

BOARD POLICY - Chapters 1, 2 & 3
PROPOSED CHANGES – RECOMMENDED (revised*)

CHAPTER 1 – THE DISTRICT

1. BP 1100 – The Ohlone Community College District

Update Recommended – The District consists of the following:

Fremont Campus
43600 Mission Boulevard, Fremont, CA 94539

Newark Center for the Health Sciences and Technology
39399 Cherry Avenue, Newark, CA 94560
(Pending approval from the City of Newark)

Original Text –
Fremont Campus
Newark Center for the Health Sciences and Technology

2. BP 1200 - District Mission, Vision and Values (*)

Update Recommended – Using the college’s governance and decision making processes, the mission, vision and core values are reviewed on a regular basis and revised as necessary.

Original Text – The mission, vision and core values are reviewed on a regular basis.

Update Recommended – Ohlone College will be known throughout California for our inclusiveness, innovation and superior rates of student success.

Original Text – The vision is that Ohlone College will be known throughout California for our inclusiveness, innovation and superior rates of student success.

CHAPTER 2 – BOARD OF TRUSTEES

3. **BP 2015 - Student Member of the Board of Trustees**

Addition Recommended – For the 2004-2005 school year, all of the above privileges as listed except the privilege to attend closed sessions.

Update Recommended - The privilege to receive compensation for meeting attendance at a level of \$252 per month;

List of Privileges

1. The privilege to make and second motions;
2. The privilege to attend closed sessions, other than closed sessions on personnel or collective bargaining matters;
3. The privilege to receive compensation for meeting attendance at a level of \$252 per month;
4. The privilege to serve a term commencing on July 1;
5. The privilege to cast an advisory vote, although the vote shall not be included in determining the vote required to carry any measure before the Board.

4. **BP 2101 – Printing Costs of Candidate’s Statements of Qualifications (*)**

Update Recommended – The Board of Trustees has determined that the Ohlone Community College District shall pay in excess of \$200 for any candidate’s statement in English and /or another language to be sent to the voter.

Original Text - The Board of Trustees has determined that the Ohlone Community College District shall pay for any candidate’s statement in English and /or another language to be sent to the voter except for \$200.

Update Recommended – The District does not permit candidates for membership on the Board of Trustees to include other materials to be sent to the voter at the District in addition to the sample ballot and the voter’s pamphlet; however, candidates may send any information they choose to voters at their own expense.

Original Text - The District does not permit candidates for membership on the Board of Trustees to include other materials to be sent to the voter in addition to the sample ballot and the voter’s pamphlet.

5. BP 2305 – Annual Organizational Meeting (*)

Update Recommended – The annual organizational meeting of the Board will be within 15 days of the date on which a board member who is elected takes office, or, in years in which no regular election for governing board members is conducted.

Original Text – The annual organizational meeting of the Board will be 5 days of the date on which a board member who is elected takes office, or, in years in which no regular election for governing board members is conducted.

6. BP 2315 – Closed Sessions

Addition Recommended – Persons attending any closed session should be limited to the Board of Trustees and others specifically invited to attend that closed session or as permitted by law.

CCLC Legal Update – Matters discussed in closed session may include: to consider its response to a confidential final draft audit report from the Bureau of State Audits. Government Code Section 11125.4

7. BP 2330 - Quorum and Voting

Update Recommended – The Board shall act by majority vote of all of the membership of the Board, present and voting, except as noted below.

Original Text - The Board shall act by majority vote of all of the membership of the Board, except as noted below.

8. BP 2345 – Public Participation at Board Meetings (*)

Update Recommended - There will be a time at each regularly scheduled board meeting for the general public to discuss items not on the agenda. There will be a five-minute limitation for each speaker, which may be extended by the Board President or by other Board action.

Original Text - There will be a time at each regularly scheduled board meeting for the general public to discuss items not on the agenda. There will be a five-minute limitation for each speaker, which may be extended by the Board President or by other Board action.

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

9. BP 2350 – Speakers (*)

Deletion Recommended - Non-scheduled substitutes may not speak in place of scheduled speakers unless alternates have been submitted on the original request

10. BP 2360 –Minutes

Addition Recommended – Minutes will usually state only that a motion was passed or not passed. If a count was ordered, the number of votes on each side; for roll call votes, the names of those voting on each side.

11. BP 2410 – Policy and Administrative Procedures

Deletion Recommended – The Board shall adopt annually the College Catalog. Stated policies therein shall apply for the college year.

12. BP 2420 – Purpose and Role of Board

Addition Recommended - Board to hire attorney and auditor who reports to the Board.

13. BP 2710 – Conflict of Interest

Update Recommended - Updated job titles and descriptions.

14. BP 2716 – Political Activity

CCLC Legal Update - Initiative or referendum measures may be drafted on a 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.

15. BP 2730 – Health Benefits

Change Recommended - Upon leaving the Board, former members of the Board may continue to participate in the District’s health benefits programs for themselves, their spouse and dependents, without cost to the district, and subject to the authority of the District to modify such coverage as modified for the active employees, if the following criteria are met: the member must have served 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.

Previous Text - Upon leaving the Board, former members of the Board may continue to participate in the District’s health benefits programs for themselves, their spouse and dependents, without cost to the district, and subject to the authority of the District to modify such coverage as modified for the active employees, 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.

16. BP 2735 – Board Member Travel (*)

Addition Recommended – Board Member requests for District payment of any expenses associated with out of state Board Member travel must be pre-authorized by the Board.

CHAPTER 3 – GENERAL INSTITUTION

17. BP 3430 – Prohibition of Harassment

CCLC Legal Update – It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation of any person, or because he or she is perceived to have one of more of the foregoing characteristics. Government Code 12950.1

Previous Text – It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: national origin, religion, age, sex (gender), race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one of more of the foregoing characteristics.

18. BP 3710 – Intellectual Property and Copyright

CCLC Legal Update – Revised to delete references to intellectual property, which is now a new proposed policy, BP 3715.

Update Recommended – Securing of Copyright

Previous Title – Intellectual Property and Copyright

Update Recommended - The President/Superintendent is directed to develop appropriate administrative procedures to implement the provisions of the Education Code which authorize the securing of copyright protection for works, including but not limited to registering copyrights and policing infringements, on behalf of the District.

Previous Text - The President/Superintendent is directed to develop appropriate administrative procedures to implement the provisions of the Education Code which authorize the securing of copyrights in the name of the District to all copyrightable works developed by the District.

19. BP 3715 - Intellectual Property

CCLC Legal Update – New proposed policy.

BP 3715 Intellectual Property

References: 17 USC 101 et seq.; 35 USC 101 et seq.; and 37 CFR 1.1 et seq.

The President/Superintendent shall develop procedures that define the rights, interests, protection and transfer on intellectual property created by the District employees and students.

New 02/05