

CHAPTER 2

Board of Trustees

BP 2010	Board Membership
BP 2015	Student Member
BP 2100	Board Elections
BP 2105	Election of Student Trustee
BP 2110	Vacancies on the Board
BP 2130	Term Limits
BP 2210	Officers
BP 2220	Committees of the Board
BP 2305	Annual Organizational Meeting
BP 2310	Regular Meetings of the Board
BP 2315	Closed Sessions
BP 2320	Special and Emergency Meetings
BP 2330	Quorum and Votes
BP 2340	Board Meeting Agendas
BP 2345	Public Participation at Board Meetings
BP 2350	Speakers
BP 2355	Decorum
BP 2360	Minutes
BP 2365	Recording
BP 2410	Policy and Administrative Procedures
BP 2430	Delegation of Authority - Policy
BP 2431	CEO Selection
BP 2432	Administrator in Charge
BP 2435	Evaluation of the Superintendent/President
BP 2510	Participation in Local Decision-Making
BP 2511	Internal Communication of Participation in Local Decision Making
BP 2512	Effective Date of Policies
BP 2513	Policy Revisions Required by Law
BP 2514	Board Action on Issues Not Directly Affecting the College
BP 2515	Authorized Signatures
BP 2516	Responsibilities of Certificated Employees and Members of the Classified Service
BP 2517	Delegation of Authority - Maintenance of Records
BP 2518	Action in Emergency
BP 2519	Power to Contract
BP 2610	Presentation of Initial College Bargaining Proposals
BP 2710	Conflict of Interest
BP 2715	Code of Ethics/Standards of Practice
BP 2716	Political Activities
BP 2717	Personal Use of Public Resources
BP 2720	Communications Among Board Members
BP 2725	Board Member Compensation
BP 2735	Board Member Travel
BP 2740	Board Education

BP 2745 Board Self-Evaluation

BP 2010 Board Membership

Reference:

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

The Board shall consist of five (5) members elected by the qualified voters of the District. Members shall be elected to represent a trustee area as defined in Board Policy 2100. While trustees must reside in the area they represent, they are elected at large by the voters of the entire district.

Any person who meets the criteria contained in law is eligible to be elected or appointed as 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. A Board member who is an individual who is usually employed in an occupation other than teaching may teach no more than one course per semester or quarter in the subject matter of that individual's occupation.

No member of the Governing Board shall, during the term for which he or she is elected, hold an incompatible office.

No member of the Governing Board shall, during the term for which he or she was elected, be eligible to serve on the governing board of a high school district whose boundaries are coterminous with those of the community college district.

All members of the Board will be expected to attend at least 75% of the regularly scheduled meetings (nine of twelve monthly meetings).

Approvals:

Academic Senate: September 2, 2016

Classified Senate: September 2, 2016

Cabinet: September 2, 2016

Board of Trustees: October 20, 2016

BP 2015 Student Member

Reference:

Education Code Section 72023.5

The Board shall include one (1) non-voting student member. The term shall be one year commencing June 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 six (6) semester units in the District at the time of nomination and throughout the term of service. The student shall maintain a 2.0 grade point average or above.

The student member shall be elected according to the same procedures as used for Associated Students officers per BP/AP 5410.

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 incoming 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 \$50 per meeting. *[Note: Payment is limited to one paid meeting per month even though special meetings may be called within the same month.]*
- The privilege to serve a term commencing on June 1.
- The privilege to cast an advisory vote at Board meetings. An advisory vote so cast shall not be included in determining the vote required for any measure before the Board.

Once adopted by annual Board action the stipulated privileges shall be effective until May 15th of the following year.

Reference: AP #2015, #5410; BP #5410

Approvals:

Cabinet: September 6, 2018

Board of Trustees: October 18, 2018

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 Board meeting in December following the general election in November, except as otherwise determined by law.

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 representation of trustee areas. Trustees will reside in certain specified trustee areas, but be elected at large by the voters.

