

# KENAI PENINSULA COLLEGE COUNCIL

## BYLAWS

### CHAPTER I

#### ARTICLE I                    AUTHORITY OF COLLEGE COUNCILS                    01.01.01

##### Section A.            Authority of the Council                    01.01.01(A)

The Kenai Peninsula College Council is authorized to operate under the University of Alaska’s Manual of Policies of the Board of Regents, Part II “Administration”, Chapter IV, “Council, University of Alaska Anchorage.”

“In recognition of the importance of citizen involvement in the planning and implementation of higher education programs and services for the State of Alaska, the Board of Regents hereby establishes local College Councils for the University of Alaska Anchorage. These councils, advisory in nature shall offer guidance to each local educational unit and serve as a link for its public constituencies to the University Council and the Board of Regents.”

The Kenai Peninsula College Council hereby recognizes Advisory Boards for Kenai Peninsula College branches and campuses. These boards, advisory in nature, shall offer guidance to each local education unit and serve as a link for its public constituency to the Kenai Peninsula College Council.

##### Section B.            Council Powers, Duties, and Responsibilities                    01.01.01(B)

As officers of the University of Alaska, the Kenai Peninsula College Council shall represent the constituency of the Kenai Peninsula, shall advise the College Director, shall recommend action to such bodies as it shall deem important, and shall adopt and execute policies within the limitations of applicable rules, regulations, and policies of the board of Regents of the University of Alaska. The power, duties, and responsibilities of the College Council may include the following:

1.        Advocate for the interests of the College.
2.        Participate in the recruitment, selection, and **annual** evaluation of the College Director.
3.        Review the development of new program proposals, proposals that change existing programs, and proposals to eliminate programs.

Section B. Council Powers, Duties, and Responsibilities (Continued) 01.01.01(B)

4. Participate in the development of College and University mission statements, master **plans**, and annual plans.
5. Participate in the development and review of the proposed annual capital and operating budget requests before their submission to the Chancellor.
6. Review and recommend, through appropriate administrative channels, changes in Board of Regents' policies and University regulations.
7. Submit written and oral reports to the Board of Regents on the activities and needs of the College as may be requested by the Regents or deemed appropriate by the Council.
8. Assist the College Director in the identification and development of private and public sources of revenue.
9. Nominate members to serve on the University Council.

**ARTICLE II**

**KENAI PENINSULA COLLEGE COUNCIL**

**01.01.02**

Section A. Council Members

1.01.02(A)

1. Selection and Qualifications
  - a. The Membership of the Kenai Peninsula College Council shall consist of not less than seven (7) or more than fifteen (15) persons as follows:
    - (1) Council members shall be residents of the Kenai Peninsula Borough.
    - (2) Council members should be broadly representative of the constituencies served by the College and shall include one representative of the Kenai Peninsula Borough Assembly.
    - (3) A minimum of one member shall be appointed from or near each area: Homer, Kenai, Soldotna, and Seward. Other areas shall be added as increasing enrollments and programs warrant.
    - (4) As possible, members are to represent: business **and** industry, government, ethnic minority groups, and the lay public.
    - (5) At least one member shall be selected from the Kachemak Bay Branch Advisory Board.
    - (6) Permanent employees of the University of Alaska or the Kenai Peninsula College and their immediate family shall not be eligible to serve as Council members.
  - b. Council members shall be appointed for terms not to exceed three years. Terms of membership will be staggered to provide overlap of incumbent and

Section A. Council Members (Continued) 01.01.02(A)

- New members.
- c. All terms of appointment shall expire on June **30**.
  - d. At least three months prior to the expiration date of an **appointment**, the Council shall solicit nominations for new members. The Council will establish a systematic procedure for announcing vacancies to assure that all potentially interested parties have an opportunity to be nominated.
  - e. The Council will review the nominations and forward a list of nominees, through the College Director, to the Chancellor at least 30 days prior to effective date of the new appointment. Appointments will be made by the Chancellor. Vacancies occurring during a term shall be filled in a similar manner, and replacements shall complete the unexpired portion of the term. The Council shall make recommendations concerning membership.
2. Method of Disqualification
- a. Resignation from the Council shall be effective upon receipt of written notice to the Chair.
  - b. Members who miss three (3) or more consecutive meetings shall be replaced by a two-thirds vote of the Council seats currently filled.
  - c. A Council member shall be removed for cause by two-thirds vote of the seats filled.

