

BOARD POLICIES SUBCOMMITTEE
RECOMMENDATIONS REGARDING POLICIES – 4-24-2017

CHAPTER 2 – BOARD OF TRUSTEES

New Board Policy	Current Board Policy	Board Subcommittee's Recommendation
BP 2015 Board Membership	MPC Policy 1030	BP 2015 - ADOPTION
BP 2110 Vacancies on the Governing Board	MPC Policy 1210	BP 2110 – ADOPTION with revision to third paragraph to adjust wording to conform with Elections Code 5091(b).
BP 2210 Officers	MPC Policies 1010 and 1011	1. BP 2210 – ADOPTION 2. Revisions to AP 2210
BP 2200 Committees of the Governing Board	No MPC policy	BP 2200 – ADOPTION
BP 2305 Annual Organizational Meeting	MPC Policy 1010	BP 2305 - ADOPTION
BP 2310	MPC Policy 1015	BP 2310 - ADOPTION
BP 2315 Closed Session	MPC Policy 1040	BP 2315 – ADOPTION, with revision to remove bulleted item regarding conferring honorary degrees
BP 2320 Special and Emergency Meetings	No MPC policy	BP 2320 - ADOPTION
BP 2330 Quorum and Voting	MPC Policy 1045	BP 2330 - ADOPTION
BP 2342 Superintendent/President Succession	No MPC policy	BP 2342 - ADOPTION
BP 2717 Personal Use of Public Resources	No MPC policy	BP 2717 - ADOPTION



MONTEREY PENINSULA
COLLEGE

GOVERNING BOARD POLICIES

Chapter 2 Board of Trustees

2110

BP 2110 Vacancies on the Governing Board

Vacancies on the Governing Board may be caused by any of the events specified in Government Code Section 1770 or any applicable provision in the Elections Code, or by a failure to elect. Resignations from the Governing Board shall be governed by Education Code Section 5090.

Within 60 days of the vacancy or filing of a deferred resignation, the Governing Board shall either order an election or make a provisional appointment to fill the vacancy.

If an election is ordered, it shall be held on the next regular election date not less than 130 days after the ~~occurrence of the vacancy~~order of the election, pursuant to Education Code Section 5091(b).

If a provisional appointment is made, it shall be subject to the conditions in Education Code Section 5091. The person appointed to the position shall hold office only until the next regularly scheduled election for District Governing Board members, when the election shall be held to fill the vacancy for the remainder of the unexpired term.

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

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

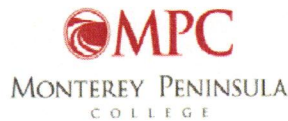
See Administrative Procedure 2110 – Vacancies on the Governing Board

References: Education Code Sections 5090 et seq.;
Government Code Section 1770

Formerly Governing Board Policy 1210 – Vacancies on the Governing Board

Adopted: April 13, 1988

Revised, Renumbered, and Adopted:



ADMINISTRATIVE PROCEDURES

Chapter 2 Board of Trustees

2210

AP 2210 Officers

The role of the Board Chair is important to the effectiveness of the Governing Board. The Board Chair leads the board and facilitates board processes. He/she plays an important role in ensuring that the board effectively governs the institution and that trustees work together well. The Board Chair ~~is often perceived as~~ shall be the major spokesperson for the board. He/she is the primary point of contact with the Superintendent/President.

Selection of the Board Chair

The Board Chair is selected annually at the December organizational meeting. The term is one year.

The Board Chair is elected through a nomination process conducted at the annual meeting. In making the nomination Board members will consider the priorities before the Board, the willingness of each member to serve, and the opportunity for each Board member to serve. Board members could serve more than one term.

Responsibilities of the Board Chair

The Board Chair, as is true with all Board members, has no legal authority as an individual other than those specifically delegated by the Board. The Board Chair is bound to represent the board's decisions and to reflect the voice of the entire board when working with the Superintendent/President or representing the board to the public. The Board Chair, upon his/her selection or election has a responsibility to create a positive climate, lead the Board and work closely with all members of the Board as well as the Superintendent/President.

1. ***Preside over Board Meetings.*** The Board Chair presides over board meetings and ensures that discussion and decision-making are orderly and deliberate. He/she ensures that the meetings are conducted in a way that is fair to everybody—that diverse opinions are heard, issues are explored, time is used efficiently, and closure on issues is reached. The Board Chair sets and reinforces expectations for respectful communication among board members and meeting participants.
2. ***Work closely with the Superintendent/President.*** The Board Chair is usually a major source of support and counsel for the Superintendent/President. He/she works with the Superintendent/President to develop the board's meeting agendas. The Board Chair reinforces and clarifies board expectations as needed, and ensures that there is an effective Superintendent/President evaluation process.



ADMINISTRATIVE PROCEDURES

3. **Represent the Board and District.** The Board Chair is often viewed as a primary advocate for the college and a spokesperson for the board. The responsibility flows from the board's duty to represent the college in the community and advocate college interests to state and national policy makers.
4. **Ensure the Board Fulfills Its Role.** The Board Chair helps ensure that the board ~~performs~~ acts legally and performs well ~~and in~~ that it represents public interests, focuses on policy when working with the Superintendent/President, and monitors institutional performance.
5. **Create a Positive Climate.** The Board Chair ~~s~~ helps to create a positive climate for board work by being welcoming and inclusive. Effective chairs model standards for trustees' behavior by adhering to principles of effective trusteeship and expecting other trustees to do the same. They epitomize what it means to be stewards of the public trust.
6. **Facilitate Teamwork.** The Board ~~chairs-Chair~~ builds a sense of team and helps trustees work together. ~~They-The Chair clarify-clarifies~~ clarifies goals, ~~seek-contributions~~ encourages input, and facilitates open (legal) communication. ~~They-The Board Chair~~ addresses and ~~try-tries~~ to resolve dysfunctional behavior.
7. **Board Education.** The ~~board-Board chair-Chair~~ ensures that there is an ongoing program of trustee development to ensure trustees are knowledgeable about their roles and the issues. He/she ensures that the board conducts an annual self-evaluation.

References: Education Code Section 72000;
CCLC Board Chair Handbook, 2016
CCLC Trustee Handbook, 2016

President's Cabinet Approved:



MONTEREY PENINSULA
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GOVERNING BOARD POLICIES

Chapter 2 Board of Trustees

2315

BP 2315 Closed Sessions

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

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

If any person requests an opportunity to present complaints to the Governing Board about a specific employee, such complaints shall first be presented to the Superintendent/President.



GOVERNING BOARD POLICIES

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

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

Formerly Governing Board Policy 1040 – Closed Sessions of the Governing Board

Adopted: April 13, 1988

Revised: January 25, 2011

Revised, Renumbered and Adopted: