AGENDA

MEETING OF THE BOARD OF TRUSTEES
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

SPECIAL MEETING/STUDY SESSION
October 16, 2008
Room A218
4:30 pm

MacDougall Administration Center
Santa Barbara City College
721 Cliff Drive

The District Office is located at 721 Cliff Drive, Santa Barbara, CA. It is wheelchair accessible. The following services are available when requests are made by 4:00 p.m. of the day before the meeting: American Sign Language interpreters or use of a reader during a meeting; large print agenda or minutes in alternative format; assistive listening devices. Please contact the Office of Campus Diversity at (805) 965-0581 ext 3640 if you need assistance in order to participate in a public meeting or if you need the agenda and public documents modified as required by Section 202 of the American with Disabilities Act.

The Office of the President, Room A 110 in the MacDougall Administration Center is the location where documents that are public records relating to any item under discussion on a Board agenda (including documents distributed with the agenda and those distributed to all or a majority of the members of the Board within 72 hours prior to a Board meeting) are available for public inspection.

Board agendas and supporting documents are also posted on the college website at http://www.sbcc.edu/boardoftrustees/.

1. GENERAL FUNCTIONS
   1.1 CALL TO ORDER
   1.2 ROLL CALL
   1.3 WELCOME
   1.4 HEARING OF CITIZENS

   Members of the public have the opportunity to directly address the Board on the item described in the notice for this meeting before the Board’s consideration of that item. Unless otherwise determined by the Board, each person is limited to five minutes (20 minutes per issue). Those wishing to address the Board at this meeting should complete a written request and return it to the Board secretary prior to the Board meeting. (Govt. Code Sec 54954.3)

2. BOARD OF TRUSTEES
   2.1 APPROVAL OF RESOLUTION NO. 12 (2008-09) AUTHORIZING THE ISSUANCE OF SANTA BARBARA COMMUNITY COLLEGE DISTRICT (SANTA BARBARA COUNTY, CALIFORNIA) GENERAL OBLIGATION BONDS, ELECTION OF 2008, SERIES A
The Superintendent/President recommends approval of Resolution 12 (2008-09) authorizing the issuance of Santa Barbara Community College District General Obligation Bonds, Election of 2008, Series A.

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3. STUDY SESSION

1. Continuing Education Dean Structure (Attachment 1)
2. College Plan 2008-11 (Attachment 2)
3. Board Self Evaluation
4. Review of the following Board Policies (Attachment 3)
   BP 2315 Closed Sessions
   BP 2320 Special and Emergency Meetings
   BP 2330 Quorum and Voting
   BP 2340 Agendas
   BP 2345 Public Participation at Board Meetings
   BP 2350 Speakers
   BP 2360 Minutes
   BP 2710 Conflict of Interest/AP 2710 Conflict of Interest/AP 2712 Conflict of Interest Code
   BP 2715 Code of Ethics/Standards of Practice
   BP 2725 Board Member Compensation
   BP 2735 Board Member Travel

4. ADJOURNMENT

The next Regular Meeting of the Board of Trustees will be held on Thursday, October 30, 2008 at 4:00 pm in A211. A Study Session will be held on November 13, 2008, at 4:00 pm in A218.
RESOLUTION NO. 12

RESOLUTION AUTHORIZING THE ISSUANCE OF SANTA BARBARA COMMUNITY COLLEGE DISTRICT (SANTA BARBARA COUNTY, CALIFORNIA) GENERAL OBLIGATION BONDS, ELECTION OF 2008, SERIES A

WHEREAS, a duly called municipal election (the “Election”) was held in the Santa Barbara Community College District (the “District”), Santa Barbara County, State of California, on June 3, 2008, at which the following proposition (the “Bond Measure”) was submitted to the qualified electors of the District:

“To maintain quality, affordable, local higher education at Santa Barbara City College, to improve academic facilities for students transferring to four-year colleges, improve academic facilities for nursing, health care, job training and other careers, renovate aging classrooms, upgrade/construct facilities and acquire equipment, upgrade energy efficiency/sustainability and disabled person’s access, shall Santa Barbara Community College District issue $77,242,012 in bonds, at legal rates, qualify for State matching funds, appoint a Citizens’ Oversight Committee?”

WHEREAS, at such election, the Bond Measure received the affirmative vote of more than fifty-five percent of the voters of the District on the proposition as certified by the Registrar of Voters of the County of Santa Barbara in the official canvassing of votes; and

WHEREAS, at this time this Board of Trustees of the District (the “Board”) has determined that it is necessary and desirable to issue a series of Bonds in the aggregate principal amount not to exceed $47,000,000 (the “Series A Bonds”) and;

WHEREAS, pursuant to Chapter 1.5 of Part 10 of Division 1 of Title 1 of the California Education Code (the “Act”), bonds are authorized to be issued for the purposes set forth in the ballot submitted to the voters;

WHEREAS, the Board of Supervisors of Santa Barbara County (the “County”) has provided by resolution pursuant to Education Code Section 15140(b) that the District may sell the Series A Bonds on its own behalf;

WHEREAS, the District has not received a qualified or negative certification in its most recent interim report; and

WHEREAS, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation bonds of the District, and the indebtedness of the District, including this proposed issue of Series A Bonds, is within all limits prescribed by law;

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE SANTA BARBARA COMMUNITY COLLEGE DISTRICT, SANTA BARBARA COUNTY, CALIFORNIA, AS FOLLOWS:

SECTION 1. Purpose. To raise money for the purposes authorized by voters of the District at the Election and to pay all necessary legal, financial, engineering and contingent costs in connection therewith, the Board hereby authorizes the issuance of the Series A Bonds under and subject to the terms of the Act and this resolution, and orders such Series A Bonds sold at a negotiated sale such that the Series A Bonds shall be dated as of a date to be determined by the Board, shall bear interest at a true interest cost which shall not exceed that authorized at the Election, shall be payable upon such terms and provisions as shall be set forth in the Series A Bonds, and shall be in an aggregate principal amount not to exceed $47,000,000.

SECTION 2. Bond Registrar. This Board does hereby appoint Wells Fargo Bank, National Association to act as the authenticating agent, bond registrar, transfer agent and paying agent for the Series A Bonds.

SECTION 3. Terms and Conditions of Sale. The Series A Bonds shall be sold upon the direction of the Superintendent/President of the District (the “Superintendent”). The Board hereby approves the sale of the Series A Bonds to RBC Capital Markets Corporation and Estrada Hinojosa & Company, Inc. (together, the “Underwriters”) at a negotiated sale, which is determined to provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the Series A Bonds to fit the needs of particular purchasers, and a greater opportunity for the Underwriters to pre-market the Series A Bonds to potential purchasers prior to the sale, all of which will contribute to the District’s goal of achieving the lowest overall cost of funds. The Board estimates that the costs associated with the issuance of the Series A Bonds, including compensation to the Underwriters and any such costs which the Underwriters agree to pay pursuant to the Purchase Contract (defined herein), including the premium for bond insurance, will equal approximately 2.5% of the principal amount of the Series A Bonds. The Series A Bonds shall be sold pursuant to the terms and conditions set forth in the Purchase Contract, as described below.

SECTION 4. Approval of Purchase Contract. The form of Purchase Contract (the “Contract of Purchase”) by and between the District and the Underwriters, for the purchase and sale of the Series A Bonds, substantially in the form on file with the Secretary of the Board, is hereby approved and the Superintendent, or an authorized deputy thereof (the “Authorized Officers”), is hereby authorized and requested to execute and deliver the Contract of Purchase, with such changes therein, deletions therefrom and modifications thereto as such Authorized Officers, each alone, may approve, such approval to be conclusively evidenced by the execution and delivery thereof; provided, however, that the maximum true interest cost on the Series A Bonds shall not exceed that authorized at the Election, and the Underwriter’s discount, excluding original issue discount and expenses, thereon shall not exceed .316% of the aggregate principal amount of Series A Bonds issued. The Authorized Officers, each alone, is further authorized to determine the principal amount of the Series A Bonds to be specified in the Contract of Purchase for sale by the District up to $47,000,000 and to enter into and execute the Contract of Purchase with the Underwriters, if the conditions set forth in this Resolution are satisfied.

SECTION 5. Certain Definitions. As used in this Resolution, the terms set forth below shall have the meanings ascribed to them (unless otherwise set forth in the Contract of Purchase or the Official Statement (defined herein)):
(a) "Accreted Interest" means, with respect to the Capital Appreciation Bonds, the Accreted Value thereof as of the date of calculation minus the Denominational Amount thereof.

(b) "Accretion Rate" means, unless otherwise provided by the Contract of Purchase, that rate which, when applied to the Denominational Amount of any Capital Appreciation Bond and compounded semiannually on each February 1 and August 1 (commencing February 1, 2009 (unless otherwise provided in the Contract of Purchase)), produces the Maturity Value thereof on the maturity date.

(c) "Accreted Value" means with respect to the Capital Appreciation Bonds, as of the date of calculation, the Denominational Amount thereof, plus Accreted Interest thereon to such date of calculation, compounded semiannually on each February 1 and August 1 (commencing on February 1, 2009 (unless otherwise provided in the Contract of Purchase)) at the stated Accretion Rate to maturity thereof, assuming in any such semiannual period that such Accreted Value increases in equal daily amounts on the basis of a 360-day year of twelve 30-day months.

(d) "Bond Insurer" means any insurance company which issues a municipal bond insurance policy insuring the payment of Denominational Amount and Accreted Interest of and interest on the Series A Bonds.

(e) "Bond Payment Date" means (unless otherwise provided by the Contract of Purchase), February 1 and August 1 of each year commencing February 1, 2009 with respect to the interest on the Current Interest Bonds, and August 1 of each year, commencing August 1, 2009 with respect to the principal payments on the Current Interest Bonds; and, with respect to the Capital Appreciation Bonds, the stated maturity dates thereof, as applicable.

(f) "Bond Registrar" means Wells Fargo Bank, National Association, or any successor thereto, acting in the capacity of paying agent, bond registrar, authenticating agent and transfer agent.

(g) "Capital Appreciation Bonds" means the Series A Bonds, the interest component of which is compounded semiannually on February 1 and August 1 to maturity as shown in the table of Accreted Value for such Series A Bonds in the Contract of Purchase.

(h) "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Series A Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

(i) "Current Interest Bonds" means the Series A Bonds, the interest on which is payable semiannually on each Bond Payment Date specified for each such Series A Bond as designated and maturing in the years and in the amounts set forth in the Contract of Purchase.

(j) "Denominational Amount" means, with respect to the Capital Appreciation Bonds, the principal amount thereof, and, with respect to the Current Interest Bonds, the Principal Amount thereof.
(k) "Depository" means the securities depository acting as Depository pursuant to Section 6(c) hereof.

(l) "DTC" means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York, in its capacity as securities depository for the Series A Bonds.

(m) "Information Services" means Financial Information, Inc.'s Financial Daily Called Bond Service; Mergent Inc.'s Called Bond Department; or Standard & Poor's J.J. Kenny Information Services' Called Bond Service.

(n) "Maturity Value" means the Accreted Value of any Capital Appreciation Bond on its maturity date.

(o) "Nominee" means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 6(c) hereof.

(p) "Owner" means the registered owner of a Series A Bond as set forth on the registration books maintained from time to time pursuant to Section 6(c) hereof.

(q) "Participants" means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(r) "Principal" or "Principal Amount" means, with respect to any Current Interest Bond, the principal or principal amount thereof and, with respect to any Capital Appreciation Bond, the Denominational Amount.

