

~~BP 2420 Purpose and Role of Board~~ BP 2200 Board Duties and Responsibilities

Board Approved: 04/13/05

The Board of Trustees governs on behalf of the citizens of the Ohlone 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:

- 1. Represent the public interest*
- 2. Establish policies that define the institutional mission and set prudent, ethical and legal standards for college operations*
- 3. Hire and evaluate the President/Superintendent*
- 4. Delegate power and authority to the chief executive to effectively lead the district*
- 5. Assure fiscal health and stability*
- 6. Monitor institutional performance and educational quality*
- 7. Advocate and protect the district*

The following are proposed for deletion, but references to #1-7 above and additional board policies are cited.

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

- Select and appoint the President/Superintendent of the District; (see #3 above)
- Determine the policies which will govern the operation of the District; (see BP 2410 and #2 above)
- Adopt policies and procedures for the Governance of the District and to review them periodically; (see BP 2410 and #2 above)
- Approve the annual budget; (see BP 6250 and #5 above)
- Approve the expenditure of all funds; (see #5 above)
- Confirm the actions of the President/Superintendent pertaining to the appointment of District employees; (see BP 7110 and #4 above)
- Pass upon recommendations of the President/Superintendent pertaining to the appointment of Vice Presidents; (see BP 7110 and #4 above)

- Pass upon recommendations of the President/Superintendent pertaining to dismissal of employees; (see BP 7360 & BP 7365, and #4 above)
- Fix the rate compensation for all employees, and to review all salary schedules annually; (see BP 7130)
- Pass upon recommendations of the President/Superintendent on site utilization and physical plant development; (see #4 above)
- Pass upon recommendations of the President/Superintendent of capital outlay with reference to buildings, major improvements, and equipment; (see BP 6600 and #4 above)
- Pass upon recommendations of the President/Superintendent on matters of repairs and maintenance of the buildings, grounds, and equipment; (see #4 above)
- Require and consider reports from the President/Superintendent concerning program and condition of the College; (see #4 & #6 above)
- Consider and pass upon the curricular offerings of the College upon the recommendation of the President/Superintendent; (see BP 4020 and #6 above)
- Consider and pass upon the annual calendar; (see BP 4010)
- Consider and pass upon the recommendations of the President/Superintendent in all matters of policy pertaining to the welfare of the College; (see #4 & #6 above)
- 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; (see #5 above)
- Provide for the annual audit of all funds of the District, student organizations, and other funds handled under the supervision of the District; (see #5 above)
- Consider communications and requests from citizens or organizations on matters of policy and administration; (see #1 above)
- Establish citizen advisory committees and curricular or vocational advisory committees, and to approve the memberships of such committees; (see #1 & #4 above)
- 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; (see #7 above)

- 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; (formerly in BP 2715, moved to AP 2715)
- 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;
- Board to hire attorney and auditor who reports to the Board. (see BP 6400)

BP 2432 President/Superintendent Succession

Reference: *Education Code Sections 70902(d); 72400; Title 5 Section 53021(b)*
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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, Academic Affairs/Deputy Superintendent

Vice President, Administrative Services

Vice President, Student Development

Associate Vice President, Academic Affairs

Associate Vice President, Human Resources

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*

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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.

Each of the following shall participate as required by law in the decision-making processes of the district:

Delegation of Authority and Responsibility to the Faculty Senate (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.

Procedures to implement this section are developed collegially with the Academic Senate. ~~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

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 CSEA and SEIU 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.

Student Participation in Governance- (move to AP 2510)

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 (update and move to AP 2510)

~~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.