

## Board Policies Review – A New Approach Needed (From March 2012)

### Background

For the past five years, MPC has been actively engaged in a comprehensive review and update of the district's Board policies to ensure compliance with state and federal laws and regulations and to reflect current practice. To accomplish this review:

- A Board Policy Review Process was developed to outline the steps, define roles, and provide for shared governance input.
- The Policy and Communication Committee (PACC) was created and assigned the role of disseminating proposed updates and new policies to constituent groups for review and comment.
- The college subscribed to the board policies and procedures service offered by the Community College League of California to have access to sample policies with legally recommended language.
- Board policies were posted to the college's website and updated with revisions and additions after Board adoption to ensure the campus and the community had access to these public documents.

### Current Status and the Challenge

To date, the result of the Board policies review is that 17 policies have been revised and 6 new policies have been added during the past five years. Out of 182 Board adopted policies, 23 or 12% have been addressed. After a policy has been approved by the President/Vice President's Group for dissemination by PACC, the review process has taken an average of 7 months before the policy is adopted by the Board. Based on the time and effort involved, the review and revision of the remaining 159 policies will likely take several years, if the current process is followed. At a rate of five policies per year (based on 23 policies processed over 5 years), the Board policies review will not be completed for 30 years. Even doubling the rate to 10 policies per year would require 15 years for completion.

Meanwhile, the regulatory environment continues to change with laws and regulations being revised or added. As a majority of the existing Board policies were adopted over 20 years ago, in 1988 or 1989, the District's policies represent a different time. Many are out of date. This review is critical to complete to implement the many regulatory changes that have and are occurring and to provide assurance to the campus and the public that MPC's policies are up-to-date, compliant, and accessible. A more efficient system is needed to complete the update expeditiously and to make more effective use of valuable professional time.

### Proposal for a New Approach

MPC is not alone in needing current, up-to-date policies to govern college operations. The other 111 colleges in the California community college system are subject to the same laws and regulations. To meet the need for governing policies, the Community College League of California (CCLC) developed a subscription service to provide districts with a set of policies and procedures that are required by state and federal law or regulation. Sixty-seven of the seventy-two California community college districts currently subscribe to the service.

CCLC's policy language has been developed and vetted by the League's attorneys. The policies contain the minimum required language and reflect the principle that policies should be broad statements, clear

and concise. Policy updates, due to regulatory changes and other legal issues, are provided in February and August of each year.

MPC has subscribed to CCLC's policies and procedure service since 2005. The 23 policies processed to date have relied primarily on CCLC policy language.

MPC has conducted the current Board policies update on a policy-by-policy basis, and the process has proved to be time intensive. The new approach being proposed is to adopt CCLC's policy manual in its entirety, as a replacement for the District's existing policies. This approach will ensure the District has the essential policies in place and the deleting of out-of-date or noncompliant policies will be accomplished more efficiently. The acceptance of the CCLC policy language without revision is advised to safeguard the District and avoid the need for review of language modifications by local legal counsel, saving District legal costs.

Implementation would consist of each of the vice presidents reviewing the policies for their areas with the appropriate advisory groups. Certain individual policies considered sensitive or where local elaboration or modification is permitted, may be pulled for specific review or analysis. There may also be instances where MPC has a policy not covered by the CCLC service that requires additional consideration. However, the bulk of the policies would be treated as a group, provided routine acceptance, and sent forward for adoption by the Board.

The existing Board Policy manual appears to have been updated in a similar way – the majority of the policies have adoption dates in 1988 and 1989, indicating policies were adopted as an aggregate.

The new approach is proposed to begin immediately.