

VENTURA COUNTY COMMUNITY COLLEGE DISTRICT

Board Policy Manual



Chapter 2

Board of Trustees

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BP 2010 Board Membership

Reference:

Education Code Sections 72023, 72103; 72104

The Board shall consist of five (5) members elected by the eligible voters of the District. Members shall be elected by trustee area as defined in Board Policy 2100.

Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board. An employee of the district may not be sworn into office as an elected or appointed member of the governing board unless he or she resigns as an employee. Attorney General Opinion 01-112 (8/3/01) clarified employment of a board member as a part-time or substitute instructor. Education Code Section 72103(b)(2) makes an exception for individuals who are usually employed in an occupation other than teaching and who are employed by the district to teach no more than one course per semester or quarter in the subject matter of the individual's occupation. The AG Opinion states that this exception applies only when the contract to teach has already been executed at the time of the election to the board.

No member of the governing board shall, during the term for which he or she is elected, hold an incompatible office. Government Code Sections 1090 and 87100 and common law principles of conflict of interest prohibit such office holding, and inclusion of this exception is not recommended.

Adopted: _____
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BP 2015 Student Member

Reference:

Education Code Section 72023.5

The Board shall include one non-voting student member. The term of office shall be one year commencing June 1 – May 30.

The student member shall be a resident of California at the time of nomination, and during the term of service, and shall be enrolled in and maintain a minimum of five (5) semester units in the District at the time of nomination and throughout the term of service. The student member is not required to give up employment with the District. The student shall be in good standing academically; shall maintain a 2.0 cumulative grade point average (GPA); not currently be on academic or disciplinary probation; or have been expelled from a college-based associated student government position, shall be eighteen years of age prior to assuming office, and shall have completed twelve (12) units as a student in this district prior to taking office as student trustee;

The student member shall be seated with the Board and shall be recognized as a full member of the Board at meetings. The student member is entitled to participate in discussion of issues and receive all materials presented to members of the Board (except for closed session). The student member shall be entitled to any mileage allowance necessary to attend Board meetings and district events to the same extent as publicly elected trustees.

On or before May 15 of each year, the Board shall consider whether to afford the student member any of the following privileges:

- The privilege to make and second motions;
- The privilege to attend closed sessions, other than closed sessions on personnel or collective bargaining matters;
- The privilege to receive compensation for meeting;
- The privilege to serve a term commencing on June 1 – May 30.

See Administrative Procedures AP 2015.

Adopted: October 14, 2008

Revised: _____

BP 2100 Board Elections

Reference:

Education Code Sections 5000 et seq.

The term of office of each trustee shall be four years, commencing on the first Friday in December next succeeding his or her election. Elections shall be held every two years, in even numbered years. Terms of trustees are staggered so that, as nearly as practical, one half of the trustees shall be elected at each trustee election.

The Board of Trustees has provided for the election of trustees by trustee areas.

Effective November 13, 2001, the trustee areas are as follows:

Area 1 – Ventura, Saticoy, Nyeland Acres, Channel Islands, Silver Strand, North Oxnard, Ocean View, Port Hueneme and the Construction Battalion Center.

Area 2 – Part of Oxnard Plain, Point Mugu, Santa Rosa Valley, Newbury Park, Thousand Oaks, Westlake Village (Ventura County portion), Hidden Valley, Yerba Buena and Oak Park.