(s) "Record Date" means the close of business on the 15th day of the month preceding each Bond Payment Date.

(t) "Securities Depository" means The Depository Trust Company, 55 Water Street, New York, New York 10041, Tel: (212) 855-1000 or Fax: (212) 855-7320.

(u) "Term Bonds" means those Series A Bonds for which mandatory redemption dates have been established in the Contract of Purchase.

(v) "Transfer Amount" means, with respect to any Outstanding Current Interest Bond, the Principal Amount and, with respect to any Capital Appreciation Bond, the Maturity Value.

SECTION 6. Terms of the Series A Bonds.

(a) Denomination, Interest, Date of Delivery. The Series A Bonds shall be issued as any combination of Current Interest Bonds and Capital Appreciation Bonds registered as to both principal and interest, in the denominations of, with respect to the Current Interest Bonds, $5,000 Principal Amount or any integral multiple thereof (except for one odd denomination if necessary), and with respect to the Capital Appreciation Bonds, $5,000 Maturity Value, or any integral multiple thereof (except for one odd denomination if necessary). The Series A Bonds will be initially registered to "Cede & Co.," the nominee of the Depository Trust Company, New York, New York.
Each Capital Appreciation Bond shall be dated, and shall accrete interest from, its date of initial issuance. Capital Appreciation Bonds will not bear interest on a current basis.

Each Current Interest Bond shall be dated the date of delivery or such date as shall appear in the Contract of Purchase or the Official Statement (the “Date of Delivery”), and shall bear interest from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before January 15, 2009, in which event it shall bear interest from Date of Delivery.

Interest on the Current Interest Bonds shall be payable on the respective Bond Payment Dates. Interest on the Current Interest Bonds shall be computed on the basis of a 360-day year of twelve 30-day months.

The Capital Appreciation Bonds shall mature in the years and shall be issued in the aggregate Denominational Amounts set forth in the Contract of Purchase and shall have Accretion Rates as shown in the Accreted Value Table attached to the Official Statement; provided, that in the event that the amount shown in such Accreted Value Table and the Accreted Value calculated by the District and approved by the Bond Insurer by application of the definition of Accreted Value set forth in Section 5 differ, the latter amount shall be the Accreted Value of such Capital Appreciation Bond.

(b) Redemption.

(i) Optional and Mandatory Redemption. The Series A Bonds shall be subject to optional and mandatory sinking fund redemption prior to maturity as provided in the Contract of Purchase or the Official Statement.

(ii) Selection of Bonds for Redemption. Whenever provision is made in this Resolution for the optional redemption of Series A Bonds and less than all Outstanding Series A Bonds are to be redeemed, the Bond Registrar identified below, upon written instruction from the District, shall select Series A Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Bond Registrar shall select Series A Bonds for redemption by lot. Redemption by lot shall be in such manner as the Bond Registrar shall determine; provided, however, that the portion of any Current Interest Bond to be redeemed in part shall be in the Principal Amount of $5,000 or any integral multiple thereof and the portion of any Capital Appreciation Bond to be redeemed in part shall be in integral multiples of the Accreted Value per $5,000 Maturity Value thereof.

(iii) Notice of Redemption. When redemption is authorized or required pursuant to Section 6(b)(i) hereof, the Bond Registrar, upon written instruction from the District, shall give notice (a “Redemption Notice”) of the redemption of the Series A Bonds. Such Redemption Notice shall specify: (a) the Series A Bonds or designated portions thereof (in the case of redemption of the Series A Bonds in part but not in whole) which are to be redeemed, (b) the date of redemption, (c) the place or places where the redemption will be made, including the name and address of the Bond Registrar, (d) the redemption price, (e) the CUSIP numbers (if any) assigned to the Series A Bonds to be redeemed, (f) the Bond numbers of the Series A Bonds to be redeemed in whole or in part and, in the case of any Series A Bond to be redeemed in part only, the Principal Amount of such Series A Bond to be redeemed, and (g) the original issue date, interest rate or Accretion Rate and stated maturity date of each Series A Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Series A Bond or portion thereof being redeemed at the

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redemption price thereof, together with the interest accrued or accreted to the redemption date, and that from and after such date, interest with respect thereto shall cease to accrue or accrete.

The Bond Registrar shall take the following actions with respect to such Redemption Notice:

(a) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register (defined herein).

(b) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service, to the Securities Depository.

(c) At least 30 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service, to one of the Information Services.

Neither failure to receive or failure to publish any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Series A Bonds. Each check issued or other transfer of funds made by the Bond Registrar for the purpose of redeeming Series A Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Series A Bonds being redeemed with the proceeds of such check or other transfer.

(iv) Partial Redemption of Series A Bonds. Upon the surrender of any Series A Bond redeemed in part only, the Bond Registrar shall execute and deliver to the Owner thereof a new Series A Bond or Bonds of like tenor and maturity and of authorized denominations equal in Transfer Amounts to the unredeemed portion of the Series A Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(v) Effect of Notice of Redemption. Notice having been given as aforesaid, and the monies for the redemption (including the interest to the applicable date of redemption) having been set aside in the District’s Debt Service Fund, the Series A Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Series A Bonds to be redeemed as provided in Section 6(b) hereof, together with interest accrued to such redemption date, shall be held by the Bond Registrar so as to be available therefor on such redemption date, and if notice of redemption thereof shall have been given as aforesaid, then from and after such redemption date, interest with respect to the Series A Bonds to be redeemed shall cease to accrue or accrete and become payable. All money held by or on behalf of the Bond Registrar for the redemption of Series A Bonds shall be held in trust for the account of the Owners of the Series A Bonds so to be redeemed.

All Series A Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 6 shall be cancelled upon surrender thereof and delivered to or upon the order of the District. All or any portion of a Bond purchased by the District shall be cancelled by the Bond Registrar.
(vi) **Series A Bonds No Longer Outstanding.** When any Series A Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Bond Registrar, in form satisfactory to it, and sufficient monies shall be held by the Bond Registrar irrevocably in trust for the payment of the redemption price of such Series A Bonds or portions thereof, and, in the case of Current Interest Bonds, accrued interest with respect thereto to the date fixed for redemption, all as provided in this Resolution, then such Series A Bonds shall no longer be deemed Outstanding and shall be surrendered to the Bond Registrar for cancellation.

(c) **Book-Entry System.**

(i) **Definitions.** As used in this Section, the terms set forth below shall have the meanings ascribed to them:

"Nominee" means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to this Section.

"Participants" means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(ii) **Election of Book-Entry System.** The Series A Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Series A Bonds in an authorized denomination (except for any odd denomination Capital Appreciation Bond). The ownership of each such Series A Bond shall be registered in the Bond Register maintained by the Bond Registrar in the name of the Nominee, as nominee of the Depository and ownership of the Series A Bonds, or any portion thereof may not thereafter be transferred except as provided in Section 6(c)(ii)(4) below.

With respect to book-entry Series A Bonds, the District and the Bond Registrar shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Series A Bonds. Without limiting the immediately preceding sentence, the District and the Bond Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Series A Bonds, (ii) the delivery to any Participant or any other person, other than an owner as shown in the Bond Register, of any notice with respect to book-entry Series A Bonds, including any notice of redemption, (iii) the selection by the Depository and its Participants of the beneficial interests in book-entry Series A Bonds to be prepaid in the event the District redeems the Series A Bonds in part, or (iv) the payment by the Depository or any Participant or any other person, of any amount with respect to Accreted Value, Principal, premium, if any, or interest on the book-entry Series A Bonds. The District and the Bond Registrar may treat and consider the person in whose name each book-entry Series A Bond is registered in the Bond Register as the absolute owner of such book-entry Series A Bond for the purpose of payment of Accreted Value or Principal of and premium and interest on and to such Series A Bond, for the purpose of giving notices of redemption and other matters with respect to such Series A Bond, for the purpose of registering transfers with respect to such Series A Bond, and for all other purposes whatsoever. The Bond Registrar shall pay all Accreted Value or Principal of and premium, if any, and interest on the Series A Bonds only to or upon the order of the respective owner, as shown in the Bond Register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District’s obligations with respect to payment of Accreted Value or Principal of,
and premium, if any, and interest on the Series A Bonds to the extent of the sum or sums so paid. No person other than an owner, as shown in the Bond Register, shall receive a certificate evidencing the obligation to make payments of Accreted Value or Principal of, and premium, if any, and interest on the Series A Bonds. Upon delivery by the Depository to the owner and the Bond Registrar, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word Nominee in this Resolution shall refer to such nominee of the Depository.

1. **Delivery of Letter of Representations.** In order to qualify the book-entry Series A Bonds for the Depository's book-entry system, the District and the Bond Registrar shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any way impose upon the District or the Bond Registrar any obligation whatsoever with respect to persons having interests in such book-entry Series A Bonds other than the owners, as shown on the Bond Register. By executing a Letter of Representations, the Bond Registrar shall agree to take all action necessary at all times so that the District will be in compliance with all representations of the District in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District and the Bond Registrar shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify book-entry Series A Bonds for the Depository's book-entry program.

2. **Selection of Depository.** In the event (i) the Depository determines not to continue to act as securities Depository for book-entry Series A Bonds, or (ii) the District determines that continuation of the book-entry system is not in the best interest of the beneficial owners of the Series A Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such book-entry Series A Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in subsection (4) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Series A Bonds shall no longer be restricted to being registered in such Bond Register in the name of the Nominee, but shall be registered in whatever name or names the owners transferring or exchanging such Series A Bonds shall designate, in accordance with the provisions of this Section 6(c).

3. **Payments to Depository.** Notwithstanding any other provision of this Resolution to the contrary, so long as all outstanding Series A Bonds are held in book-entry and registered in the name of the Nominee, all payments by the District or the Bond Registrar with respect to Accreted Value or Principal of and premium, if any, or interest on the Series A Bonds and all notices with respect to such Series A Bonds shall be made and given, respectively to the Nominees, as provided in the Letter of Representations or as otherwise instructed by the Depository and agreed to by the Bond Registrar notwithstanding any inconsistent provisions herein.

4. **Transfer of Bonds to Substitute Depository.**

   (A) The Series A Bonds shall be initially issued as described in the Official Statement described herein. Registered ownership of such Series A Bonds, or any portions thereof, may not thereafter be transferred except:

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(1) to any successor of DTC or its nominee, or of any substitute depository designated pursuant to Section 6(c)(ii)(4)(A)(2) ("Substitute Depository"); provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

(2) to any Substitute Depository designated by the District, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC (or its successor) is no longer able to carry out its functions as depository; provided that any such Substitute Depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(3) to any person as provided below, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC or its successor (or Substitute Depository or its successor) is no longer able to carry out its functions as depository.

(B) In the case of any transfer pursuant to Section 6(c)(ii)(4)(A)(1) or (2), upon receipt of all outstanding Series A Bonds by the Bond Registrar, together with a written request of the District to the Bond Registrar designating the Substitute Depository, a single new Series A Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Series A Bonds then outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 6(c)(ii)(4)(A)(3), upon receipt of all outstanding Series A Bonds by the Bond Registrar, together with a written request of the District to the Bond Registrar, new Series A Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Bond Registrar shall not be required to deliver such new Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption or an advance refunding of any Series A Bonds evidencing a portion of the Maturity Value or Principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall make an appropriate notation on such Series A Bonds indicating the date and amounts of such reduction in Maturity Value or Principal, in form acceptable to the Bond Registrar, all in accordance with the Letter of Representations. The Bond Registrar shall not be liable for such Depository's failure to make such notations or errors in making such notations.

