Board Policies

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 seven members elected by the qualified voters of the District. Members shall be elected at large 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.

No member of the governing board shall, during the term for which he or she is elected, hold an incompatible office.
BP 2015  Student Member of the Board of Trustees

Reference:  *Education Code Section 72023.5*

The Board shall include one non-voting student member. The term of office shall be one year commencing July 1.

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 shall maintain at least a 2.75 GPA.

The student member serves as an Associated Students executive officer with the same rights and responsibilities of other Associated students executive officers. 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 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 attendance at a level of [insert amount] See BP 2725;*
- *The privilege to serve a term commencing on July 1.*
- *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.*
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 meeting in December following the 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. Two of the elected members shall reside within the City of Newark, and five of the elected trustees shall reside within either the City of Fremont or Union City precincts designated as within the boundaries of the District. Any candidate for election to this Board shall be required to run for a particular numbered seat on the Board and be elected by the voters of the District at large. This Board does assign a number to each seat on the Board which number was selected by lot, and that the results of this drawing by lot are as follows:

Effective December 15, 2004, the trustee seats are:

City of Newark:

<table>
<thead>
<tr>
<th>Seat</th>
<th>Trustee</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bill McMillin</td>
<td>November 30, 2006</td>
</tr>
<tr>
<td>7</td>
<td>Ruthe Foster</td>
<td>November 30, 2006</td>
</tr>
</tbody>
</table>

City of Fremont and parts of Union City:

<table>
<thead>
<tr>
<th>Seat</th>
<th>Trustee</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>John Weed</td>
<td>November 30, 2006</td>
</tr>
<tr>
<td>3</td>
<td>Nick Nardolillo</td>
<td>November 30, 2008</td>
</tr>
<tr>
<td>4</td>
<td>Robert Brunton</td>
<td>November 30, 2008</td>
</tr>
<tr>
<td>5</td>
<td>Garrett Yee</td>
<td>November 30, 2006</td>
</tr>
<tr>
<td>6</td>
<td>Dan Archer</td>
<td>November 30, 2008</td>
</tr>
</tbody>
</table>

The election of a board member residing in and registered to vote in the trustee areas he or she seeks to represent shall be by the registered voters of the entire community college district.

The President/Superintendent shall submit recommendations to the Board regarding adjustments to be made to the boundaries of the District or the two areas after each decennial federal census and at any time other times adjustments are deemed necessary. The President/Superintendent shall submit the recommendation in time for the Board to act as required by law.
BP 2101   Printing Costs of Candidate’s Statements of Qualifications

Reference:  *Section 10012 State of California Elections Code*

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. In the event the Federal Voting Act requires a printed translation, the District shall pay for the cost of printing the translation.

In the event any candidate is indigent and unable to pay the aforementioned sum of $200, said candidate shall be exempt from paying any fees for printing and distributing his/her candidate’s statement provided said candidate signs and files an affidavit of Indigency (in the form approved by this Board) with the Registrar of Voters of Alameda County, in which event this District will pay the entire cost of printing and distributing said candidate’s statement.

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.

The Registrar of Voters, County of Alameda, has been directed to provide a written copy of this policy to each candidate’s representative at the time nomination papers are picked up.
BP 2105  Election of Student Members

The student member of the Board of Trustees shall be chosen by the students enrolled in the district as follows:

The student member shall be elected by all the students of the student body in a general election held for that purpose. Normally an election will be held in the month of April so that the office is filled by July 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 days after notice of the vacancy comes to the attention of the President/Superintendent.

Candidates for the position may nominate themselves or be nominated by others by the filing of an application certifying that the candidate is eligible for service under the criteria set forth in California law and these policies. The election shall be conducted in accordance with administrative procedures established by the President/Superintendent.

See Administrative Procedures #2105.
BP 2110  Vacancies on the Board


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. Within sixty 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.

Prior to making a provisional appointment, the Board shall invite applications from the general public for the vacancy, setting a time by which applications shall be received, and publicizing the procedure by which the appointment shall be made. After applications for the vacancies have been received, members of the Board shall make available to the press and to the general public the names of the applicants for the vacancy. The Board shall establish one or more dates on which it will meet in closed session individually with all applicants to investigate further their qualifications for the position. The provisional appointment will be made by a majority public vote of the Board members at a public meeting.

The President/Superintendent 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 #2110.
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.
BP 2210  Officers of the Board

Reference: *Education Code Section 72000*

At the annual organizational meeting, the Board shall elect from among its members a President and Vice President of the Board. The Board may designate the President/ Superintendent as Secretary of the Board as is common practice, or may elect the Secretary from its members.

The terms of officers shall be for one year.

The duties of the President of the Board are:
- Preside over all meetings of the Board;
- Call emergency and special meetings of the Board as required by law;
- Consult with the President/Superintendent on Board meeting agendas;
- Communicate with individual Board members about their responsibilities;
- Participate in the orientation process for new Board members;
- Assure Board compliance with policies on Board education, self-evaluation and President/Superintendent evaluation;
- Represent the Board at official events or ensure board representation.

The duties of the Secretary are:
- 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;
- 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 each year from among all its members.
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 and do not have authority that may lawfully be exercised by the Board itself, are not required to comply with the Brown Act, or with these policies regarding open meetings.

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.
BP 2305  Annual Organizational Meeting

Reference: *Education Code Section 72000(c)(2)(A)*

The annual organizational meeting of the Board will be 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. The purpose of the annual organizational meeting is to elect a President and Vice President, and appoint or elect a Secretary, and conduct any other business as required by law or determined by the Board. Parliamentary procedure and rules followed in Robert’s Rules of Order shall be followed except where specifically amended by the Board.
BP 2310  Regular Meetings of the Board

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

Regular meetings of the Board shall be held at 7:00 p.m. or otherwise specified in the call for the meeting on the second and fourth Wednesdays of each month. The date and time of a regular meeting may be changed by action of the Board at any previous meeting provided that every member is notified either by letter or by distribution of the minutes carrying a record of the change. Regular meetings of the Board shall normally be held at Ohlone Community College District (43600 Mission Boulevard, ECE Building classroom), except that two (2) Board meetings (one each semester) will be in Newark at a location to be designated by the Secretary.

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. In case the date, time, and/or place of a regular meeting is changed, the Secretary will notify each member of the change and a notice identifying the location, date, and time of the meeting shall be posted 72 hours prior to the meeting and shall remain posted to and including the 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.

Meetings may be recessed by the chairperson with the consent of the majority of the member’s present.

A public hearing on the budget will be held during or before the first week in September as required by law.
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:

- The appointment, employment, evaluation of performance, discipline or dismissal of a public employee;
- 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.
- Advice of counsel on pending litigation, as defined by law;
- Consideration of tort liability claims as part of the district’s membership in any joint powers agency formed for purposes of insurance pooling;
- Real property transactions regarding the proposed price of the transaction;
- Threats to public security;
- Review of the District’s position regarding labor negotiations and giving instructions to the District’s designated negotiator;
- Discussion of student disciplinary action, with final action taken in public;
- Conferring of honorary degrees;
- Consideration of gifts from a donor who wishes to remain anonymous;
- The examination of a witness any or all other witnesses in the matter being investigated by the legislative body.

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 President/Superintendent. 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.
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 President 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 President 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 President/Superintendent 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.
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 four (4) members.

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.
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 President/Superintendent 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 President/Superintendent. 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.

Agendas shall be developed, mailed, and presented by the President/Superintendent.

Agenda items submitted by members of the public must be received by the office of the President/Superintendent at least 10 days 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.*
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. There will be a five-minute limitation, which may be extended by the Board President or by other Board action.

   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 organizational affiliation, if any. No action 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 President/Superintendent at least 10 days including Saturdays, Sundays, and holidays to assure compliance with the Brown Act 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 President 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.**
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 President 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.

- No member of the public may speak without being recognized by the President of the Board.

- Each speaker will be allowed a maximum of five minutes 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.
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 President 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.
BP 2360 Minutes

Reference: Education Code Section 72121(a); Government Code Section

The President/Superintendent 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 also record the name of the person making a motion, the name of the person seconding it, and the vote. Voting will be via voice or by roll call. A member voting for or against a proposition may state the reasons and may have them recorded in the minutes if the member so requests at the time of voting. Minutes will be recorded as indicated in Robert’s Rules of Order.
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 President/Superintendent 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 President of the Board to stop.