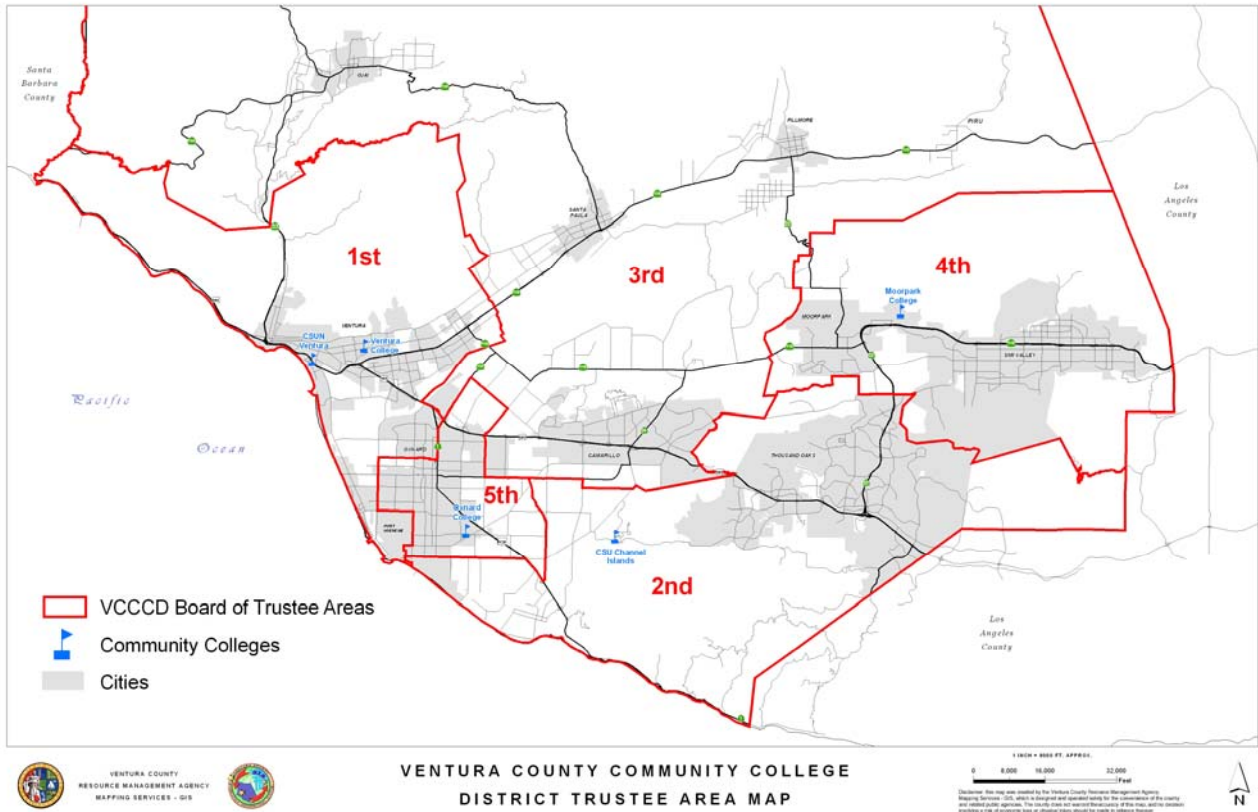
Area 3 – Fillmore, Piru, Meiner's Oaks, Oak View, Ojai, Santa Paula, West Las Posas Valley, Las Posas Estates, Camarillo, Somis, Mission Oaks and Leisure Village.

Area 4 – East Las Posas Valley, Moorpark, Simi Valley, and Santa Susana.

Area 5 – Portions of North and all of South Oxnard, El Rio, Port Hueneme and the Silver Strand.

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The election of a board member residing in and registered to vote in the trustee area he or she seeks to represent shall be only by the registered voters of the same trustee areas.

The Chancellor shall submit recommendations to the Board regarding adjustments to be made to the boundaries of each trustee area, if any adjustment is necessary, after each decennial federal census. The Chancellor shall submit the recommendation in time for the Board to act as required by law.

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BP 2105 Election of Student Members

Reference:

Education Code Sections 72023.5, 72103 (See, 62 Ops. California Attorney General 126 (1979))

The student member shall be elected by all the students enrolled in the District in a general election held for that purpose. Normally an election will be held in the Spring semester so that the office is filled by June 1. Special elections shall be held if the office becomes vacant by reason of the resignation or disqualification of an elected student member, or by any other reasons. Special elections shall be held within thirty (30) days after notice of the vacancy comes to the attention of the Chancellor. Candidates for the position may nominate themselves or be nominated by others by the filing of an application at their campus of residence certifying that the candidate is eligible for service under the criteria set forth in California law and these policies.

An election will be conducted at each college in accordance with the administrative procedures adopted by the college student elections, except that all members of the student body shall be permitted to vote for the student member. Each candidate from throughout the District who has qualified shall be listed on the ballot at each college. The successful candidate must receive a plurality of all votes cast.

See Administrative Procedures AP 2105.

Adopted: October 14, 2008

Revised: _____

BP 2110 Vacancies on the Board

Reference:

Education Code Sections 5090, et seq. , Government Code 1770.

Vacancies on the Board may be caused by any of the events specified in Government Code Section 1770 or any applicable provision in the Elections Code, or by a failure to elect. Resignations from the Board shall be governed by EC 5090.

Within 30 days of the vacancy or filing of a deferred resignation, the Board shall either order an election or make a provisional appointment to fill the vacancy.

If an election is ordered, it shall be held on the next regular election date not less than 130 days after the occurrence of the vacancy.

If a provisional appointment is made, it shall be subject to the conditions in EC 5091. The person appointed to the position shall hold office only until the next regularly scheduled election for district governing board members, when the election shall be held to fill the vacancy for the remainder of the unexpired term.

The provisional appointment will be made by a majority public vote of the board members at a public meeting.