Section B. Compensation 01.01.02(B)  
Council members shall serve without compensation but shall be reimbursed for reasonable and necessary travel expense in accordance with board of Regents' policies and University regulations.

Section C. Orientation 01.01.02(C)  
New Council members will be informed of the mission of the Kenai Peninsula College, their responsibilities, and their powers by the College Director and the Chair of the Council. At the first Fall meeting of the Council, an overview of College programs and a tour of the facilities shall be scheduled on the Council meeting agenda.

**ARTICLE II (Continued) 01.01.02**

Section D. Council Officers 01.01.02(D)  
1. Officers 01.01.02(D.1)  
a. The officers of the Council shall consist of a Chair, and Vice Chair/Treasurer.

Section D. Council Officers Continued:

01.01.02(D.1)

- b. The College Director, or Director's designee, shall serve as Executive Secretary to the Council.
2. Election and Terms of Office 01.01.02(D.2)
  - a. Officers shall be elected and installed at the first Fall meeting of the Council. Officers shall continue to serve until successors have been installed.
  - b. The Chair and Vice Chair/Treasurer shall be eligible to serve a maximum of two consecutive, one-year terms. Past officers shall again become eligible to serve after an intervening two-year period.
  - c. The Vice Chair/Treasurer shall succeed to the office of the Chair in the event of permanent vacancy of the office of Chair and shall serve out the remainder of the term.
  - d. The office of Vice Chair/Treasurer shall then be declared vacant, and the membership will elect a replacement at the next regular meeting.
3. Duties and Powers of Council Officers 01.01.02(D.3)
  - a. The Chair of the Council shall preside at all meetings of the Council; and shall appoint all committees of the Council; and shall perform such other and further duties as shall be provided by these Bylaws, the University of Alaska, and the laws of the State of Alaska.
  - b. The Vice Chair/Treasurer of the Council shall, in case of absence of the Chair, perform the duties of the Chair until the Chair returns or is replaced in accordance with these Bylaws. The Vice Chair/Treasurer shall, as shall be applicable, oversee the Council operational Budget, chair the Council Budget Committee if one is appointed, and conduct open public meetings for the College budget prior to its approval.
  - c. In the absence of the Chair and Vice Chair/Treasurer, another Council member shall be appointed acting Chair by the College Director if a quorum is present.
  - d. The College Director, or Director's designee, shall keep a permanent set of minutes of each meeting of the Council and will provide each Council member and the following University representatives with a set of minutes as soon as possible after the meeting: President of the University, University of Alaska Anchorage Chancellor, and Secretary to the Board of Regents.

Section E. Council Committees 01.01.02(E)  
The Chair shall have the authority to appoint and disband any and all committees and their respective chairs.

Section F. Meetings of the Council 01.01.02(F)

1. Meeting Open to the Public 01.01.02(F.1)  
Meetings of the Council, both regular and special, shall be open to the public, except during Executive Session authorized as AS.44.62.310. No action shall be taken during Executive Session, and the Chair shall notify all in attendance of the approximate time for reconvening the open meeting and whether or not subsequent action shall be forthcoming.
2. Times and Locations of Meetings 01.01.02(F.2)  
Regular meetings will be held at 6:00 PM, or as otherwise scheduled by the Council, on the second Thursday of the month. Special meetings shall be called by the Chair, College Director, or at the request of a majority of the seats filled. The time and place of special meetings will be scheduled through the College Director's office. Two regular meetings each calendar year will be scheduled at the Kachemak Bay Campus in Homer, one in Seward, and the remainder to be held on the Soldotna campus of the Kenai Peninsula College or at another location as shall be agreed to by a majority of Council members voting at a previous meeting.
3. Notice of Meetings 01.01.03(F.3)  
The College Director, or the Director's designee shall be responsible for notification of members for a regular or special meeting. The College Director, or designee, will forward the preliminary agenda to all members of the Council, and to other concerned individuals, prior to the time of the meeting. The preliminary agenda and accompanying information shall be forwarded by regular or electronic mail. All meetings shall be public; announcements will be sent by regular or electronic mail in sufficient time for publication or, in the event of an emergency meeting, telephoned to the media. The Council shall make the final determination of all disputes concerning the giving of notice or the existence of a quorum.
4. Conduct of Meetings. 01.01.04(F.4)
  - a. Presentations. Procedures outlined in Robert Rules of Order, latest edition shall prevail. The Council will be receptive to presentations by individuals or groups internal and external, in matters relating to overall College policy or programs at regular Council meetings. Such presentations shall be limited to agenda items at special meetings. The Chair of the Council shall limit the length of a presentation.

