

ARKANSAS HIGHER EDUCATION COORDINATING BOARD

BY-LAWS

Statement of Mission and Values

1. As members of the Arkansas Higher Education Coordinating Board, we understand that acceptance of appointment to this Board is an acknowledgment of our responsibility to serve the citizens of Arkansas in the arena of higher education, and not simply the receipt of an honor or recognition.
2. We shall prepare for meetings by studying and understanding relevant materials supplied by staff.
3. We shall constantly improve our effectiveness as board members by reading widely in general and specialized publications in the subjects of educational matters and in state and local news.
4. We shall consider issues from the viewpoint of the needs and best interests of the people of Arkansas as a whole, and without partiality for or against any particular institution or type of institution.
5. We shall base our decisions on valid and appropriate data, information, and professional advice and counsel.
6. We shall bring to and expose to Board deliberations all concerns we have; we debate openly, vigorously, candidly, and politely; and we support decisions of the Board once made.
7. We consider attendance at regular and special Board meetings a priority because of our responsibility to bring our individual questions and counsel to Board deliberations.
8. We understand and support the public's right to observe and be informed about the work of the Board as a public body tending to the public's business.
9. We understand the distinction between our duty to set policy and establish appropriate monitoring or reporting to ensure compliance with policy, and our duty to refrain from interfering in the administration and management of the department's responsibilities. We should, however, communicate freely with the Director and appropriate staff regarding information relevant to the respective responsibilities of the Board and the department.

10. We are dedicated to establishing policy and discharging our responsibilities without discrimination on the basis of race, gender, color, creed, religion, age, or other inappropriate characteristics or criteria.
11. We serve as a bridge between institutions of higher education and the department staff on the one hand, and the Governor, General Assembly, and public on the other.
12. We serve as a buffer that shields the institutions and the department staff from inappropriate criticism and political pressure.
13. As individual board members we acknowledge that we should neither act nor speak on behalf of the Board with respect to matters under the jurisdiction of the Board. On these matters the Board should act collectively and the chair should be deemed the spokesperson for the Board.
14. We encourage and demand, within the bounds of the Board's legal authority and responsibility, integrity and accuracy of data and information supplied by institutions and relied upon by the staff and Board in the discharge of its responsibilities.

BY-LAWS

Article I

The Board

Section 1. Statute. The Arkansas Higher Education Coordinating Board (“Coordinating Board”) was created by Acts of 1997, No. 1114, which abolished the State Board of Higher Education and transferred its powers, duties, and functions, records, personnel, property, unexpended balances of appropriations, allocations, or other funds to the Arkansas Higher Education Coordinating Board. The Coordinating Board is empowered with those duties and responsibilities specified or implied in Acts of 1997, No. 1114; Acts of 1977, No. 560, as amended by Acts of 1991, No. 1244; those duties and responsibilities specified or implied in Acts of 1991, No. 773 and No. 1244; and as otherwise specified by state and federal law.

Section 2. Board Composition. The Coordinating Board consists of twelve (12) members appointed by the Governor as provided in Acts of 1997, No. 1114. No more than four (4) members shall be appointed from any one (1) congressional district, as the districts exist at the time of the appointment. No more than two (2) members at any one time shall be graduates of an undergraduate program of any one (1) state university or college. The members of the Board shall serve staggered terms of six (6) years. The terms of the members of the initial board shall be determined by lot so that the terms of two (2) members shall expire each year. No member may serve more than two (2) terms.

Article II

Officers of the Board and Their Duties

Section 1. Officers. The officers of the Coordinating Board are the Chair, the Vice Chair, the Secretary, and any other officers deemed necessary to fulfill their responsibilities.

Section 2. Election. The officers of the Coordinating Board are elected annually by the affirmative vote of the majority of the entire Board at its first quarterly meeting. Officers shall serve until the first quarterly meeting one year following their election or until their successors are elected and qualified. A member shall not be eligible to serve for more than two (2), one (1) year terms as chair of the Board.

Section 3. Chair. The Chair shall be a member of the Coordinating Board and (1) shall preside at the meetings of the Board, (2) shall call special meetings as required, (3) shall appoint the chair of and appoint or provide for the election of all committees, and (4) shall perform such other duties as may be prescribed by

law or by action of the Board. The Chair shall be an ex officio member of all committees. -

Section 4. Vice Chair. The Vice Chair shall be a member of the Coordinating Board and shall perform the duties and have the powers of the Chair during the absence or disability of the Chair.

Section 5. Secretary. The Secretary shall be a member of the Coordinating Board and shall attest to the official actions of the State Board.

Article III

Executive Staff

Section 1. Director. The executive head of the Department of Higher Education ("Department") shall be the Director of the Department. The Director shall be appointed, in consultation with the Arkansas Higher Education Coordinating Board, by the Governor and shall serve at the pleasure of the Governor.