The trustee areas are:

- Area 1 Portola
- Area 2 Quincy
- Area 3 Quincy
- Area 4 Greenville
- Area 5 Chester

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

The Superintendent/President shall submit recommendations to the Board regarding adjustments to be made to the boundaries of each trustee area, if any adjustment is necessary, after each decennial federal census. The Superintendent/President shall submit the recommendation in time for the Board to act as required by law.

Approvals:

Cabinet: April 5, 2012

Board: April 19, 2012

BP 2105 Election of Student Trustee

Reference:

Education Code Sections 72023.5, 72103

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 May 15 and the student member can assume official duties on the following June 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 (30) days after notice of the vacancy comes to the attention of the Superintendent/President.

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 Superintendent/President.

Reference: AP #2105

Approvals:

Cabinet: May 5, 2011

Board of Trustees: May 10, 2011

BP 2110 Vacancies on the Board

Reference:

Education Code Sections 5090, et seq, Government Code 1770

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. Resignations from the Board shall be governed by Education Code 5090.

Within sixty (60) 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 Education Code 5091. The person appointed to the position shall hold office only until the next regularly scheduled election for governing board members, when the election shall be held to fill the vacancy for the remainder of the unexpired term.

The provisional appointment will be made by a majority public vote of the board members at a public meeting.

Reference: AP #2110

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2130 Term Limits

Reference:

Education Code Section 7210c

There is no limit on the number of terms that a trustee may serve in the Feather River Community College District.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2210 Officers

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 terms of officers shall be for one year. The Board does not have an official system of rotation of officers; it elects the officers each year from among all its members.

The District Superintendent/President shall serve as Secretary to the Board. The duties of the Secretary are as follows:

- Provide notification of and materials to the Board for regular, special, and emergency meetings;
- Oversee preparation and posting of Board meeting agendas;
- Have prepared for adoption the minutes of Board meetings;
- Attend all Board meetings and closed sessions, unless excused;
- 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.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

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 its members in their 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 only 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.

The Feather River Community College Board has no standing committees, but establishes ad hoc committees from time to time to study and/or address particular matters of interest.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2305 Annual Organizational Meeting

Reference:

Education Code Section 72000c(2)(A)

The annual organizational meeting of the Board will be held in December of each year. The purpose of the annual organizational meeting is to elect a president and vice-president, and to re-appoint the Superintendent/President as Secretary to the Board. Officers elected in December shall take office the first day of the following July. The annual meeting may also include any other business as required by law or determined by the Board.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

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 on the third Thursday of each month unless otherwise scheduled by the Board in open session. Regular meetings of the Board shall normally be held in Quincy, California. When feasible, one meeting each year will be held in Chester, Greenville, or Portola. The Board delegates to the Superintendent/President the determination of feasibility and the location of meetings.

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, or is complying with a court order, or judicial or administrative proceeding to which the District is a party; or is inspecting real or personal property that cannot be conveniently brought within the boundaries of the District; or is exercising the provisions of Gov. Code Section 54954 (c); and is complying with the applicable requirements of Gov. Code Section 54954 (b).

In circumstances due to inclement weather or other extenuating circumstances a Board member may use teleconferencing to attend a meeting provided the District is complying with the provisions of Gov. Code Section 54953 (b), including posting of notices and public participation, and other applicable provisions of law. To achieve a quorum during a teleconferenced meeting, trustees who count as part of the quorum shall participate in the teleconference from locations within 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 and other provisions of applicable law.

Approvals:

Cabinet: May 5, 2011

Board of Trustees: June 16, 2011

BP 2315 Closed Sessions

Reference:

**Government Code Sections 54956.8, 54956.9, 54957, 54957.6;
11125.4; Education Code Section 72122**

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 employees, 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;
- 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 regular or special meetings 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 in closed session, and all notes, minutes, records, or recordings made during closed sessions 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 Superintendent /President. Notice shall be given at his or her direction 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.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

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 [or Acting 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 the Brown Act. No business other than that included in the notice may be transacted.