See Administrative Procedure #2365.
BP 2410 Policy and Administrative Procedure

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 District policies and 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.

Any policy or procedure, unless required by statute, may be suspended by a majority vote of the entire Board, which vote will be taken by roll call and will be entered in the minutes of the meeting.

Administrative procedures are to be issued by the President/Superintendent 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 President/Superintendent.

The President/Superintendent shall, annually, provide each member of the Board with copies of the administrative procedures including any revisions since the last time they were provided. In lieu of the distribution of the complete documents, the President/Superintendent may prepare a special edition for any specific group of employees and omit from those policies and regulations, which do not have a direct bearing upon the activities of that group of employees. 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 President/Superintendent and the College website.

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

See Administrative Procedure #2410.
BP 2420 Purpose and Role of Board

The purpose and the role of the Board is as follows:

- Select and appoint the President/Superintendent of the District;
- Determine the policies which will govern the operation of the District;
- Adopt policies and procedures for the Governance of the District and to review them periodically;
- Approve the annual budget;
- Approve the expenditure of all funds;
- Confirm the actions of the President/Superintendent pertaining to the appointment of District employees;
- Pass upon recommendations of the President/Superintendent pertaining to the appointment of Vice Presidents;
- Pass upon recommendations of the President/Superintendent pertaining to dismissal of employees;
- Fix the rate compensation for all employees, and to review all salary schedules annually;
- Pass upon recommendations of the President/Superintendent on site utilization and physical plant development;
- Pass upon recommendations of the President/Superintendent of capital outlay with reference to buildings, major improvements, and equipment;
- Pass upon recommendations of the President/Superintendent on matters of repairs and maintenance of the buildings, grounds, and equipment;
- Require and consider reports from the President/Superintendent concerning program and condition of the College;
- Consider and pass upon the curricular offerings of the College upon the recommendation of the President/Superintendent;
- Consider and pass upon the annual calendar;
- Consider and pass upon the recommendations of the President/Superintendent in all matters of policy pertaining to the welfare of the College;
- Provide for the establishment of the necessary procedures to assure proper accounting of receipts and disbursements of District funds and those of student organizations, and other funds under the supervision of the District;
- Provide for the annual audit of all funds of the District, student organizations, and other funds handled under the supervision of the District;
- Consider communications and requests from citizens or organizations on matters of policy and administration;
- Establish citizen advisory committees and curricular or vocational advisory committees, and to approve the memberships of such committees;
• Serve as a final appeal for students, employees, and citizens of the Ohlone Community College District. The Board will serve in its appellate role for students and employees of the College only after a decision on the matter in contention has been made by administrative action and then upon the basis of a request for reconsideration of the matter by the Board by citizens of the District may be made following administrative consideration;

• Notify as individual Board members, the President or Secretary of the Board when they will be absent from a Board meeting. Such notification shall be given as far in advance of the meeting as is possible;

• Submit annually, and at such other times as shall be required, statements of financial interests in accordance with Governing Code Sections 87300 et seq. See BP 2710;
BP 2430  Delegation of Authority to President/Superintendent

Reference:  Education Code Sections 70902(d), 72400; Accreditation Standard IV.B.1.j; IV.B.2.

The Board delegates to the President/Superintendent the executive responsibility for the formulation of policies and procedures and other actions; and the authorization of administrative procedures and practice, and administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The President/Superintendent may delegate any powers and duties entrusted to him or her by the Board including the administration of colleges and centers, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

These duties and responsibilities are outlined as a guide to incumbents in these positions. They do not in any way limit the responsibility or basic authority of the President/Superintendent for the administration of any part of the District’s functions. The general duties of administrative staff are described as follows:

- To plan, organize, and administer the activities of their areas efficiently;
- To keep informed of new developments relating to their functions and to maintain creative and experimental attitudes toward change, in order to improve continuously the operation of their units;
- To recommend the organization structure and staffing complement of their units;
- To authorize the employment of personnel for their units subject to Board confirmation;
- To establish and maintain in their units a climate which encourages the development of personnel, the retention of competent personnel, and a high level of morale;
- To maintain their reporting relationship to their immediate supervisors, to keep the supervisors informed of activities of the units to seek advice and counsel, particularly regarding major or unusual developments;
- To promote an integrated effort in the administration of the College by cooperating with other administrators and administrative staff and coordinating their activities when such action is indicated.
- To maintain, with approval of the President/Superintendent, effective relations with faculty, students, the community, and other educational institutions and to interpret College policies and programs accurately and constructively.
- To recommend the budgets for their areas with limitations established by the Board or President/Superintendent.
- To serve on committees and councils as directed by Board policies and procedures or by their immediate supervisors of the President/Superintendent.
- To attend appropriate meetings as directed by their immediate supervisors;
- To perform any other duties assigned or delegated by their immediate supervisors.
Current organization charts which delineate lines of responsibility and authority within the District shall be maintained by the President/Superintendent. To assist employees of the District and the public in understanding the administrative organization of the District, copies of the organization charts shall be made available, upon request, to interested individuals and groups.

The President/Superintendent is empowered to reasonably interpret board policy. In situations where there is no board policy direction, the President/Superintendent shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the CEO to inform the Board of such action and to recommend written board policy if one is required.

The President/Superintendent is expected to perform the duties contained in the President/Superintendent’s job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the President/Superintendent.

The President/Superintendent shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The President/Superintendent shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the President/Superintendent, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be available to all trustees.

The President/Superintendent shall act as the professional advisor to the Board in policy information.
BP 2431 Selection of President/Superintendent

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

The term of office of the President/Superintendent may be a period of four years. It will be the duty of the Board to renew the contract of the President/Superintendent or in the last year of incumbency to present notification in writing prior to the first of January that the President/Superintendent’s services will not be required for the next succeeding contractual term. In the case of a President/Superintendent vacancy, the Board shall establish a search process to fill the vacancy. The process shall be fair and open and comply with relevant regulations.

The compensation of the President/Superintendent will be fixed by the Board at the time of appointment and the terms thereof will be set forth in the service contract tendered. By mutual consent the compensation of the President/Superintendent may be adjusted before the start of any college year.

The duties of the President/Superintendent are as follows:

- Directs the overall operation and general administration of the District in conformity with Board policies and procedures.
- Exercises broad discretionary power within the framework of policy established by the Board.
- Formulates and recommends to the Board new or revised policies and procedures for the operation of the District requiring approval by the Board.
- Implements new or revised policies and procedures of the Board when approved.
- Prepares the agenda for meetings of the Board and receives all official correspondence to and writes official correspondence for the Board.
- Attends all meetings of the Board.
- Submits the annual budget to the Board for study and approval. Administers the budget when approved.
- Recommends the organizational structure for the District, the staffing complement, the classification of positions, and the compensation for positions. Implements these actions when approved by the Board.
- Reviews the educational program of the District on a continuing basis and recommends to the Board modifications, which will improve the scope and quality of the College offerings and related services.
- Establishes and maintains programs for the effective recruitment, selection, orientation, development, and retention of highly competent personnel for the District.
- Hires faculty, staff and administrators, other than Vice Presidents, subject to confirmation by the board and recommends terminations and Vice President hiring.
- Establishes and maintains an effective program of public information and serves as the Chief Public Information Officer of the College;
- In cooperation with the Board and staff members, represents the District in the community by interpreting the community college educational program to the public, to parents, organizations, the press, and other community agencies;
- Authorizes the establishment of all standing committees of the College and approves appointments to them, except for committees and membership designation in Board policies and procedures;
• Recommends the establishment of citizen and curricular advisory committees and nominates to the Board the members to be appointed to such committees;

• Recommends to the Board all matters relating to facility acquisition and development, including sites, buildings, and equipment necessary to provide for the educational program of the College. Implements such acquisitions and developments when approved;

• Establishes and maintains accurate and complete records required by state law, the State Department of Education, or the Office of the County Superintendent of Schools, including the proper accounting of any and all funds that come under the control of the Board;

• Prepares such reports as are required by the Board and state and local offices and files such reports on or before the dates they are due;

• Directs the preparation of such manuals, guides, and other publications as considered necessary to the effective administrations of the District and the College;