The Chancellor shall establish administrative procedures to solicit applications that assure ample publicity to and information for prospective candidates. The Board will determine the schedule and appointment process, which may include interviews at a public meeting.

See Administrative Procedures AP 2110.

Adopted: _____
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BP 2130 Term Limits

Reference:

Education Code Section 72103(c)

The board may, by a vote of the membership of the board, act to submit to the electors of the district a proposal to limit the number of terms a member of the governing board may serve on the board. Any proposal to limit the number of terms a member of the board may serve shall not become operative unless it is submitted to the electors of the district at a regularly scheduled election and a majority of the votes cast on the question favor adoption of the proposal. Any such proposal shall be subject to the administrative procedures set forth in the California Elections Code, Section 9500 *et seq.*

Any such proposal shall, if adopted by the electors of the district, apply prospectively only.

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BP 2200 Board Duties and Responsibilities

Reference:

Accreditation Standard IVB.1.d

The Board of Trustees governs on behalf of the citizens of the Ventura County Community College District in accordance with the authority granted and duties defined in Education Code Section 70902.

The Board is committed to fulfilling its responsibilities to the following:

- Represent the public interest
- Establish policies that define the institutional mission and set prudent, ethical and legal standards for college operations
- Hire and evaluate the CEO
- Delegate power and authority to the chief executive to effectively lead the district
- Assure fiscal health and stability
- Monitor institutional performance and educational quality
- Advocate and protect the district

See Administrative Procedure AP 2200.

Adopted: October 14, 2008

Revised: _____

BP 2210 Officers

Reference:

Education Code Section 72000

At the annual organizational meeting, the Board shall elect from among its members a Chair and Vice-Chair of the Board.

The terms of officers shall be for one year. The duties of the **Chair of the Board** are as follows:

- Preside over all meetings of the Board;
- Call emergency and special meetings of the Board as required by law;
- Consult with the Chancellor on board meeting agendas;
- Communicate with individual board members about their responsibilities;
- Speak on behalf of the Board regarding its actions and positions.
- Participate in the orientation process for new board members;
- Assure Board compliance with policies on board education, self-evaluation and CEO evaluation;
- Represent the Board at official events or ensure board representation.

The terms of officers shall be for one year; the duties of the **Vice-Chair of the Board** are as follows:

- In the absence of the Chair, the Vice-Chair shall serve in his or her stead.

The Chancellor shall serve as **Secretary to the Board**. The duties of the Secretary are as follows:

- Notify members of the Board of regular, special, emergency and adjourned meetings;
- Prepare and post board meeting agendas;
- Have prepared for adoption minutes of board meetings;
- Attend all board meetings and closed sessions, unless excused, and in such cases assign a designee;
- Conduct the official correspondence of the Board;
- Certify as legally required all board actions;
- Sign, when authorized by law or by board action, any documents that would otherwise require the signature of the Secretary or the Clerk of the Board.

The Board does not have an official system of rotation of officers; it elects the officers every year from among all its members.

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BP 2220 Committees of the Board

Reference:

Government Code Section 54952

The Board may by action establish committees that it determines are necessary to assist the Board in its responsibilities. Any committee established by board action shall comply with the requirements of the Brown Act and with these policies regarding open meetings.

Board committees that are composed solely of less than a quorum of members of the Board do not have authority that may lawfully be exercised by the Board itself.

Board committees have no authority or power to act on behalf of the Board. Findings or recommendations shall be reported to the Board for consideration.

Committees

1. Audit/Budget/Foundation Relations Committee

The Audit/Budget/Foundation Relations Committee is responsible for the oversight of the District-wide budget development process through a review of Board priorities, budget assumptions, allocation model and the annual budget development calendar.

The Committee recommends to the Board the selection of the District independent auditor, meets periodically with the auditor to ensure appropriate financial controls are in place and the annual financial reports are prepared timely and in accordance with State regulations.

The Committee is also responsible for developing appropriate relations with the three College foundations, reviewing and recommending changes to the master agreements, and recommending policies that assist the foundations in supporting the Colleges. This committee meets on an as-needed basis.

2. Capital Planning and Facilities Committee

The Capital Planning and Construction Committee examines the relationship of the campus facilities master plans to submitted proposals for the design and construction of buildings or other facilities or improvements, and review the fiduciary viability of any architectural or construction management firms recommended for Board approval. This committee meets on an as needed basis.

3. Legislative Program Committee

The Legislative Program Committee discusses responses to pending local, statewide, and federal legislative issues that may affect the community college district. The committee meets on an as-needed basis.

4. Policy Committee

The Policy Committee provides recommendations to the Board regarding policy for the Ventura County Community College District. This committee meets on an as-needed basis.