Closed sessions are permissible in Special meetings.

Emergency meetings may be called by the President [or Acting 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 sessions shall be conducted during an emergency meeting, except as provided for in the Brown Act to discuss a dire emergency.

The Superintendent/President shall be responsible to ensure that notice of such meetings is provided to the local news media as required by law.

Reference: AP #2320

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2330 Quorum and Votes

Reference:

Education Code Section 72000(d)(3)

A quorum of the Board shall consist of three (3) 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.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2340 Board Meeting Agendas

Reference:

Education Code Sections 72121, 72121.5; Government Code Sections 54954 et seq., 6250 et seq.;

An agenda shall be posted adjacent to the place of meeting as well as on the District's website 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 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 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 a previous meeting and was continued from a meeting held not more than five weekdays earlier.

The order of business may be changed by consent of the Board.

The Superintendent/President shall establish administrative procedures that provide for public access to agenda information and reasonable annual fees for the service.

Members of the public may submit matters directly related to the business of the District on an agenda for a board meeting by submitting a written summary of the item together with supporting documents and information, if any, to the Superintendent/President at least ten working days prior to the legally required posting of the agenda. The written summary must be legibly signed by the initiator, contain his or her residence or business address, and organizational affiliation, if any. The Superintendent/President shall consult with the Board President and judge whether the request is or is not a matter directly related to community college district business. The Superintendent/President likewise has the discretion to consolidate similar agenda requests as one agenda item. In the event that a request is denied, the Board will be advised in writing, to include rationale for the denial. The Board has the final authority to set the Board Agenda.

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.

Reference: AP #2340

Approvals:

Academic Senate: March 14, 2018

Classified Senate: Opposed

Cabinet: September 6, 2018

Board of Trustees: October 18, 2018

BP 2345 Public Participation at Board Meetings

Reference:

Government Code Section 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. Members wishing to present such items shall submit a written request at the beginning of the meeting to the Clerk of the Board that summarizes the item and provides their name and organizational affiliation, if any. No action may be taken by the Board of such items.
2. Members of the public may submit matters directly related to the business of the District on an agenda for a board meeting by submitting a written summary of the item, together with supporting documents and information, if any, to the Office of the Superintendent /President at least ten (10) working days prior to the legally required posting of the agenda. The written summary must be legibly signed by the initiator, contain the initiator's residence or business address, and organizational affiliation, if any. The Superintendent/President shall consult with the Board President and judge whether the request is or is not a matter directly related to community college district business. The Superintendent/President likewise has the discretion to consolidate similar agenda requests as one agenda item. In the event that a request is denied, the Board will be advised in writing, to include rationale for the denial. The Board has the final authority to set the Board agenda.

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.

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.

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.

Reference: BP #2340

Approvals:

Academic Senate: March 14, 2018

Classified Senate: Opposed
Cabinet: September 6, 2018
Board of Trustees: October 18, 2018

BP 2350 Speakers

Reference:

Government Code Sections 54950, et seq.; Education Code Section 72121.5

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. A place on the agenda shall be provided so that the Board can hear public comments.

Persons wishing to speak to the Board are subject to the following:

Persons wishing to speak to the Board shall complete a written request to address the Board at the beginning of the meeting at which they wish to speak. The request shall include the person's name, and the name of the organization or group represented, if any, and a statement noting the agenda item or topic to be addressed.

No member of the public may speak without being recognized by the President (or Acting President) of the Board.

Each speaker will be allowed a maximum of three (3) minutes per topic. No more than twenty (20) minutes will be allowed for public speakers on any one subject, regardless of the number of speakers at any one board meeting. Only at the discretion of a majority of the Board may these time limits be extended.

Each speaker coming before the Board is limited to one (1) presentation per specific agenda item before the Board.

