

ITEM #3



MINUTES

**SPECIAL MEETING OF THE GOVERNING BOARD
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT**

POLICY COMMITTEE

- YOLANDA SALCIDO, GOVERNING BOARD PRESIDENT
- TERRI VALLADOLID, GOVERNING BOARD VICE PRESIDENT
- NICK AGUILAR, GOVERNING BOARD MEMBER
- JORGE DOMINGUEZ, PH.D., GOVERNING BOARD MEMBER
- JEAN ROESCH, ED.D., GOVERNING BOARD MEMBER
- MANUEL R. LOPEZ, JR., STUDENT GOVERNING BOARD MEMBER
- RAJ K. CHOPRA, PH.D., SECRETARY TO GOVERNING BOARD
AND SUPERINTENDENT/PRESIDENT

Written notice is hereby given in accordance with Government Code Section 54956 that a special meeting of the Governing Board of the Southwestern Community College District will be held as noted below:

DATE: Thursday, August 26, 2010
 TIME: 7:00 a.m.
 LOCATION: Southwestern College
 Building 100, Conference Room A
 900 Otay Lakes Road
 Chula Vista, CA 91910

Compliance with Americans With Disabilities Act

Southwestern Community College District, in compliance with the American Disabilities Act (ADA), requests individuals who may need special accommodation to access, attend, and/or participate in Board meetings to contact Mary Ganio at (619) 482-6301 in advance of the meeting for information on such accommodation.

	ITEM
<i>Call to Order</i>	<p>1. CALL TO ORDER (Salcido) 7:04 a.m., Building 100, Conference Room A</p> <p>Attendance at this special meeting (Board members arriving after meeting commences will be noted as "present" at point in this suggested order of business at which they arrive).</p> <p>Present: Yolanda Salcido, Jean Roesch</p> <p><i>Also in attendance were staff members Michael Kerns and Patti Blevins.</i></p>
<i>Oral Communication</i>	<p>2. ORAL COMMUNICATION</p> <p>Persons wishing to address the Governing Board under this item should fill out a yellow request card (available at the reception table) and indicate on the card if they wish to be called under Oral Communication, or when a specific agenda item is considered.</p> <p>An oral presentation to the Board does <i>not</i> constitute an open discussion on the presentation topic, unless that topic is on the posted agenda. Pursuant to the Brown Act (Government Code Section 54954.2(a)): "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may <i>briefly</i> respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3."</p> <p><i>Angelina Stuart, Academic Senate President, provided an overview of changes in Policy 2510, including changing references to "Shared Governance" to "Participatory Decision Making."</i></p>

	ITEM
<i>Action</i>	<p>3. APPROVAL OF MINUTES (ENCLOSURE)</p> <p>Policy Meeting, August 24, 2010</p> <p><i>On motion by Roesch, seconded by Salcido, the minutes were approved.</i></p> <p>4. POLICY AND PROCEDURE REVIEW (ENCLOSURE)</p> <p>The Policy Committee will meet to review the following policy and procedure:</p> <p>Policy and Procedure No. 2510 – Shared Planning & Decision Making Revises existing District Policy No. 2510, Participation in Local Decision-Making</p> <p><i>Staff gave an overview of the proposed policy and procedures and revisions. After review, the Committee agreed to move this item forward for the Board's consideration and first reading at the September 8 Board meeting.</i></p>
<i>Adjournment</i>	<p>5. ADJOURNMENT 7:27 a.m. (Salcido)</p>
	<hr/> <p>Governing Board Secretary</p>
	<hr/> <p>Policy Committee Chair</p>

ITEM #4A

DECORUM

References: Education Code Section 72121.5
Government Code Section 54954.3(b)

In all cases, Robert's Rules of Order shall govern the deliberations of the Governing Board during its meetings, except when any deliberation would be inconsistent with the California Education Code, Title 5, California Code of Regulations or the policies of the Governing Board. The rules of order of the Governing Board, however, may be amended by a majority of those Governing Board members present and voting at any meeting.

The presiding officer is responsible for the orderly conduct of the meeting and shall rule on matters such as the time to be allowed for public discussion, the appropriateness of any subject presented and the allocation of time for a presentation.

The following will be ruled out of order by the presiding officer:

- Remarks or discussion in public meetings on charges or complaints which the Governing 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.

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 Governing Board for the duration of the meeting.

Before removal, a warning and a request that the person(s) curtail the disruptive activity will be made by the President of the Governing Board. If the behavior continues, the person(s) may be removed by a vote of the Governing 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 Governing Board may order the meeting room cleared and may continue in session. Under such circumstances, the Governing 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 policy.

ITEM #4B

DELEGATION OF AUTHORITY TO THE SUPERINTENDENT/PRESIDENT

References: Education Code Sections 70902(d) and 72400;
Accreditation Standards IV.B.1.j and IV.B.2

The Governing Board hereby delegates to the Superintendent/President the responsibility for executing all decisions of the Governing Board requiring administrative action. The Superintendent/President shall have full authority and responsibility for the proper conduct of the business and education programs of the District. This delegation of authority to the Superintendent/President shall remain in effect until revoked by the Governing Board.