5. Academic Affairs Committee

The Academic Affairs committee ensures that the colleges follow Board Policy through their established procedures so that: institutional programs are consistent with district and college missions, plans, and strategies; district-wide faculty personnel policies complement instructional priorities; college instructional programs are appropriate for the students and the communities they serve; and instructional programs are assessed for learning effectiveness. This committee meets on an as-needed basis.

See Administrative Procedure: AP 2220

Adopted: April 14, 2009

Revised: _____

BP 2305 Annual Organizational Meeting

Reference:

Education Code Section 72000(c)(2)(A)

The annual organizational meeting of the Board will be held within the first two weeks in December.

The governing board of each community college district shall hold an annual organizational meeting. In a year in which a regular election for governing board members is conducted, the meeting shall be held on a day within a 15-day period that commences with the date upon which a governing board member elected at that election takes office. Organizational meetings in years in which no regular election for governing board members is conducted shall be held during the same 15-day period on the calendar. Unless otherwise provided by rule of the governing board, the day and time of the annual meeting shall be selected by the board at its regular meeting held immediately prior to the first day of such 15-day period, and the board shall notify the county superintendent of schools of the day and time selected. The secretary of the board shall, within 15 days prior to the date of the annual meeting, notify in writing all members and members-elect of the date and time selected for the meeting.

The purpose of the annual organizational meeting is to elect a Chair and vice-Chair, and conduct any other business as required by law or determined by the Board.

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BP 2310 Regular Meetings of the Board

Reference:

Education Code Section 72000(d); Government Code 54952.2, 54953 et seq.; 54961

One Regular meeting of the Board shall be held each month.

A notice identifying the location, date, and time of each regular meeting of the Board shall be posted at least ten (10) days prior to the meeting and shall remain posted until the day and time of the meeting. All regular meetings of the Board shall be held within the boundaries of the District except in cases where the Board is meeting with another local agency or is meeting with its attorney to discuss pending litigation if the attorney's office is outside the District.

All regular and special meetings of the Board shall be open to the public, be accessible to persons with disabilities, and otherwise comply with Brown Act provisions, except as required or permitted by law.

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BP 2315 Closed Sessions

Reference:

***Government Code Sections 54956.8, 54956.9, 54957, 54957.6; 11125.4
Education Code Section 72122***

Closed sessions of the Board shall only be held as permitted by applicable legal provisions including but not limited to the Brown Act, California Government Code, and California Education Code. Matters discussed in closed session may include:

1. The appointment, employment, evaluation of performance, discipline or dismissal of a public employee;
2. Charges or complaints brought against a public employee by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. The employee shall be given at least twenty-four (24) hours written notice of the closed session.
3. Advice of counsel on pending litigation, as defined by law;
4. Consideration of tort liability claims as part of the district's membership in any joint powers agency formed for purposes of insurance pooling;
5. Real property transactions;
6. Threats to public security;
7. Review of the District's position regarding labor negotiations and giving instructions to the District's designated negotiator;
8. Discussion of student disciplinary action, with final action taken in public;
9. Conferring of honorary degrees;
10. Consideration of gifts from a donor who wishes to remain anonymous;
11. To consider its response to a confidential final draft audit report from the Bureau of State Audits.

The agenda for each regular or special meeting shall contain information regarding whether a closed session will be held and shall identify the topics to be discussed in any closed session in the manner required by law.

After any closed session, the Board shall reconvene in open session before adjourning and shall announce any actions taken in closed session and the vote of every member present.

All matters discussed or disclosed during a lawfully held closed session and all notes, minutes, records or recordings made of such a closed session are confidential and shall remain confidential unless and until required to be disclosed by action of the Board or by law.

If any person requests an opportunity to present complaints to the Board about a specific employee, such complaints shall first be presented to the Chancellor. Notice shall be given to the employee against whom the charges or complaints are directed. If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Board. The employee shall be given at least twenty-four (24) hours written notice of the closed session, and shall be given the opportunity to request that the complaints be heard in an open meeting of the Board.

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BP 2320 Special and Emergency Meetings

Reference:

Government Code Sections 54956, 54956.5, 54957; Education Code Section 72129

Special meetings may from time to time be called by the Chair of the Board or by a majority of the members of the Board. Notice of such meetings shall be posted at least 24 hours before the time of the meeting, and shall be noticed in accordance with Brown Act. No business other than that included in the notice may be transacted or discussed.

Emergency meetings may be called by the Chair of the Board when prompt action is needed because of actual or threatened disruption of public facilities under such circumstances as are permitted by the Brown Act, including work stoppage, crippling disasters, and other activity that severely impairs public health or safety.

No closed session shall be conducted during an emergency meeting, except as provided for in the Brown Act to discuss a dire emergency.

