

WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT
Board Policies
Chapter 2 – Board of Trustees

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Board of Trustees**BP 2010 BOARD MEMBERSHIP****References:**

Education Code Sections 72023, 72103, and 72104

The Board shall consist of seven members elected by the qualified voters of the District. Members shall be elected by trustee area as defined in BP 2100 titled Board Elections.

Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board.

Any person, regardless of gender, who is 18 years of age or older, a citizen of the State of California, a resident of the West Valley-Mission Community College District, a registered voter who is not disqualified by the Constitution or laws of the State from holding a civil office, is eligible to be elected or appointed a member of the Board.

A trustee candidate must be a resident of the Trustee Area for which the election is being held.

An employee of the district may not be sworn into office as an elected or appointed member of the governing board unless he or she resigns as an employee.

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

Date Adopted: January 17, 2012

(Replaces current WVMCCD Policy 1.6.1)

Reviewed: January 2020

Board of Trustees**BP 2015 STUDENT TRUSTEE(S)****Reference:**

Education Code Section 72023.5

Each College of the District shall have a Student Trustee(s) selected to serve on the Board. The term of office for a Student Trustee(s) shall be one year, commencing on June 1 of each year. A maximum of two (2) terms may be served by Student Trustee(s)

The rights of the Student Trustee(s) shall be those outlined in the Education Code and in addition, an extension of rights may be approved by the Board.

On or before May 15 of each year, the Board shall consider whether to afford the 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 half the rate for publicly elected trustees.
- The privilege to cast an advisory vote, although the vote shall not be included in determining the vote required to carry any measure before the Board.
- The privilege to serve a term commencing on June 1.
- The responsibilities of the Student Trustee(s) shall be those mandated by the Education Code and those approved by the Board, including:
 - The Student Trustee shall attend meetings of the Board of Trustees.
 - The Student Trustee shall be responsible and accountable to the students of the District and their elected officers.

- The Student Trustee shall make himself/herself informed about those issues that have a direct or significant impact on students of the District and such issues that are brought to the attention of the Student Trustee by any concerned students.
- The Student Trustee shall gather student input and disseminate information by meeting at least once per month, school calendar permitting, at a scheduled meeting of the student government organization at his/her respective College and in other ways as appropriate.
- The Student Trustee shall voice the concerns and interests of District students in public meetings of the Board and appropriately seek to persuade the vote of the Board.

To be eligible to serve as a Student Trustee, a person must meet all statutory requirements, including:

- Be currently enrolled, attending either Mission College or West Valley College.

Maintain enrollment in at least five (5) semester units in the District at the time of nomination and throughout the term of service and shall meet and maintain the minimum standards of scholarship for community college students prescribed by the District.

The eligibility requirements for Student Trustee(s) as set forth in Board policy shall prevail in those instances where the bylaws of the Associated Student Body may differ.

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.

The student member is not required to give up employment with the District.

Date Adopted: January 17, 2012

Date Revised: June 16, 2015

Reviewed: January 2020

Board of Trustees**BP 2100 BOARD ELECTIONS****References:**

Education Code Sections 5000 et seq., and 72036

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. 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 shall, according to law, consist of seven members elected for terms of four years. The Board of Trustees has provided for the election of trustees by trustee areas. The trustee areas are:

- One and Two (Portions of Santa Clara, Sunnyvale, and San Jose);
- Three (Portions of Santa Clara, Sunnyvale, San Jose, Saratoga, Monte Sereno, and Los Gatos);
- Four (Portions of Campbell, Santa Clara, San Jose, Saratoga, Monte Sereno, and Los Gatos);
- Five, Six and Seven (Portions of Campbell, San Jose, Saratoga, Monte Sereno, and Los Gatos)

Elections shall be held in accordance with the provisions of the Education Code and the Elections Code and held the same day as the statewide general election.

The election of a board member residing in and registered to vote in the trustee area he/she seeks to represent shall be by the registered voters of that individual trustee area.

Board members will be elected from trustee areas 1, 2, 4, and 6 in one election cycle and from trustee areas 3, 5, and 7 in the other.

In case of a tie among the non-student candidates, the Board will determine the winner by lot.

Although the Board encourages candidate statements in the sample ballot package, the District shall not be responsible for the cost of such statements or any other charges incurred by individual candidates.

The Chancellor 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 Chancellor shall submit the recommendation in time for the Board to act as required by law.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2105 ELECTION OF STUDENT TRUSTEE(S)****References:**

Education Code Sections 72023.5 and 72103

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

The Student Trustee representing each college shall be elected by all the students of the student body enrolled in each college of the District in a general election held at each college for that purpose. Normally, an election will be held in the Spring Semester so that the office is filled by June 1. The student member may be recalled by all the students of the student body in an election held for that purpose in accordance with administrative procedures established by the Chancellor, except that all members of the student body shall be permitted to vote in the recall election.

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

Alternatively, special election may 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 Chancellor. Candidates for the position may nominate themselves or be nominated by others by the filing of an application at their campus of residence certifying that the candidate is eligible for service under the criteria set forth in California law and these policies.

See Administrative Procedure 2105.

Date Adopted: January 17, 2012

Date Revised: June 16, 2015

Reviewed: January 2020

Board of Trustees**BP 2110 VACANCIES ON THE BOARD****References:**

Education Code Sections 5090 et seq.;
Government Code Section 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 Section 5090.

Whenever a vacancy occurs in the membership of the Board, or whenever a resignation has been filed with the Santa Clara County Superintendent of Schools containing a deferred effective date, the Board shall, within 30 days of the vacancy or the filing of the deferred resignation, either call an election or make a provisional appointment to fill the vacancy completing the unfinished term until a new trustee is seated in accordance with the provisions of the Education Code Sections 5091, 5092, and 5093.

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 Section 5091. The person appointed to the position shall hold office only until the next regularly scheduled election for Board members, when the election shall be held to fill the vacancy for the remainder of the unexpired term.

