POLICIES
FOR
BOARD OF TRUSTEES
OF THE
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

Members
of the
Board of Trustees

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0600 REVISION OF POLICIES
THE BOARD OF TRUSTEES

0100 ORGANIZATION OF THE BOARD

0110 Legal Basis and Authority

0110.1 The Board of Trustees derives its authority from the Education Code of the State of California. (Ed. Code, Sec. 72230)

0110.2 The Board is subject to the provisions of the Constitution of the State of California, the Education Code, the Rules and Regulations of the Board of Governors of the California Community Colleges (Title V, California Administrative Code), its own policies and procedures, and the expressed will of the electorate.

0120 Remuneration

0120.1 The District shall provide actual and necessary expenses incurred by Board members in authorized travel and school business in connection with conferences and professional meetings. (Ed. Code, Sec. 72423)

0120.2 The District may provide for travel expenses necessary to attend regular, monthly, annual, and special meetings of the Board at the rate to be determined by the Board, but not to exceed twenty cents ($0.20) a mile. Mileage shall not be allowed to any member to attend any meeting except for travel required in excess of 10 miles. Orders for travel allowances shall be drawn upon the funds of the District. (Ed. Code, Sec. 72123)

0130 Members

The Board of Trustees shall consist of seven (7) members elected for terms of four (4) years. The Santa Barbara Community College District is divided into four (4) trustee areas, with members elected at large by a vote of the entire district. The trustee areas are: Area 1, Carpinteria-Summerland, one trustee; Area 2, Montecito, one trustee; Area 3, Santa Barbara, Three trustees; Area 4, Goleta-Hope-Ellwood, two trustees.

0135 Elections

Elections shall be held every two years for four-year overlapping terms. Election to office for four trustees -- one from Area 1, two from Area 3, and one from Area 4 -- shall alternate with election to office for three trustees -- one from Area 2, one from Area 3, and one from Area 4.
0135.1 In case of a tie vote for a seat on the Board of Trustees, the winner will be determined by a run-off election.

0135.2 In accordance with the provision of Section 10012 of the Elections Code, the following policies will apply regarding statements of qualification for candidates who run for office of member of the governing board of the District:

-- The cost of printing, handling and mailing a candidate's statement of qualification shall be charged to the candidate.

-- Candidates are not permitted to submit additional materials to be sent to the voter with sample ballot.

-- The statement of qualification shall not exceed 200 words.

-- The Registrar of Voters is directed to give a copy of these regulations to each candidate or his/her representative at the time he/she picks up his/her nomination papers.

0140 Absences

Absences from Board meetings will be governed by Government Code, Sections 1064 and 1770 (g).

0150 Vacancies

Whenever a vacancy occurs, the District shall follow the procedures outlined in Education Code 5090 through 5095.

0160 Authority of Board Members

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 any individual Board member or employee, except when such statement or action is in pursuance of specific instructions by the Board of Trustees.

0170 Interest in Contract

No member of the governing board shall be interested in any contract made by the Board. (Ed. Code, Sec. 72533)
0180 Committees of the Board

Special committees of the Board may be established consisting of no more than three members. In the event a committee is formed, the President shall appoint all such committees, unless the Board otherwise designates. He/she shall state their general functions. Such committees shall confine their deliberations to topics related to the functions assigned and each shall make reports to the Board in accordance with Board rules.

0190 Non-voting Student Member of the Board

In addition to the regularly-elected members of the Board of Trustees, and in accordance with Education Code Section 72023.5, one non-voting student who is enrolled in Santa Barbara City College and who is a resident of the Santa Barbara Community College District shall have the right to attend each and all meetings of the Board of Trustees, except that the non-voting student member shall not have the right, or be afforded the opportunity, to attend closed sessions of the Board of Trustees.

Selection and service of the non-voting student member of the Board of Trustees shall be in accordance with the following provisions:

0190.1 The non-voting student member of the Board of the Santa Barbara Community College District shall be a resident of the District and shall serve as a non-voting member of the Board. This responsibility may not be delegated.

