BP 2010  Board Membership

Reference:  Education Code Sections 72023, 72103; 72104, ACCJC Accreditation Standard IV.C.6

Board Approved: 04/13/05
Reviewed and Reapproved: 05/06/09

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 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); ACCJC Accreditation Standards IV.A and IV.D.7

Board Approved: 04/13/05
Amended: 04/13/05

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. 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.

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

1) Acting only in the best interest of the entire community and adhering to District Policies and Procedures.
2) Protecting the interests of students in every decision and assuring the opportunity for high-quality education for every student.
3) Using 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.
4) Maintaining an atmosphere in which controversial issues will be debated openly and fairly, protecting the dignity of individuals. Respecting others; acting with civility.
5) Exercising authority only as a Board and conducting their relationships with college staff, students, local citizenry, and the media on that basis.
6) Ensuring public input into board deliberations; adhering to the law and spirit of the open meeting laws and regulations.
7) Maintaining confidentiality of closed sessions.
8) Preventing conflicts of interest or the appearance of conflicts of interest and informing the entire Board or the Board President when a matter under consideration might involve such a conflict, as stated in the District’s Conflict of Interest Code.
9) Using appropriate channels of communication, authority and responsibility.
10) Devoting adequate time to board work.
11) Being informed about the District, educational issues, and responsibilities to trusteeship.
12) Promoting a healthy working relationship with the President/Superintendent through supportive, open, and honest communication and regular evaluation.

The Governing Board will promptly address any violation by a Board member or Board members of the Code of Ethics in the following manner:

1) The Board Officers and President/Superintendent are authorized to consult with legal counsel when they become aware of or are informed about actual or perceived violations of the Code of Ethics, pertinent laws and regulations, including but not limited to conflict of interest, open and public meetings, confidentiality of closed session information, and use of public resources. Potential violations of law may be referred by College legal counsel to the District Attorney or Attorney General as provided for in law.

2) Alleged violations of the Board’s Code of Ethics/Standards of Practice BP 2715 will be addressed by the President of the Board, who together with the Vice President of
the Board will first discuss the alleged violation with the Trustee to reach a
determination of the potential existence of a violation. If it is determined that a
potential violation of BP 2715 has occurred, the Board President will appoint an ad
hoc committee to examine the matter and identify further courses of action to the
Board. Sanctions, including censure of the Board Member, may be considered by the
full Board. If either the Board President or Vice President is perceived to have
violated the Code, they will be replaced with another Board member selected by the
other unaffected Board officer authorized to pursue appropriate processes.

3) Consideration by the full Board of any and all actions under the Provisions of this
Policy shall be in a formal and open meeting of the Board of Trustees, under an
agenda item with appropriate and legal Notice, as required by State Law.

**BP 2740  Board Education**

Reference: ACCJC Accreditation Standard IV.C.9 IV.B.1.f
Board Approved: 4/13/05
Reviewed & Reapproved: 04/08/09
Amended: 10/08/14

The Board is committed to its ongoing professional development as a Board and to a trustee
education program that includes newly elected or appointed trustee, student trustee and
Chair orientation as a first priority.

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

Trustees shall provide a brief report on the conference attended and/or professional
development activity at the regular meeting of the Board of Trustees following the attended
event.

**BP 2745  Board Self-Evaluation**

Reference: ACCJC Accreditation Standard IV.C.10 IV.B.1.e & g
Board Approved: 04/13/05
Revised: 05/06/09

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:

A committee of the Board shall be appointed in May to determine the instrument or process
to be used in board self-evaluation. Any evaluation instrument shall incorporate criteria
contained in these board policies regarding board operations, as well as criteria defining
board effectiveness promulgated by recognized practitioners in the field.

The process for evaluation shall be recommended to and approved by the Board.

If an instrument is used, all board members will be asked to complete the evaluation
instrument and submit them to the Board Chair.
A summary of the evaluations will be presented and discussed at a board session scheduled for that proposed. The results will be used to identify accomplishments in the past year and goals for the following year.

**BP 3225 Institutional Effectiveness (NEW 04-2015)**

**References:**
- Education Code Sections 78210 et seq., and 84754.6;
- ACCJC Accreditation Standard I.B.5 - 9

**Note:**  *This policy is legally advised for those districts that receive funds under the Seymour-Campbell Student Success Act of 2012, Education Code Sections 78210 et seq.*

The Board is committed to developing goals that measure the ongoing condition of the District’s operational environment. The Board regularly assesses the District's institutional effectiveness.

**BP 3430 Prohibition of Harassment**

**Reference:**  *Education Code Sections 212.5; 44100; 66252; 66281.5; Government Code Sections 12940 & 12950.1; Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. § 2000e.*

Board Approved: 04/13/05
Amended: 10/14/09, 06/13/12

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation, including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person, or military and veteran status, or because he or she is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees and students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage
in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, or employee, unpaid intern, or volunteer who believes that he or she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the President/Superintendent shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The President/Superintendent shall establish procedures that define harassment on campus. The President/Superintendent shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

This policy and related written procedures, including the procedure for making complaints shall be widely published and publicized to administrators, faculty, staff, and students, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

See Administrative Procedure #3430.