The Chancellor shall establish administrative procedures to solicit applications that assure ample publicity to and information for prospective candidates. The Board will determine the schedule and appointment process, which may include interviews at a public meeting.

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

When a vacancy on the Board is filled by a new member, whether by election or appointment, it shall be a responsibility of the President of the Board and the Chancellor to plan a program to orient and inform the new member of the Board.

Date Adopted: January 17, 2012

(Replaces current WVMCCD Policy 1.6.3)

Reviewed: January 2020

Board of Trustees**BP 2200 BOARD DUTIES AND RESPONSIBILITIES****Reference:**

ACCJC Accreditation Standard I.V

The Board of Trustees governs on behalf of the citizens of the West Valley-Mission Community College District in accordance with the authority granted and duties defined in the Education Code.

The Board is committed to fulfilling its responsibilities to:

- Represent the public interest.
- Assure fiscal health and stability.
- Delegate power and authority to the chief executive to effectively lead the District.
- Advocate and protect the District.
- Monitor institutional performance and educational quality.
- Establish policies that define the institutional mission and set prudent, ethical and legal standards for college operations.
- Select and appoint the Chancellor and conduct an annual review and evaluation.
- Determine the general policies that will govern the operation of the District and review them periodically.
- Approve the annual budget and the expenditure of all funds.
- Determine the appropriate organizational structure of the District, based on the recommendations of the Chancellor.
- Consider the recommendations of the Chancellor pertaining to the appointment or dismissal of employees.

- Fix the rate of compensation for all employees and review all salary schedules annually or as determined by contractual obligation.
- Consider the recommendations of the Chancellor on matters of maintenance of buildings, grounds, and equipment, including site utilization, physical plant development, and major improvements.
- Require and consider reports from the Chancellor concerning the conditions of the Colleges.
- Consider the curricular offerings of the Colleges upon the recommendation of the Academic Senate.
- Consider the annual academic and Board calendars.
- Authorize the preparation of an annual report to District residents on the state of the District.
- Consider the recommendations of the Chancellor in all matters of Policy pertaining to the welfare of the students of the Colleges.
- Provide for the establishment of the necessary procedures to assure proper accounting of receipts and disbursements of District funds and those of student organizations, the auxiliary and other funds under the supervision of the District.
- Provide for the annual audit of all funds of the District, student organizations, cafeteria, bookstore, and other auxiliary funds under the supervision of the District.
- Consider communications and requests from citizens or organizations on matters of policy and administration with consultation and recommendation from the Chancellor.
- Authorize the Chancellor and the College Presidents to establish advisory committees and to approve the memberships of such committees.
- Appoint Board committees as appropriate.
- Serve as a court of final appeal to the citizens of the District after the administration has reviewed, met, or corresponded with citizens and recommended findings to the Board for appropriate action.
- Serve as a court of final appeal for students and employees of the District. The Board will serve in its appellate role for students and employees only after a decision on the matter in contention has been made by the Chancellor; and then upon the basis of a written request to the Board for reconsideration of the matter.

- Exercise fiscal powers, including authorizations to:
 - Construct, acquire, hold, and use property necessary for the carrying on of its power pursuant to law.
 - Construct, operate, and hold any project.
 - Fix and/or alter changes for the use of any project acquired, equipped, constructed, or maintained by the Board subject to any existing contractual relationships binding on the District.
 - Issue revenue bonds to raise funds.
 - Adopt such policies and certain rules and regulations as may be necessary to enable the Board to exercise the powers and to perform the duties conferred upon the Board by law.

- Establish, review, and revise District goals.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2210 OFFICERS****Reference:**

Education Code Section 72000

At its annual organizational meeting, the Board shall elect one of its members as President, a second as Vice President, and a third as Trustee Representative to the Santa Clara County Committee on School District Organization. The terms of office shall be for one year.

The duties of the President of the Board shall include:

- Presiding at all meetings of the Board.
- Appointing or providing for the election of all Board committees.
- Convening special meetings as required, in cooperation with the Chancellor.
- Reviewing and approving the Board agenda.
- Serving as spokesperson of the Board pertaining to actions taken by it.
- Ensuring the Board's self-evaluation process is completed on an annual basis.

The Vice President shall perform the duties of the President when called upon to do so or in the absence of the President.

It shall be the duty of the Trustee Representative to attend a meeting called by the County Superintendent of Schools to elect members of the Santa Clara County Committee on School District Organization.

The Chancellor shall serve as the Secretary to the Board. The major duties and responsibilities of the Secretary to the Board shall include:

- Notifying members of the Board of all meetings.
- Preparing agendas and attending all Board meetings.
- Recording the minutes of Board meetings and transmitting copies to each member of the Board before each ensuing regular meeting.

- Certifying or attesting to Board actions, as required and executing official papers.
- Conducting correspondence on behalf of the Board in response to communications received by the Board or in pursuance of Board actions.
- Having charge of and safeguarding all records, proceedings, and documents of the Board.
- Filing and posting copies of the quarterly financial report as required by law.

Any officer of the Board may be removed from office by the majority vote of the membership of the full Board.

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

Date Adopted: January 17, 2012
*(Replaces current WVMCCD Policies 1.7.1
and 1.7.3)*
Reviewed: January 2020

Board of Trustees**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 the Board in its 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 that are advisory are not required to comply with the Brown Act, or with these policies regarding open meetings, unless they are standing committees.

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 Board has established the following Standing Committee:

- Audit and Budget Oversight Committee
- Legislative and Policy Oversight Committee

Audit and Budget Oversight Committee

The Audit and Budget Oversight Committee composition shall be three voting members of the Board of Trustees appointed by the Board President and shall operate within the provisions of the Brown Act.

The Audit and Budget Oversight Committee may perform the following functions or other functions as deemed appropriate:

- Ensuring timely completion of the Annual District Audit;
- Overseeing the timely and effective response to outstanding audit findings;
- Review the adequacy of internal controls over financial reporting and minimizes fraud, waste, and abuse;
- Maintaining compliance with District policies related to audit or budget; and
- Advising the Board on other fiscal, budget, and operations issues as necessary.