• Develops and administers civilian defense measures and a system to prevent and suppress fire or other peril, and, for these purposes, conducts periodic inspections and drills to assure the adequacy of equipment and readiness of personnel to meet any emergency; (Title 5, Article 2, Section 560)

• Delegates to staff members any of the duties of the President/Superintendent which may be delegated;

• As directed by the Board, represents the District in its relationships with governmental agencies;

• Attends professional meetings; and

• Performs any other duties assigned or delegated by the Board.
BP 2432 President/Superintendent Succession

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

The Board delegates authority to the President/Superintendent to appoint an acting President/Superintendent to serve in his or her absence for short periods of time, not to exceed 30 calendar days at a time.

In the absence of the President/Superintendent and when an acting President has not been named, administrative responsibility shall reside with (in order):

Vice President, Administration & Information Technology/Deputy Superintendent
Vice President, Instruction & Student Services/Deputy Superintendent
BP 2435  Evaluation of President/Superintendent

Reference:  *Accreditation Standard IV.B.1*

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

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

The criteria for evaluation shall be based on board policy, the President/Superintendent job description, and performance goals and objectives developed in accordance with Board Policy 2430.
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 President/Superintendent action under which the District is governed and administered.

Delegation of Authority and Responsibility to the Faculty Senate (Title 5, Sections 53200-53206.)

In accordance with the requirements of Title V, Section 53203(a), the Board has adopted the methods specified below for consulting collegially with the Faculty Senate in adopting policies and procedures on academic and professional matters. As defined in Title V, Section 53200(d), “consult collegially” means that the District Governing Board shall develop policies on academic and professional matters through either or both of the following methods, according to its own discretion:

1. Relying primarily upon the advice and judgment of the Faculty Senate; or
2. That the District Governing Board, or such representatives as it may designate, and the representatives of the Faculty Senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the Governing board effectuating such recommendations.

Method of Collegial Consultation in the Specific Areas Defined to be Academic and Professional Matters

1. Curriculum, including establishing prerequisites and placing courses within disciplines...consult by relying primarily upon the advice and judgment of the Faculty Senate
2. Degree and certificate requirements...consult by reaching mutual agreement
3. Grading policies...consult by relying primarily upon the advice and judgment of the Faculty Senate
4. Educational program development—consult by reaching mutual agreement
5. Standards or policies regarding student preparation and success...consult by reaching mutual agreement
6. District and college governance structures, as related to faculty roles...consult by reaching mutual agreement
7. Faculty roles and involvement in accreditation processes, including self-study and annual reports...consult by reaching mutual agreement
8. Policies for faculty professional development activities...consult by reaching mutual agreement
9. Processes for program review...consult by reaching mutual agreement
10. Processes for institutional planning and budget development...consult by reaching mutual agreement
Student Participation in Governance

In accordance with the minimum standards established by the Board of Governors of the California Community Colleges, the District has adopted the following policies and procedures providing students the opportunity to participate in college governance:

1. College administrators shall encourage a responsible student government organization known as the Associated Students of Ohlone College (ASOC). This student government organization shall be given as much authority and responsibility in the operation of student affairs as is consistent with state laws, policies of the District, and operations of the College.

2. Except in unforeseeable, emergency situations, the Board of Trustees shall provide an opportunity for student participation in the formation of the policy or procedures having a significant effect on students. Through the following vehicles, student recommendations and positions developed by students shall be given every reasonable consideration:
   a. Students will be nominated by ASOC and confirmed by the President/Superintendent to serve on college committees including campus computing, affirmative action advisory, assessment, budget, cafeteria, course and program approval, international education, mission and goals review, safety, scholarship and other which may be designated.
   b. ASOC provides for the election of a Student Member of the Board of Trustees to represent student perspectives on Board actions, decisions, institutional planning, policies and procedures.

3. Student recommendations and positions pertaining to the policies and procedures for hiring and evaluation of faculty, administration, and staff shall be given reasonable consideration by the Board.

