

Document: A.C.A. § 6-65-401**A.C.A. § 6-65-401****Copy Citation**

Unofficially updated with 2019 legislation through Act 1092 of the 2019 Regular Session (except Acts 288, 315, 377-394, 545, 552, 577 sec. 4, 597, 738 sec. 7, 884 sec. 6, 904 secs. 1-2, 907 sec. 1, 910, and 972 sec. 3; however, new Title 25, Chapter 43, enacted by Act 910, is included). Unofficial updates are provisional only and do not include corrections and edits by the Arkansas Code Revision Commission. The final official version of the 2019 session will be available on Lexis Advance later in 2019.

**AR - Arkansas Code Annotated Title 6 Education Subtitle 5. Postsecondary And Higher Education
Generally Chapter 65 Agricultural Colleges Subchapter 4-- Southern Arkansas University**

6-65-401. Board of Trustees of Southern Arkansas University.

- (a) The Governor, by and with the advice and consent of the Senate, shall appoint a board of five (5) members as trustees for Southern Arkansas University.
- (b) The board shall constitute the Board of Trustees of Southern Arkansas University and shall be appointed from the counties in the Third Agricultural and Mechanical College District.
- (c)
- (1) All board members appointed under the provisions of this section shall be qualified electors and shall reside in the State of Arkansas.
- (2) The Governor, Attorney General, Secretary of State, Auditor of State, Treasurer of State, Commissioner of State Lands, and Justices of the Supreme Court, and the director or employees of any state department, state agency, or state institution shall not be eligible for membership on the board appointed under this section.
- (d) The Governor shall submit to the Senate for approval, on or before the fourteenth day following the commencement of each regular session of the General Assembly, the names of all unconfirmed appointments made by him or her to fill expired terms and the names of appointments to fill the terms expiring during the regular session of the General Assembly. However, members appointed by the Governor to fill vacancies caused by the expiration of the terms of members may qualify and hold office until such appointments shall be rejected by the Senate.
- (e)
- (1) The Secretary of State shall furnish a certificate to each board member within ten (10) days following appointment, whereupon the appointee shall notify the Governor and the Secretary of State in writing of his or her acceptance of the appointment within thirty (30) days.
- (2) If the appointee fails to give such notice of his or her acceptance within the time required, then the appointment shall be declared void and another appointment shall be made.

(f)

(1) The regular term of office of the members of the board to be appointed by the Governor under the provisions of this section shall be arranged in such a manner that the term of one (1) of the board members shall expire on January 14 of each year.

(2) The term of office shall commence on January 15 immediately following the expiration date of the preceding term and shall end on January 14 of the fifth year following the year in which the regular term commenced.

(g) Any vacancies arising in the membership of the board for any reason other than the expiration of the regular terms for which the members were appointed shall be filled by the appointment of the Governor, subject to the approval by a majority of the remaining members of the board and shall be thereafter effective until the expiration of the regular term unless the appointment is rejected by the Senate at the next regular session of the General Assembly.

(h)

(1) Before entering upon his or her respective duties, each board member shall take, subscribe, and file in the office of the Secretary of State an oath to support the United States Constitution and the Arkansas Constitution and to faithfully perform the duties of the office upon which he or she is about to enter and that he or she will not be or become interested, directly or indirectly, in any contract made by the board.

(2)

(A) Any violation of the oath shall be a Class B misdemeanor.

(B) Any contract entered into in violation of the oath shall be void.

(i)

(1) The Governor shall have the power to remove any member of the board before the expiration of his or her term for cause only, after notice and hearing.

(2) The removal shall become effective only when approved in writing by a majority of the total number of the board but without the right to vote by the member to be removed or his or her successor, which action shall be filed with the Secretary of State with a complete record of the proceedings at the hearing.

(3)

(A) An appeal may be taken to the Pulaski County Circuit Court by the Governor or the member ordered removed, and the cause shall be tried de novo on the record of the hearing before the Governor.

(B) An appeal may be taken from the circuit court to the Supreme Court, which shall likewise be tried de novo.

History

Acts 1945, No. 7, §§ 1, 3-5; A.S.A. 1947, §§ 80-3124, 80-3126 -- 80-3128; Acts 2005, No. 1994, § 391.