0190.2 The non-voting student member of the Board will be elected and/or recalled through procedures approved by the Board of Trustees and outlined in Article II, Section 16, of the Bylaws to the Constitution of the Associated Students.

0190.3 The term of the non-voting student member of the Board shall be for one (1) year beginning July 1 and ending on the following June 30.

0190.4 The non-voting student member shall be entitled to mileage allowance prescribed by Education Code Section 72123 to the same extent as regular Board members, but shall not be entitled to any compensation which may be established in accordance with Education Code Section 72425.

0190.5 The non-voting student member shall be seated with the members of the Board of Trustees and shall be recognized as a full member of the Board at the meetings, including receiving all materials presented to the Board members (except those pertaining to closed session matters) and participating in the questioning of witnesses and the discussion of issues.
0190.6 The non-voting student member shall not be included in determining the vote required to carry any measure before the Board.

0200 BOARD OFFICERS AND THEIR DUTIES

0210 President

The president shall be elected for a one-year term and may succeed him/herself in office for one additional term.

0210.1 Duties

a. Serve as the presiding officer at all meetings of the Board.

b. Appoint or provide for the assignment of all representatives to committees.

c. Call special meetings as required.

d. Sign all papers and official documents as required by law or authorized by the Board.

0220 Vice-President

In case of resignation, absence, or other disability of the President, the Vice-President shall perform all the duties of the President.

0230 Secretary-Clerk

The Superintendent of the District shall be the Secretary-Clerk to the Board of Trustees.

0230.1 Duties

a. Notify members of the Board and properly publicize to the District all regular, special, and adjourned meetings.

b. Attend all Board meetings unless specifically excused.

c. Record the minutes of each meeting of the Board of Trustees and transmit a copy of the minutes of the previous meeting to each member of the Board before each ensuing meeting.

d. Sign all documents as directed by the President or by the Board resolution.
0230.1 (continued)

e. Have charge of all records, proceedings, and documents of the Board.

f. Conduct all official correspondence of the Board and issue, as appropriate, its official orders.

g. Certify or attest to actions taken by the governing board whenever such certification or attestation is required for any purpose.

h. Keep an accurate account of the receipts and expenditures of school moneys.

i. Make an annual report, on or before the first day of July, to the County Superintendent of Schools in the manner and form and on the blanks prescribed by the Board of Governors of the California Community Colleges.

j. Make or maintain such other records or reports as are required by law.

0300 DUTIES AND RESPONSIBILITIES OF BOARD MEMBERS

0310 General Responsibilities

0310.1 The functions of the Board of Trustees shall be legislative, and it shall act as a policy-forming body. It shall consider questions of general educational policy and shall place the responsibility for the implementation of Board-adopted policies directly in the hands of the District Superintendent as executive officer of the Board.

0310.2 The Board of Trustees shall give due consideration to legal requirements and limitations, to sound educational procedures, and to the interest of the public it represents.

0310.3 The Board of Trustees shall strive to maintain a sound and superior college program with respect to range and scope, breadth and quality, school plant and equipment, and personnel; and to adapt the educational program as far as possible to the needs, interests, aptitudes, abilities and capabilities of all youth and adults within the College District.

0320 Specific Responsibilities

0320.1 To select and appoint the Superintendent of the Santa Barbara Community College District.
0320.2 To establish rules and regulations for the government and operation of one or more community colleges in the District and delegate appropriate authority to officers, employees, or committees of the District, the College, or the Board. (Ed. Code, Sec. 72282)

0320.3 To establish policies for, and approve, the total educational program of the College or colleges within the District. (Ed. Code, 72283 (a))

0320.4 To approve all classes for adults and submit such classes as eligible for State apportionment to the Board of Governors for approval. (Ed. Code, Sec. 72283 (b))

0320.5 To approve and provide such classes, programs, and facilities under the provisions of the Community Service Act, the Civic Center Act, and the Recreation Act as deemed appropriate. (Ed. Code, Sec. 72283(c))

0320.6 To establish policies for, and approve, all other programs and services of the College except as provided in Ed. Code Section 78200. (Ed. Code, Sec. 72283 (d))

0320.7 To establish policies for, and approve, procedures for the adoption of instructional materials. (Ed. Code, Sec. 72283 (e))