4. The policies and procedures that have or will have a “significant effect on students” include the following:
   a. Grading policies
   b. Codes of student conduct
   c. Academic disciplinary policies
   d. Curriculum development
   e. Courses or programs which should be initiated or discontinued
   f. Processes for institutional planning and budget development
   g. Standards and policies regarding student preparation and success
   h. Student services planning and development
   i. Student fees within the authority of the District to adopt
   j. Any other District policy, procedure, or related matter that the Board determines will have significant effect on students

5. This policy shall not impinge upon the due process rights of faculty and shall not detract from any negotiations between collective bargaining agents and the Board of Trustees.

Staff Participation in Governance

In accordance with the minimum standards established by the Board of Governors of the California Community Colleges, the District has adopted the following policies and procedures providing staff the opportunity to participate in college governance. Staff, in this Policy only, are defined as non management regular classified personnel.
1. College administrators shall encourage a responsible staff organization known as the Classified Senate of Ohlone College (CSOC). This organization shall be given as much authority and responsibility in the staff operation of staff affairs as is consistent with the state laws, policies of the District, and operations of the College (excluding collective bargaining).

2. Except in unforeseeable, emergency situations, the Board of Trustees shall provide an opportunity for staff participation in the formation of the policy or procedures having a significant effect on staff. Through the following vehicles, staff recommendations and positions developed by staff shall be given every reasonable consideration:
   a. Staff may be nominated by the Classified Senate of Ohlone College and confirmed by the President/Superintendent of the College to serve on college committees including campus computing, budget, cafeteria, mission and goals review, and others which may be designated.

3. Staff recommendations and positions pertaining to the policies and procedures for hiring of administration and staff shall be given reasonable consideration by the Board.

4. The policies and procedures that have or will have a “significant effect on staff” include the following:
   a. Processes for institutional planning and budget development.
   b. Any other District policy, procedure, or related matter that the Board determines will have a significant effect on staff, excluding matters determined by state law or PERB to be negotiable under collective bargaining.

5. This policy shall not impinge upon the due process rights of faculty and shall not detract from any negotiations between collective bargaining agents and the Board of Trustees.

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.
BP 2610  Presentation of Initial Collective Bargaining Proposals

Reference:  Government Code Section 3547

The President/Superintendent 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:

- United Faculty of Ohlone contract collective bargaining commences with submission of its Initial Contract Proposal during February for contract modification.
- The California School Employees Association Local 490 contract collective bargaining commences with submission of its Initial Contact proposal by April 20.

See Administrative Procedure #2610.
CONFLICT OF INTEREST POLICY

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.

In compliance with law and regulation, the President/Superintendent 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.

Each designated employee shall file an annual statement disclosing that employee's interests in investments, real property, and income designated as reportable by the Political Reform Act of 1974. The positions listed in this section are designated positions. Officers and employees holding those positions are designated employees and are deemed to make, or participate in the making of, decisions which may foreseeably have a material effect on a financial interest of the designated employee.

PLACE AND TIME OF FILING

- All designated employees required to submit a statement of financial interests shall file the original with the Secretary to the President/Superintendent.
- A copy of the College President/Superintendent's Statement of Economic Interests (Form 730) shall be filed with the Alameda County Board of Supervisors.
- A designated employee required to submit a statement of financial interest shall submit an initial statement disclosing all reportable investments and interests in real property, but not income, within thirty (30) days after the effective date of this Code.
- All employees of the District appointed, promoted, or transferred to designated positions shall file initial statements not less than ten (10) days before assuming office, unless an earlier assumption of office is required by emergency circumstances, in which case the statement shall be filed within thirty (30) days thereafter.
- Annual statements shall be filed by all designated employees. Such statements shall cover the period of the preceding calendar year and shall include income for the preceding calendar year as well as investments and interest in real property.
A designated employee required to file a statement of financial interest with any other agency, which is within the same territorial jurisdiction, may comply with the provisions of this Code by filing a duplicate copy of the statement filed with the other agency, in lieu of an entirely separate document.

**CONTENTS OF DISCLOSURE STATEMENTS**

Disclosure statements shall be made on forms supplied by the Alameda County Clerk and shall contain the following information:

**Contents of Investment and Real Property Reports:** When an investment, or an interest in real property, is required to be reported, the statement shall contain:

- A statement of nature of the investment or interest;
- The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
- The address or other precise location of the real property;
- A statement whether or not the fair market value of the investment, or interest in real property, exceeds ten thousand dollars ($10,000), and whether it exceeds one hundred thousand dollars ($100,000). This information need not be provided with respect to an interest in real property which is used principally as the residence of the filer.