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.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

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 Board President or 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 toward 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 or presiding officer. 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, or if the disruptive person(s) refuse to remove themselves, 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.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2360 Minutes

Reference:

Education Code Section 72121(a); Government Code Section 54957.5

The Superintendent/President shall cause minutes to be taken of all meetings of the Board. The minutes shall record all actions taken by the Board. The minutes of open sessions 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.

Reference: AP #2360

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2365 Recording

Reference:

Government Code Sections 54953.5, 54953.6; Education Code Section 72121(a)

If the Board causes any taped recording of a meeting to be made, the recording shall be subject to inspection by members of the public after meeting minutes have been transcribed by the administrative assistant to the Secretary to the Board and approved by the Board, in accordance with the California Records Acts, Government Code Sections 6250 et seq. The Superintendent/President is directed to enact administrative procedures to ensure that any such recordings are maintained for at least thirty (30) days following the taped recording.

Persons attending an open and public meeting of the Board may, at their own expense, record the proceedings of the meeting. However, if the Board finds by a majority vote that such recording is a source of disruption of any kind to the meeting, any such person shall be directed by the President of the Board or the presiding officer to stop.

Reference: AP #2365

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2410 Policy and Administrative Procedures

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 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. When possible, proposed changes or additions shall be introduced not less than one regular or special (open) meeting prior to the meeting at which action is recommended.

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

The Superintendent/President shall, on a biennial basis, provide each member of the Board of copies of the administrative procedures and/or any revisions since the last time they were provided, at the discretion of the Board. 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 available to District employees through the Office of the Superintendent/President.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003; rev. June 26, 2006

BP 2430 Delegation of Authority - Policy

Reference:

Education Code Section 70902; Accreditation Standard IV.B.1.j; IV.B.2

The Board delegates to the Superintendent/President the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

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

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

The Superintendent/President is expected to perform the duties contained in his or her job description and fulfill other responsibilities as may be determined in an annual goal-setting session. The job description, annual goals and performance objectives shall be developed by the Board in consultation with the Superintendent/President.

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

Reference: AP #2430

Approvals:

Cabinet: April 5, 2012

Board of Trustees: April 19, 2012

BP 2431 CEO Selection

Reference:

Accreditation Standard IV.B.1; Title 5, Sections 53000 et seq.

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

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2432 Administrator in Charge

Reference:

Education Code Sections 70903(b,4); 70902(d); 72400; Title 5 Section 53021(b)

The Board delegates authority to the Superintendent/President to appoint an active Administrator in Charge (AIC) to serve in his or her absence for short periods of time, not to exceed 14 calendar days at a time.

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

Dean of Instruction/CIO
Chief Student Services Officer
Chief Financial Officer

For periods exceeding 14 calendar days, the Board shall appoint an Administrator in Charge.

Any person serving as Administrator in Charge shall be guided by applicable laws and regulations, and shall have no authority not granted to the Superintendent/President by applicable law or regulation. Unless necessary by a declared state of emergency or required by law, the Administrator in Charge must consult with appropriate representatives (where appropriate), receive approval from the Superintendent/President (if possible), and receive authorization from the Board President before:

- taking personnel actions affecting permanent employees
- authorizing permanent changes to facilities or equipment
- making changes to policies/procedures
- authorizing purchases over \$15,000

Approvals:

Academic Senate: February 11, 2015

Classified Senate: October 20, 2014

Cabinet: March 5, 2015

Board of Trustees: March 19, 2015

BP 2435 Evaluation of the Superintendent/President

Reference:

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

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

The Board shall evaluate the Superintendent/President using an evaluation process developed and jointly agreed to by the Board and Superintendent /President and as described in the contract of employment.

The criteria for evaluation shall be based on Board policy, the Superintendent/President's job description and performance goals and objectives developed in accordance with BP 2430 titled Delegation of Authority to the Superintendent/President.

Approvals:

Academic Senate: December 14, 2016

Classified Senate: December 19, 2016

Cabinet: January 6, 2017

Board of Trustees: January 19, 2017

BP 2510 Participation in Local Decision Making

Reference:

Education Code Section 70901, 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.