(D) The District and the Bond Registrar shall be entitled to treat the person in whose name any Series A Bond is registered as the owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Bond Registrar or the District; and the District and the Bond Registrar shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any beneficial owners of the Series A Bonds. Neither the District nor the Bond Registrar shall have any responsibility or obligation, legal or otherwise, to any such beneficial owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Series A Bonds, and the Bond Registrar may rely conclusively on its records as to the identity of the owners of the Series A Bonds.
SECTION 7. Execution of Series A Bonds. The Series A Bonds shall be signed by the President of the Board, by his or her manual or facsimile signature and countersigned by the manual or facsimile signature of the Secretary to or Clerk of the Board, in their official capacities. No Series A Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Series A Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Series A Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

SECTION 8. Bond Registrar; Transfer and Exchange. So long as any of the Series A Bonds remains outstanding, the District will cause the Bond Registrar to maintain and keep at its principal office all books and records necessary for the registration, exchange and transfer of the Series A Bonds as provided in this Section. Subject to the provisions of Section 9 below, the person in whose name a Series A Bond is registered on the Bond Register shall be regarded as the absolute owner of that Series A Bond for all purposes of this Resolution. Payment of or on account of the Principal or Accrued Value of and premium, if any, and interest on any Series A Bond shall be made only to or upon the order of that person; neither the District nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District’s liability upon the Series A Bonds, including interest, to the extent of the amount or amounts so paid.

Any Series A Bond may be exchanged for Series A Bonds of like tenor, maturity and Transfer Amount upon presentation and surrender at the principal office of the Bond Registrar, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Series A Bond may be transferred on the Bond Register only upon presentation and surrender of the Series A Bond at the principal office of the Bond Registrar together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer, the Bond Registrar shall complete, authenticate and deliver a new Series A Bond or Series A Bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the Transfer Amount of the Series A Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date. Capital Appreciation Bonds and Current Interest Bonds may not be exchanged for one another.

If any Series A Bond shall become mutilated, the District, at the expense of the Owner of said Series A Bond, shall execute, and the Bond Registrar shall thereupon authenticate and deliver, a new Series A Bond of like series, tenor and Transfer Amount in exchange and substitution for the Series A Bond so mutilated, but only upon surrender to the Bond Registrar of the Series A Bond so mutilated. If any Series A Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Bond Registrar and, if such evidence be satisfactory to the Bond Registrar and indemnity for the Bond Registrar and the District satisfactory to the Bond Registrar shall be given by the owner, the District, at the expense of the Series A Bond owner, shall execute, and the Bond Registrar shall thereupon authenticate and deliver, a new Series A Bond of like Series and tenor in lieu of and in substitution for the Series A Bond so lost, destroyed or stolen (or if any such Series A Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Series A Bond the Bond Registrar may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Bond Registrar and the District). The Bond Registrar may require payment of a reasonable fee for each new Series A Bond issued under this paragraph and of the expenses which may be incurred by the District and the Bond Registrar.
If manual signatures on behalf of the District are required in connection with an exchange or transfer, the Bond Registrar shall undertake the exchange or transfer of Series A Bonds only after the new Series A Bonds are signed by the authorized officials of the District. In all cases of exchanged or transferred Series A Bonds, the District shall sign and the Bond Registrar shall authenticate and deliver Series A Bonds in accordance with the provisions of this Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Series A Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and entitled to the same security and benefit under this Resolution as the Series A Bonds surrendered upon that exchange or transfer.

Any Series A Bond surrendered to the Bond Registrar for payment, retirement, exchange, replacement or transfer shall be cancelled by the Bond Registrar. The District may at any time deliver to the Bond Registrar for cancellation any previously authenticated and delivered Series A Bonds that the District may have acquired in any manner whatsoever, and those Series A Bonds shall be promptly cancelled by the Bond Registrar. Written reports of the surrender and cancellation of Series A Bonds shall be made to the District by the Bond Registrar on or before February 1 and August 1 of each year. The cancelled Series A Bonds shall be retained for six years, then returned to the District or destroyed by the Bond Registrar as directed by the District.

Neither the District nor the Bond Registrar will be required (a) to issue or transfer any Series A Bonds during a period beginning with the opening of business on the 15th business day next preceding either any Bond Payment Date or any date of selection of Series A Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable notice of redemption is given or (b) to transfer any Series A Bonds which have been selected or called for redemption in whole or in part.

SECTION 9. Payment. Payment of interest on any Current Interest Bond on any Bond Payment Date shall be made to the person appearing on the registration books of the Bond Registrar as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by check mailed to such Owner on the Bond Payment Date at his address as it appears on such registration books or at such other address as he may have filed with the Bond Registrar for that purpose on or before the Record Date. The Owner in an aggregate Principal Amount of $1,000,000 or more may request in writing to the Bond Registrar that such Owner be paid interest by wire transfer to the bank and account number on file with the Bond Registrar as of the Record Date. The principal, and redemption price, if any, payable on the Current Interest Bonds and the Accreted Value and redemption price, if any, on the Capital Appreciation Bonds shall be payable upon maturity or redemption upon surrender at the principal office of the Bond Registrar. The interest, Accreted Value, Principal and premiums, if any, on the Series A Bonds shall be payable in lawful money of the United States of America. The Bond Registrar is hereby authorized to pay the Series A Bonds when duly presented for payment at maturity, and to cancel all Series A Bonds upon payment thereof. The Series A Bonds are general obligations of the District.

SECTION 10. Form of Series A Bonds. The Series A Bonds shall be in substantially the following forms, allowing those officials executing the Series A Bonds to make the insertions and deletions necessary to conform the Series A Bonds to this Resolution and the Contract of Purchase.
(Form of Current Interest Bond)

REGISTERED NO. $

SANTA BARBARA COMMUNITY COLLEGE DISTRICT
(SANTA BARBARA COUNTY, CALIFORNIA)
GENERAL OBLIGATION BOND, ELECTION OF 2008, SERIES A

INTEREST RATE: MATURITY DATE: DATED AS OF: CUSIP
___% per annum August 1, ___ _______, 2008

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The Santa Barbara Community College District (the “District”) in Santa Barbara County, California (the “County”), for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on February 1 and August 1 of each year (the “Bond Payment Dates”), commencing February 1, 2009. This bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before January 15, 2009, in which event it shall bear interest from the Date of Delivery. Interest shall be computed on the basis of a 360-day year of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the “Registered Owner”) on the Register maintained by the Bond Registrar, initially Wells Fargo Bank, National Association. Principal is payable upon presentation and surrender of this bond at the principal office of the Bond Registrar. Interest is payable by check or draft mailed by the Bond Registrar on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown and at the address appearing on the Register at the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the “Record Date”). The Owner of Current Interest Bonds in the aggregate principal amount of $1,000,000 or more may request in writing to the Bond Registrar that the Owner be paid interest by wire transfer to the bank and account number on file with the Bond Registrar as of the Record Date.

This bond is one of an authorization of $________ of bonds approved to raise money for the purposes authorized by voters of the District at the Election (defined herein) and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, and the requisite vote of the electors of the District cast at an election held on June 3, 2008 (the “Election”), upon the question of issuing bonds in the amount of $77,242,012 and the resolution of the Board of Trustees of the District adopted on October 16, 2008 (the “Bond Resolution”). This bond and the issue of which this bond is one are payable as to both principal and interest solely from the proceeds of the levy of ad valorem taxes on all property subject to such taxes.
in the District, which taxes are unlimited as to rate or amount in accordance with California Education Code Sections 15250 and 15252.

The bonds of this issue are comprised of $_______ principal amount of Current Interest Bonds, of which this bond is a part (a "Current Interest Bond") and Capital Appreciation Bonds of which $_______ represents the Denominational Amount and $_______ represents the Maturity Value.

This bond is exchangeable and transferable for bonds of like tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the principal office of the Bond Registrar in Los Angeles, California, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Bond Registrar, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Bond Registrar may deem and treat the Registered Owner as the absolute owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Bond Registrar shall be affected by any notice to the contrary.

Neither the District nor the Bond Registrar will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 15th business day next preceding either any Bond Payment Date or any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Current Interest Bonds maturing on or before August 1, 20___ are not subject to redemption prior to their fixed maturity dates. The Current Interest Bonds maturing on or after August 1, 20___ are subject to redemption on August 1, 20___ or on any date thereafter, at the option of the District as a whole or in part, at a redemption price equal to the principal amount of the Current Interest Bonds called for redemption, plus interest accrued thereon to the dates fixed for redemption:

The Current Interest Bonds maturing on August 1, 20___ are subject to mandatory redemption from monies in the Debt Service Fund prior to their stated maturity date, at the principal amount thereof without premium on each August 1, on and after August 1, 20___, in the principal amounts as set forth in the following table:

<table>
<thead>
<tr>
<th>Redemption Dates</th>
<th>Principal Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
</tr>
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</table>

TOTAL $_______

If less than all of the bonds of any one maturity shall be called for redemption, the particular bonds or portions of bonds of such maturity to be redeemed shall be selected by lot by the District in such manner as the District in its discretion may determine; provided, however, that the portion of any bond to be redeemed shall be in the principal amount of $5,000 or some multiple thereof. If less than all of the bonds stated to mature on different dates shall be called for redemption, the particular bonds or portions
thereof to be redeemed shall be called in any order of maturity selected by the District or, if not so selected, in the inverse order of maturity.

Reference is made to the Bond Resolution for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the bonds of this series, the rights, duties and obligations of the District, the Bond Registrar and the Registered Owners, and the terms and conditions upon which the bonds are issued and secured. The Registered Owner of this bond assents, by acceptance hereof, to all of the provisions of the Bond Resolution.

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the bonds has been received; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the bonds; and that due provision has been made for levying and collecting ad valorem property taxes on all of the taxable property within the District in an amount sufficient to pay principal and interest when due.

This bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.
IN WITNESS WHEREOF, the Santa Barbara Community College District, Santa Barbara County, California, has caused this bond to be executed on behalf of the District and an official capacity by the manual or facsimile signature of the President of the Board of Trustees, and to be countersigned by the manual or facsimile signature of the Secretary to the Board of Trustees, all as of the date stated above.

SANTA BARBARA COMMUNITY COLLEGE DISTRICT

By: __________________ (Facsimile Signature)
President, Board of Trustees

COUNTERSIGNED:

________________________
(Facsimile Signature)
Secretary, Board of Trustees

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on __________, 2008.

WELLS FARGO BANK, NATIONAL ASSOCIATION,
as Paying Agent

________________________
Authorized Officer
ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): ______________________________________ this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: ______________________________  ______________________________

Signature Guaranteed: ______________________________

Notice: The assignor’s signature to this assignment must correspond with the name as it appears upon the within bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: ______________________________

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

LEGAL OPINION

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation in connection with the issuance of, and dated as of the date of the original delivery of, the bonds. A signed copy is on file in my office.

(Facsimile Signature)
Secretary, Board of Trustees

(Form of Legal Opinion)
(Form of Capital Appreciation Bond)

REGISTERED NO. $

SANTA BARBARA COMMUNITY COLLEGE DISTRICT (SANTA BARBARA COUNTY, CALIFORNIA)
GENERAL OBLIGATION BOND, ELECTION OF 2008 SERIES A

ACCREDITION RATE: MATURITY DATE: DATED AS OF: CUSIP
August 1, _______ ________, 2008

REGISTERED OWNER: CEDE & CO.

DENOMINATIONAL AMOUNT:

MATURITY VALUE:

The Santa Barbara Community College District (the "District") in Santa Barbara County, California (the "County"), for value received, promises to pay to the Registered Owner named above, or registered assigns, the Maturity Value on the Maturity Date, each as stated above, such Maturity Value being comprised of the Denominational Amount and interest accreted thereon. This bond will not bear current interest but will accrete interest, compounded on each February 1 and August 1, commencing February 1, 2009, at the Accretion Rate specified above to the Maturity Date, assuming that in any such semiannual period the sum of such compounded accreted interest and the Denominational Amount (such sum being herein called the "Accreted Value") increases in equal daily amounts on the basis of a 360-day year consisting of twelve 30-day months. Accreted Value and redemption premium, if any, are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this bond (or, if applicable, one or more predecessor bonds) is registered (the "Registered Owner") on the Register maintained by the Bond Registrar, initially Wells Fargo Bank, National Association. Accreted Value and redemption premium, if any, are payable upon presentation and surrender of this bond at the principal office of the Bond Registrar.

This bond is one of an authorization of $__________ of bonds approved for the purpose of raising money for the purpose authorized by voters of the District at the Election (defined herein) to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, and the requisite vote of the electors of the District cast at an election held on June 3, 2008 (the "Election"), upon the question of issuing bonds in the amount of $77,242,012 and the resolution of the Board of Trustees of the District adopted on October 16, 2008 (the "Bond Resolution"). This bond and the issue of which this bond is one are payable as to both principal and interest from the proceeds of the levy of ad valorem taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount in accordance with California Education Code Sections 15250 and 15252. The bonds of this issue are general obligations of the District payable solely from ad valorem taxes.
The bonds of this issue are comprised of $________ principal amount of Current Interest Bonds (each a “Current Interest Bond”) and Capital Appreciation Bonds, of which this bond is a part, in the Denominational Amount of $________ and the Maturity Value of $________.

This bond is exchangeable and transferable for bonds of like tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the principal office of the Bond Registrar, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Bond Registrar, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Bond Registrar may deem and treat the Registered Owner as the absolute owner of this bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Bond Registrar shall be affected by any notice to the contrary.

Neither the District nor the Bond Registrar will be required (a) to issue or transfer any bond during a period beginning with the opening of business on the 15th business day next preceding either any Bond Payment Date or any date of selection of bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any bond which has been selected or called for redemption in whole or in part.

The Capital Appreciation Bonds are not subject to optional redemption prior to maturity.

Reference is made to the Bond Resolution for a more complete description of the provisions, among others, with respect to the nature and extent of the security for the Capital Appreciation Bonds of this series, the rights, duties and obligations of the District, the Bond Registrar and the Registered Owners, and the terms and conditions upon which the bonds are issued and secured. The Registered Owner of this bond assents, by acceptance hereof, to all of the provisions of the Bond Resolution.

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that payment in full for the bonds has been received; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the bonds; and that due provision has been made for levying and collecting ad valorem property taxes on all of the taxable property within the District in an amount sufficient to pay principal and interest when due.

This bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.
IN WITNESS WHEREOF, the Santa Barbara Community College District, Santa Barbara County, California, has caused this bond to be executed on behalf of the District and an official capacity by the manual or facsimile signature of the President of the Board of Trustees, and to be countersigned by the manual or facsimile signature of the Secretary to the Board of Trustees, all as of the date stated above.

SANTA BARBARA COMMUNITY COLLEGE DISTRICT

By: ________________________________
   (Facsimile Signature)
   President, Board of Trustees

COUNTERSIGNED:

______________________________
   (Facsimile Signature)
   Secretary, Board of Trustees

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the Bond Resolution referred to herein which has been authenticated and registered on __________, 2008.

WELLS FARGO BANK, NATIONAL ASSOCIATION, as Paying Agent

______________________________
   Authorized Officer
ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and ZIP code of Transferee): this bond and irrevocably constitutes and appoints attorney to transfer this bond on the books for registration thereof, with full power of substitution in the premises.

Dated: ____________________________

Signature Guaranteed:

_______________________________

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or by any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: ____________________________

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

LEGAL OPINION

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation, in connection with the issuance of, and dated as of the date of the original delivery of, the bonds. A signed copy is on file in my office.

_______________________________
(Facsimile Signature)
Secretary, Board of Trustees

(Form of Legal Opinion)
SECTION 11. Delivery of Series A Bonds. The proper officials of the District shall cause the Series A Bonds to be prepared and, following their sale, shall have the Series A Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Series A Bonds, to the original purchaser upon payment of the purchase price therefor.

SECTION 12. Deposit of Proceeds of Series A Bonds. The proceeds from the sale of the Series A Bonds, to the extent of the Denominational Amount and the Principal Amount thereof, shall be paid to the County to the credit of the fund hereby created and established and to be known as the “Santa Barbara Community College District General Obligation Bonds, Election of 2008 Series A Building Fund” (the “Building Fund”) of the District, shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purpose for which the Series A Bonds are being issued and provided further that such proceeds shall be applied solely to the purposes authorized by the Election. The accrued interest and any premium received from the sale of the Series A Bonds shall be kept separate and apart in the fund hereby created and established and to be designated as the “Santa Barbara College District General Obligation Bonds, Election of 2008, Series A General Obligation Bond Debt Service Fund” (the “Debt Service Fund”) for the Series A Bonds and used only for payment of Accrued Value or Principal of and interest on the Series A Bonds. Interest earnings on monies held in the Building Fund shall be retained in the Building Fund. Interest earnings on monies held in the Debt Service Fund shall be retained in the Debt Service Fund. Any excess proceeds of the Series A Bonds not needed for the authorized purposes set forth herein for which the Series A Bonds are being issued shall be transferred to the Debt Service Fund and applied to the payment of Accrued Value or Principal of and interest on the Series A Bonds. If, after payment in full of the Series A Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the General Fund of the District.

Subject to federal tax restrictions, monies in the funds created hereunder shall be invested in any lawful investment permitted by Sections 16429.1 and 53601 of the Government Code of the State of California (the “Government Code”) or in shares in a California common law trust established pursuant to Title 1, Division 7, Chapter 5 of the Government Code which invests exclusively in investments permitted by Section 53635 of the Government Code, in the Local Agency Investment Fund administered by the Treasurer of the State of California (“LAIF”), or in a guaranteed investment contract with a financial institution or insurance company which has at the date of execution thereof one or more outstanding issues of unsecured, uninsured and unguaranteed debt obligations or a claims paying ability rated not lower than the second highest rating category (without regard to subcategories) by Standard & Poor’s and Moody’s Investors Service.

Except as required below to satisfy the requirements of Section 148(f) of the Internal Revenue Code of 1986, as amended (the “Code”), interest earned on the investment of monies held in the Debt Service Fund shall be retained in the Debt Service Fund and used to pay the Accrued Value or Principal of and interest on the Series A Bonds when due.

SECTION 13. Rebate Fund.

(a) The District shall create and establish a special fund designated the “Santa Barbara Community College District, General Obligation Bonds, Election of 2008, Series A Rebate Fund” (the “Rebate Fund”). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to the extent required to satisfy the requirement to make rebate payments to the United States (the “Rebate Requirement”) pursuant to Section 148 of the Code, and the Treasury Regulations promulgated thereunder (the “Treasury Regulations”). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and by the Tax Certificate to be executed by the District.
(b) Within 45 days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate), (1) the District shall calculate or cause to be calculated with respect to the Series A Bonds the amount that would be considered the "rebate amount" within the meaning of Section 1.148-3 of the Treasury Regulations, using as the "computation date" for this purpose the end of such Bond Year, and (2) the District shall deposit to the Rebate Fund from amounts on deposit in the other funds established hereunder or from other District funds, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the "rebate amount" so calculated. The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence, if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the "rebate amount" calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section. The District shall not be required to calculate the "rebate amount" and shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Series A Bonds (including amounts treated as proceeds of the Series A Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148(f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations, whichever is applicable, and otherwise qualify for the exception to the Rebate Requirement pursuant to whichever of said sections is applicable, (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a "bona fide debt service fund." In such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) Any funds remaining in the Rebate Fund after redemption of all the Series A Bonds and any amounts described in paragraph (2) of subsection (d) of this Section, or provision made therefor satisfactory to the District, including accrued interest, shall be remitted to the District.

(d) Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the "rebate amount" and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(1) not later than 60 days after the end of (i) the fifth Bond Year, and (ii) each fifth Bond Year thereafter, an amount that, together with all previous rebate payments, is equal to at least 90% of the "rebate amount" calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Treasury Regulations; and

(2) not later than 60 days after the payment of all Series A Bonds, an amount equal to 100% of the "rebate amount" calculated as of the date of such payment (and any income attributable to the "rebate amount" determined to be due and payable) in accordance with Section 1.148-3 of the Treasury Regulations.

(e) In the event that, prior to the time any payment is required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is due, the District shall calculate (or have calculated) the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(f) Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service, on or before the date on which such payment is due, and shall be
accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by the District.

(g) In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the "rebate amount" calculated in accordance with said subsection, the District shall withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) The District shall retain records of all determinations made hereunder until six years after the complete retirement of the Series A Bonds.

(i) Notwithstanding anything in this Resolution to the contrary, the Rebate Requirement shall survive the payment in full or defeasance of the Series A Bonds.

SECTION 14. Security for the Series A Bonds. There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct ad valorem tax annually during the period the Series A Bonds are outstanding in an amount sufficient to pay the principal and Maturity Value of and interest on the Series A Bonds when due, which monies when collected will be placed in the Debt Service Fund of the District, which fund is irrevocably pledged for the payment of the principal and Accreted Value of and interest on the Series A Bonds when and as the same fall due.

The monies in the Debt Service Fund, to the extent necessary to pay the principal and Maturity Value of and interest on the Series A Bonds as the same become due and payable, shall be transferred to the Bond Registrar which, in turn, shall pay such monies to DTC to pay the principal and Maturity Value of and interest on the Series A Bonds. DTC will thereupon make payments of principal and Maturity Value and interest on the Series A Bonds to the DTC Participants who will thereupon make payments of principal and Maturity Value and interest to the beneficial owners of the Series A Bonds. Any monies remaining in the Debt Service Fund after the Series A Bonds and the interest thereon have been paid, or provision for such payment has been made, shall be transferred to the General Fund of the District, pursuant to the Education Code Section 15234.

SECTION 15. Arbitrage Covenant. The District covenants that it will restrict the use of the proceeds of the Series A Bonds in such manner and to such extent, if any, as may be necessary, so that the Series A Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations prescribed under that Section or any predecessor section. Calculations for determining arbitrage requirements are the sole responsibility of the District.

SECTION 16. Conditions Precedent. The Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Series A Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Series A Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Series A Bonds.

SECTION 17. Official Statement. The Preliminary Official Statement relating to the Series A Bonds, substantially in the form on file with the Secretary to or Clerk of the Board is hereby approved and Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriters to be used in connection with the offering and sale of the Series A Bonds. The Authorized Officers, each alone, are hereby
authorized and directed, for and in the name and on the behalf of the District, to deem the Preliminary Official Statement, “final” pursuant to Section 15c2-12 of the Securities and Exchange Act of 1934, prior to its distribution, and to execute and deliver to the Underwriters a final Official Statement (the "Official Statement"), substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modification thereto as the Authorized Officer executing the same shall approve. The Underwriters are hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of Bonds and is directed to deliver copies of any final official statement to the purchasers of the Series A Bonds. Execution of the Official Statement shall conclusively evidence the District's approval of the Official Statement.