The Audit and Budget Oversight Committee may make recommendations to the Board for consideration regarding matters within the committee's charge.

The Board may refer audit, budget, and finance matters to the Audit and Budget Oversight Committee for thorough discussion.

Representatives to Groups/Organizations

The Board may appoint such other representatives to groups and organizations as deemed appropriate.

Legislative and Policy Oversight Committee

The Legislative and Policy Oversight Committee composition shall be three voting members of the Board of Trustees appointed by the Board President and shall operate within the provisions of the Brown Act.

The Legislative and Policy Oversight Committee may perform the following functions or other functions as deemed appropriate:

- Identify priority legislation, ballot issues, and government regulations at the local, state, and federal levels and recommend official positions to the Board.
- Advocate on matters of interest to the Board and engage in the legislative process to help guide and influence the development of legislation in a timely manner.
- Establish policy and advocacy priorities on behalf of the District, its Colleges and students.
- Provide consistent, current and timely information to the Board on legislative matters

The Legislative and Policy Oversight Committee may make recommendations to the Board for consideration regarding matters within the committee's charge. The Board may refer legislative, policy and advocacy matters to the Legislative and Policy Oversight Committee for thorough discussion.

Representatives to Groups/Organizations

The Board may appoint such other representatives to groups and organizations as deemed appropriate.

Date Adopted: January 17, 2012

Date Revised: July 21, 2015

(Replaces current WVMCCD Policies 1.7.2, 1.7.4, 1.7.5, and 1.7.6)

Revised: November 10, 2020

Board of Trustees

BP 2305 ANNUAL ORGANIZATIONAL MEETING

Reference:

Education Code Section 72000(c)(2)(A)

Annual organizational meetings will be held on the first Tuesday following the first Friday of December. The purpose of the annual organizational meeting is to elect officers that the Board has established, and conduct any other business as required by law or determined by the Board.

Board of Trustees

BP 2310 REGULAR MEETINGS OF THE BOARD

References:

Education Code Section 72000(d);

Government Code Sections 54952.2, 54953 et seq., and 54961

Regular meetings of the Board shall be held on the first and/or third Tuesdays of each month.

Unless noticed otherwise, regular meetings will be held on alternating months at each College campus, in the Board Room at West Valley College, 14000 Fruitvale Avenue, Saratoga, California, and in the Hospitality Management Building at Mission College, 3000 Mission College Boulevard, Santa Clara, California.

A notice identifying the location, date, and time of each regular meeting of the Board shall be posted at least ten (10) days prior to the meeting and shall remain posted until the day and time of the meeting.

Any changes in the location of regularly scheduled Board meetings, which shall only occur at locations within the District boundaries (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), shall require the approval of four members of the Board.

In case the date and/or place of any regular meeting is changed, the Secretary to the Board will take appropriate steps to inform the public of the change in advance of the meeting.

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, except as required or permitted by law.

Any and all materials available to the Board, excepting materials related to closed session items, shall be available to the public and to members of the District community, and all such materials in or with the agenda package for Board members shall be in or with the public copies of the agenda package.

Regular Board meetings will be adjourned no later than 11:00 p.m. unless there has been a majority vote of those Board members present to:

- Complete consideration of the item that was under discussion at 11:00 p.m., and/or
- Determine a time for adjournment in order to hear all urgent matters remaining on the agenda, and are before the Board for action

All agenda items not heard before the Board adjourns will be continued to the following meeting and placed on that meeting's agenda under "Unfinished Business."

In order to facilitate the Board's schedule, the Board President, or his/her designee to conduct the meeting, pursuant to District Policies and to Robert's Rules of Order, shall have the following rules of authority related to the efficient conduct of Board meetings and to comply with this Adjournment Policy:

- To set a time limit for discussion of an agenda item prior to the Board's vote.
- To limit the time for an individual Board member's questions, discussion, and debate.
- To limit the number of times a Board member may speak to the motion on the floor.
- To adjourn the meeting:
 - Prior to 11:00 p.m., if all items on the agenda have been considered by the Board.
 - At 11:00 p.m. pursuant to District Policy.
 - After 11:00 p.m. at a time set by a majority vote of those trustees in attendance at the meeting.

Date Adopted: January 17, 2012

(Replaces current WVMCCD Policies 1.8.1 and 1.8.3)

Reviewed: January 2020

Board of Trustees**BP 2315 CLOSED SESSIONS****References:**

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

Closed Sessions of the Board shall only be held as permitted by applicable legal provisions including but not limited to the Brown Act, California Government Code and California Education Code. Matters discussed in closed session may include:

- The appointment, employment, evaluation of performance, discipline or dismissal of a public employee.
- Charges or complaints brought against a public employee by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. The employee shall be given at least twenty-four (24) hours written notice of the Closed Session. Please see last paragraph for further information.
- 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.
- Consideration of its response to a confidential final draft audit report from the Bureau of State Audits.

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

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

All matters discussed or disclosed during a lawfully held closed session and all notes, minutes, records or recordings made of such a closed session are confidential and shall remain confidential unless and until required to be disclosed by action of the Board or by law.

If any person requests an opportunity to present complaints to the Board about a specific employee, such complaints shall first be presented to the Chancellor. Notice shall be given to the employee against whom the charges or complaints are directed. If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Board. The employee shall be given at least 24 hours written notice of the closed session, and shall be given the opportunity to request that the complaints be heard in an open meeting of the Board.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2320 SPECIAL, EMERGENCY, AND ADJOURNED MEETINGS****References:**

Education Code Section 72129;
Government Code Sections 54956, 54956.5, and 54957

Special meetings of the Board may be called at any time by the President of the Board, or by a majority of members of the Board

Members of the Board shall receive written notice of the meeting from the Secretary to the Board at least twenty-four (24) hours in advance of the meeting. Notice of such meetings shall be posted at least twenty-four (24) hours before the time of the meeting, and shall be noticed in accordance with Brown Act (the time and place of the special meeting and the business to be transacted or discussed). Such notice shall also be provided by the Secretary to representatives of the news media who have requested to be notified of special meetings.