The Superintendent/President may delegate any powers and duties authorized by the Governing Board, including the administration of education centers, but shall be responsible to the Board for the execution of such delegated powers and duties.

The Superintendent/President is empowered to reasonably interpret and administer Governing Board policy. When there is no applicable written policy, the Superintendent/President shall have the power to act, but such decisions shall be subject to review by the Governing Board. It is the duty of the Superintendent/President to inform the Governing Board of such action and to recommend a written Board policy if necessary.

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

The Superintendent/President will communicate regularly with each member of the Governing Board to review District business. The Superintendent/President shall inform the Governing Board of new developments and significant events in the field of higher education. Individual members of the Governing Board have the right to review or inspect any District documents or records which would otherwise be disclosable pursuant to the California Public Records Act, at any reasonable time upon request for the purpose of fulfilling their duties and responsibilities as Governing Board members.

The Superintendent/President shall generate any reports requested by the Governing Board as a whole or by any Board Committee. The Superintendent/President will also generate reports requested by individual members of the Governing Board where such requests are made at a Board meeting or made in writing and submitted to the Superintendent/President, with a copy to the full Governing Board, unless the

DELEGATION OF AUTHORITY TO THE SUPERINTENDENT/PRESIDENT

Governing Board, in its sole discretion, determines that the request is unduly burdensome or disruptive to District operations. Information provided to any Governing Board member shall be provided to all members; except that the Student Trustee may not receive confidential materials.

The Superintendent/President shall ensure compliance with all relevant laws and regulations, and that required reports are submitted in timely fashion.

ITEM #4C

BOARD ELECTIONS

References: Education Code Sections 5009, 5016(c), 5017, and 72023

The term of office of each Governing Board member shall be four years, commencing on ~~the date of the first Board Meeting~~ the first Friday in December following the election in November. Elections shall be held every two years, in even-numbered years. Terms of Governing Board members are staggered so that, as nearly as practical, two of the Governing Board members shall be elected at each election.

A number is assigned to each seat on the Board and any candidate for election to the Governing Board shall be required to run for a particular numbered seat on the Governing Board and be elected by the voters of the District at large.

In the event of a tie in any election for position of Governing Board member, the winner will be determined by lot. The Governing Board will notify the candidates who have received the tie votes to appear before the Governing Board, either personally or by a representative, at a time and place designated by the Governing Board. The Governing Board shall at that time and place determine the winner by lot.

ITEM #4D

AGENDAS

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

It shall be the responsibility of the Superintendent/President, in consultation with the Governing Board President, to prepare an agenda containing the items of business to come before the Governing Board at each regular and special meeting.

The 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, and specify the date, time and location of the meeting. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability. The Superintendent/President shall establish administrative procedures that provide for public access to agenda information and reasonable annual fees for the service.

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.

Agenda items initiated by members of the public, pursuant to District Procedure No. 2340, shall be placed on the Governing Board's agenda following the items of business initiated by the Governing Board and by staff. An agenda item submitted by a member of the public and heard at a public meeting may not be resubmitted within 90 days of the initial submission.

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

ITEM #4E

SPECIAL AND EMERGENCY MEETINGS OF THE GOVERNING BOARD

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

Special meetings may from time to time be called by the President of the Governing Board or by a majority of the members of the Governing 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. No business other than that included in the notice may be transacted or discussed.

Emergency meetings may be called by the President of the Governing 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.

ITEM #4F

OFFICERS

Reference: Education Code Section 72000(c)(1)

At the annual organizational meeting, the Governing Board shall elect from among its members a President and Vice President.

Election to office shall be by a majority vote of the entire Governing Board. Officers shall serve for one year. An officer may be removed from office by a majority vote of the entire Governing Board for refusing to perform the duties of the office imposed by law or by this policy.

The Superintendent/President shall serve as Secretary to the Governing Board.

The duties of the President of the Governing Board are:

- Preside over all meetings of the Governing Board;
- Call emergency and special meetings of the Governing Board as required by law;
- Consult with the Superintendent/President on Governing Board meeting agendas;
- Communicate with individual Governing Board members about their responsibilities;
- Participate in the orientation process for new Governing Board members;
- Assure Board compliance with policies on Governing Board education, self-evaluation, and Superintendent/President evaluation;
- Represent the Governing Board at official events or ensure Governing Board representation.

The duties of the Vice President of the Governing Board are:

- In the absence, disability or disqualification of the President, the Vice President shall preside over meetings and perform the duties of the President.

The duties of the Secretary of the Governing Board are:

- Notify members of the Governing Board of regular, special, emergency and adjourned meetings;
- Prepare and post Governing Board meeting agendas;
- Have prepared for adoption minutes of Governing Board meetings;
- Attend all Governing Board meetings and closed sessions, unless excused, and in such cases to assign a designee;

- Conduct the official correspondence of the Governing Board;
- Certify as legally required all Governing Board actions;
- Sign, when authorized by law or by Governing Board action, any documents that would otherwise require the signature of the Secretary or the Clerk of the Governing Board.