SECTION 18. **Insurance.** In the event the District purchases bond insurance for the Series A Bonds, and to the extent that the Bond Insurer makes payment of the principal, interest or Accreted Value on the Series A Bonds, it shall become the owner of such Series A Bonds with the right to payment of principal, interest or Accreted Value on the Series A Bonds, and shall be fully subrogated to all of the Owners' rights, including the Owners' rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims that were past due interest components, the Bond Registrar shall note the Bond Insurer's rights as subrogee on the registration books for the Series A Bonds maintained by the Bond Registrar upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Series A Bonds, and (ii) in the case of subrogation as to claims for past due Principal or Accreted Value, the Bond Registrar shall note the Bond Insurer as subrogee on the registration books for the Series A Bonds maintained by the Bond Registrar upon surrender of the Series A Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

SECTION 19. **Defeasance.** All or any portion of the outstanding maturities of the Series A Bonds may be defeased prior to maturity in the following ways:

(a) **Cash:** by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which together with amounts then on deposit in the Debt Service Fund (as herein defined) is sufficient to pay all Bonds outstanding and designated for defeasance, including all Principal and interest and premium, if any; or

(b) **Government Obligations:** by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations together with cash, if required, in such amount as will, in the opinion of an independent certified public accountant, together with interest to accrue thereon and monies then on deposit in the Debt Service Fund together with the interest to accrue thereon, be fully sufficient to pay and discharge all Bonds outstanding and designated for defeasance (including all Principal and interest and redemption premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated outstanding Bonds shall cease and terminate, except only the obligation of the Bond Registrar or an independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the owners of such designated Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, Government Obligations shall mean:

Direct and general obligations of the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations that are

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unconditionally guaranteed as to principal and interest by the United States of America, or "prerefunded" municipal obligations rated in the highest rating category by Standard & Poor's or Moody's Investors Service. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (a) a bank or trust company acts as custodian and holds the underlying United States obligations; (b) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (c) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed "AAA" by Standard & Poor's or "Aaa" by Moody's Investors Service.

SECTION 20. Request to County to Levy Tax. The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of property taxes in each year sufficient to pay all principal and interest coming due on the Series A Bonds in such year, and to pay from such taxes all amounts due on the Series A Bonds. The District hereby requests the Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to pay all principal and interest coming due on the Series A Bonds in such year, and to pay from such taxes all amounts due on the Series A Bonds.

SECTION 21. Other Actions.

(a) Officers of the Board and officials and staff of the District are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Series A Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

(b) The Board hereby appoints RBC Capital Markets Corporation. and Estrada Hinojosa & Company, Inc., as Underwriters with respect to the Series A Bonds, and appoints Stradling Yocca Carlson & Rauth, a Professional Corporation, San Francisco, California, as Bond Counsel and Disclosure Counsel with respect to the Series A Bonds.

(c) The provisions of this Resolution may be amended by the Contract of Purchase and the Official Statement.

SECTION 22. Resolution to County Treasurer-Tax Collector. The Secretary to or Clerk of this Board is hereby directed to provide a certified copy of this Resolution to the Treasurer-Tax Collector of Santa Barbara County immediately following its adoption.

SECTION 23. Continuing Disclosure. The District hereby covenants and agrees that it will comply with and carry out all of the provisions of that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Series A Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Any Series A Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or
specific performance by court order, to cause the District to comply with its obligations under this Section. Noncompliance with this Section shall not result in acceleration of the Series A Bonds.

SECTION 24. Recitals. All the recitals in this Resolution above are true and correct and this Board so finds, determines and represents.

SECTION 25. Effective Date. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 16th day of October 2008, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

______________________________
President, Board of Trustees
Santa Barbara Community College District

Attest:

______________________________
Secretary, Board of Trustees
Santa Barbara Community College District
I, ___________________________, do hereby certify that the foregoing is a true and correct copy of Resolution No. ________, which was duly adopted by the Board of Trustees of the Santa Barbara Community College District at a meeting thereof held on the 16th day of October 2008, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

By: ___________________________
    Secretary
Continuing Education: Dean Level Structure
Board of Trustees Study Session October 16, 2008
Also discussed at the Educational Policies Board Committee Meeting October 7, 2008

- We are committed to supporting the courses, lecture series and other programs Continuing Education provides to the community and the positive impact that Continuing Education has in our community

Rationale for re-organization of Continuing Education two-dean structure to one-dean structure

- Retirements of the three top management Continuing Education positions (VP and two deans) within a brief period provided an unprecedented opportunity to analyze needs and create an upper management structure that best serves Continuing Education and the district as a whole

- Analysis of the upper management level at Continuing Education and discussions conducted over the past four months

- Need to streamline coordination of Continuing Education programs and student service delivery as well as decision making processes

- Need to eliminate redundancies in program offerings and streamline processes and procedures

- Transition from a silo approach (Schott and Wake Centers functioning as separate entities with different processes and approaches without coordination and collaboration) to an integrated and collaborative approach to unify and enhance Continuing Education

- Two additional management positions were added to Continuing Education in the last year: Director Wake and Schott Facilities and Coordinator Outreach Services (since May 2008 in out of class Acting Program Director, Student Services). These positions have responsibilities included in the deans’ job responsibilities. Annual cost in salaries and benefits for these two positions is $261,872.

- Need to reduce duplication in job responsibilities and focus the role of the dean as compared to the roles of the VP Continuing Education and program directors

- There are seven program directors in Continuing Education whose primary responsibilities are course scheduling and new course/program development and student services. The one dean will manage and coordinate the seven program directors to ensure the coordination, communication, streamlining and collaboration needed to offer the best combination of courses and programs for the community

- Need to save money for the district and operate within the resources available on an ongoing basis

- The VP with primary location at the Schott Center and the Dean with primary location at the Wake Center ensure high level administrative positions at both locations

- Draft job description Dean Continuing Education (below) salary level 158. Salary savings of $181,048/year compared to the two current dean positions
CLASS TITLE: DEAN-CONTINUING EDUCATION

BASIC FUNCTION:
Under the direction of the Vice President-Continuing Education, plan, organize, control and direct the operations and activities of assigned educational programs and services of Continuing Education; coordinate and direct communications, information, resources and personnel to meet student and College needs and enhance the educational effectiveness of assigned programs and services; supervise and evaluate the performance of assigned faculty and classified personnel.

REPRESENTATIVE DUTIES:

ESSENTIAL DUTIES:
Plan, organize, control and direct the educational operations and activities of assigned Continuing Education programs and services; direct campus operation areas including staffing, budget planning and development; develop and enforce policies and procedures for faculty, students and the community; manage assigned program areas, design and evaluate curriculum and balance program offerings with the needs of the community and the College; research, obtain and maintain grants and other funding sources; provide technical information and assistance to the Vice President-Continuing Education regarding services, activities, needs and issues related to assigned departments, programs and functions.

Coordinate and direct communications, information, resources and personnel to meet student and College needs according to State and federal standards, requirements, laws, codes, rules, regulations, policies and procedures; develop, implement and conduct training sessions and orientations for personnel concerning policies, requirements, practices, procedures and customer service.

Supervise and evaluate the performance of assigned faculty and classified personnel; interview and select employees and recommend transfers, reassignment, termination and disciplinary actions; coordinate subordinate work assignments and review work to assure compliance with established standards, requirements and procedures; assure employee understanding of established requirements.

Monitor and analyze the operations and activities of assigned programs and services for educational and financial effectiveness and operational efficiency; develop and prepare the annual preliminary budget for assigned Continuing Education programs and services; analyze and review budgetary and financial data; manage and authorize expenditures.

Direct the development and implementation of assigned programs and services; coordinate and schedule classes and other instructional activities as directed; assure proper and timely resolution of student, staff, faculty, administrative, program and related issues, complaints and conflicts; administer and monitor instructional programs and activities to assure compliance with established curriculum standards and requirements; assist faculty with developing and maintaining curriculum standards, enhancing class enrollment and meeting the educational needs and goals of students.
Represent Continuing Education at various meetings, committees, conferences and special events as assigned; present materials and information concerning assigned programs and services.

Communicate with personnel, administrators and various outside agencies to exchange information, coordinate activities and programs and resolve issues or concerns.

Operate a variety of office equipment including a computer and assigned software; drive a vehicle to conduct work.

Direct and participate in the preparation and maintenance of a variety of records, reports and files related to programs, services, personnel, students, budgets, financial activity and assigned duties.

OTHER DUTIES:

Perform related duties as assigned.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

Planning, organization and direction of the operations and activities of assigned educational programs and services of Continuing Education.

Curriculum standards, requirements, interpretation and application in assigned Continuing Education programs and services.

College, State and federal standards and requirements governing college district educational programs.

Instructional techniques and strategies related to assigned educational programs and services.

Principles, practices, procedures and techniques involved in the development and implementation of curriculum standards and educational programs, services, plans, strategies, processes, systems, projects, courses, goals and objectives.

Principles and practices of administration, supervision and training.

Policies and objectives of assigned programs and activities.

College District organization, operations, policies and objectives.

Budget preparation and control.

Oral and written communication skills.

Applicable State and federal laws, codes, regulations, policies and procedures.

Interpersonal skills using tact, patience and courtesy.

Operation of a computer and assigned software.
Public relations techniques.

ABILITY TO:

Plan, organize, control and direct the operations and activities of assigned educational programs and services of Continuing Education.

Coordinate and direct communications, information, resources and personnel to meet student and College needs and enhance the educational effectiveness of assigned programs and services.

Supervise and evaluate the performance of assigned faculty and classified personnel.

Direct the development and implementation of assigned programs, services, and related plans, strategies, processes, systems, projects, courses, goals, events and objectives.

Monitor, analyze and direct the development and implementation of programs, policies and procedures to enhance educational effectiveness and operational efficiency of programs and services.

Represent Continuing Education at various meetings, committees, conferences and special events.

Assist faculty with developing and maintaining curriculum standards, enhancing class enrollment and meeting the educational needs and goals of students.

Communicate effectively both orally and in writing.

Interpret, apply and explain laws, codes, regulations, policies and procedures.

Establish and maintain cooperative and effective working relationships with others.

Operate a computer and assigned office equipment.

Analyze situations accurately and adopt an effective course of action.

Meet schedules and time lines.

Work independently with little direction.

Plan and organize work.

Prepare comprehensive narrative and statistical reports.

Direct the maintenance of a variety of reports, records and files related to assigned activities.

EDUCATION AND EXPERIENCE:

Any combination equivalent to: master’s degree and five years increasingly responsible experience working with continuing education or related programs.
LICENSES AND OTHER REQUIREMENTS:

Valid California driver’s license.

WORKING CONDITIONS:

ENVIRONMENT:

Indoor work environment.

Driving a vehicle to conduct work.

PHYSICAL DEMANDS:

Dexterity of hands and fingers to operate a computer keyboard.

Seeing to read a variety of materials.

Sitting for extended periods of time.

Hearing and speaking to exchange information and make presentations.
Goal 1. Increase the success of students enrolled in credit courses through innovative instruction and student support programs that address the needs of a diverse college population.

Objective 1.1 The percentage of students that successfully complete their courses with a grade of “C” or higher or “P” will increase from 70.98% in fall 2007 to 74% in fall 2010 and from 71.7% in spring 2008 to 74.7% in spring 2011.

