Administrative Procedures

Chapter 2

Board of Trustees*

AP 2015  Student Members
AP 2100  Board Elections
AP 2105  Election of Student Member
AP 2110  Vacancies on the Board
AP 2320  Special and Emergency Meetings
AP 2340  Agendas
AP 2345  Public Participation at Board Meetings
AP 2360  Minutes
AP 2365  Recording
AP 2410  Policy and Administrative Procedures
AP 2430  Delegation of Authority
AP 2435  Evaluation of President/Superintendent
AP 2510  Participation in Local Decision Making
AP 2610  Presentation of Initial Collective Bargaining Proposals
AP 2710  Conflict of Interest
AP 2712  Conflict of Interest Code
AP 2714  Distribution of Tickets or Passes
AP 2735  Board Member Travel
AP 2740  Board Education

*Procedures listed in bold text are currently available. All other procedures are being reviewed and will be posted once finalized.
**AP 2105  Election of Student Member**

Reference: *Education Code Section 72023.5*

**Election**
The student member shall be elected by a plurality vote of those voting in a regular election of the student body. All members of the student body may vote. Normally, the election will be conducted during the spring semester and will be completed in time for the student member to take office on May 15th.

**Recall**
The Student Member may be recalled in an election conducted in the same manner as the election to office. Recall shall be initiated for just cause only, including but not limited to illegal or unethical behavior while acting as a representative of the students of the Ohlone Community College District; being unresponsive, or acting contrary to the interests and welfare of the District; or not maintaining the qualifications of the Student Trustee. An election will be called upon presentation to the President/Superintendent of a petition signed by at least 10% of the students enrolled at the time of filing the petition. Additionally, a recall election may be called for cause by a majority vote of the Board of Trustees. No recall election will be held if the petition is received within 60 days of a regularly scheduled election for student member.

**Vacancy and Special Election**
The office shall become vacant if the student member becomes ineligible for the office, resigns, is recalled, or dies. Upon notice to the President/Superintendent that a vacancy has occurred, the President/Superintendent or designee shall arrange for a special election that provides for:

- Notice communicated to the student body of the result of the recall election, if the vacancy has occurred as the result of a recall election, and arrangements for a special election;
- An application period for students to submit an application to become a candidate for the open position that will be open for at least five days on which classes are regularly held;
- Following such application period, a period of time no less than five days upon which classes are regularly held for campaigning, and;
- Voting for the special election to be concluded within 30 days following the date upon which the position became vacant.

No special election will be called if the vacancy occurs within 60 days of a regularly scheduled election for student member.

Please see *BP #2015, Student Member of the Board of Trustees*, and *BP #2105, Election of Student Member*.

*Adopted: February 2014*
AP 2110 Vacancies on the Board

Reference:

*Education Code Section 5090 et seq.; Government Code Section 1770, 6061*

**Vacancy Filled by Election**

When the Board determines to fill the vacancy by election, the election shall be held on the next regular election date not less than 130 days after the occurrence of the vacancy.

**Vacancy Filled by Appointment**

When the Board determines to fill the vacancy by appointment, the President/Superintendent shall assure that there is ample publicity to and information for prospective candidates. Publicity shall include posting in three public places in the District and publication in a newspaper of general circulation.

The posted notice of vacancy shall include directions regarding applications or nominations of legally qualified candidates. Persons applying or nominated must meet the qualifications required by law for members of the Board.

Persons applying for appointment to the Board shall receive a letter from the President/Superintendent containing information about the District and the Board, and including a candidate information sheet to be completed and returned by a specific date.

The Board may request personal interviews with candidates. Interviews will be conducted in a public hearing scheduled for that purpose.

Each Board member will review all candidate information sheets, with final selection made by a majority vote of the Board members at a public meeting called for that purpose. The appointment would be considered provisional at this time.

Whenever a provisional appointment is made, the Board shall, within 10 days of the provisional appointment, post notices of both the actual vacancy or the filing of a deferred resignation and the provisional appointment in three public places in the District. It shall also publish a notice in a newspaper of general circulation.

