

**BOARD OF TRUSTEES**  
**RESOLUTION and POLICY FOR DISMISSAL OF BOARD MEMBERS**

**Dismissal of Board members for cause:**

**WHEREAS**, Section 3.2.5 of the Institutional Mission, Governance, and Effectiveness in the SACS Principles of Accreditation states:

Members of the governing board can be dismissed only for cause and by due process.

**AND, WHEREAS**, members are appointed to the Pearl River Community College Board of Trustees in the following manner for the six counties within the college district:

Pearl River County: 5 board appointees from the County Board of Supervisors and the Superintendent of the county public school system;

Hancock County: 1 board appointee from the County Board of Supervisors and the Superintendent of the county public school system;

Lamar County: 1 board appointee from the County Board of Supervisors and the Superintendent of the county public school system;

Forrest County: 1 board appointee from the County Board of Supervisors and the Superintendent of the county public school system;

Jefferson Davis County: 1 board appointee from the County Board of Supervisors and the Superintendent of the county public school system;

Marion County: 1 board appointee from the County Board of Supervisors and the Superintendent of the county public school system;

**AND, WHEREAS**, the college is unable to find a Mississippi Statutory Code provision which addresses the removal of a college trustee;

**AND, WHEREAS**, the Pearl River Community College Board of Trustees has the intent to comply with Section 3.2.5 of the SACS Principles of Accreditation;

**NOW, THEREFORE, BE IT RESOLVED** that the Pearl River Community College Board of Trustees, being in a regular session on Tuesday, January 11, 2005, with a quorum present, do hereby adopt this policy for the dismissal of a board member for cause.

**POLICY:** any board member may be dismissed for any of the following reasons:

1. missing five (5) consecutive regular board meetings
2. is convicted of a felony
3. is convicted of two or more misdemeanors
4. other cause for which the board finds to be just cause

A Board member may be recommended for dismissal in accordance with the following due process:

**A. Filing of Complaint:** a proceeding to recommend dismissal of a board member shall be commenced if:

1. a complaint is filed against the board member with the College President or Board Chair by another board member;
2. a complaint is filed against the board member with the College President or Board Chair by a member of the college community (employees); OR
3. a complaint is filed against the board member with the College President or Board Chair by a member of the general public from within the service area of the college

**B. Notice of Complaint:** notice of the complaint against a board member shall be communicated to the board member against whom the complaint has been made by the Board Chair. Such notice shall be in writing and shall advise the board member of his/her opportunity to answer such complaint.

**C. Opportunity to be heard:** the board member against whom a complaint has been made shall have 5 working days to notify the College President or the Board Chair of his/her desire to be heard regarding the complaint. Likewise, the complaining party shall receive notice of the fact that the board member has been advised of a date & time for such hearing. Both parties shall be held responsible for presenting facts to support their position.

**D. Appointment of Board Committee:** upon receiving a written complaint which has been made in accordance with Section "A" above, and upon receiving a notice of the desire to be heard, the Board Chair shall appoint a Board Committee of no less than 5 members and no more than 7 members to hear the issues regarding the complaint.

**E. Committee Recommendation:** when the board committee has heard the evidence regarding the complaint, that body shall render a report and recommendation, based upon its finding of facts, to the full Board of Trustees.

**F. Board of Trustees Decision:** when the report and recommendation of the committee has been heard regarding the complaint, the board shall deliberate and discuss the issues and render a decision regarding whether the board member shall be recommended for dismissal from the Board. At the discretion of the Board, a brief (10 minutes) statement may be made to the full Board by the board member against whom

a charge has been made.

A decision to recommend dismissal shall be made only by a two thirds vote of the full board. The decision of the Board to recommend dismissal shall be communicated to the body responsible for appointment of the board member.

In the case of an elected superintendent, who serves on the college board by position under statutory law, the decision of the board shall be communicated to the Board of Education for the county in which that superintendent serves.

**G. Notice to Appointing Bodies:** when a complaint has been officially filed against a board member, notice shall be given by the Board Secretary to the body corporate which appointed the board member to the Pearl River Community College Board of Trustees. The appointing body shall be provided a copy of this policy and shall be kept informed of the dismissal proceedings. The final decision of the Board of Trustees regarding the recommendation for dismissal shall be communicated by the Board Secretary in writing to the appointing body.

**H. Subject to Statutory Laws of Mississippi:** this policy shall be subject to the laws of the State of Mississippi, and any provision of this policy that is found to be in violation of said state law shall be null and void.