Objective 1.2 The percentage of students that successfully complete online classes will increase from 59.6% in fall 2007 to 63% in fall 2010 and from 60.9% in spring 2008 to 64% in spring 2011.

Objective 1.3 The first-to-second semester persistence rates of new non-exempt (non-exempt from the matriculation processes) first-time, full-time students (12 or more units) will increase from 85.1% from fall 2006 to spring 2007 to 86.5% from fall 2010 to spring 2011. The first-to-second semester persistence rates of new non-exempt half-time students (6-11.9 units) will increase from 74.2% from fall 2006 to spring 2007 to 76% from fall 2010 to spring 2011.

Objective 1.4 The first-to-fourth semester persistence rates for new non-exempt first-time, full-time students will increase from 55.3% from fall 2005 to spring 2007 to 57% and from fall 2009 to spring 2011. The first-to-fourth semester persistence rates for new half-time students will increase from 35.1 from fall 2006 to spring 2007 to 38% from fall 2009 to spring 2011.

Objective 1.5 The 1,389 number of Associate Degrees awarded in 2007-08 will remain stable to 2010-2011.

Objective 1.6 The number of certificates awarded will increase by 8% from 448 in 2007-08 to 484 in 2010-2011.

Objective 1.7 The number of students that transfer from the college to UC or CSU will increase by a minimum of 5% from 1,024 in 2006-07 to 1,075 in 2010-2011. The number of students that transfer to other four-year colleges or universities will increase by a minimum of 5% from 435 in 2005-06 to 457 in 2010-2011.

Objective 1.8 There will be a 5% increase in the number of Transfer Directed students from 2008-2009 to 2010-2011. Transfer Directed students are those who enrolled in and earned a grade of “A”, “B”, “C” or “P” in a transferable Mathematics course and a UC transferable English course:

2008-09: Some time between Summer term 2003 & Spring term 2009
2009-10: Some time between Summer term 2004 & Spring term 2010
2010-11: Some time between Summer term 2005 & Spring term 2011

Objective 1.9 There will be a 5% increase in the number of Transfer Prepared students from 2008-2009 to 2010-2011. Transfer Prepared students...
Objective 1.10 The number of students that complete certificates or degrees in career technical programs will increase by a minimum of 5% from 717 in 2007-2008 to 753 in 2009-2010.

Objective 1.11 The percentage of new to SBCC students who enroll in a Basic Skills English course and that progress to a higher level English course within a three-year period will increase from 67% in the fall 2004 cohort to 70% in fall 2007 cohort. The percentage of those students that enroll in a higher level English course and receive a successful grade will increase from 78% in the fall 2004 cohort to 81% in fall 2007 cohort. The percentage of those students that enroll in English 110 and successfully complete within a three-year period will increase from 78% in the fall 2004 cohort to 81% in the fall 2007 cohort.

Objective 1.12 The percentage of new to SBCC students who enroll in a Basic Skills math course and that progress to a higher level math class within a three-year period will increase from 51% in the fall 2004 cohort to 54% in the fall 2007 cohort. The percentage of those students that enroll in a higher level math course receive a successful grade will increase from 69% in the fall 2004 cohort to 72% in the fall 2007 cohort. The percentage of those students that enroll in a college-level math course and successfully complete within a three-year period will increase from 78% in the fall 2004 cohort to 81% in the fall 2007 cohort.

Objective 1.13 The percentage of new to SBCC students who enroll in at least one ESL level 1-4 course and who later enroll in an ESL level 5 course or higher within a three-year period will increase from 24% in the fall 2004 cohort to 27% in the fall 2007 cohort. The percentage of those students that enroll in an ESL level 5 course and successfully complete will increase from 80% in the fall 2004 cohort to 83% in the fall 2007 cohort. The percentage of students from the fall 2007 cohort that enroll in and successfully complete English 100 or higher within three years will exceed the average success rate of the fall 2002, 2003 and 2004 cohorts of 92.3%.

Objective 1.14 By Spring 2010, develop the College’s Master Educational Plan and start its implementation.

The College will improve its performance on each of the ARCC measures and exceed the state and its peer group averages on each of these measures.

Objective 1.15 The College will exceed its peer group average and the state average on each of the ARCC measures and it will increase by a
minimum of three percentage points from 2008 to 2011 on each of the following measures:

**Objective 1.16** The Student Progress and Achievement Rate will increase from 59.4% in 2008 to 62.4% in 2011. (Measure defined as the percentage of first-time students who showed intent to complete and achieved any one of the following within six years: earned a degree; earned a certificate; transferred to a four-year institution; became transfer directed; or became transfer prepared.)

**Objective 1.17** The percentage of students who earn at least 30 units will increase from 71.4% in 2008 to 74.4% in 2011. (Measure defined as the percentage of first-time students who showed intent to complete and earned at least 30 units within six years.)

**Objective 1.18** The Fall-to-Fall Persistence rate will increase from 71.4% in 2008 to 74.4% in 2011. (Measures is defined as the percentage of first-time students with a minimum of 6 units earned in a fall term who returned and enrolled in the subsequent fall term anywhere in the CCC system.)

**Objective 1.19** The annual successful course completion rate for credit vocational courses will increase from 78.6% in 2008 to 81.6% in 2011 (The percentage of students enrolled in courses with SAM Codes of A, B or C who earn a grade of A, B, C or P.)

**Objective 1.20** The annual successful course completion rate for credit Basic Skills courses will increase from 62.5% in 2008 to 65.5% in 2011. (Measure defined as the percentage of students enrolled in basic skills courses who earn a grade of A, B, C or P.)

**Objective 1.21** The improvement rate in credit Basic Skills will increase from 56.6% in 2008 to 59.6% in 2011. (Measure defined as the percentage of students who successfully complete their initial basic skills course in English or math that is two or more levels below college/transfer level and earn a grade of A, B, C or P in a higher-level course in the same discipline within three years.)

**Objective 1.22** Improvement rate in credit ESL will increase from 56.9% in 2008 to 60% in 2011. (Measure defined as the percentage of students who successfully complete their initial ESL course that is two or more levels below college/transfer level and earn a grade of A, B, C or P in a higher-level ESL course or a college-level English course within three years.)

By the start of the Fall 2009 semester, the College will establish the baseline rates for its objectives for increasing the percentage of students that meet or exceed the performance criteria for achieving its course, program, and institutional SLOs.

**Objective 1.23** By August 2009, establish baseline data for student performance in course, program and institutional Student Learning Outcomes.

**Objective 1.24** By September 2009, establish annual objectives for the percentage of students expected to meet or exceed standards established in course, program and institutional SLOs.
Goal 2. Increase the success of students in the Continuing Education Division through innovative instruction and support programs that address the needs of a diverse college population.

**Objective 2.1** Establish baseline data for course completion, persistence and certificate completion for enhanced funded courses in the Adult High School, GED, ESL and short-term vocational programs by end of academic year 2008-2009.

Increase by 10% GED, AHS, ESL and Short-term Vocational course completion by 10% by 2010-2011.

**Objective 2.2** Increase Continuing Education enhanced funded courses by the District’s growth percentage funded each academic year beginning 2008.

**Objective 2.3** Establish baseline data for the number of students being served by the non-credit matriculation/student support services program and increase students served by a minimum of 5% by the end of academic year 2010-2011.

**Objective 2.4** Establish baseline data for number of students in enhanced funded courses that transition to credit and increase this number by 2% by the end of academic year 2010-2011.

**Objective 2.5** Initiate the Student Learning Outcomes cycle in all non-credit courses eligible for enhanced funding and complete the SLO cycle in 1/3 of the courses per year beginning academic year 2009-2010.

**Objective 2.6** Develop an annual training process for non-credit faculty designed to incorporate and assess Student Learning Outcomes in Continuing Education curriculum by Fall 2009.

Goal 3. Increase access to education for all segments of the community that can benefit from the college’s programs and services.

**Objective 3.1.** Achieve the College’s annual state-funded enrollment cap.

**Objective 3.2.** Implement the 2008-2011 Enrollment Management Plan.

**Objective 3.3** Increase the percentage of used textbook sales as a percentage of total textbook sales from 18% in 2006-07 to a minimum of 21% in 2010-2011. Each percentage increase in the availability of used textbooks will reduce the average per book cost by $25 per $100 required to
Objective 3.4 By 2011, a minimum of 12 fully online skills competency awards, certificate and degree programs will be offered to meet the needs of students and the community.

Goal 4. Strengthen programs for students of the college by utilizing best practices for recruitment, workplace satisfaction and professional development of faculty, staff and administrators.

Objective 4.1 Increase by 2% each year the number of female and minority candidates applying for faculty, staff and administrator positions in which they are under-represented at the college.

Objective 4.2 Establish benchmarks for assessment of workplace satisfaction.

Objective 4.3 Implement systematic collection of information from individuals who decline positions offered or who resign from permanent positions as to the reasons for declining employment with the college.

Objective 4.4 Increase participation by at least 5% of staff in classified professional growth program and by at least 5% of management in management professional growth program.

Objective 4.5 Increase the percentage of SBCC employees who use Coastal Housing services.

Objective 4.6 Increase the percentage of employees who participate in alternative transportation options.

Objective 4.7 By Spring 2009, implement a Continuing Education faculty evaluation process that aligns with provisions in Education Code (section 1341.05) for the purpose of providing feedback to instructors and administration so that excellence in the classroom is encouraged and facilitated.

Goal 5. Ensure that the college has effective shared governance and decision-making structures and processes.

Objective 5.1 In 2008-09, develop a framework for regular evaluation and improvement of institutional shared governance and decision-making
structures and processes and conduct the evaluation.

**Objective 5.2** In 2009-10, develop and implement a plan that responds to the evaluation of each constituency group's effectiveness in the shared governance process.

**Goal 6. Establish college-wide accountability systems that are based on quantitative and qualitative data and linked to planning and budgeting.**

**Objective 6.1** Develop and implement a comprehensive decision support system to provide easy and prompt access to data and to recover the decision support capabilities that the college had achieved before the Banner implementation.

**Objective 6.2** During 2008-09, complete and implement the first cycle of operational and student support services program reviews and the revised instructional programs reviews. Integrate all program reviews into college planning processes, linking the program reviews findings to college-wide planning and resource allocation.

**Objective 6.3** Complete the implementation of Banner and associated third party software applications and refine business processes in the context of this implementation.

**Objective 6.4** Implement the 2008-11 Technology Plan.

**Objective 6.5** By Spring 2009, complete the Continuing Education software conversion, implement related business practices needed to support this conversion, and wherever possible align these practices with those used in the credit division.

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**Goal 7. Implement the long range capital construction plan.**

**Objective 7.1** To the extent fiscally possible, design and construct all new buildings and major modernization projects following LEED standards.

**Objective 7.2** By June 2011, complete a minimum 50% of the Deferred Maintenance projects included in the bond funding.

**Objective 7.3** Recycle at least 60% of the college's overall waste as recorded and determined by the SBCC Institute waste management bill (IWMB) annual report.
Goal 8. Create an optimal physical and technological environment that ensures the best service to students and the local community.

Objective 8.1 Improve the utilization rate of facilities and other college resources in instruction and student support programs.

Objective 8.2 To the extent fiscally possible, make progress towards providing universal access to existing and new facilities.

Objective 8.3 Develop and implement guidelines and adhere to Section 508 standards for procurement of electronic and information technology and web accessibility.