The notice shall state the fact of the vacancy or resignation and the date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation. It shall also contain the full name of the provisional appointee to the board, the date of appointment, and a statement that unless a petition calling for a special election, containing a sufficient number of signatures, is filed in the office of county superintendent of schools within 30 days of the date of the provisional appointment, it shall become an effective appointment.

A provisional appointment confers all powers and duties of a governing board member upon the appointee immediately following his or her appointment.

**Term of Office**

A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for governing board members. An election shall be held to fill the vacancy for the remainder of the unexpired term.
A person elected at an election to fill the vacancy shall hold office for the remainder of the term in which the vacancy occurs or will occur.

Adopted: April 2011
AP 2320  Special and Emergency Meetings

References:

Education Code Sections 72023.5 and 72129;
Government Code Sections 54956 and 54956.5

Whenever a special meeting of the governing board is called, the President/Superintendent shall cause the call and notice to be posted at least 24 hours prior to the meeting in a location freely accessible to the public. The President/Superintendent shall also ensure that the following notices of the meeting are delivered either personally or by other means:

Written notice to each member of the governing board, including any student trustee(s).

Written notice to each local newspaper of general circulation, and each radio or television station that has previously requested in writing to be provided notice of special meetings.

The written notice must be received at least 24 hours before the time of the meeting as set out in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. The notice may be waived by members of the governing board in writing either prior to or at the time of the meeting.

Whenever an emergency meeting of the Governing Board is called, the President/Superintendent shall cause notice to be provided by telephone at least one hour prior to the meeting to each local newspaper of general circulation and each radio or television station that has requested notice of special meetings. If telephone services are not functioning, the President/Superintendent shall provide the newspapers, radio stations and television stations with information regarding the purpose of the meeting and any action taken at the meeting as soon after the meeting as possible.

Adopted: February 2012
The President/Superintendent shall cause minutes to be taken of all public meetings of the Board of Trustees. Such minutes shall record every official action of the Board and shall be kept in sufficient detail to show compliance with the law. The minutes shall record the late arrival of Board members. The minutes shall also contain the names of those who make a motion, second the motion, and the vote unless unanimous. A member voting against a proposition may state her or his reasons and may have them recorded in the minutes if requested at the time of voting. The minutes shall be a part of the public records of the Board of Trustees and shall be available for public inspection.

Adopted: May 2012
AP 2365  Recording

Reference:

_Government Code Sections 6250 et seq., 54953.5_

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.

Taping and/or recordings will be maintained in the President’s Office for three years following the taping and/or recording.

_Adopted: May 2012_
The President/Superintendent performs a written self-evaluation near the end of the academic year. The evaluation is based on the achievement of the President/Superintendent’s priorities as identified and agreed upon during the previous Board Planning and Evaluation Retreat. The self-evaluation also includes assessment of performance of the areas addressed in a performance survey and may include descriptions of professional activities, professional development, and overall assessment of job performance. The President/Superintendent submits the self-evaluation to the Board at the time the survey on his/her performance is provided to them for completion. This survey is conducted through an external service (such as ACCT) and is based on good practices as identified in *Handbook on CEO-Board Relations and Responsibilities* by George Boggs, ACCT, and Accreditation Standard IV.B(2) related to CEO responsibilities.

At the Board Planning and Evaluation Retreat held during the summer following the academic year, the Board participates in a facilitated closed session discussion about the results of the survey and the president’s overall performance during the previous year. Based on the Board’s conclusions about his/her performance, the Board makes recommendations for improvement and considers new direction or emphasis for the coming year.

In preparation for this meeting, the President/Superintendent drafts a list of topics as potential presidential priorities for the coming year. Together the Board and President/Superintendent identify 4-5 presidential priorities to be addressed in the coming year. These priorities and the Board’s priorities for the following year are developed mutually to align with the College’s strategic goals. Both sets of priorities are approved by the Board in a subsequent meeting.

*Adopted: January 2013*
*Revised: November 2013*
A fundamental principle of the decision making process at the College is to develop a collaborative environment, support the mission, goals and guidelines established by the Board of Trustees, and to encourage and provide opportunities for staff, faculty, administrators and students to participate in the dialogue related to decisions involving administrative procedure, institutional planning, and academic and student service issues.

