintain a schedule of facility use and develop a procedure to be followed in approving the use of facilities by community groups when such requests are not in conflict with the established College schedule.

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code: 240**

**Title: Use of College Name, Logo, and Symbols**

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The name, seal and/or stylized logo of Mid-South Community College shall not be used on publications, brochures, correspondence or any document which is not an official publication of Mid-South Community College without the written consent of the President.

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**Board of Trustees Policy  
Mid-South Community College  
West Memphis, Arkansas**

**Code: 300**

**Title Employment of Members of Same Family**

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Employing members of the same family presents the possibility of conflicts of interest and may not always be in the best interest of the College, its staff and students.

At Mid-South Community College, relatives may not work in any capacity in situations where one relative might directly supervise another.

The policy does not apply to students employed under the College Work-Study Program or special summer youth employment programs.

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**Board of Trustees Policy**  
**Mid-South Community College**  
**West Memphis, Arkansas**

**Code: 310**

**Title: Standards of Conduct**

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The President shall develop a Code of Conduct for employees which if violated may lead to discipline or termination.

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**Board of Trustees Policy**  
**Mid-South Community College**  
**West Memphis, AR**

**Code : 320**

**Title : Grievances**

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The President shall develop a grievance procedure for the College.