Objective 8.4 Evaluate the results of the accessibility assessment study to be completed in 2008-09 and, to the extent fiscally possible, implement changes to further improve the accessibility of facilities at the Main, Schott and Wake campuses.
BP 2315  CLOSED SESSIONS

Reference: Government Code Sections 54956.8, 54956.9, 54957, 54957.6; Education Code Section 72122

Current board policy:

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

Suggested CCLC language below:

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.
- advice of counsel on pending litigation, as defined by law;
- consideration of tort liability claims as part of the district's membership in any joint powers agency formed for purposes of insurance pooling;
- real property transactions;
- threats to public security;
- review of the District's position regarding labor negotiations and giving instructions to the District's designated negotiator;
- discussion of student disciplinary action, with final action taken in public;
- conferring of honorary degrees;
- consideration of gifts from a donor who wishes to remain anonymous;
- to consider its response to a confidential final draft audit report from the Bureau of State Audits.

The agenda for 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, consistent with law; announce any actions taken in closed session and the vote 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.
BP 2320   SPECIAL AND EMERGENCY MEETINGS

Reference: Government Code Section 54956; Education Code Section 72129

Current language:

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)

CCLC suggested language is below:

Special meetings may be called by the President of the Board or by a majority of the members of the Board. Notice of such meetings shall be posted at least 24 hours before the time of the meeting, and shall be noticed in accordance with Brown Act requirements. No business other than that included in the notice may be transacted or discussed.

Emergency meetings may be called by the President of the Board when prompt action is needed because of actual or threatened disruption of public facilities under such circumstances as are permitted by the Brown Act, including work stoppage, crippling disasters, and other activity that severely impairs public health or safety.

No closed session shall be conducted during an emergency meeting, except as provided for in the Brown Act to discuss a dire emergency.

The Superintendent/President shall be responsible to ensure that notice of such meetings is provided to the local news media as required by law.
BP 2330 QUORUM AND VOTING

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

Current language:

1. 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.

2. Quorum

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

3. Voting Procedures

   Voting shall be by voice except when formal resolutions are required, in which case a roll call vote will 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.

4. 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 below:

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.

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 Superintendent/President to approve construction change orders, subject to
subsequent Board ratification, and subject to the following limitations:

1) No change order shall be approved by the 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.

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.

5. Parliamentary Procedures

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

Suggested language by CCLC:

A quorum of the Board shall consist of four members.

The Board shall act by majority vote of all of the membership of the Board, except as noted below.

No action shall be taken by secret ballot.

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

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

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

- Resolution authorizing a sale or lease of District real property to the state, any county, city or to any other school or community college district;
- Resolution authorizing lease of District property under a lease for the production of gas.
BP 2340   AGENDAS

Sections 72121, 72121.5

An agenda for the meetings shall be provided by the Superintendent/President. An agenda shall be
posted adjacent to the place of meeting at least 72 hours prior to the meeting time for regular
meetings. The agenda shall include a brief description of each item of business to be transacted or
discussed at the meeting. 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/President. If requested, the agenda shall be provided in appropriate alternative
formats so as to be accessible to persons with a disability.

No business may be acted on or discussed which is not on the agenda, except when one or more
of the following apply:

- a majority decides there is an “emergency situation” as defined for emergency meetings;
- two-thirds of the members (or all members if less than two-thirds are present) determine
  there is a need for immediate action and the need to take action came to the attention of
  the Board subsequent to the agenda being posted;
- an item appeared on the agenda of and was continued from a meeting held not more
  than five days earlier.

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

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

Members of the public may 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
Superintendent/President. 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.
BP 2345  PUBLIC PARTICIPATION AT BOARD MEETINGS

Reference: Government Code Section 54954.3, 54957.5 Education Code 72121.5

Current language:

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.

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.

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.

CCLC suggested language:

The Board shall provide opportunities for members of the general public to participate in the business of the Board.

Members of the public may bring matters directly related to the business of the District to the attention of the Board in one of two ways:

1. There will be a time at each regularly scheduled board meeting for the general public to discuss items not on the agenda.

   Members wishing to present such items shall submit a written request at the beginning of the meeting to the Superintendent/President that summarizes the item and provides his or her name and organizational affiliation, if any. No action may be taken may be taken by the Board on such items.

2. Members of the public may place items on the prepared agenda in accordance with Board Policy 2340.
BP 2350  SPEAKERS

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

Current language:

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)

Suggested CCLC language:

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.

Formerly: BP 0450 and 0460
Revisions approved by the Board May 11, 1998
Those wishing to speak to the Board are subject to the following:

1. 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.

2. Non-scheduled substitutes may not speak in place of scheduled speakers unless alternates have been submitted on the original request.

3. 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.

4. They shall complete a written request to address the Board at the beginning of the meeting at which they wish to speak.

5. The request 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.

6. No member of the public may speak without being recognized by the President of the Board.

7. Each speaker will be allowed a maximum of five minutes per topic. Twenty minutes shall be the maximum time allotment for public speakers on any one subject regardless of the number of speakers at any one-board meeting. At the discretion of the Board President, these time limits may be extended.

8. Each speaker coming before the Board is limited to one presentation per specific agenda item before the Board, and to one presentation per meeting on non-agenda matters.

*Taken from Decorum policy and combined here: (BP 2355)*

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.
- Allegations against officers and/or employees of the District.

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person(s) may be removed from the meeting room.

Speakers who engage in such conduct may be removed from the podium and denied the opportunity to speak to the Board for the duration of the meeting.
Before removal, the President of the Board will make a warning and a request that the person(s) curtail the disruptive activity. If the behavior continues, the person(s) may be removed by a vote of the Board, based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

If order cannot be restored by the removal in accordance with these rules of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and may continue in session. The Board shall only consider matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this rule.
BP 2360 MINUTES

Reference: Education Code Section 72121(a)

Current language:

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:

a. 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)

b. A list of items that will constitute the agenda for all regular meetings shall be posted at least 72 hours prior to the time of said meetings, and in the case of special meetings, at least 24 hours prior to said special meeting. (Ed. Code, Sec. 72121)

c. 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) repealed

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

Suggested CCLC language:

The Superintendent/President shall cause minutes to be taken of all meetings of the Board. The minutes shall record all actions taken by the Board. The minutes shall be public records and shall be available to the public. If requested, the minutes shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.
BP 2710   CONFLICT OF INTEREST

Reference:
Government Code Sections 1090, et seq.; 1126; 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 or her interest is limited to those interests defined as remote under Government Code Section 1091 or is limited to interests defined by Government Code Section 1091.5.

A board member who has a remote interest in any contract considered by the Board shall disclose his or her interest during a board meeting and have the disclosure noted in the official board minutes. The board member shall not vote or debate on the matter or attempt to influence any other board member to enter into the contract.

A board member shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to his or her duties as an officer of the district.

In compliance with law and regulation, the Superintendent/President shall establish administrative procedures to provide for 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.

See Administrative Procedures AP 2710

Proposed as replacement for existing BP 2710 last reviewed 5/11/98
AP 2710  Conflict of Interest

Reference:

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

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

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

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

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

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

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

• Publicly identify the financial interest in detail sufficient to be understood by the public;
• Recuse himself or herself from discussing and voting on the matter;
• Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A board member may, however, discuss the issue during the time the general public speaks on the issue.

**Gifts (Government Code Section 89503)**

Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.

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

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

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

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

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

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

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

**Representation (Government Code 87406.3)**

Elected officials shall not, for a period of one-year after leaving their position, act as an agent or attorney for, or otherwise represent for compensation, any person appearing before that local government agency.

New AP-Legally required
AP 2712 Conflict of Interest Code

Reference:
Title 2, Section 18730; Government Code Sections 87103(e), 87300-87302, 89501, 89502 and 89503

Pursuant to Section 18730 of Title 2 of the California Code of Regulations, incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code section 87300 or the amendment of a conflict of interest code within the meaning of Government Code section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Government Code sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Government Code section 87100, and to other state or local laws pertaining to conflicts of interest.

Section 1. Definitions
The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

Section 2. Designated Employees
The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

Section 3. Disclosure Categories
This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to article 2 of chapter 7 of the Political Reform Act, Government Code sections 87200, et seq. In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Government Code section 87200; and
(C) The filing officer is the same for both agencies. Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of financial interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the financial interests set forth in a designated employee’s disclosure categories are the kinds of financial interests which he or she foreseeably can affect materially through the conduct of his or her office.

Section 4. Statements of Economic Interests
Place of Filing. The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency’s conflict of interest code.

Section 5. Statements of Economic Interests
Time of Filing.
(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

Section 5.5. Statements for Persons Who Resign Prior to Assuming Office
Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

1. File a written resignation with the appointing power; and

2. File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate

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1 Designated employees who are required to file statements of economic interests under any other agency’s conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code section 81004.

2 See Government Code section 81010 and 2 Cal. Code ofRegs. section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.
in the making, or use the position to influence any decision of the agency or receive, or
become entitled to receive, any form of payment by virtue of being appointed to the position.

Section 6. Contents of and Period Covered by Statements of Economic Interests
(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 7. Manner of Reporting
Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investments and Real Property Disclosure. When an investment or an interest in real property\(^3\) is required to be reported,\(^4\) the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property exceeds two thousand dollars ($2,000), exceeds ten thousand dollars ($10,000), exceeds one hundred thousand dollars ($100,000), or exceeds one million dollars ($1,000,000).

(B) Personal Income Disclosure. When personal income is required to be reported,\(^5\) the statement shall contain:

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\(^3\) For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

\(^4\) Investments and interests in real property which have a fair market value of less than $2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

\(^5\) A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.
1. The name and address of each source of income aggregating five hundred dollars ($500) or more in value, or fifty dollars ($50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars ($1,000) or less, greater than one thousand dollars ($1,000), greater than ten thousand dollars ($10,000), or greater than one hundred thousand dollars ($100,000);

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars ($10,000).

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal during Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 8. Prohibition on Receipt of Honoraria

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official. Substitutions (a), (b), and (c) of Government Code section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

Section 8.1. Prohibition on Receipt of Gifts in Excess of $390

6. Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.
(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $390 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Government Code section 89503 shall apply to the prohibitions in this section.

Section 8.2. Loans to Public Officials
(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.

2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed five hundred dollars ($500) at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

Section 8.3. Loan Terms
(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars ($500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

Section 8.4. Personal Loans
(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

   a. The date the loan was made.

   b. The date the last payment of one hundred dollars ($100) or more was made on the loan.

   c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars ($250) during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis
of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

Section 9. Disqualification
No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars ($2,000) or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars ($2,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars ($500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $390 or more provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

Section 9.3. Legally Required Participation
No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

Section 9.5. Disqualification of State Officers and Employees
In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars ($1,000) or more.

Section 10. Disclosure of Disqualifying Interest
When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

Section 11. Assistance of the Commission and Counsel
Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code section 83114 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

Section 12. Violations
This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code sections 81000 - 91015. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Government Code section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code section 91003.

Section 13. Designated Positions and Disclosure Requirements
1. The persons occupying following positions manage public investments. They shall file a full statement of economic interests pursuant to Government Code Sections 87200 et seq.:
   - Governing Board Members
   - Chief Executive Officer
   - Chief Business Officer

2. Disclosure Categories: The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the designated employees must disclose for each disclosure category to which he or she is assigned.

