

AUXILIARY ORGANIZATIONS

References: *Education Code Sections 72670 et seq.;*
 Title 5 Sections 59250 et seq.

The Governing Board of Southwestern Community College District may recognize and approve auxiliary organizations established for the purpose of providing to the College District any and all supportive services, specialized programs and functions identified in Title 5.

The Superintendent/President shall establish the administrative procedures necessary to fully comply with California law relating to auxiliary organizations, and to submit this policy and those procedures to the Chancellor for the California Community Colleges as required by law. At a minimum, the procedures shall address the subjects required by Title 5.

Recognition and establishment of auxiliary organizations shall include a public hearing on the recommendation to recognize or establish an auxiliary organization; Governing Board approval of the auxiliary organization; and approval of a written agreement between the College District and the auxiliary organization describing the services, programs or functions to be performed. All such written agreements shall comply fully with the requirements of Title 5 Section 59257(j).

Any auxiliary organization recognized by the Governing Board shall conduct its business in accordance with the administrative procedures established by the Superintendent/President pursuant to this policy. Notwithstanding anything contained in the administrative procedures, any auxiliary organization recognized by the Governing Board shall comply with Education Code provisions regarding:

- the composition of a board of directors and the way in which it conducts its meetings;
- conducting an annual audit;
- employing its work force;
- expending and appropriating its funds, and keeping its records.

No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the College District to any of its auxiliary organizations for the purpose of either avoiding laws or regulations that constrain community college districts or providing the College District with an unfair advantage with respect to any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for disabled students.