No other business shall be transacted at a special meeting other than that specified in the notice.

In the event of an emergency situation involving matters upon which prompt action is necessary, the Board may hold a special meeting without complying with the 24-hour notice requirement. The Board shall not meet in closed session during a meeting so called (except as provided for in the Brown Act to discuss a dire emergency) and all special meeting requirements shall apply with the exception of the 24-hour notice. The Secretary shall be responsible to ensure that notice of such meetings is provided to the local news media as required by law.

Minutes of such a meeting shall be posted for ten (10) days in a public place as soon after the meeting as possible.

“Emergency situation” is defined to include work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board and crippling disaster which severely impairs public health, safety, or both as determined by the Board President.

Adjourned meetings may be held when the Board decides that the business of the District establishes a need to hold such a meeting. Such meetings shall serve as a continuation of a regular meeting and must be noticed in the manner required by law

Date Adopted: January 17, 2012
*(Replaces current WVMCCD Policies 1.8.4,
1.8.5, and 1.8.6)*
Reviewed: January 2020

Board of Trustees**BP 2330 QUORUM AND VOTING****References:**

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

A quorum of the Board shall consist of four (4) members.

The Board shall act by majority vote, a minimum of four affirmative votes of all the membership of the Board, except as noted below.

No action shall be taken by secret ballot. The Board will publicly report any action taken in open session and the vote or abstention of each individual member present.

The following actions require a two-thirds majority of all members of the Board:

- Resolution of intention to sell or lease real property (except where a unanimous vote is required).
- Resolution of intention to dedicate or convey an easement.
- Resolution authorizing and directing the execution and delivery of a deed.
- Action to declare the District exempt from the approval requirements of a planning commission or other local land use body.
- Appropriation of funds from an undistributed reserve.
- Resolution to condemn real property.

The following actions require a unanimous vote of all members of the Board:

- Resolution authorizing a sale or lease of District real property to the state, any county, city, or to any other school or community college district.

- Resolution authorizing lease of District property under a lease for the production of gas.

Date Adopted: January 17, 2012
Date Revised: April 21, 2015
Reviewed: January 2020

Board of Trustees**BP 2340 AGENDAS****References:**

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

An agenda for each meeting of the Board shall be prepared by the Chancellor in cooperation with the Board President.

Any Board member may request that an item be agendized for a future meeting.

The agenda for each regular and special meeting shall be posted adjacent to the place of meeting where the public and District employees may see it, at least seventy-two (72) hours prior to the time of the regular meeting and at least twenty-four (24) hours prior to a special meeting. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

The agenda shall clearly state the items proposed for action. No action or discussion shall be taken on a matter until it appears on a published agenda except when one or more of the following apply. The vote required to add an agenda item under this provision is either two-thirds of the Board members present or a unanimous vote if less than two-thirds of the Board is present.

- 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 and was continued from a meeting held not more than five (5) days earlier.

Note: This does not preclude the taking of testimony at regularly scheduled meetings on matters not on the agenda which any member of the public may wish to bring before the Board, provided that no action is taken by the Board on such matters at the same meeting at which testimony is taken.

The agenda of regular meetings shall contain a consent agenda section, under which items of a routine or recurring nature, as determined by the Chancellor, may be approved by one action of the Board. Sufficient back-up material on consent agenda items shall be made available to Board members in advance of the meeting. Prior to a motion for approval of the consent agenda, a Board member may ask questions about a particular agenda item.

Also, before approval, any Board member, interested student or citizen, or staff member may request that an item be removed to be considered separately. If an item is removed, it will be discussed in the order listed, after approval of the remaining items on the consent agenda.

In order to expedite the conduct of official business at regular meetings of the Board, items anticipated to be affirmatively considered without staff or public presentation, controversy, or significant inquiry will be considered consent items. All of these items will be considered in totality pursuant to the agenda item, "Approval of Consent Agenda."

Each member of the Board, including the student member(s), and each member of the public reserves the right to request, pursuant to the consideration of the approval of the consent agenda, to withdraw any item designated as a consent item. Such withdrawal, which may be implemented without a formal motion, will require the item(s) to be considered individually.

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

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

Members of the public may place matters directly related to the business of the District on an agenda for a board meeting by submitting a written summary of the item to the Chancellor. The written summary must be signed by the initiator. 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.

The meeting agenda shall be mailed to Board members no later than three (3) days prior to each meeting.

Date Adopted: January 17, 2012
(Replaces current WVMCCD Policy 1.8.9)
Reviewed: January 2020

Board of Trustees**BP 2345 PUBLIC PARTICIPATION AT BOARD MEETINGS****References:**

Education Code Section 72121.5;
Government Code Sections 54954.3 and 54957.5

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:

- 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 are requested to submit a written request at the beginning of the meeting to the Chancellor that summarizes the item and provides their names and organizational affiliation, if any. No action may be taken by the Board on such items.
- Members of the public may place items on the prepared agenda in accordance with BP 2340 titled Agendas. A written summary of the item must be submitted to the Chancellor at least 72 hours prior to the Board meeting. The summary may be signed by the initiator, contain his/her residence or business address, and organizational affiliation, if any.

Members of the public may address the Board on items of public interest within the jurisdiction of the Board. The conduct of meetings shall, to the fullest extent possible, enable members of the Board

- to consider problems to be solved, weigh evidence related thereto and make informed decisions intended to solve problems, and
- to receive and consider information to take any needed action with respect to District system operations.

The agenda of each regular meeting shall include an opportunity for enrolled students, staff, and the public to address the Board on any matter directly related to the business of the College District (Oral Communications from the Public). In addition, once an agenda item has been presented and staff reports made, the Board shall invite public participation in discussion related to the item.