The Chancellor shall be responsible to ensure that notice of such meetings is provided to the local news media as required by law.

See Administrative Procedure 2320

Adopted: _____
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BP 2330 Quorum and Voting

Reference:

Education Code Sections 72000(d)(3, 81310 et seq., 81365, 81511, 81432; Government Code Section 53094; Code of Civil Procedure Section 1245.240

A quorum of the Board shall consist of three members (this does not include the Student Trustee). The Board shall act by majority vote of all of the membership of the Board, except as noted below. No action shall be taken by secret ballot.

The following actions require a two-thirds majority of all members of the Board:

- Resolution of intention to sell or lease real property (except where a unanimous vote is required);
- Resolution of intention to dedicate or convey an easement;
- Resolution authorizing and directing the execution and delivery of a deed;
- Action to declare the District exempt from the approval requirements of a planning commission or other local land use body;
- Appropriation of funds from an undistributed reserve;
- Resolution to condemn real property.

The following actions require a unanimous vote of all members of the Board:

- Resolution authorizing a sale or lease of District real property to the state, any county, city, or to any other school or community college district;
- Resolution authorizing lease of District property under a lease for the production of gas.

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BP 2340 Agendas

Reference:

Government Code Sections 54954 et seq., 6250 et seq.; Education Code Sections 72121, 72121.5

An agenda shall be posted adjacent to the place of meeting at least 72 hours prior to the meeting time for regular meetings. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

No business may be acted on or discussed which is not on the agenda, except when one or more of the following apply:

- A majority decides there is an “emergency situation” as defined for emergency meetings;
- Two-thirds of the members (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to the attention of the Board subsequent to the agenda being posted;
- An item appeared on the agenda of and was continued from a meeting held not more than five days earlier.

The order of business may be changed by consent of the Board.

The Chancellor shall establish administrative procedures that provide for public access to agenda information and reasonable annual fees for the service.

Members of the public may place matters directly related to the business of the District on an agenda for a board meeting by submitting a written summary of the item to the Chancellor. The written summary must be signed by the initiator. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.

The Chancellor in consultation with the Board Chair shall develop agendas.

Agenda items submitted by members of the public must be received by the office of the Chancellor two weeks prior to the regularly scheduled board meeting.

Agenda items initiated by members of the public shall be placed on the Board’s agenda following the items of business initiated by the Board and by staff. Any agenda item submitted by a member of the public and heard at a public meeting cannot be resubmitted before the expiration of a 90-day period following the initial submission. See Administrative Procedure 2340.

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BP 2345 Public Participation at Board Meetings

Reference:

Government Code Sections 54954.3, 54957.5; Education Code 72121.5

The Board shall provide opportunities for members of the general public to participate in the business of the Board.

Members of the public may bring matters directly related to the business of the District to the attention of the Board in one of two ways:

1. There will be a time at each regularly scheduled board meeting for the general public to discuss items not on the agenda.

Members wishing to present such items shall submit a written request at the beginning of the meeting to the Recorder that summarizes the item and provides his or her name and organizational affiliation, if any. No action may be taken may be taken by the Board on such items.

2. Members of the public may place items on the prepared agenda in accordance with Board Policy 2340.

A written summary of the item must be submitted to the Chancellor at least two weeks prior to the board meeting. The summary must be signed by the initiator, contain his or her residence or business address, and organizational affiliation, if any.

Members of the public also may submit written communications to the Board on items on the agenda and/or speak to agenda items at the board meeting. Written communication regarding items on the Board's agenda should reach the office of the Chancellor not later than five working days prior to the meeting at which the matter concerned is to be before the Board. All such written communications shall be dated and signed by the author, and shall contain the residence or business address of the author and the author's organizational affiliation, if any.

If requested, writings that are public records shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.

Claims for damages are not considered communications to the Board under this rule, but shall be submitted to the District.

See Administrative Procedure [2345]

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BP 2350 Speakers

Reference:

Government Code Sections 54950, et seq.;
Education Code Section 72121.5

Persons may speak to the Board either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board.

Oral presentations relating to a matter on the agenda, including those on the consent agenda shall be heard before a vote is called on the item.

Persons wishing to speak to matters not on the agenda shall do so at the time designated at the meeting for public comment.