0320.8 To establish policies for, and approve, individual courses which are offered in approved educational programs without referral to the Board of Governors. (Ed. Code, Sec. 78200)

0320.9 To determine which holidays it will observe and on what days it will observe them within the framework of providing the necessary number of days of instruction to qualify for State apportionments. (Ed. Code, Sec. 72284)

0320.10 To establish academic standards, probation, and dismissal and readmission policies, and graduation requirements not inconsistent with the minimum standards adopted by the Board of Governors. (Ed. Code, Sec. 72285)

0320.11 To determine and control the District's operational and capital outlay budgets and to present the budgets to County authorities for the purposes of establishing the District tax rates. (Ed. Code, Sec. 72286)

0320.12 To manage and control District property and to contract for the procurement of such goods and services as authorized by law. (Ed. Code, Sec. 72287)
0320.13 As appropriate, to receive and administer gifts, grants, and scholarships. (Ed. Code, Sec. 72288)

0320.14 As appropriate, to establish such student fees as it is authorized to establish by law. (Ed. Code, Sec. 72289)

0320.15 To employ and assign all personnel not inconsistent with the minimum standards adopted by the Board of Governors and to establish employment practices, salaries, and benefits for all employees not inconsistent with the laws of this state. (Ed. Code, Sec. 72290)

0320.16 To provide such auxiliary services as deemed necessary to achieve the purposes of the community college. (Ed. Code, Sec. 72291)

0320.17 To establish rules and regulations governing student conduct, and to establish procedures not inconsistent with those established by the Board of Governors to insure faculty and students the opportunity to express their opinions at the campus level. (Ed. Code, Sec. 72292)

0320.18 As appropriate in accordance with general policies established by the Board of Governors, to apply directly to Federal agencies or State agencies operating Federal programs in order to obtain Federal funds. (Ed. Code, Sec. 72293)

0320.19 To provide for an annual audit of all funds of the District or supervised by the District. (Ed. Code, Sec. 84040)

0400 MEETINGS OF THE BOARD

0410 Types of Meetings

Each type of meeting described below shall be given a minimum of two days' written notice prior to the time of such meeting. The notice shall specify the time, place, and nature of the business to be transacted, and shall be disseminated to newspapers of general circulation within the District.

0411 Annual Organizational Meeting

The Board of Trustees shall hold an annual organizational meeting on a day within the period of December 1 to December 15, inclusive. At this time, the Board shall elect a president, vice-president, secretary/clerk, and assistant secretary/clerk for a one-year term of office. The Board shall also elect a representative to the County Committee on School District Organization. (Ed. Code, Sec. 72125, 72403)
0412  **Regular**

The Board shall meet on the second and fourth Thursdays of each month at 4:00 p.m. unless otherwise determined by official action. If the regular meeting day falls on a holiday, such regular meeting shall be held on the next business day or on an alternate date established by official action of the Board.

0413  **Special**

Special meetings may be held at the call of the President of the Board or upon a call issued in writing and signed by a majority of the members of the Board, except that by unanimous consent a special meeting may be convened at any time. (Ed. Code, Sec. 72129)

0414  **Adjourned**

The Board may adjourn any meeting to a later fixed date to complete any unfinished business. At such adjourned session it shall have all the powers of the preceding regular session.

0420  **Place of Meeting**

The Board shall meet in a public building which is owned or leased by the Santa Barbara Community College District, or in such other place in the Santa Barbara Community College District as the Board may by resolution determine if a notice identifying the location, date, and time of the meeting is posted in each campus maintained by the District at least ten days prior to the meeting and remains posted to and including the time of the meeting. (Ed. Code, Sec. 72132)

0430  **Closed Session**

The Board may meet in closed session to consider personnel matters as provided by law. (Ed. Code, Sec. 72121)

0440  **Meetings and Records Open to Public**

Except as provided in Section 54957 of the Government Code or in Section 72122 of the Education Code, all meetings of the governing Board shall be open to the public, and all actions authorized or required by law of the governing Board shall be taken at such meetings and shall be subject to the following requirements:

0440.1  Minutes must be taken at all such meetings, recording all actions taken by the governing Board. Such minutes shall be available to the public as public records. (Ed. Code, Sec. 72121)
0440.2 A list of items that will constitute the agenda for all regular meetings shall be posted at least 48 hours prior to the time of said meeting, and in the case of special meetings, at least 24 hours prior to said special meeting. (Ed. Code, Sec. 72121)

0440.3 Every official action taken by the governing Board shall be affirmed by a formal vote of the members of the Board, and minutes shall be kept of its meetings which shall record every official act taken. (Ed. Code, Sec. 72202)

0440.4 The governing Board shall act by majority vote of all the membership constituting the governing board. (Ed. Code, Sec. 72203)

0450 Public Participation in Board Meetings

0450.1 It is the obligation of the Board of Trustees to provide an adequate forum within which the views of the public pertaining to any item of the business of the Board can be expressed and heard.

Just as the Board of Trustees has the obligation to hear the concerns of citizens, so do citizens have the obligation to make their views known.

0450.2 Persons wishing to speak on items appearing on the agenda proposed for a meeting of the Board of Trustees may speak at the time the item is open for discussion. Speakers who have permission to speak to the Board on an agenda item will be recognized and heard before the President of the Board calls for a vote on the item and must limit their remarks to the agenda item.

0450.3 Persons wishing to speak on items which are not on the agenda may speak at the time of the hearing of citizens and petitions which is a part of each regularly-scheduled meeting of the Board of Trustees. The Board, however, does not obligate itself to act upon any request or proposal presented at the time of the hearing of citizens and petitions except to arrange, if appropriate, for the item to be added to the agenda of a future meeting.

0460 Oral Communications to the Board

To facilitate the orderly conduct of public meetings, to expedite conducting the necessary business of the District, and to allow the free exchange of ideas between the Board and its constituents, the following rules shall govern the presentation of the views of citizens at Board meetings:

a. No member of the audience may speak without the recognition of the President of the Board.
b. Five minutes shall be allotted per speaker, with 20 minutes maximum time allotment for any one subject. At the discretion of the President, time may be extended.

c. Oral presentations in open meetings of the Board of Trustees shall not include allegations against officers and/or employees of the District, regardless of whether or not the person is identified in the presentation by name or by any other reference which tends to identify him/her. The President of the Board shall terminate immediately the speaker's permission to address the Board should the oral presentation include any allegations against an employee or officer of the District.

d. Individuals and/or groups wishing to lodge charges or complaints against officers and/or employees of the District shall sign under penalty of perjury and shall submit same in writing to the Board of Trustees through the office of the Secretary to the Board. Such charges or complaints may be considered by the Board of Trustees through the office of the Secretary to the Board. Such charges or complaints may be considered by the Board of Trustees in closed sessions.

e. At the discretion of the President of the Board of Trustees, speakers may be required, before they will be permitted to speak, to sign and submit a written request to the Secretary of the Board giving their name, address, and telephone number. The request shall include the name of the organization or group represented, if any, and a statement of the subject to be presented. Such a written request, if required, shall be accepted by the Secretary to the Board until the time at which the Board convenes.

f. Profanity, obscenity, and abusive or defamatory language shall be cause for the President of the Board to terminate a speaker's permission to speak before the Board. In the event of serious or persistent disruption, the Board may order the meeting room cleared and continue in session. (Government Code 1126.5)

0470 Written Communications to the Board

Written communications to the Board shall be processed as follows:
a. Any written communication to the Board of Trustees that is signed and bears the address of the person signing the communication shall be submitted in a report to the Board by the Superintendent and, with the exception of those communications pertaining to personnel matters, shall be presented at open meetings.

b. The disposition of any written communication processed in a report to the Board shall be made by the Board at any meeting.

c. The Superintendent shall acknowledge the receipt of a written communication and, unless the Board directs otherwise, shall inform the writer regarding the disposition.

d. Every statement containing a personal charge or complaint against an officer or an employee of the District shall be in writing, verified by the complainant and shall be filed with the Superintendent, who shall transmit the statement to the Board, meeting in closed session. The Board may allow the complainant to present orally such charges or complaints in a closed session of the Board.

e. Claims for damages against the Board of Trustees, the College District, or officers or employees, filed as a prerequisite to a lawsuit, shall be submitted to the Trustees in summary form.

