BP 2105  Election of Student Member(s)

References:
Education Code Sections 72023.5 and 72103

NOTE:  This policy is legally required.

The student member(s) shall be chosen by the students enrolled in the District as follows:

NOTE:  Boards should insert their current policy here.  The Board is responsible for establishing the procedure by which the student member is chosen. The policy or administrative procedures should describe the election or selection process and require that it be completed so that the student member is able to assume office by June 1, or May 15, whichever is applicable.

NOTE:  The following is provided as language that will comply with the requirement of the Education Code that all students enrolled be permitted to participate in the selection of this student member. See, 62 Ops. California Attorney General 126 (1979).

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 Spring semester so that the office is filled by June 1. The student member may be recalled by all the students of the student body in an election held for that purpose in accordance with administrative procedures established by the [CEO].

If the seat of a student member becomes vacant during his/her term, the governing board may authorize the officers of student body associations established pursuant to Education Code Section 76060 at each community college in the district to appoint a student to serve the remainder of the term in accordance with procedures established by the governing board.

[OR]

Special elections may be held if the office becomes vacant by reason of the resignation, recall, or disqualification of an elected student member, or by any other reasons. Special elections shall be held within thirty (30) days after notice of the vacancy comes to the attention of the [CEO].

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 will be conducted in accordance with administrative procedures established by the [CEO].
BP 2200  Board Duties and Responsibilities

Reference:
ACCJC Accreditation Standard IV (formerly IV.B.1.d)

NOTE: This policy is suggested as good practice. Board duties and responsibilities are also reflected throughout the Board Policy Manual and are addressed in BP 2715 titled Code of Ethics/Standards of Practice.

Insert local practice; sample concepts are provided below. Additional resources may be found in the League’s Trustee Handbook and other publications on trusteeship.

The Board of Trustees governs on behalf of the citizens of the [District] in accordance with the authority granted and duties defined in Education Code Section 70902.

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

NOTE: Additional duties and responsibilities may be added.

New 8/06, Revised 11/14

- 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.

NOTE: If the Board elects other officers, their duties may be noted.

NOTE: The following language is legally advised if the Board practice is to follow an informal rotation of the Board presidency among its members, which if
BP 2315  Closed Sessions

References:
Education Code Section 72122;
Government Code Sections 54956.8, 54956.9, 54957, 54957.6, and 11125.4

NOTE: This policy is legally required.

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 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;
- 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;
- to consider its response to a confidential final draft audit report from the Bureau of State Audits.

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

After any closed session, the Board shall reconvene in open session before adjourning and shall announce any actions taken in closed session and the vote or abstention 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.

**NOTE:** Although the following language is not legally required, it is **suggested as good practice.** It is designed to assure that when charges or complaints are brought by any person against an employee, before the board hears them in accordance with Government Code Section 54957, the administration of the district has an opportunity to address, and possibly solve, the problem.

If any person requests an opportunity to present complaints to the Board about a specific employee, such complaints shall first be presented to the [CEO]. 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 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.

*Revised 2/05, 4/14*
BP 2330  Quorum and Voting

References:
Education Code Sections 72000(d)(3), 81310 et seq., 81365, 81511, and 81432;
Government Code Sections 53094 and 54950 et seq.;
Code of Civil Procedure Section 1245.240

NOTE:  This policy is legally required.

A quorum of the Board shall consist of [simple majority] 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 Board will publicly report any action taken in open session and the vote or abstention of each individual member present.

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.

Revised 8/03, 4/14
BP 2410  Board Policies and Administrative Procedures

References:
Education Code Section 70902;

**NOTE:** Education Code 70902 establishes the policy-making authority of Boards. The following policies are suggested as good practice to define the Board’s use of that authority.

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

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

Policies of the Board may be adopted, revised, added to, or amended at any regular Board meeting by a majority vote. Proposed changes or additions shall be introduced not less than one regular meeting prior to the meeting at which action is recommended. The Board shall regularly assess its policies for effectiveness in fulfilling the District’s mission.

Administrative procedures are to be issued by the [CEO] 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 [CEO].

The [CEO] shall, [schedule to be determined by the Board; suggest annual or biennial], provide each member of the Board with [copies of the administrative procedures] or [any revisions since the last time they were provided]. 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 board policies and administrative procedures shall be readily available to District employees through the [CEO].

*Revised 11/14*
BP 2430  Delegation of Authority to the [CEO]

References:
Education Code Sections 70902(d) and 72400;
ACCJC Accreditation Standards IV.B.5, IV.C.12, and IV.D.1 (formerly IV.B.1.j and IV.B.2)

**NOTE:** The above code sections authorize the Board to delegate authority; the accreditation standard contains an expectation that the Board will do so. The following policies are suggested as good practice to fulfill the intent.

The Board delegates to the [CEO] the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The [CEO] may delegate any powers and duties entrusted to him/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.

The [CEO] is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the [CEO] 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 [CEO] is expected to perform the duties contained in the [CEO] 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 [CEO].

The [CEO] shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The [CEO] 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 [CEO], they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be [available/provided] to all trustees.

The [CEO] shall act as the professional advisor to the Board in policy formation.

*Revised 11/14*
BP 2431 CEO Selection

References:
Title 5 Sections 53000 et seq.
ACCJC Accreditation Standards IV.B and IV.C.3 (formerly IV.B.1 and IV.B.1.j)

**NOTE:** Accreditation standards require boards to establish a formal search process for the chief executive officer and college presidents in multi-college districts. Local districts may insert their own practice here. The following is an illustrative example.

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

**NOTE:** The Community College League has resource materials to assist boards in establishing CEO and college president search processes.

*New 2/03; Revised 11/14*
BP 2435 Evaluation of the [CEO]

Reference:
ACCJC Accreditation Standard IV.C.3 (formerly IV.B.1)

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

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

The criteria for evaluation shall be based on Board policy, the [CEO] job description, and performance goals and objectives developed in accordance with BP 2430 titled Delegation of Authority to the [CEO].

NOTE: The League has resource materials to assist boards and CEOs in developing the CEO evaluation process.

Revised 11/14