Those wishing to speak to the Board are subject to the following:

- The Chair of the Board may rule members of the public out of order if their remarks do not pertain to matters that are within the subject matter jurisdiction of the Board or if their remarks are unduly repetitive.
- Non-scheduled substitutes may not speak in place of scheduled speakers unless alternates have been submitted on the original request.
- Employees who are members of a bargaining unit represented by an exclusive bargaining agent may address the Board under this policy, but may not attempt to negotiate terms and conditions of their employment. This policy does not prohibit any employee from addressing a collective bargaining proposal pursuant to the public notice requirements of Government Code Section 3547 and the policies of this Board implementing that section.
- They shall complete a written request to address the Board at the beginning of the meeting at which they wish to speak.
- The request shall include the person's name and name of the organization or group represented, if any, and a statement noting the agenda item or topic to be addressed.
- No member of the public may speak without being recognized by the Chair of the Board.
- Each speaker will be allowed a maximum of three (3) minutes (30) per topic; thirty minutes shall be the maximum time allotment for public speakers on any one subject regardless of the number of speakers at any one board meeting. At the discretion of a majority of the Board, these time limits may be extended.
- Each speaker coming before the Board is limited to one presentation per specific agenda item before the Board, and to one presentation per meeting on non-agenda matters.

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BP 2355 Decorum

Reference:

Education Code Section 72121.5;
Government Code Section 54954.3 (b)

The following will be ruled out of order by the presiding officer.

- Remarks or discussion in public meetings on charges or complaints which the Board has scheduled to consider in closed session.
- Profanity, obscenity, and other offensive language.
- Physical violence and/or threats of physical violence directed towards any person or property.

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person(s) may be removed from the meeting room.

Speakers who engage in such conduct may be removed from the podium and denied the opportunity to speak to the Board for the duration of the meeting.

Before removal, a warning and a request that the person(s) curtail the disruptive activity will be made by the Chair of the Board. If the behavior continues, the person(s) may be removed by a vote of the Board, based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

If order cannot be restored by the removal in accordance with these rules of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and may continue in session. The Board shall only consider matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this rule.

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BP 2360 Minutes

Reference:

Education Code Section 72121(a); Government Code Section 54957.5

The Chancellor shall cause minutes to be taken of all meetings of the Board. The minutes shall record all actions taken by the Board. The minutes shall be public records and shall be available to the public. If requested, the minutes shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.

The minutes shall record names of Trustees present, all motions, names of those making and seconding motions, votes, and major discussion points. The minutes shall also memorialize any discussion requested by a trustee as "for the record."

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BP 2365 Recording

Reference:

***Government Code Sections 54953.5, 54953.6;
Education Code Section 72121(a);***

If the Board causes any tape or video recording of a meeting, the recording shall be subject to inspection by members of the public in accordance with the California Public Records Act, Government Code Sections 6250, *et seq.* The Chancellor is directed to enact administrative procedures to ensure that any such recordings are maintained for at least thirty days following the taping or recording.

Persons attending an open and public meeting of the Board may, at their own expense, record the proceedings with an audio or video tape recording or a still or motion picture camera or may broadcast the proceedings. However, if the Board finds by a majority vote that the recording or broadcast cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a persistent disruption of the proceedings, any such person shall be directed by the Chair of the Board to stop.

See Administrative Procedure [2365].

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BP 2410 Board Policy

Reference:

Education Code Section 70902; Accreditation Standard IV.B.1.b & e

The Board may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Board policies are intended to be statements of intent by the Board on a specific issue within its subject matter jurisdiction.

The policies have been written to be consistent with provisions of law, but do not encompass all laws relating to district activities. All district employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

Policies of the Board may be adopted, revised, added to, or amended at any regular board meeting by a majority vote. Proposed changes or additions shall be introduced not less than one regular meeting prior to the meeting at which action is recommended.

Copies of all policies shall be readily available to District employees through the Chancellor.

See Administrative Procedure 2410.

Adopted: April 14, 2009

Revised: _____

BP 2411 Administrative Procedures

Reference:

Education Code Section 70902; Accreditation Standard IV.B.1.b & e

The Board may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Board policies are intended to be statements of intent by the Board on a specific issue within its subject matter jurisdiction.

Administrative procedures are to be issued by the Chancellor as statements of method to be used in implementing Board Policy. Such administrative procedures shall be consistent with the intent of Board Policy. Administrative procedures may be revised as deemed necessary by the Chancellor.

The Chancellor shall, annually, provide each member of the Board with copies of new administrative procedures, following review of new procedures by the Board's Policy Committee. The Board reserves the right to direct revisions of the administrative procedures should they, in the Board's judgment, be inconsistent with the Board's own policies.

Copies of all policies and administrative procedures shall be readily available to District employees through the Chancellor.

See Administrative Procedure 2411.

Adopted: April 14, 2009

Revised: _____

BP 2431 CEO Selection

Reference:

Accreditation Standard IV.B.1, IV.B.1.j.: Title 5, Sections 53000 et seq.