0500 RULES OF ORDER

0510 Motions

Every motion shall take a second and the President shall have a right, as other members of the Board, to discuss questions and to vote thereon.

0520 Quorum

Four members shall constitute a quorum, however, in accordance with Section 72203, Education Code, the governing Board shall act by majority vote of all of the membership constituting the governing board for the transaction of business.

0530 Voting Procedures

Voting shall be by voice except when formal resolutions are required, in which case a roll call vote will be used. A roll call vote may also be taken when requested by any member of the Board. A member's reasons for his/her vote will be recorded in the minutes if he/she so requests at the time of the voting.
Number of Votes Required for Transaction of Business

Four affirmative votes of the Board shall be necessary to pass any motions, resolutions, or order, except as provided by Sections 0540.1, 0540.2, and 0540.3.

0540.1 Actions Requiring a Two-Thirds Vote

In compliance with State statutes, approval of the following actions requires an affirmative vote of two-thirds of all members of the Board (five members of seven-member Board):

a. Resolution of intention to sell or lease real property to any legal entity other than those requiring a unanimous vote.

b. Resolution of intention to enter into an oil and gas lease.

c. Resolution of intention to dedicate or convey an easement and adoption of resolution authorizing and directing the execution and delivery of deed.

d. Action of the Board overruling the disapproval of a planning commission of the acquisition of real property.

e. Appropriation of funds from the undistributed reserve.

f. Resolution to condemn real property.

0540.2 Actions Requiring a Three-Fourths Vote

Approval of change-order work on contracts for reconstruction or rehabilitation when the change order exceeds 15 percent of the original contract price, shall require an affirmative vote of three-fourths of all members of Board (six members of seven-member Board).

a. The Board of Trustees finds it in the best interest of the District to authorize the Business Manager and Superintendent/President to approve construction change orders, subject to subsequent Board ratification, and subject to the following limitations:
0540.2 (continued)

1) No change order shall be approved by the Business Manager and Superintendent/President which exceeds the lesser of $2,000 or 1/2 of 1% of the original contract price. A cumulative amount of all such approved change orders shall not exceed 3% of the original contract price.

2) Change orders in excess of the amounts in No. 1) shall be submitted to the Board of Trustees for approval prior to action, unless delay would cause discontinuance of work on the project or present potential danger to life or property.

0540.3 Actions Requiring a Unanimous Vote

In compliance with State statutes, approval of the following actions requires an affirmative unanimous vote of all members of the Board (seven members):

a. Resolution authorizing leasing of school district property under a community lease for the production of gas.

b. Resolution authorizing a sale or lease of school district real property to the State, any county, city, or to any school district which is not governed by the Community College Board of Trustees.

0550 Parliamentary Procedures

In all matters not covered by the rules of order, parliamentary procedures shall be governed by Roberts' Rules of Order, latest edition.

0560 Agenda

An agenda for the meetings shall be provided by the Superintendent. The agenda shall be posted adjacent to the place of meeting at least 48 hours prior to the meeting time for special meetings.

The regular order of business may be changed by consent of the Board of Trustees. Items may be added to the agenda by the Board of Trustees and/or the Superintendent. Official action may not be taken on an agenda item unless the item is included in the agenda published 48 hours prior to the meeting time.
0570 Order of Business

At regular meetings of the Board, the order of business shall be as follows:

1. Call to Order
2. Roll Call
3. Welcome to Guests
4. Closed Session
   (if required)
5. Minutes of Last Meeting
6. Hearing of Citizens
7. Communications
8. Personnel
9. Student Services
10. Curriculum and Instruction
11. Business Services
12. General Information
13. Adjournment

0600 REVISION OF POLICIES

The policies of the Board shall be subject to amendment only upon a majority vote of the members of the Board at a meeting in the call for which the proposed amendment has been described in writing, or upon a unanimous vote of all the members of the Board when no such written notice has been given.