The following table summarizes the types of decisions, governance actions, and campus participation in the decision making process. An expanded version can be found in section B.5 of the Planning and Decision Making Handbook. Issues or concerns that impact individuals or groups are voiced through the administrative structure.

<table>
<thead>
<tr>
<th>TYPE OF DECISION</th>
<th>BOARD OF TRUSTEES</th>
<th>PRESIDENT/SUPERINTENDENT</th>
<th>COLLEGE COUNCIL</th>
<th>FACULTY SENATE</th>
<th>DISCUSSION AND INPUT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy</td>
<td>Approve</td>
<td>Recommends</td>
<td>Endorse new policies with college wide impact</td>
<td>Endorse new policies with academic or faculty impact</td>
<td>President’s Executive Staff, College Council, Appropriate Committees, and Staff/Students impacted by the decision,</td>
</tr>
<tr>
<td>Administrative Procedures</td>
<td>Information Only</td>
<td>Initiates Approves</td>
<td>Endorse if college wide impact</td>
<td>Endorse if academic or faculty impact</td>
<td>President’s Executive Staff, College Council, Appropriate Committees, and Staff/Students impacted by the decision,</td>
</tr>
<tr>
<td>Academic Matters AB 1725</td>
<td>Approve</td>
<td>Recommend</td>
<td></td>
<td></td>
<td>Faculty Members, Academic Administrators, Vice President Academic Affairs, Appropriate Committees</td>
</tr>
<tr>
<td>College Wide Impacts</td>
<td>Approve if Policy</td>
<td>Initiates Approves if Procedure</td>
<td></td>
<td>Initiates Endorse</td>
<td>President’s Executive Staff, College Council, Appropriate Committees, and Staff/Students impacted by the decision</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TYPE OF DECISION</th>
<th>BOARD OF TRUSTEES</th>
<th>PRESIDENT/SUPERINTENDENT</th>
<th>COLLEGE COUNCIL</th>
<th>FACULTY SENATE</th>
<th>DISCUSSION AND INPUT</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Strategic Plan</td>
<td>Approve</td>
<td>Initiates Recommends</td>
<td>Endorse</td>
<td>Endorse</td>
<td>President’s Executive Staff, College Council, College Community at large, Appropriate Committees</td>
</tr>
</tbody>
</table>
Components of Participatory Decision-Making
There are eight (8) major constituents of participatory decision making:

A. Board of Trustees and the President/Superintendent
B. The Administrative Structure and Operational Processes
C. President’s Executive Staff
D. College Council
E. Faculty Senate
F. Deans, Directors, and Administrative Staff (DDAS)
G. Classified Staff
H. Students

A. Board of Trustees and the President/Superintendent
The Ohlone Community College District serves the cities of Fremont, Newark, and a portion of Union City, and includes all facilities and functions for Ohlone College. The District is governed by a seven-member Board of Trustees selected by voters in local elections. The Board appoints the District President/Superintendent and establishes policies to assure the quality, integrity, and effectiveness of the programs and services and the financial stability of the District. The governing board delegates full responsibility and authority to the District President/Superintendent to implement and administer Board policies without Board interference and holds him/her accountable for the operation of the District, respectively. The Board is involved in policy-level decisions based on recommendations made by the President/Superintendent.

Board Policy is the voice of the Board of Trustees and defines the general goals and expected outcomes for the District. It ensures adherence to federal and state laws and regulations. The Board, through policy, delegates authority to and through the President/Superintendent to
administer the District’s operation. The President/Superintendent is responsible to reasonably interpret Board policy as well as other relevant laws and regulations that govern the district. Policy is best expressed in broad statements. It legally binds the district. Therefore, policy statements should be clear, succinct, and current. Policies and Administrative Procedures should be accessible, useful, and up-to-date.

The Board delegates authority to the President/Superintendent to develop Administrative Procedures to implement Board policy, laws, and regulations. 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. They are developed and implemented by the President/Superintendent, administration, faculty, and staff members; they are not intended to require Board action.