In the case of a Chancellor vacancy, the board shall establish a search process to fill the vacancy. The process shall be fair and open and comply with relevant regulations.

See Administrative Procedure 2431.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2432 CEO Succession

Reference:

Education Code Sections 70902(d); 72400; Title 5 Section 53021(b)

The Board delegates authority to the Chancellor to appoint an acting CEO to serve in his or her absence for short periods, not to exceed 31 calendar days at a time.

In the absence of the Chancellor, and when an acting CEO has not been named, the Chancellor or Board Chair shall designate the administrative responsibility to a member of the executive team.

The Board shall appoint an acting CEO for periods exceeding 31 days.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2435 Evaluation of Chancellor

Reference:

Accreditation Standard IV.B.1

The Board shall conduct an evaluation of Chancellor at least annually. Such evaluation shall comply with any requirements set forth in the contract of employment with the Chancellor as well as this policy.

The Board shall evaluate the Chancellor using an evaluation process developed and jointly agreed to by the Board and the Chancellor.

The criteria for evaluation shall be based on board policy, the chancellor's job description, and performance goals and objectives developed in accordance with Board Policy 2430.

See Administrative Procedure 2435.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2510 Participation in Local Decision Making

Reference:

***Education Code Section 70902(b)(7);
Title 5, Sections 53200 et seq., (Academic Senate), 51023.5 (staff), 51023.7 (students);
Accreditation Standard IV.A***

The Board is the ultimate decision-maker in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for board action and administrative procedures for the Chancellor's action under which the District is governed and administered.

Each of the following shall participate effectively as required by law (AB 1725) in the decision-making processes of the district:

Academic Senate(s) (Title 5, Sections 53200-53206.)

The Board or its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law. The district and academic senates shall have the obligation to reach mutual agreement by written resolution, regulation, or Board Policy in academic and professional matters. The Governing Board may change policies regarding academic and professional matters in mutual agreement with the senate or after a good faith effort to reach agreement only for compelling legal, fiscal, or organizational reasons.

The board shall determine on an annual basis the amount of release time to be granted the senate presidents for the purpose of performing those participative functions as may be requested by the district and its colleges. Academic senate presidents or designees will receive remuneration for participating fully in governance during the summer months. Procedures to implement this section are developed collegially with the Academic Senate.

Staff (Title 5, Section 51023.5.)

Staff shall be provided with opportunities to participate in the formulation and development of district policies and procedures that have a significant effect on staff. The opinions and recommendations of the classified representatives and other recognized employee organizations will be given every reasonable consideration.

Students (Title 5, Section 51023.7.)

The Associated Students shall be given an opportunity to participate effectively in the formulation and development of district policies and procedures that have a significant effect on students, as defined by law. The recommendations and positions of the Associated Students will be given every reasonable consideration. The selection of student representatives to serve on district committees or task forces shall be made after consultation with the Associated Students.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2510 Participation in Local Decision Making (Continued)

Except for unforeseeable emergency situations, the Board shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate.

Nothing in this policy will be construed to interfere with the formation or administration of employee organizations or with the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code Sections 3540, *et seq.*

See Administrative Procedure 2510.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2610 Presentation of Initial Collective Bargaining Proposals

Reference:

Government Code Section 3547

The Chancellor is directed to enact administrative procedures that assure compliance with the requirements of Government Code Section 3547 regarding the presentation to the Board of initial proposals for collective bargaining.

Collective bargaining begins when either an exclusive representative or the District itself presents an initial proposal for consideration in accordance with the following timelines:

If the District or the exclusive representatives desire to negotiate the provisions of a Successor Agreement, said party shall serve upon the other, during the period from December 15 to January 15, its written request to commence negotiations as well as its contract proposal. Upon receipt of such written notice and proposal, the other party shall promptly prepare and submit its proposals. Both proposals shall be “sunshined” at a regularly scheduled Board meeting prior to the commencement of negotiations. Bargaining shall begin no later than March 1 unless mutually agreed to do otherwise.

See Administrative Procedure 2610.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2710 Conflict of Interest

Reference:

Government Code Sections 1090, et seq.; 1126; 87200, et seq.;
Title 2, Sections 18730 et seq., Revised in Accordance with SB 8 and SB 274

Board members shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as board members.

A board member shall not be considered to be financially interested in a contract if his or her interest is limited to those interests defined as remote under Government Code Section 1091 or is limited to interests defined by Government Code Section 1091.5.

A board member who has a remote interest in any contract considered by the Board shall disclose his or her interest during a board meeting and have the disclosure noted in the official board minutes. The board member shall not vote or debate on the matter or attempt to influence any other board member to enter into the contract.