**Contents of Personal Income Reports:** When personal income is required to be reported, the statement shall contain:

- The name and address of each source of income aggregating two hundred and fifty dollars ($250) or more in value, or twenty-five dollars ($25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
- A statement whether the aggregate value of income from each source was greater than one thousand dollars ($1,000); and whether it was greater than ten thousand dollars ($10,000);
- A description of the consideration, if any, for which the income was received;
- In the case of a gift, the name and address of the donor, the amount or other description of the gift, and the date on which the gift was received.

**Contents of Business Entity Income Reports:** When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

- The name, address, and a general description of the business activity of the business entity;
- In the case of a business entity which provides legal or brokerage services, the name of every person, who is a reportable source of income, who paid fees to the business entity, if the filer's pro rata share of fees from such person was equal to or greater than one thousand dollars ($1,000);
- In the case of a business entity not covered by paragraph 2, the name of every person, who is a reportable source of income, from whom the business entity received payments, if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars ($10,000) during a calendar year;
- For purposes of disclosure, a financial interest in any business or indirect investment or interest includes any investment or interest owned by the spouse or dependent child of a designated employee, an agent on behalf of a designated employee, any business controlled by the designated employee, or by a trust in which he or she has a substantial interest. A business is controlled by a designated employee if the designated employee, his or her
agents, spouse or dependent children hold more than 50 percent of the ownership interest in the business. A designated employee has a substantial interest in a trust when the designated employee, his or her spouse or dependent children have at present or future interest worth more than one thousand dollars ($1,000).

**Contents of Management Positions Reports:** When management positions are required to be reported, designated employees shall list the name of each business entity not specified above in which they are a director, officer, partner, trustee, employee, or in which they hold any position of management.

**Initial Statement:** The initial statement filed by an employee appointed to a designated position shall disclose any reportable investments and interests in real property.

**Acquisition or Disposal During Reporting Period:** In the case of a statement filed under Section 8.3.E, if the investment, or interest in real property, was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.

**Disqualification:** Designated employees must disqualify themselves from making or participating in the making of any decisions which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on any reportable interest of that employee, except sources of gifts less than $250 or any other financial interest as defined in Government Code Section 87103. No designated employee shall be prevented from making or participating in the making of any decision to the extent his/her participation is legally required for the decision to be made.

- **Manner of Disqualification:** A designated employee required to disqualify himself or herself shall notify the President/Superintendent in writing. A copy of this notice shall be retained by the President/Superintendent who shall forward the original to the Alameda County Board of Supervisors. Upon receipt of such statement, the President/Superintendent shall immediately reassign the matter to another employee.

**DESIGNATED POSITIONS**

Persons occupying the following positions are designated employees and are deemed to make, or participate in the making of, decisions which may foreseeably have a material effect on a financial interest of the designated employee. Each designated employee shall file an annual statement disclosing that employee's interests in investments, real property, and income designated as reportable by the Political Reform Act of 1974.

**EXHIBIT A**

- **Members of the Board of Trustees:** Responsible to the electorate to consider and pass upon the recommendations of the President/Superintendent in all matters of policy pertaining to the welfare of the College, including, but not limited to, approval of the annual budget, and approval of the expenditure of all District funds.

- **President/Superintendent:** The Chief Executive and Administrative Officer of the Board of Trustees. Recommends on all matters relating to facility acquisition and development including sites, buildings, and equipment necessary to provide for the educational program of the College. Implements such acquisitions and developments when approved.

- **Vice President, Business Services/Deputy Superintendent:** Member of Management Team. The chief fiscal officer of the District. Responsible to the President/ Superintendent for fiscal planning and management of all District financial resources, disbursements and accounting. Represents the District's interest in relationship to all vendors, construction contractors, and agencies concerning plant and property matters.

- **Vice President, Instruction:** Member of Management team. Responsibilities for planning, implementing, and coordinating the educational program of the College. The Vice President will serve as advisor to the President/Superintendent in matters related to curriculum and instruction.
- **Executive Dean, College Advancement**: Member of Management Team. Responsible for developing, managing, and implementing a comprehensive advancement program that achieves fund development objectives. Serves as the executive director of the Ohlone Foundation.