The President/Superintendent has the primary responsibility for providing the leadership to achieve the mission and goals of the College district. The President/Superintendent initiates and provides leadership to establish the college goals and objectives and the evaluation process for achieving the goals and objectives; determines the District organization; directs the work of its employees; determines the times and hours of operation; determines the kinds and levels of service to be provided and the methods and means of providing them; ensures the rights and educational opportunities of students; determines staffing patterns; determines the number and kinds of personnel required; maintains the efficiency of District operation; ensures the programs and curricula of the District shall be of high quality, relevant to community and student needs, and evaluated regularly to ensure quality and currency; establishes procedures with appropriate involvement of the faculty and Faculty Senate in all processes for the development and review of all curricular offerings, including their establishment, modification or discontinuance; builds, moves or modifies facilities; establishes budget procedures and determines budgetary allocation; determines the methods of raising revenue; contracts out work as legally allowed under the Education and Government Codes; and takes action on any matter in the event of an emergency. In addition, the President has responsibility to hire, assign, evaluate, promote, lay off, discipline, and/or terminate employees.

**B. Administrative Structure and Operational Processes**

It is within the units of the administrative structure that the primary administrative and operational work of the College is conducted. The basic components are the President’s Office, Academic Affairs, Student Services and Administrative Services. Each of these is further divided into a variety of operational Divisions and Departments. The President/Superintendent, as the Chief Executive Officer, coordinates the planning and operations of the College working with the Vice-President of Academic Affairs (Chief Instructional Officer), Vice President of Student Services (Chief Student Services Officer) and Vice President of Administrative Services (Chief Business Officer). Each of the Vice-Presidents works with other administrators, faculty, and classified personnel to carry out their respective functions.

**C. President’s Executive Staff**

The President/Superintendent and the three Vice-Presidents meet as the President’s Executive Staff. The Executive Staff provide overall strategic leadership for the College and assist the President/Superintendent in making policy-level recommendations to the Board of Trustees. In addition, the Executive Staff, including the Associate Vice Presidents, through the overall organizational structure of the College, are responsible for the day-to-day decision making needed to ensure smooth operations.
D. College Council
The purposes of the Ohlone College Council, in keeping with Board Policy, are as follows:

a. To ensure that appropriate members of the District participate in developing recommended policies for Board of Trustees’ action.
b. To ensure that appropriate members of the District participate in developing recommended Administrative Procedures for the college president's action.

The purposes of the Ohlone College Council, in keeping with direction of the President/Superintendent for collegial governance of the college, are as follows:

c. To ensure that appropriate members of the District participate in developing recommended college annual budgets, annual strategic plans, new programs and services and major facilities planning prior to their adoption by college officials.
d. To ensure that all members of the college community have access to information regarding ongoing developments and issues and that there is an open forum for full participation in decision-making of areas defined under Board and state policy as well as administratively and mutually agreed governance matters.

The College Council acts as the Steering Committee for the Accreditation Self-Evaluation. Institutional planning and program and services evaluation processes are also established by the College Council.

The membership of the College Council represents four constituency groups:
1. Faculty
2. Classified Staff through their two bargaining units
3. Academic and Classified Administrators and Confidential Employees
4. Students

The operation of the College Council is set out in its by-laws. The conduct of the College Council meetings is consistent with the by-laws and is governed by the following minimum standards:

a. Regular minutes of actions taken by the College Council are maintained and distributed through posting on the college website.
b. Agendas of College Council meetings are published in advance to the college community through email and posting on the college web site.
c. The College Council organizes its work and deliberations according to procedures it develops as it deems necessary.

All meetings of the College Council are open to the college community and comments from attendees are welcome and received respectfully. It is expected that members of the Council report and gather input from their respective constituencies on matters under discussion by the College Council. In addition every effort is made to keep the college community informed about what is occurring in College Council meetings. Agendas and minutes are posted in a timely fashion, and the College Council co-chair sends out communiqués to the college community highlighting topics of particular interest.
The College Council oversees and receives regular input from the following Committees:

- Facilities Committee
- International Education Committee
- Student Development Committee
- Budget Committee
- Sustainability Committee
- Technology Committee

In addition to the standing committees listed above, the Council establishes ad hoc committees to address specific issues as they arise.