Members of the public also may submit written communications to the Board on items on the agenda and/or speak to agenda items at the Board meeting. Written communication regarding items on the Board's agenda should reach the office of the Chancellor not later than one (1) working day prior to the meeting at which the matter concerned is to be before the Board. All such written communications must be dated and signed by the author, and contain the residence or business address of the author and the author's organizational affiliation, if any.

Pursuant Government Code Section 54957.5, if a writing that is a public record that relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency, is distributed less than seventy-two (72) hours prior to that meeting, the writing shall be made available for public inspection at the time the writing is distributed to all, or a majority of all, of the members of the body. 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.

Claims for damages are not considered communications to the Board under this rule, but shall be submitted to the District.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2350 SPEAKERS****References:**

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

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.

Persons wishing to speak to matters not on the agenda shall do so at the time designated at the meeting for public comment.

All individuals from the public wishing to address the Board are requested to complete an Oral Communications Request Form supplied by the Secretary to the Board at the beginning of the meeting and indicate which item(s) they wish to address. The Request Form shall include the person's name and name of the organization or group represented, if any, and a statement noting the agenda item or topic to be addressed.

When that item is announced by the President of the Board, members of the public wishing to speak on that item will be recognized by the President at the appropriate time. This is a request for Board convenience and not a requirement, in that the Board recognizes that a person attending a Board meeting may not intend to speak to an item, but may hear some part of the discussion and decide then to speak.

When an individual from the public is recognized by the Board President, he/she will be allowed no more than three (3) minutes to orally address the Board. If an individual is addressing the Board as a representative of a group, he/she will be allowed up to five (5) minutes to speak. Should the sum of oral communications require more than thirty minutes to complete, the Board President may proceed with the balance of the agenda and return to Oral Communications from the Public before New Business.

The Board requests that persons addressing the Board preface their remarks by stating their name and address. Speakers are encouraged to (a) be direct and concise, (b) avoid repetition of statements already made on the same subject, and (c) subsequently, put their views in writing for information to the Board. Board members may direct

questions to speakers through the President. Time limits may be waived by action of the Board.

Any person appearing before the Board on any agenda item or non-agenda item shall be treated with courtesy and respect by members of the Board.

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

- 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.

Date Adopted: January 17, 2012

(Replaces current WVMCCD Policy 1.8.9)

Reviewed: January 2020

Board of Trustees**BP 2355 DECORUM****References:**

Education Code Section 72121.5;
Government Code Section 54954.3 (b)

The Board recognizes both the value of free expression of views and its statutory obligation to make policy decisions essential to the management of the District. Toward these ends, the following rules of order, established under authorization of State statutes, shall govern the conduct of all Board meetings.

The President of the Board shall direct the orderly presentation of reports and discussion on all agenda items and on matters introduced under "Oral Communications from the Public."

After an agenda item has been presented and staff reports made, the Board shall invite public participation in the discussion relating to the item. Persons addressing the Board will be asked to preface their remarks by giving their name for the record to the President of the Board. The President of the Board may rule out of order discussion that, in his/her judgment is not relevant to the agenda item.

Charges or complaints against any employee of the District, regardless of whether or not the employee is identified in the presentation by name or by any other reference which tends to identify the employee should be submitted to the Board in writing and, as provided by law, shall be considered by the Board in Closed Session. However, if a person insists on making a charge or complaint against an employee during "Oral Communications," the Board will listen, but will not discuss or decide on oral complaints about an employee made during a public Board meeting.

During any portion of the meeting, the Board may prescribe a time limit on individual presentations and/or a time limit on the total time allocated to all presentations on a given item or issue, and the Board may allow all interested participants to address the Board before allowing any participant to be heard a second time.

The President of the Board may rule out of order persons who disturb or disrupt the Board meeting. The following will be ruled out of order by the 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 towards any person or property.

A person or persons who are ruled out of order shall be warned by the President of the Board of their infraction. If the behavior continues, the person(s) may be removed by a vote of the Board, based on a finding that the person or persons involved are violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

In the event that any Board meeting is willfully interrupted by an individual or group of persons so as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and continue in session. The Board will establish a process for allowing members of the public back into the meeting. Representatives of the news media and staff members, except those participating in the disturbance, shall be allowed to attend the meeting. The Board shall then only consider matters appearing on the agenda.

To facilitate decision making, the rules contained in the current edition of Robert's Rules of Order shall govern the meetings of the Board unless they are inconsistent with the Education Code, other State or Federal laws, or District policy.

Board of Trustees**BP 2360 MINUTES****References:**

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

The Chancellor shall cause minutes to be taken of all meetings of the Board. A record of all transactions of the Board in open session will be set forth in the Minute Book of the Board, and the Minute Book will be kept by the Secretary as a permanent official record of legislation in the District and will be open to inspection by the public. If requested, the minutes shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.

The basic function of the open session minutes shall be the recording of official actions of the Board.

The open session minutes shall record the name of the person making a motion, the name of the person seconding it and the vote. A member abstaining from voting on a proposition may state his/her reasons and may have them recorded in the open session minutes if he/she so requests at the time of the voting.

If discussion is held on an item, the open session minutes will state that "a discussion was held."

For the following standing items on Board agendas, the open session minutes will reflect a brief summary of the information shared and the name of the person presenting the information.

- Presentations/Recognitions
- Oral Communications from the Public
- Written Communications from the Public
- Academic Senate Update
- Classified Senate Update
- Student Senate Update

- Mission College Update
- West Valley College Update
- Associate Vice Chancellor's Report
- Vice Chancellor's Report
- Chancellor's Update
- Standing Committee Reports
- Trustee Comments

Board of Trustees**BP 2365 RECORDING****References:**

Education Code Section 72121(a);
Government Code Sections 6250 et seq., 54953.5, and 54953.6

Board meetings shall be audio recorded. Audio recordings of meetings do not constitute the official Board minutes, but are used to assist in the preparation of the official minutes. The Chancellor shall ensure that any such recordings are maintained for at least thirty days following the recording and normally will be retained for six (6) months. At the discretion of the Board or the Chancellor, audio recordings may be retained for a longer period of time.