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

A. Academic Senate(s) (Title 5, Sections 53200-53206.)

The Board or its designees shall consult collegially with the Academic Senate on academic and professional matters, as defined by law. Procedures to implement Section A of BP 2510 shall be developed collegially with the Academic Senate.

The Board shall rely primarily on the recommendations of the Academic Senate in the areas of curriculum, degree and certificate requirements and grading policies, and recognizes the existing primary role of the faculty in the hiring of faculty (through the ranking of candidates) [53200(c) 1,2,3 &11]. These areas fall under the rule of 53200(d) 1, which calls for the Board of Trustees to “rely primarily upon the advice and judgment of the Academic Senate.”

The Board shall consult collegially with the Academic Senate in all other academic and professional matters, including:

- Educational program development;
- Standards or policies regarding student preparation and success;
- District and college governance structures, as related to faculty roles;
- Faculty roles and involvement in accreditation process, including self-study and annual reports;
- Policies for professional development activities;
- Processes for program review;
- Processes for institutional planning and budget development;
- Equivalence determination (Ed Code 87359);
- Administrator retreat rights (Ed Code 87458);
- Faculty tenure (Ed Code 87610.6) [placed into contract language]; and
- Faculty service areas (Ed Code 87743.2) [placed into contract language]

Revision to Section A of BP 2510 will require mutual agreement of the Board of Trustees or their designee and the Academic Senate by written resolution. At Feather River College, the Superintendent/ President is the designee of the Board of Trustees, and the Academic Senate President is the representative of the Academic Senate.

B. Staff (Title 5, Section 51023.5.)

Staff shall participate in the formulation and development of District policies and procedures. Education Code Section 70901 establishes minimum standards for governing procedures. These standards allow for Classified Staff to participate on college committees, task forces and other shared governance groups. CSEA MOU 2001/2002-4 states that "S.B. 235 requires that a college's or district's exclusive representative for classified bargaining unit members be solely responsible for appointing Classified Staff representatives to serve on any college or district task force. The bill also makes provisions for cases in which a fully participatory Classified Senate has been in operation, allowing for the exclusive representative to sign an M.O.U. with the district, delegating to the Classified Senate the responsibility of appointing classified Staff representatives to any college or district task force." The opinions and recommendations of the Classified Senate will be given every reasonable consideration.

College policies based on the principle of mutual agreement include:

- The role of staff in the evaluation of administrators
- Board Policies that are outside the areas of faculty primacy as stated in AB 1725
- Budget development implementation (Title 5, Section 53200)

Revision to Section B of BP 2510 will require mutual agreement of the Board of Trustees or their designee and the Classified Staff by written resolution. At Feather River College, the Superintendent/ President is the designee of the Board of Trustees, and the Classified Senate President is the representative of the Classified Senate.

C. 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.

Reference: AP #2510, BP #2511, AP #2511

Approvals:

Cabinet: November 14, 2006

Board of Trustees: December 14, 2006

BP 2511 Internal Communication of Participation in Local Decision Making

Reference:

Education Code Section 70902(b)(7); Title 5, Sections 53200 et seq; 51023.5; 51023.7; Accreditation Standard IV. A.2, IV.A.5; Govt. Code Section 54950-54960.5 (The Brown Act)

District Commitment

Pertaining to BP/AP 2510, the Feather River Community College District Board of Trustees is committed to shared internal governance. Participation in decision-making at the college is achieved through a variety of constituencies.

The following Administrative and Academic Senate committees will post appropriate information in the College's document storage management systems to demonstrate transparency and accountability.

Shared Governance Committees: Academic Calendar; Academic Senate; Accreditation; Basic Skills; Budget; Cabinet; Classified Senate; Communications; Diversity; Facilities; EEO Advisory; President's Staff; Professional Development; Safety; Strategic Enrollment Management; Strategic Planning; Strategic Technology; Student Intervention; Student Learning Outcomes Assessment Cycle; Student Services Council; Sustainability Action Team

Academic Senate Committees: Academic Policies; Council on Instruction; Curriculum; Equivalency; Faculty Flex; Standards and Practices.