**E. Faculty Senate (Title 5, Sections 53200-53206)**

In accordance with Title V of the California Education Code, the Faculty Senate shall make recommendations to the College Administrators and/or District Board of Trustees on matters of educational and professional significance pertinent to the College and/or the District. These matters, also known as the 10+1, include:

1. Curriculum, including establishing prerequisites and placing courses within disciplines.
2. Degree and certificate requirements.
3. Grading policies.
4. Educational program development.
5. Standards or policies regarding student preparation and success.
6. District and college governance structures, as related to faculty roles.
7. Faculty roles and involvement in accreditation activities.
8. Policies for faculty professional development activities.
10. Processes for institutional planning and budget development.

+1. Other academic and professional matters as mutually agreed upon between the governing board and the academic senate.

BP 2510 lists the two academic and professional areas in which the Board of Trustees relies primarily upon the advice of the Faculty Senate. They are curriculum, including establishing prerequisites and placing courses within disciplines, and grading policies. Curriculum is developed and revised through the Curriculum Committee, a subcommittee of the Faculty Senate, as described in APs 4020, 4021, 4022, 4025, and 4100. Similarly, grading policies are developed and revised through the Curriculum Committee as described in APs 4230, 4231 and 4232. Both curriculum and grading policies are brought forward through the administration for Board approval.

BP 2510 further lists the academic and professional areas in which the Board of Trustees consults with the Faculty Senate and reaches mutual agreement. Degree and certificate requirements and educational program development are carried out through the Curriculum Committee and the administration for ultimate approval by the Board. Standards or policies regarding student preparation and success, as dictated by Education Code, are approved by the Faculty Senate and brought forward through the administration for Board approval.

Other areas of mutual agreement between the Board of Trustees and Faculty Senate involve the College community. Where appropriate, Faculty Senate works with College Council in making recommendations to College Administrators and/or District Board of Trustees.
Faculty Senate appoints faculty members to sit on all College Council and Faculty Senate committees. The following are the Faculty Senate Committees:

- Curriculum Committee
- General Education Committee
- SLOA Committee
- Distance Education Committee
- Equivalency Committee
- Committee on Committees
- Sabbatical Leave Committee

F. Deans, Directors, and Supervisors (DDAS)
The DDAS group is a forum in which managers and confidential employees obtain information and discuss issues. Their general activities are to review and discuss District and College issues and proposals, create an opportunity for management to discuss issues, discuss recommendations made to the College Council through the governance process, and make recommendations to the President/Superintendent on college-wide issues. Representatives of administration on College Council comprise an academic administrator or confidential employee, a student services administrator or confidential employee, an administrative services administrator or confidential employee, and an administrator or confidential employee from the departments that report to the President’s office/Human Resources.* Three of the four areas are represented on the Council at any given time. The president appoints DDAS representatives to the College Council.

G. 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 classified bargaining units, CSEA and SEIU, appoint staff representatives to the College Council. The opinions and recommendations of staff are given every reasonable consideration.

H. 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 students are 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.

*The President’s Office, Institutional Research and Planning, College Advancement, and the Foundation
Faculty Senate approved: November 20, 2013
College Council approved: December 2, 2013
Adopted: December 2013
AP 2610  Presentation of Initial Collective Bargaining Proposals

Reference:  Government Code Section 3547

Whenever an initial collective bargaining proposal is received from an exclusive representative of District employees, or whenever the District’s own negotiator presents an initial proposal, the following actions must be taken at public meetings of the Board of Trustees:

• The exclusive representative or the District must present the initial collective bargaining proposal orally or in writing to the Board at a public meeting.

• The public shall have an opportunity to respond to the exclusive representative’s or District’s initial proposal at a subsequent public Board meeting. The opportunity for public response shall appear on the Board’s regular agenda. Public response shall be taken in accordance with the Board’s policies regarding speakers.

• After the public has an opportunity to respond to an initial proposal presented by the District, the Board shall, at the same meeting or a subsequent meeting, adopt the District’s initial proposal. The adoption shall be indicated as a separate action item on the Board agenda. There shall be no amendment of the District’s initial proposal unless the public is again afforded a reasonable opportunity to respond to the proposed amendment at a public meeting.