The Minute Book and audio or video recordings of an open and public Board meetings made by or at the direction of the Board shall be subject to inspection and available by prior arrangement for inspection or duplication by the public during the regular hours of the Chancellor's Office in accordance with the California Public Records Act, Government Code Sections 6250, et seq.

Persons attending an open and public meeting of the Board may, at their own expense, record the proceedings with an audio or video recording or a still or motion picture camera or may broadcast the proceedings. However, if the Board finds by a majority vote that the recording or broadcast cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a persistent disruption of the proceedings, any such person shall be directed by the President of the Board to stop.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2410 BOARD POLICIES AND ADMINISTRATIVE PROCEDURES****References:**

Education Code Section 70902;
ACCJC Accreditation Standards IV.C.7, IV.D.4, I.B.7, and I.C.5

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 the provisions of law, but do not encompass all laws relating to District activities. All District employees are expected to know of, and observe all provisions of law pertinent to their job responsibilities.

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

Administrative procedures are to be issued by the Chancellor 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 Chancellor.

The Chancellor shall biennially provide each member of the Board with any administrative procedure revisions since the last time they were provided. The Board reserves the right to direct revisions of the administrative procedures should they, in the Board's judgment, be inconsistent with the Board's own policies.

Copies of all Board policies and administrative procedures shall be readily available to District employees through the Chancellor.

Date Adopted: January 17, 2012**Date Revised: April 21, 2015****Reviewed: January 2020**

Board of Trustees**BP 2430 DELEGATION OF AUTHORITY TO THE CHANCELLOR****References:**

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

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

The Chancellor may delegate any powers and duties entrusted to him/her by the Board (including the administration of colleges and centers), but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend a written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board in consultation with the Chancellor.

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

The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be available to all trustees.

The Chancellor shall act as the professional advisor to the Board in policy formation.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees

BP 2431 CEO SELECTION

References:

Title 5 Sections 53000 et seq.

ACCJC Accreditation Standards IV.B, and IV.C.3.

The Board shall employ a full-time Chancellor to serve as chief executive officer of the District, whose principal responsibility is leadership of the educational program.

The compensation for the Chancellor shall be fixed by the Board at the time of appointment, and the terms shall be set forth in the contract for his/her services. By mutual consent, the compensation of the Chancellor may be adjusted.

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

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees

BP 2435 EVALUATION OF THE CHANCELLOR

Reference:

ACCJC Accreditation Standard IV.C.3

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

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

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

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2510 PARTICIPATION IN LOCAL DECISION-MAKING****References:**

Education Code Section 70902(b)(7);
Title 5 Sections 53200 et seq. (Academic Senate), 51023.5 (Staff), and 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 and administrative procedures for Chancellor action under which the District is governed and administered.

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

Academic Senate(s) (Title 5 Sections 53200-53206)

The Board or its designees will consult collegially by relying primarily on the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law. Procedures to implement this section are developed collegially by relying primarily on the Academic Senate.

Classified Senate (Title 5 Section 51023.5)

Staff shall be provided with opportunities to participate in the formulation and development of District policies and procedures that have a significant effect on staff. The opinions and recommendations of the Classified Senate will be given every reasonable consideration.

Associated Students (Title 5 Section 51023.7)

The Associated Students shall be provided with 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.

Date Adopted: January 17, 2012

*(This is a new policy recommended by the
Policy and Procedure Service)*

Reviewed: January 2020

Board of Trustees

BP 2610 PRESENTATION OF INITIAL COLLECTIVE BARGAINING PROPOSALS

Reference:

Government Code Section 3547

The Chancellor 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 bargaining.

Meeting and negotiating between the District and an exclusive representative may occur subsequent to the presentation of initial proposals, public hearings, and Board of Trustee adoption of its response and proposals. The public will be given an opportunity to become informed and to express itself publicly on initial proposals and new subjects of bargaining.

Date Adopted: January 17, 2012

(Replaces current WVMCCD Policies 3.8.1 and 3.8.2)

Reviewed: January 2020

Board of Trustees**BP 2710 CONFLICT OF INTEREST****References:**

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

Board members shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members.

A Board member shall not be considered to be financially interested in a contract if his/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/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/her duties as an officer of the District.

In compliance with law and regulation, the Chancellor shall establish administrative procedures to provide for disclosure of assets of income of Board members who may be affected by their official actions, and prevent 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.

Board members are encouraged to seek counsel from the District's legal advisor in every case where any question arises.

Date Adopted: January 17, 2012

*(The is policy language recommended by the
Policy and Procedure Service)*

Reviewed: January 2020

Board of Trustees**BP 2715 CODE OF ETHICS/STANDARDS OF PRACTICE****Reference:**

ACCJC Accreditation Standard IV.C.11

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

- Acting only in the best interests of the entire community.
- Ensuring public input into Board deliberations; adhering to the law and spirit of the open meeting laws and regulations.
- Preventing conflicts of interest and the perception of conflicts of interest.
- Using appropriate channels of communication.
- Respecting others; acting with civility.
- Being informed about the District, educational issues, and responsibilities of trusteeship.
- Devoting adequate time to Board work.
- Maintaining confidentiality of closed sessions.
- Working and communicating through appropriate channels of authority and responsibility.
 - Members of the Board shall not communicate among themselves by the use of any form of communication (e.g., personal intermediaries, e-mail, or other technological device) in order to reach a collective concurrence regarding any item that is within the subject matter jurisdiction of the Board.
- Notifying the President of the Board or the Secretary to the Board of an expected absence from a Board meeting.

Board member authority shall not be construed to imply administrative authority; nor shall it be interpreted by any Board member in any manner that diminishes the administrative responsibility of any College or District employee.

As provided for in law, written or oral background information supplied to Board members on matters to be discussed in Closed Session shall be kept confidential.

- Board members shall not reveal the nature or any details of discussion at Closed Sessions.

When information is requested by Board members, the following policy shall be observed.