Ad Hoc and Subcommittees of the above committees will be encouraged collegially to post information in the College's document storage management systems to demonstrate transparency and accountability.

Reference: BP #2510, AP #2510, AP #2511

Approvals:

Cabinet: December 1, 2011

Board of Trustees: December 8, 2011

BP 2512/BPM 1.05.03 Effective Dates of Policies

Reference:

BPM Article 5

All policies established by the Board become effective immediately upon their adoption unless an effective date is specified at the time of passage.

Approvals:

Board Approved: BPM 1.05.03

BP 2513/BPM 1.05.07 Policy Revisions Required by Law

Reference:

BPM Article 5

Should a statute or code section of the State of California or the government of the United States be added, repealed or amended, or should a court decision or an opinion by the Attorney General of the State of California or other applicable court or official make changes in any of the policies of the Board, or in the administrative procedures of the District, the policies and procedures shall be considered to be automatically amended to comply.

Approvals:

Board Approved: BPM 1.05.07

BP 2514/BPM Article 6 Board Action on Issues Not Directly Affecting the College

Reference:

BPM Article 6

Except in those cases resulting from specific action by the Board to consider a matter, positions shall only be taken on matters directly affecting the operation of the college. The procedure for such a determination is as follows: For any matter presented to the Board including a request that it take a position, and where there is any question from any Board member concerning its direct affect upon the college, the Board shall determine whether it shall consider the matter by vote. A simple majority of the total members of the Board will cause the matter to be discussed and considered. Following such considerations, a 4/5 vote of the Board is required for the establishment of a position for or against such a matter.

Approvals:

Board Approved: BPM Article 6

BP 2515 Authorized Signatures

Reference:

Education Code 87482.5

The President and Vice-President of the Board of Trustees and the Superintendent/President and Chief Business Officer are authorized to sign contracts, documents and reports on behalf of the Board subject to approval of such items by the Board.

The Superintendent/President and Dean of Instruction are authorized to sign notices of employment for certificated persons employed less than 67% of a full load.

Approvals:

Academic Senate: January 9, 2015

Classified Senate: September 15, 2014

Cabinet: February 5, 2015

Board: February 19, 2015

BP 2516/BPM 1.05.04 Responsibilities of Certificated Employees and Members of the Classified Service

Reference:

BPM Article 5

The policies and procedures adopted by the Board for the District have been written to be consistent with the provisions of law, but do not encompass all laws relating to the District's activities. All certificated employees and members of the classified service will be expected to know and will be held responsible for observing all provisions of law pertinent to their activities.

Approvals:

Board Approved: BPM 1.05.04

BP 2517/BPM 1.08.01 Delegation of Authority – Maintenance of Records

Reference:

BPM Article 8

The Superintendent/President is delegated the authority and directed to maintain accurate and complete records required by state law, federal and state agencies or departments, 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 Governing Board and the proper accounting of student attendance.

Approvals:

Board Approved: BPM Article 1.05.01

BP 2518/BPM 1.08.02 Action in Emergency

Reference:

BPM Article 8

The Superintendent/President is delegated the authority to act on behalf of the Board in an emergency for the protection of life, health, and safety of individuals and the protection of property.

Approvals:

Board Approved: BPM 1.08.02

BP 2519 Power to Contract

Reference:

Education Code Section 81655; 81656

The Superintendent/President, or such persons as the Superintendent/President may designate, is delegated the power to enter into contracts for and on behalf of the District wherever the power to so contract is invested in the Board of Trustees by the Education Code. Such contracts include, but are not limited to, purchase of supplies and equipment, personal service contracts, leases and rentals, banking agreements, vendor service agreements, and personnel matters when such contracts do not exceed the dollar or time limits established in the Education Code or other laws pertaining to the taking of competitive bids.