Section 2. Authority of Director. The Director, with the advice and consent of the Governor, shall appoint the heads of the respective divisions. All of the personnel of the department shall be employed by and serve at the pleasure of the Director. Provided, nothing in this section shall be so construed as to reduce any right which an employee shall have under any civil service or merit system. Each division of the department shall be under the direction, control, and supervision of the director. The director may delegate his or her functions, powers, and duties to various divisions of the department as he or she shall deem desirable or necessary for the effective and efficient operation of the department.

Article IV

Committee Structure

Section 1. Committees. The Coordinating Board may establish as permanent committees an Executive Committee, a Finance Committee, and an Academic Committee. Special committees may be appointed from time to time as the Board may deem desirable.

Section 2. Authority of Committees. All committees of the Coordinating Board, both standing and special, have advisory status to the Board. These committees are not empowered to speak for the Board unless specifically granted such authorization by a majority of the Board or such authority is specified in the By-Laws of the Board.

Section 3. Executive Committee. The Executive Committee shall be composed of the officers of the Coordinating Board and one member-at-large appointed by the Chair. The Chair of the Board shall serve as committee chair. The Executive Committee shall be empowered to act on behalf of the Board, subject to ratification of the full Board at the next regularly scheduled meeting.

Section 4. Finance Committee. Members of the Finance Committee shall be appointed by the Chair at the first quarterly meeting of each year with vacancies to be filled by appointment by the Chair as they occur. The terms of committee members shall be one year. The Chair shall designate one member to serve as committee chair. The Finance Committee shall consider and make recommendations to the Coordinating Board on all matters relating to fiscal affairs of the institutions within the jurisdiction of the Board.

Section 5. Academic Committee. Members of the Academic Committee shall be appointed by the Chair at the first quarterly meeting of each year with vacancies to be filled by appointment by the Chair as they occur. The terms of the committee members shall be one year. The Chair shall designate one member to serve as committee chair. The Academic Committee shall consider and make recommendations to the Coordinating Board on all matters pertaining to instructional programs of the institutions, including academic policies, program review and approval, and master planning.

Section 6. Committee Chair. A committee chair shall be entitled to vote only in the event of a tie.

Article V

Meetings and Procedures

Section 1. Meetings. The Coordinating Board shall meet at least once during each calendar quarter and at such other times upon call of the Chair or any other four (4) members. The Board shall not meet in any facility owned or operated by any organization which practices or condones discrimination. The Board may, at such times as it desires, meet on the campuses of the respective institutions of higher education in the state.

Section 2. Notice. Notice concerning the time and place of each regular meeting of the Coordinating Board shall be sent to each member of the Board by the Director of the Department at least ten (10) days in advance of the meeting date. Public notice as required by the Arkansas Freedom of Information Act shall be given of all meetings.

Section 3. Quorum. At all meetings of the Coordinating Board, seven members shall constitute a quorum for the transaction of business.

Section 4. Agenda. An agenda for each regular meeting of the Coordinating Board will be prepared by the Director of the Department in consultation with the Chair of the Board setting forth each matter of business to be conducted at the meeting. Such agenda shall be sent to the members at least ten days before each meeting. Pursuant to Acts of 1997, No. 1114, all items to be considered as a Board agenda item must be reviewed by the Executive Council and the Presidents Council prior to being placed on the Board agenda. In the event that the Director and staff shall not be in agreement with the Executive Council on a matter to be considered by the Board, the Executive Council recommendation will be placed on the Board agenda automatically for a presentation and explanation of the Executive Council's position. The Board will then make a decision based on both positions. Matters not on the agenda can be considered at the meeting only by vote of a majority of the members present and voting following appropriate review by the Executive Council and the Presidents Council

Section 5. Rules of Order. Except as modified by these By-Laws, Roberts Rules of Order (latest edition) shall constitute the rules of parliamentary procedure applicable to all meetings of the Coordinating Board and its committees.

Section 6. Minutes. The Director of the Department, or his/her designee, shall be responsible for keeping minutes of all meetings and shall file, index and preserve all minutes, papers and documents pertaining to the business and proceedings of the Coordinating Board. The minutes of each meeting of the Board shall be reported in the agenda book of the next quarterly meeting of the Board.

Section 7. Open Meetings. All meetings of the Coordinating Board shall be open to the public unless, consistent with the requirements of the Arkansas Freedom of Information Act, a meeting is closed to the public for the consideration of personnel matters. Should any decision be made during an executive session, the Board must reconvene in public session for official action.

Article VI

Amendment of By-Laws

Section 1. Amendment. These By-Laws may be amended upon 30 days prior written notice at the next regularly scheduled meeting of the Coordinating Board by a majority vote of the Board.

Approved: Agenda Item No. 6
July 24, 1997