- No restraints are placed upon District employees in providing routine public information to Board members.
- Public information that exists in the form requested will be provided as soon as possible.
- Individual Board members shall not instruct staff to conduct investigations, prepare reports, or undertake extensive analysis of information. However, such requests shall be directed by the majority vote of the Board through the Chancellor.
- All Board member requests received will be referred to the Chancellor who will determine the appropriate disposition and may include, where indicated, the anticipated cost of completing the request, as well as an expected completion date.

A Board member shall not approach a District employee on personal or sensitive matters with the request that such matters be held in confidence.

Data or reports prepared by individual Board members for distribution to the Board shall be the sole responsibility of the author and shall place no obligation on the part of the Chancellor or the Board to take action. Such materials should normally be distributed under "New Business - Trustees" on the regular Board meeting agenda.

Generally, individual Board members shall inform the Chancellor of significant concerns expressed by members of internal or external constituencies even though no action is requested. In turn, the Board shall be kept informed of significant concerns by the Chancellor. The intent of this section is to assure that sensitive or controversial events do not become the subject of public comment before the Board and the administration have knowledge of the facts in the case.

Board members shall maintain orderly conduct at Board meetings.

No member of the Board shall make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest in investments, real property, and income designated as reportable under the District's Conflict of Interest Code (Government Code, §87100, et seq.).

- 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.
- Board members are encouraged to seek counsel from the District's legal advisor in every case where any question arises.

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.

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.

Initiative or referendum measures may be drafted on an area of legitimate interest to the district. The Board may by resolution express the board's position on ballot measures. Public resources may be used only for informational efforts regarding ballot measures.

The Board is committed to maintaining the highest standards of conduct and ethical behavior in order to develop trust and confidence with all segments of the staff, students, and communities served by the Colleges. The Trustees believe that their behavior and decisions are predicated on the understanding that meeting the educational and support service needs of the students is at the core of what is most important. Students' needs and expectations form the basis of our work. All students will be served well when the Board ensures that educational programs and support services are of the highest quality. Therefore, let it be known that the Board is committed to:

- Working together to achieve common goals, looking beyond self interest, and encouraging compromise and positive change when necessary.
- Encouraging and supporting innovation and creativity.
- Expanding opportunities for a diverse student population and staff.
- Acting honestly and openly at all times, following the letter and intent of the Brown Act and Education Code, and keeping the confidentiality of privileged and Closed Session information.
- Assuring the orderly operation of the Colleges by encouraging employees to make use of established organizational channels before bringing their concerns to the Board.

- Working with students, faculty, administration, and staff to encourage open, mutually supportive, respectful, and accountable participation in the governance process.
- Maintaining consistent and vigilant monitoring of the role of the Board as a policy-setting entity, with emphasis on instructional quality, operational efficiency, and fiscal stability.
- Attending all scheduled Board meetings insofar as possible, and becoming informed and well-prepared concerning the issues to be considered at those meetings.
- Working with fellow Board members in a spirit of harmony, respect, and cooperation, in spite of differences of opinion that may arise during vigorous debates of points at issue.
- Promoting a healthy working relationship with the Chancellor through supportive, open, and honest communications and regular evaluations.
- Serving as stewards of the District resources and facilities and, as agents of the public, protecting, advancing, and promoting the interests of all citizens, and maintaining independent judgment unbiased by private interests, partisan political groups, or in any other way.
- Avoiding situations that may constitute or appear to constitute a conflict of interest and informing the entire Board or the Board President when a matter under consideration might involve or appear to involve such a conflict, as stated in the State provisions pertaining to the conflict of interest codes to be followed by publicly elected officials. Board members shall refer to the District's Conflict of Interest Code as a guide (additional reference: Government Code Sections 1090 and 1097).

Violations of the Code of Ethics/Standards of Practice

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

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

- Violations of the Board's Code of Ethics (Policy 2715) will be addressed by the President of the Board, who will first discuss the violation with the trustee to reach a resolution. If resolution is not achieved and further action is deemed necessary, the President may appoint an ad hoc committee to examine the matter and recommend further courses of action to the Board. Sanctions will be determined by the Board Officers and may include a recommendation to the Board for censure of the trustee. If the President is perceived to have violated the Code, the Vice President is authorized to pursue resolution.

Board members have authority only when acting as a Board of Trustees legally in session. The Board cannot be bound in any way by any statement or action on the part of an individual board member or employee, except when such statements or actions are in pursuance of specific instructions by the Board. No member of the Board shall speak for, represent, or act for the Board in any way unless specifically authorized to do so by a majority vote of the Board.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees

BP 2716 POLITICAL ACTIVITY

References:

Education Code Sections 7054, 7054.1, and 7056;
Government Code Section 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.

Initiative or referendum measures may be drafted on an area of legitimate interest to the District. The Board may by resolution express the Board's position on ballot measures. Public resources may be used only for informational efforts regarding the possible effects of District bond issues or other ballot measures.

Board of Trustees

BP 2717 PERSONAL USE OF PUBLIC RESOURCES

References:

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.

Date Adopted: January 17, 2012

*(This is a new policy recommended by the
Policy and Procedure Service)*

Reviewed: January 2020

Board of Trustees

BP 2720 COMMUNICATIONS AMONG BOARD MEMBERS

Reference:

Government Code Section 54952.2

Members of the Board shall not communicate among themselves outside of a noticed meeting by the use of any form of communication (e.g., personal intermediaries, e-mail, or other technological device) in order to reach a collective concurrence regarding any item that is within the subject matter jurisdiction of the Board. In addition, no other person shall make serial communications to Board Members.

Date Adopted: January 17, 2012

*(This is a new policy recommended by the
Policy and Procedure Service)*

Reviewed: January 2020

Board of Trustees**BP 2725 BOARD MEMBER COMPENSATION****References:**

Education Code Section 72024

The District shall provide compensation to Board members for attending Board meetings at the maximum rate authorized by statute. Compensation shall be paid according to the formula set by statute. Student members are provided compensation at half the rate of that paid to Board members.