The Superintendent/President, or such persons as the Superintendent/President may designate, is further delegated the power to amend the terms and conditions of any contractual arrangement provided that the total expenditure of funds and period of the contract do not exceed the limitation set forth in the Education Code. No contract made pursuant to any delegation of power to contract shall be valid or constitute an enforceable obligation against the District unless and until such contract has been approved and ratified by the Board, said approval or ratification to be evidenced by a motion of the Board duly passed and adopted. All transactions herein authorized involving an expenditure by the District for the purchase of supplies, materials, apparatus and equipment shall be reviewed by the Board every 60 days.

Approvals:

Academic Senate: May 14, 2014

Classified Senate: May 19, 2014

Cabinet: September 4, 2014

Board of Trustees: October 16, 2014

BP 2610 Presentation of Initial Collective Bargaining Proposals

Reference:

Government Code Section 3547

The Superintendent/President 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/collaborative bargaining.

Collective/collaborative bargaining begins when either an exclusive representative or the District itself presents an initial proposal for consideration in accordance with the following timelines:

- PERB requires that initial collective bargaining proposals (“sunshine”) be presented 120 days prior to negotiations, and negotiations begin 120 days before the expiration of the contract. The parties may choose to “sunshine” earlier and begin negotiations earlier by mutual agreement. In addition, the parties may agree to extend the current contract, while changing a few provisions, by mutual agreements.

Reference: BP #7140, #AP #2610

Approvals:

Cabinet: April 11, 2005

Board of Trustees: April 28, 2005

BP 2710 Conflict of Interest

Reference:

Government Code Sections 1090, et seq.; 1126; 87200, et seq.;
Title 2, Sections 18730 et seq.

Board members and employees shall not be financially interested in any contract made by them in their official capacity, or in any body or board of which they are 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 Superintendent/President shall establish administrative procedures to provide for necessary disclosures by Board members who may be affected by their official actions, and would reasonably serve the purpose of preventing 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.

Reference: AP #2710, #2712

Approvals:

Cabinet: October 7, 2016

Board of Trustees: November 17, 2016

BP 2715 Code of Ethics/Standards of Practice Board of Trustees

Reference:

Accreditation Standard IV.B.1.a,e,&h

The Board maintains high standards of ethical conduct for its members. The following standards of excellent performance, which have been adopted by the Board of Trustees, establish a norm for trustee performance. Excellence of Board of Trustee functioning is seen as an integral component of the striving for institutional excellence. These standards of excellence are supported by the mission and goals developed by the staff of the District, approved by the Board of Trustees, and published in the college catalogue. The adoption of the Standards of Excellence by the Board is our commitment to a set of values guiding our performance. As the Board strives for excellence and adherence to these values it serves as a model and leader in encouraging all members of the District community to pursue and achieve excellence.

Each member of the Board of Trustees will:

1. In all decisions, hold the educational welfare of the students of the District as their primary concern. Communicate the Board's interest in and respect for student accomplishments by attending student ceremonies and events.
2. Ensure the District maintains equality of opportunity for all students regardless of race, creed, sex, religion, age, physical ability or national origin.
3. As an agent of the public--entrusted with public funds--protect, advance and promote the interest of all citizens. Maintain independent judgment unbiased by private interest, partisan political groups, or in any other way.
4. Through establishment of policies and appointment of administrative personnel, uphold, implement, and enforce all laws and codes applying to the District.
5. Act as an instigator and promoter of change through legal and ethical procedures.
6. Recognize and actively communicate that authority rests only with the Board in a legally-constituted meeting, not with individual members.
7. Attend and participate in all meetings insofar as possible, having prepared for discussion and decision by studying all agenda materials.