• If new subjects of meeting and negotiating arise after the presentation of initial proposals, the following procedure shall be followed: all new subjects of meeting and negotiating, whether proposed by the exclusive representative or the District, shall be posted by the District in the same public place as it posts its agendas within 24 hours after their presentation in negotiations.

• When a request to reopen a collective bargaining agreement, as required by the agreement, is received from an exclusive representative or is made by the District, the public notice procedure outlined in this procedure shall be followed.

• When the District and the exclusive representative agree to amend an executed collective bargaining agreement in accordance with the agreement, the following procedure shall be followed:
  o The amendment shall appear on the agenda as a notice item, for action at a subsequent Board meeting.
  o The public shall have an opportunity to respond to the amendment at a subsequent Board meeting. The public response shall be indicated on the agenda.

Adopted: May 2012
AP 2710  Conflict of Interest

References:

Government Code Sections 87105 and 87200-87210;
Title 2 Sections 18700 et seq.; and as listed below

Incompatible Activities (Government Code Sections 1126 and 1099)
Board members and employees shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the District. A Board member shall not simultaneously hold two public offices that are incompatible. When two offices are incompatible, a Board member shall be deemed to have forfeited the first office upon acceding to the second.

Financial Interest (Government Code Sections 1090 et seq.)
Board members and employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as members of the Board or as employees.

A Board member shall not be considered to be financially interested in a contract if his/her interest meets the definitions contained in applicable law (Government Code Section 1091.5).

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other member of the Board to enter into the contract. Remote interests are specified in Government Code Section 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his or her minor child.

No Employment Allowed (Education Code Section 72103(b))
An employee of the District may not be sworn in as an elected or appointed member of the Governing Board unless and until he/she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. This provision does not apply to an individual who is usually employed in an occupation other than teaching and who also is, at the time of election to the Board, employed part time by the District to teach no more than one course per semester or quarter in the subject matter of that individual's occupation (Education Code Section 72103(b)).

Financial Interest in a Decision (Government Code Sections 87100 et seq.)
If a Board member or employee determines that he/she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of an employee, this announcement shall be made in writing and submitted to the Board. A Board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter.

- Publicly identify the financial interest in detail sufficient to be understood by the public;
- Recuse himself or herself from discussing and voting on the matter;
- Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A Board member may, however, discuss the issue during the time the general public speaks on the issue.
**Gifts** (Government Code Section 89503)
Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.

A gift of travel does not include travel provided by the District for Board members and designated employees.

Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501 and 89502).

Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. The term “honorarium” does not include:

- Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade or profession is making speeches.
- Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income tax purposes.

**Representation** (Government Code Section 87406.3)
Elected officials and the President/Superintendent shall not, for a period of one-year after leaving their position, act as an agent or attorney for, or otherwise represent for compensation, any person appearing before that local government agency.

*Adopted: February 2012*
Members of the Board of Trustees

Members of the Board of Trustees shall have conference expenses paid whenever they travel as representatives of and perform services directed by the Board. Trustees shall be held to the same travel guidelines and reimbursement schedules as staff. Trustees will give a report to the Board on sessions which they attended.

Travel accommodations for accompanying partners are the responsibility of the Trustee. The District is responsible only for accommodations and reservations for the Trustee.

Airline Travel

Reservations for travel, when possible, are to be made sufficiently in advance to ensure the lowest rate available. Should Trustees request a higher rate, they must pay the difference.

Hotel Accommodations

The most economical room available must be used. Should Trustees request an upgrade or higher rate, they must pay the difference.

Conferences

The Conferences which Trustees may attend include, but are not limited to, the following:

- AACC Annual Convention
- ACCT Annual Leadership Conference
- ACCT Community College Legislative Summit
- CCLC Annual Convention
- CCLC Annual Trustee Conference
- CCLC Annual Legislative Conference
- CCLC Board Chair Workshop
- CCLC Effective Trusteeship Workshop

Trustees may also enroll in webinars and other professional training offered on-line by the AACC, ACCT, ACCJC or CCLC or other education-related organization as determined by the Board or proposed by the President/Superintendent on an as-needed basis. Trustees may also receive professional development during Board Workshops through experts in diverse fields of interest to the Board.