A board member shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with, or inimical to his or her duties as an officer of the district. A board member shall not simultaneously hold two public offices that are incompatible.

Upon leaving the Board, former members shall not, for a period of one year, act as an attorney, agent or otherwise represent for compensation others appearing before the Board.

In compliance with law and regulation, the Chancellor shall establish administrative procedures to provide for disclosure of assets of income of board members who may be affected by their official actions, and prevent members from making or participating in the making of Board decisions which may foreseeably have a material effect on their financial interest.

Board members shall file statements of economic interest with the filing officer identified by the administrative procedures.

Board members are encouraged to seek counsel from the District's legal advisor in every case where any question arises.

See Administrative Procedure 2710.

Adopted: October 14, 2008

Revised: _____

BP 2715 Code of Ethics/Standards of Practice

Reference:

Accreditation Standard IV.B.1.a, e, & h

The Board maintains high standards of ethical conduct for its members. Members of the Board are responsible to:

- Acting only in the best interests of the entire community.
- Ensuring public input into board deliberations; adhering to the law and spirit of the open meeting laws and regulations.
- Preventing conflicts of interest and the perception of conflicts of interest.
- Exercising authority only as a board.
- Using appropriate channels of communication.
- Respecting others; acting with civility.
- Being informed about the district, educational issues, and responsibilities of trusteeship.
- Devoting adequate time to board work.
- Maintaining confidentiality of closed sessions.

Censure is an official expression of disapproval passed by the governing board. A board member may be subject to a resolution of censure by the governing board should it be determined that trustee misconduct has occurred.

All board members are expected to maintain the highest standards of conduct and ethical behavior. To give guidance to individual members in conforming their conduct to minimum standards, the board has adopted a Trustee Code of Ethics. In order to maintain public confidence in the board, and in the institutional integrity of the colleges under its governance, the board will be prepared to investigate the factual basis behind any charge or complaint of trustee misconduct.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2716 Political Activity

Reference:

Education Code Sections 7054; 7056; Government Code 8314

Members of the Board shall not use District funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the governing board.

Initiative or referendum measures may be drafted on an area of legitimate interest to the district. The Board may by resolution express the board's position on ballot measures. Public resources may be used only for informational efforts regarding ballot measures.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2717 Personal Use of Public Resources

Reference:

Government Code Section 8314; Penal Code Section 424

No trustee shall use or permit others to use public resources, except that which is incidental and minimal, for personal purposes or any other purpose not authorized by law.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2720 Communications among Board Members

Reference:

Government Code Section 54952.2

Members of the Board shall not communicate among themselves by the use of any form of communication (e.g., personal intermediaries, e-mail, or other technological device) in order to reach a collective concurrence regarding any item that is within the subject matter jurisdiction of the Board.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2725 Board Member Compensation

Reference:

Education Code Section 1090, 35120, 72024

Members of the Board who attend all Board meetings shall receive compensation within the provision of law. A member of the Board who does not attend all meetings held by the Board in any month shall receive, as compensation, an amount not greater than the pro rata share of the number of meetings actually attended.

A member of the Board may be paid for a meeting when absent if the Board, by resolution, finds that at the time of the meeting the member is performing services outside the meeting for the community college district, is ill, on jury duty, or the absence is due to a hardship deemed acceptable by the Board.

See Administrative Procedure 2725.

Adopted: October 14, 2008

Revised: _____

BP 2730 Health Benefits

Reference:

Government Code Section 53201

Members of the Board shall be permitted to participate in the District's health benefit programs.

Former members of the Board may continue to participate in the District's health benefits programs upon leaving the Board if the following criteria are met: the member must have begun service on the Board after January 1, 1981; the member must have been first elected to the Board before January 1, 1995; and the member must have served at least 12 years. All other former Board members may continue to participate in the District's health benefits programs on a self-pay basis.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2735 Board Member Travel

Reference:

Education Code Section 72423

Members of the Board shall have travel expenses paid whenever they travel as representatives of and perform services directed by the Board.

See Administrative Procedure 2735.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2740 Board Education

Reference:

Accreditation Standard IV.B.1.f

The Board is committed to its ongoing development as a board and to a trustee education program that includes new trustee orientation.

To that end, the Board will engage in study sessions, provide access to reading materials, and support conference attendance and other activities that foster trustee education.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____

BP 2745 Board Self-Evaluation

Reference:

Accreditation Standard IV.B.1.e & g

The Board is committed to assessing its own performance as a board in order to identify its strengths and areas in which it may improve its functioning.

To that end, the Board shall establish a process.

See Administrative Procedure 2745.

Adopted: _____
Revised: _____
Revised: _____
Revised: _____

Revised: _____
Revised: _____
Revised: _____
Revised: _____