8. Conduct all District business in open public meetings, unless, in the judgment of the Board and only for those purposes permitted by law, it is more appropriate to hold a closed session.
9. Maintain confidentiality of all Board discussions held in closed session.
10. Avoid any situation that may constitute a conflict of interest. Inform the entire Board or the Board President when a matter under consideration might involve or appear to involve such a conflict.
11. Enhance their ability to function effectively as a trustee through devotion of time to study of contemporary educational issues, as well as attendance at professional workshops and conferences on the duties and responsibilities of trustees.
12. Promote and maintain good relations with fellow Board members by:
 - a) Recognizing the importance of keeping an open mind and promoting the opportunity to think through other facts and points of view, which may be presented at the legally constituted session of the Board.
 - b) Respecting the opinions of others and abiding by the principle of majority rule.
 - c) Respectfully working with other Board members in the spirit of harmony and cooperation. Giving each member courteous consideration of their opinion.
13. Promote a healthy working relationship with the Superintendent/President and their staff by:
 - a) Appointing and nurturing an excellent Superintendent/President and supporting their administrative recommendations by maintaining a climate of "no surprises."
 - b) Supporting the District personnel in the appropriate performance of their duties and ensuring that they have the requisite responsibility and necessary authority to perform effectively.
 - c) Referring complaints, criticisms through the appropriate channels as previously agreed upon by the Superintendent/President and the Board. Trustees should never become involved in resolving staff or student grievances until all administrative remedies have been exhausted and the grievance is brought to the full Board as a court of last resort. Board members should not encourage dissatisfied employees and citizens to come to them with their problems but should listen to any concern and then refer the person to the proper administrator.

14. Be an advocate of the District in the community by encouraging support for and interest in Feather River Community College District.

15. Say or do something solely on their sincere belief that what is said and done is in the best interest of the college and community.

Any violations of this policy will be addressed in accordance with the procedures described in AP 2715.

Reference: AP #2715

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003; rev. March 1, 2006

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 the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the governing board.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

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.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

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., e-mail, conference calls, or other technological device) in order to reach a collective concurrence regarding any item that is within the subject matter jurisdiction of the Board.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

BP 2725 Board Member Compensation

Reference:

Education Code Section 1090, 35120, 72024

Members of the Board who attend all Board meetings shall receive \$120 per month. The student trustee shall receive \$50 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.

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

Approvals:

Cabinet: September 2, 2016

Board of Trustees: October 20, 2016

BP 2735 Board Member Travel

Reference:

Education Code Section 72423; Government Code Section 11139.8

Members of the Board shall have travel expenses paid whenever they travel as representatives of and perform services directed by the Board.

Government Code Section 11139.8 prohibits a state agency from requiring its employees, officers, or members to travel to, or approving a request for state-funded or sponsored travel to, any state that, after June 26, 2015, has eliminated protections against discrimination on the basis of sexual orientation, gender identity, or gender expression. This prohibition also applies to any state that has enacted a law that authorized or requires discrimination against same-sex couples or their family or on the basis of sexual orientation, gender identity, or gender expression, subject to certain exceptions. The California Community Colleges Chancellor's Office has indicated it will not approve requests from local community college districts to travel to a restricted state. The California Community Colleges Chancellor's Office has also opined that Government Code Section 11139.8 does not apply to local community college districts. However, California law has recognized local community college districts as state agencies for certain purposes, among those is the community college funding mechanism. Thus, districts should consult with legal counsel in implementing Government Code Section 11139.8.

Reference: AP #2735

Academic Senate: September 6, 2018

Classified Senate: April 16, 2018

Cabinet: October 4, 2018

Board of Trustees: October 18, 2018

BP 2740 Board Education

Reference:

Accreditation Standard IV.B.1.f

The Board is committed to its ongoing development as a Board. To that end, the Board will engage in study sessions, read Board-related materials, access resources that will further understanding of its policy role, and support attendance at meetings and activities that foster trustee education.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003

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 as well as those areas in which it may improve. The process for evaluation shall be recommended to and approved by the Board.

Board self-evaluation shall be completed in June of every even-numbered year and the results used to set goals for the coming year.

Approvals:

Cabinet: February 26, 2003

Board of Trustees: April 17, 2003