Trustee Priority Selection of Conferences to Attend

By August 1st, all Trustees on the Board shall have a list of the upcoming annual Conference Calendar in order to plan for the upcoming academic calendar year.
By the September Regular meeting of the Board of Trustees, the Agenda will include an Action Item that will serve to finalize the selection of Trustees to the conferences listed in the annual Conference Calendar.

The Priority of Selection shall be in two (2) tiers:

- **Tier #1:** Newly-elected, Newly-appointed Trustees and Board Chair/Vice-Chair.
- **Tier #2:** All Other Trustees.

All Trustees will be given every opportunity to make a request for a conference of their choice. These requests shall be finalized at the September Regular meeting of the Board of Trustees. Each Trustee can only be selected to one (1) conference per year. If another conference becomes available or is not selected amongst the Conference Calendar, then all Trustees will have the opportunity to make a selection with the priority given to the Trustee who has attended the fewest conferences over their term of office.

A description of each Tier and the potential choices of conferences follow:

- **Tier #1:**
  - Newly-elected, Newly-appointed Trustees
    - CCLC Effective Trustee Workshop
  - Board Chair and/or Vice-Chair
    - CCLC Board Chair Workshop

- **Tier #2:**

```
<table>
<thead>
<tr>
<th>CONFERENCE</th>
<th>ORGANIZATION</th>
<th>ATTENDEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Trustee Conference</td>
<td>CCLC</td>
<td>Student Trustee</td>
</tr>
<tr>
<td>Annual Leadership Congress</td>
<td>ACCT</td>
<td>All Trustees</td>
</tr>
<tr>
<td>Annual Conference</td>
<td>CCLC</td>
<td>All Trustees</td>
</tr>
<tr>
<td>Effective Trusteeship Workshop</td>
<td>CCLC</td>
<td>Newly-elected/Newly-appointed Trustees</td>
</tr>
<tr>
<td>Board Chair Workshop</td>
<td>CCLC</td>
<td>Chair/Vice-Chair</td>
</tr>
<tr>
<td>Annual Legislative Conference</td>
<td>CCLC</td>
<td>All Trustees</td>
</tr>
<tr>
<td>Community College Legislative Summit*</td>
<td>ACCT</td>
<td>All Trustees</td>
</tr>
<tr>
<td>Annual Convention</td>
<td>AACC</td>
<td>All Trustees</td>
</tr>
<tr>
<td>Annual Trustee Conference</td>
<td>CCLC</td>
<td>All Trustees</td>
</tr>
</tbody>
</table>
```

*Selection will be contingent upon the results of the Selection Process and available funding.

**Selection Process at the September Regular Meeting of the Board of Trustees**

The procedure to render a final list of Trustees attending a conference shall proceed as follows:

- The Agenda for the September Regular meeting shall include an Action Item stating the intent of the item.
- The Board Chair will introduce the item.
- The Board Clerk will prepare a written ballot listing all the conferences previously provided to the Trustees on or before August 1st.
- Trustees will indicate their 1st, 2nd, and 3rd choice from the list.
• Ballots will be collected by the Clerk and displayed on the screen in spreadsheet form.
• Trustees will discuss the choices.
• Once all conference assignments have been selected, a motion to ratify the selections in open session will be considered and voted upon.
• The Board Chair will remind Trustees to review BP 2735, BP 2740, BP 2750 and their associated Administrative Procedures.
• Trustees will be afforded every opportunity to exchange their selection with another Trustee due to unforeseen circumstances preventing them from attending their original choice.

**Student Trustee to the Board**

The Student Trustee may be approved to attend conferences and meetings that demonstrate a direct relationship to their role as a Student Trustee. This includes the CCLC Student Trustee Conference, held each year in August.

**Budget**

The budget set aside for Trustee Professional Development shall not exceed $10,000 in the adopted Budget of the Ohlone Community College District.

Please also see BP 2735, Board Member Travel, BP 2740, Board Education and BP 2750, Board Member Absence from the State.

*Board Adopted: October 8, 2014*