Category 1: All investments and business positions and sources of income from, business entities that do business with the District or own real property within the boundaries of the District, plan to do business or own real property within the boundaries of the District within the next year, or have done business with or owned real property within the boundaries of the District within the past two (2) years.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the District.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the District, plan to engage in such activities within the jurisdiction of the District within the next year, or have engaged in such activities within the jurisdiction of the District within the past two (2) years.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the District.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles or equipment of a type purchased or leased by the Designated Employee's Department.

Designated Positions, and the Disclosure Categories assigned to them, are as follows:
Consultants must be included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code subject to the following limitation: The Superintendent/President or designee may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant’s duties and, based on that description, a statement of the extent of disclosure requirements. The superintendent/president’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Proposed as replacement to Conflict of Interest Code that was not codified and has not been significantly updated since 1977
CONFLICT OF INTEREST CODE
SANTA BARBARA COMMUNITY COLLEGE DISTRICT

I. Adoption

In compliance with the Political Reform Act of 1974, California Government Code Section 81000, et seq., the SANTA BARBARA COMMUNITY COLLEGE DISTRICT hereby adopt this Conflict of Interest Code, which shall apply to all governing board members and designated employees of this school district, as specifically required by California Government Code Section 87300.

II. Designated Employees

Employees of the SANTA BARBARA COMMUNITY COLLEGE DISTRICT, including governing board members, who hold positions which involve the making, or participation in the making, of decisions which may foreseeably have a material effect on any financial interest shall be designated employees. All persons who hold the positions specifically enumerated in Exhibit "A" are designated employees.

III. Disclosure Statement – Filing

A. Each designated employee, including governing board members, shall file annual statements at the time and in the manner prescribed in this Code, disclosing reportable interests in real property, investments in business entities, and income which might foreseeably be affected materially by decisions made or participated in by the designated employee by virtue of his or her position. It has been determined that it is foreseeable that the types of investments, interests in real property, and income listed in the disclosure categories in Exhibit "B" may be affected materially by decisions made or participated in by the designated employee by virtue of his or her position. Such interests are reportable if held by designated employee. Notwithstanding the foregoing the principal residence of the designated employee need not be reported.

B. Initial statements shall be filed by each designated employee within 30 days after the effective date of this Conflict of Interest Code disclosing investments and interests in real property.

C. Annual statements shall be filed during the month of February disclosing investments, interests in real property and income held or received in the period between the closing date of employee's previously filed statement and December 31st.

D. Leaving office statements shall be filed by every person who leaves a designated position specified in Exhibit "A" within 30 days after leaving the position, disclosing his or her reportable investments, interests in real property, and income during the period since the closing date of the previous statement filed pursuant to this Code. A designated employee who leaves his position and
immediately assumes another position designated in Exhibit "A" shall file an amended statement only if additional reporting is required pursuant to Exhibit "A".

E. Annual and leaving office statements shall include investments in business entities, interests in real property, and income held or received at any time during the period covered by the statement, whether or not they are still held at the time of filing.

F. Employees elected, appointed, promoted or transferred to designated positions shall file initial statements not less than ten days before assuming office unless an earlier assumption of office is required by emergency circumstances, in which case the statement shall be filed within ten days thereafter.

G. The statement shall be filed with the SANTA BARBARA COMMUNITY COLLEGE DISTRICT. In the case of statements of members of the Board, the District shall make and retain a copy and forward the original to the SANTA BARBARA COUNTY BOARD OF SUPERVISORS.

IV. Disclosure Statements - Contents

Disclosure statements shall be made on forms supplied by the SANTA BARBARA COMMUNITY COLLEGE DISTRICT.

A. Contents of investment and Interest in Real Property Reports:

When an investment or interest in real property is required to be disclosed, the statement shall contain the following:

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held and a general description of the business activity in which the business entity is engaged.

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment, or interest in real property exceeds ten thousand dollars ($10,000), and whether it exceeds one hundred thousand dollars ($100,000).

5. In the case of an investment which constitutes 50% or more of the ownership interest in a business entity, a disclosure of the investments and interests in real property of the business entity;

6. If the property or investment was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.
B. Contents of Income Reports:

1. When income is required to be reported under this Code, the statement shall contain the following:

   a. The name and address of each source of income aggregating $250 or more in value, or $25 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

   b. A statement whether the aggregate value of income from each source was greater than $1,000 and whether it was greater than $10,000;

   c. A description of the consideration, if any, for which the income was received;

2. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement will contain:

   a. The name, address, and a general description of the business activity of the business entity;

   b. In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity, if the filer's pro rata share of fees from such person was greater than $1,000;

   c. In the case of a business entity not covered by sub-paragraph "b", the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was greater than $10,000 during a calendar year;

   d. Income of a business entity shall not be reported unless the filer or his or her spouse owns, directly, indirectly, or beneficially, a 10% interest or greater. In addition, for purposes of sub-paragraphs "b" and "c" of this Section, the disclosure of persons who are clients or customers of a business entity is required only if it is reasonably foreseeable that the client or customer may be materially affected by the decisions of the filer.

V. Disqualification

A. Designated employees must disqualify themselves from making or participating in the making of any decisions which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on any reportable financial interest of that employee (except sources of gifts of less than $150), on the principal residence of the designated employee or on any business entity in which the designated employee holds a position of management or is a director, officer, partner, trustee or employee. No designated employee shall be
prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made.

B. A member of the governing board with a disqualifying interest as set forth in Paragraph A shall give notice of and identify such interest at the meeting during which consideration of the decision takes place. Such notice and identification shall be made part of the official minutes of the board. Any other designated employee required to disqualify himself or herself shall notify his or her supervisor in writing which writing shall be kept as a record of the district.

VI. Definition of Terms

Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974. The definitions contained in Exhibit “C” are hereby incorporated into this Code.

VII. Statue of Limitation

No action shall be brought pursuant to Government Code Section 91003 to restrain the execution of or to set aside official action of the District unless the complaint or petition is filed and served upon the District within 90 days following the official action.

VIII. Effective Date

This Conflict of Interest Code shall become effective thirty (30) days after approval by the Board of Supervisors of Santa Barbara County.

Adopted 1/13/77 Board Meeting
Amended 4/8/77 by Board of Supervisors
and adopted 4/8/77 by Board of Supervisors
EXHIBIT A

Designated Positions

I. Persons occupying the following positions are designated employees and must disclose financial interests in all categories defined in Exhibit “B”:

   Member of the Board of Trustees
   Superintendent/President
   Executive Vice President, Educational Programs
   Vice President, Business Services
   Vice President, Continuing Education
   Vice President, Human Resources & Legal Affairs
   Vice President, Information Services

II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of Exhibit “B”:

   None

III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 3 of Exhibit “B”:

   Director of Administrative Services
   Director of Food Services
   Director, Purchasing
   Bookstore Manager
BP 2715  CODE OF ETHICS/STANDARDS OF PRACTICE

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

Current language:

CCLC language suggested that the first sentence below be added and to insert the current board code of ethics or standards of board practice. The code must contain a clearly defined statement for dealing with behavior that violates its code.

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

1. Introduction: Mission and Core Principles the College

MISSION: Santa Barbara City College is committed to the success of each student, providing a variety of ways for students to access outstanding and affordable higher education programs that foster lifelong learning. SBCC works to ensure academic success for all students as they earn a degree or certificate, prepare for transfer, or gain the occupational competencies and academic skills needed to advance in their careers.

The college serves all segments of its diverse community by maintaining quality programs, by collaborating with local organizations to identify new educational needs and develop programs to meet those needs, and by continually expanding its efforts to meet the educational needs of traditionally underserved groups. The college responds to the needs of the South Coast community by offering a comprehensive continuing (adult) education program and developing programs that support economic development. As part of that larger community, SBCC is also committed to valuing the dynamic diversity of the community and to adopting sustainable practices and exercising good citizenship.

SBCC promotes student learning and development through the attainment of Institutional Student Learning Outcomes that measure student achievement in critical thinking, problem-solving and creative thinking; communication; quantitative analysis and scientific reasoning; social, cultural, environmental and aesthetic perspectives; information, technology and media literacy; and personal, academic and career development.

CORE PRINCIPLES: Santa Barbara City College encourages and supports instructional improvement and innovation that increases the quality and effectiveness of its programs based upon these core principles:
• Policies, practices and programs that are student-centered
• Shared governance involving all segments of the College community
• An environment that is psychologically and physically supportive of teaching and student learning
• A free exchange of ideas in a community of learners that embraces the full spectrum of human diversity
• A commitment to excellence in all college endeavors

2. Standards of Conduct

Each member of the Board of Trustees will:

• Hold the educational welfare of the students of the District as his/her primary concern. Insofar as possible, show concern and interest for student accomplishments by attending student ceremonies and events.
• Respect the office of Trustee and in no way misuse the power inherent in the office.
• Ensure that the District maintains equality of opportunity for all students regardless of race, creed, sex, age, disability, or national origin.
  • Protect, advance and promote the interest of the community as a whole. Exercise independent judgment without bias in favor of private interests or partisan political groups.
  • Uphold, implement, and enforce all laws and codes applying to the District.
  • Act as an instigator and promoter of change through legal and ethical procedures.
  • Recognize and actively communicate that authority rests with the Board in its legally constituted meetings and not with individual members or committees.
• Attend and participate in all meetings, insofar as possible, having prepared for discussion and decision by reviewing all agenda materials.
• Conduct all business of the Board in open public meetings, unless, in the judgment of the Board and for purposes permitted by law, it is more appropriate to hold a closed session.
• Maintain confidentiality of Board discussions held in closed sessions of the Board.
• Avoid any situation that may constitute a conflict of interest. Inform the Board or the Board President when a matter under consideration might involve or appear to involve such a conflict.
• Abstain from participation in discussion and voting on any issue where such a conflict of interest or appearance of such conflict might arise.
• Enhance his/her effectiveness as a Trustee through study of contemporary educational issues, through such means as staying current on relevant publications and conferences designed to improve Board member effectiveness.
• Use appropriate channels of communication.
• Respect others; acting with civility.
• Promote and maintain good relations with other Board members by:
  • Keeping an open mind and listening to other facts and points of view.
Respecting the opinions of others and abiding by majority rule.
Working with other Board members in a spirit of harmony and cooperation, and giving courteous consideration to others' opinions.

Promote a healthy work relationship with the Superintendent/President and the staff by:
Appointing and nurturing an effective Superintendent/President and supporting his/her administrative recommendations by maintaining a climate of "no surprises."
Supporting District personnel in the appropriate performance of their duties and assuring that they have the needed responsibility, authority and, within fiscal limitations, the resources to perform effectively.
Referring complaints, criticisms, and grievances through appropriate channels as previously agreed upon and reflected in Board policies.

Be an advocate for the District in the community by encouraging support for and interest in the College.

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.

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.

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.
BP 2725  BOARD MEMBER COMPENSATION

Reference: Education Code Section 1090, 35120, 72425

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)

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 the allowable current Internal Revenue Service rate.

In accordance with Ed. Code Section 72425, Board Members will be entitled to receive compensation for Board meetings to the extent provided by law.

Members of the Board who attend all board meetings shall receive $400 per month. A member of the Board who does not attend all meetings held by the Board in any month shall receive, as compensation, an amount not greater than the pro rata share of the number of meetings actually attended.

A member of the Board may be paid for a meeting when absent if the Board, by resolution, finds that at the time of the meeting the member is performing services outside the meeting for the community college district, is ill, on jury duty, or the absence is due to a hardship deemed acceptable by the Board.
BP 2735  BOARD MEMBER TRAVEL

Reference: Education Code Section 72423

Current language:

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)

Suggested CCLC language:

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