- b. Agenda. The Agenda shall be prepared by the Chair and the College Director and shall be distributed at least seven (7) calendar days prior to regular Council meetings. The first order of business shall be to adopt the agenda for the meeting. Emergency items or new business shall be taken up at any regular meeting if a majority of the seats currently filled are present.
- c. Quorum. A simple majority of the seats filled, lawfully assembled in a regular or special meeting, shall constitute a quorum for transaction of business.
- d. Action. In an effort to expedite the operation of the Council, any noticed agenda items shall be introduced, discussed, and acted upon during any regularly scheduled meeting. Action shall be taken as a result of a poll by regular or electronic mail or telephone but must receive unanimous Council support, and the action must be confirmed at the next meeting of the Council.
- e. Minutes. The approved Minutes of the Council meetings are the official record of Council actions. The approved minutes of the Council shall be available for public inspection. The minutes of Council meetings shall reflect the statement of issues, recommendations, actions taken by the Council, and a record of the vote.

**ARTICLE III                    NONDISCRIMINATION                    01.01.03**

It is the policy of the University of Alaska and Kenai Peninsula College that discrimination against any individual for reasons of race, color, religion, national origin, or sex is specifically prohibited. There will be no unlawful discrimination because of age, marital status, or physical handicaps under any program or activity for which the College Council is responsible.

**ARTICLE IV                    AMENDMENT TO BYLAWS                    01.01.04**

The Bylaws shall be amended by two-thirds of the Council as a whole, but any proposed amendment must be acted upon at a meeting subsequent to the one in which the amendment is introduced.

**ARTICLE V                    ACTIONS OF THE COUNCIL                    01.01.05**

Section A. Action by the Council                    01.01.05(A)

- 1. Action                    01.01.05(A.1)  
The Council shall take such action by motion as shall be consistent with these Bylaws.
- 2. Effective Date of Council Actions                    01.01.05(A.2)  
The actions of the Council shall become effective on a stated date.

**ARTICLE V (CONTINUED)**

Section B. Policy Manual 01.01.05(B)

The Council shall recommend changes to policies consistent with the University of Alaska's Manual of Policies of the Board of Regents. Recommended changes to college policies shall be those needed for the operation of the College and not covered or not applicable within the University of Alaska manual and shall be made available for public inspection if adopted.

Section C. Regulations and Procedures 01.01.05(C)

The College Director is authorized to develop regulations and procedures to implement adopted policies. Emergency regulations and procedures shall be promulgated in the absence of specific policy without prior review. Such regulations and procedures shall be brought before the Council at the next subsequent meeting. No emergency regulation or procedure shall be in effect for more than sixty (60) days. College regulations and procedures shall be made available for public inspection.

**CHAPTER II**

**ARTICLE I BUDGET AND PROGRAMS 01.02.01**

All budgetary requests and program recommendations may be approved by the Council prior to submittal to the office of the Chancellor of the University of Alaska Anchorage or his/her designee.

**01.02.02**

**ARTICLE II LIABILITY OF OFFICERS, EMPLOYEES, AND COUNCIL**

The University of Alaska will defend, indemnify, and hold harmless all of Kenai Peninsula College officers, and employees, including the College Council from any and all liability or damage arising out of actions on behalf of the College done either the course and scope of duty.

**01.03.03**

**ARTICLE III REPEAL AND REPLACEMENT OF PREVIOUS BYLAWS**

The October 9, 1986 Bylaws, and any subsequent amendments, of the Kenai Peninsula Community College Council were repealed and replaced by the March 11, 1993 Bylaws of the Kenai Peninsula College Council.

The March 11, 1993 Bylaws, and any subsequent amendments, were repealed and replaced by the Kenai Peninsula College Council on March 2, 2004.

The March 2, 2004 Bylaws were amended by the Kenai Peninsula College Council on June 9, 2005.

The Bylaws were amended by the Kenai Peninsula College Council on March 8, 2007.