A member of the Board who does not attend all meetings held by the Board in any month may receive, as compensation, an amount not greater than the pro-rata share of the number of meetings actually attended.

A Board member may be paid for any meeting when absent if the Board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting the Board member is performing services outside the meeting for the District, or is on jury duty.

A Board member may be paid in any calendar year for the meetings from which he/she is absent if the Board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting from which the member is absent, he/she was ill or experiencing a hardship deemed acceptable by the Board.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2730 BOARD MEMBER HEALTH BENEFITS****Reference:**

Government Code Sections 53201 and 53208.5

Board members, including student members, are eligible to receive health and welfare benefits established for personnel of the West Valley-Mission Community College District during their term of office. The benefits of members of the Board through the District's health benefit programs shall not be greater than the most generous schedule of benefits being received by any category of non-safety employee of the District.

Former members of the Board may continue to participate in the District's health benefits programs upon leaving the Board if the following criteria are met: the member must have begun service on the Board after January 1, 1981; the member must have been first elected to the Board before January 1, 1995; and the member must have served at least twelve (12) years. All other former Board members may continue to participate in the District's health benefits programs on a self-pay basis.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2735 BOARD MEMBER TRAVEL****Reference:**

Education Code Section 72423

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

The Board of Trustees shall give advance approval for all Trustee conference attendance and travel except for unforeseen circumstances. In cases where a Trustee desires to travel and the need for such travel was unforeseen, which precluded listing on a Board agenda in advance of such travel, the Board President or in his/her absence the Board Vice President may approve such travel subject to ratification at the next available Board meeting.

The District reimburses Board members for actual and necessary expenses incurred in travel for District business, conferences, or professional meetings.

Mileage allowance for District business conducted outside the District shall be provided at the same rate as that established for District employees.

Date Adopted: January 17, 2012

*(Replaces current WVMCCD Policies 1.6.7
and 1.6.8)*

Reviewed: January 2020

Board of Trustees**BP 2740 BOARD EDUCATION****Reference:**

ACCJC Accreditation Standard IV.C.9

The Board is committed to its ongoing development as a board and to a trustee education program that includes new trustee orientation. To that end, the Board will engage in study sessions, provide access to reading materials, and support conference attendance and other activities that foster trustee education.

Attendance at meetings either directly or indirectly related to community colleges or the governance thereof shall be encouraged for the inherent value thereof to the District, its internal and external constituencies, and the professional growth of Board members.

Board members may attend regional, State, or national conferences and workshops without such a gathering being construed to be a “meeting” under the Brown Act. However, no formal action shall be taken at such conferences or workshops concerning District business, and any such discussion of public business shall be merely incidental to the individual participation of Board members and for the sole purpose of professional development.

Board members shall be subject to the same travel/conference reimbursement procedures and restrictions as are District staff members.

All professional development requests shall be based on the goals and objectives of the Board, as determined by the mutual consent of the Chancellor and the Board and as reflected in the annual budget.

Study Sessions or Board workshops may be scheduled as necessary to accommodate the Board’s need to exchange information and develop understanding on issues related to the governance of the District. The District shall ensure that Board workshops are noticed in the same manner as Regular Board meetings.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2745 BOARD SELF-EVALUATION****Reference:**

ACCJC Accreditation Standard IV.C.10

The Board is committed to assessing its own performance as a Board in order to identify its strengths and areas in which it may improve its functioning.

The Board, including the Student Trustees, shall participate in an annual Board self-evaluation process. The purpose of the evaluation is to identify those areas that are working well and those that need improvement and to increase communication and understanding among Board members. An evaluation instrument, with criteria based upon District policy designed to produce constructive feedback for improved performance, shall be adopted. A facilitator may be used by the Board as necessary to assist in this process.

To that end, The Board has established the following processes:

1. Board finalizes and approves its annual performance goals. September
At meeting of the Board, the Board will review and approve its annual performance goals.
2. Board conducts a progress review of its annual performance goals. Not later than
March
At a meeting of the Board, the Board will discuss its progress toward goals.
3. Input is solicited from employees and constituent groups. April
In April, the Chancellor's office will email the attached survey instrument to all employees of the Colleges and District. Constituent groups are asked to solicit, compile, and return input from their memberships. The Chancellor's office will assemble the input from employees and groups and provide to Board members prior to the annual self-evaluation meeting.
4. Board conducts its annual self-evaluation meeting. July
At a workshop or meeting, the Board will discuss accomplishment of its current-year goals, conduct a self-

evaluation, and begin discussion of its goals for the upcoming year.

5. Board completes its self-evaluation and approves its goals for the upcoming year. September
At a meeting of the Board, the Board will finalize its self-evaluation and approve its annual performance goals.

The Board, in its discretion, may deviate from this schedule, but will complete an annual self-evaluation in a timely way.

Following approval, the Board's annual performance goals are posted on the District website. They are also distributed to college and district-level constituent groups, and to the Presidents' and Chancellor's cabinets, for information and coordination of annual goal-setting, goal-alignment, and planning activities.

Date Adopted: January 17, 2012

Date Revised: April 21, 2015

Reviewed: January 2020

Board of Trustees**BP 2750 BOARD MEMBER ABSENCE FROM THE STATE****Reference:**

Government Code Section 1064

No member of the Board shall be absent from the state for more than 60 days, except in any of the following situations:

Upon business of the District with the approval of the Board.

With the consent of the Board for an additional period not to exceed a total absence of 90 days. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.

For federal military deployment, not to exceed an absence of a total of six months, as a member of the Armed Forces of the United States or the California National Guard. If the absence of a member of the Board pursuant to this subdivision exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in his/her absence. If two or more members of the Board are absent by reason of the circumstances described in this subdivision, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities.

The term of an interim member of the Board appointed as set forth above may not extend beyond the return of the absent member, nor may it extend beyond the next regularly scheduled election for that office.

Date Adopted: April 21, 2015

Reviewed: January 2020