- **Assistant Director of Buildings and Grounds**: Member of the Management Team. Under direction is responsible for assisting the director in organizing, planning, assigning and directing work in the buildings and grounds program.

- **Bookstore Manager**: Member of Management Team. Plans, organizes, and supervises the operation of a college bookstore, recommends policies and procedures to be followed.

- **Bookstore Merchandise Buyer**: Purchases materials, selecting vendors without significant intervening review.

- **Bookstore Operations Coordinator**: Under direction, supervises, assigns, reviews, and participates in the work of staff responsible for performing cashiering, clerical, shipping, and receiving functions in the Bookstore.

- **Buyer**: Writes specifications and bid documents, checking purchase requisitions, selecting and assigning vendors for various supplies and equipment.

- **Chief of Safety and Security**: Member of Management Team. Under general direction, directs, manages, supervises, and coordinates the programs and activities of the Campus Safety and Security Department.

- **Community Events Coordinator**: Member of Management Team. Responsible for the coordination and operation of the Flea Market and other on-campus community fund-raising events.

- **Director of Buildings and Grounds**: Member of Management Team. Specifies materials, equipment purchases, and contract services for maintenance. Recommends action on expenditures for personnel, programs, and material.

- **Director of College Relations**: Member of Management Team. Coordinates and implements marketing strategies to promote the College and its programs; responsible for public and media relations, and external and internal communications.

- **Dean, Workforce Development**: Member of Management Team. Provides leadership, direction, and managerial oversight of the College’s Contract Education Program.

- **Director of Financial Services**: Member of Management Team. Responsible for the District’s finance and accounting functions; prepares financial statements, projections and analyses.

- **Director of General Services**: Member of Management Team. Directs College purchasing; performs special projects and studies. Supervises telephone system and mail.

- **Director of Human Resources**: Member of Management Team. Manage the operations of the Personnel Department; act as the District's Affirmative Action Officer; serves as a District representative in collective bargaining with classified and certificated staff.

- **Director of Information Systems**: Member of Management Team. Plans, organizes, and directs computer and telecommunication operations for the College, including computer systems analysis, systems design, programming, maintenance, and operation.

See Administrative Procedures #2710.
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:

- Protect the interests of students in every decision, and assure the opportunity for high-quality education for every student.
- 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 and act honestly and openly at all times.
- Exercising authority only as a Board and should conduct their relationships with college staff, students, local citizenry, and the media on that basis.
- Using appropriate channels of communication.
- Being informed about the District, educational issues, and responsibilities of trusteeship.
- Devoting adequate time to board work.
- Maintaining confidentiality of closed sessions.
- Maintain an atmosphere in which controversial issues can be debated openly and fairly, protecting the dignity of individuals.
- Promote a healthy working relationship with the President/Superintendent through supportive, open, and honest communication and regular evaluation.
- Employ a competent, productive administration and staff, giving them confidence and support; when that is not possible, accept the responsibility for acting upon recommendations for personnel and organizational change, and restoring confidence.
- Use the powers of the office honestly and constructively, communicating and promoting the needs of the community to the College, and the needs of the College to the community.
- Respecting others; acting with civility.
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 passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the governing board.
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.
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.
Members of the Board who attend all board meetings shall receive $252 per month. 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, adopted and included in the minutes 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. The compensation shall be a charge against the funds of the District.

The Board may, on an annual basis, increase the compensation of board members by five percent. However, any increase is subject to rejection in a referendum by a majority of the voters in the district.
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.

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.

There is no continuance of benefits for the surviving spouse of the Board member.
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.**
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.
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 has established the following processes:

- An annual performance self-evaluation will be conducted by the Board of Trustees and will be maintained in the files of the President/Superintendent’s office.
- A committee of the Board shall be appointed in May to determine the process to be used, including any evaluation instruments to be developed.
- The process for Board self-evaluation shall be recommended to and approved by the Board.
- The Board self-evaluation will be conducted at a board session specifically scheduled for that purpose. The results will be used to identify accomplishments in the past year and goals for the following year as well as improvements in the process of the conduct of Board meetings and related activities.