SUGGESTED ORDER OF BUSINESS

SPECIAL MEETING OF THE GOVERNING BOARD
POLICY COMMITTEE

HUMBERTO PERAZA, GOVERNING BOARD VICE PRESIDENT
TIM NADER, GOVERNING BOARD MEMBER

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:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>CALL TO ORDER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>CALL TO ORDER</td>
</tr>
<tr>
<td></td>
<td>(Peraza)</td>
</tr>
<tr>
<td></td>
<td>Building 100, Conference Room A</td>
</tr>
</tbody>
</table>

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).

Present:

2. ORAL COMMUNICATION
(Peraza)

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.

An oral presentation to the Board does not 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 briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.”

3. ACCEPTANCE OF MINUTES (ENCLOSURE)
(Peraza)

Policy Committee Meeting, June 15, 2011
<table>
<thead>
<tr>
<th>ITEM</th>
<th>ACTION</th>
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</table>
| **4.** | **REVISION OF EXISTING POLICIES PURSUANT TO ACCREDITATION SELF-STUDY**  
(Peraza)  
The Policy Committee will review and discuss proposed amendments to the following policies: |
| 4A. | Policy No. 2015 – Student Trustee (ENCLOSURE)  
- Revision including the Student Trustee in all Governing Board training sessions |
| 4B. | Policy No. 2740 – Board Education (ENCLOSURE)  
- Revision including the Student Trustee in all Governing Board training sessions;  
- Revision clearly stating the Governing Board will develop annual training schedule |
| **5.** | **REVIEW OF PROPOSED NEW POLICY - CAMPAIGN CONTRIBUTIONS POLICY NO. 2020 (ENCLOSURE)**  
(Peraza)  
The Policy Committee will review and discuss proposed new policy for campaign contributions limitations. |
| **6.** | **REVIEW OF PROPOSED NEW PROCEDURES**  
(Peraza)  
The Policy Committee will review and discuss proposed new procedures: |
| 6A. | Procedure No. 2740 – Board Education (ENCLOSURE)  
- Drafted pursuant to Accreditation Self-Study |
| 6B. | Procedure No. 2745 – Governing Board Self-Evaluation (ENCLOSURE)  
- Legally required procedure to accompany Policy 2745;  
- Requires adoption of standard self evaluation form – three samples are attached |
| 6C. | Procedure No. 2205 – Governing Board Attorney List (ENCLOSURE)  
- Drafted pursuant to Governing Board request |
| **7.** | **REVIEW OF CHAPTER 2 POLICIES NEEDING PROCEDURES (ENCLOSURE)**  
(Quarles)  
Review and discussion of Chapter 2 policies requiring procedures to be developed.  
Legally required procedures still to be developed are listed in red on the index enclosed. |
| **8.** | **ADJOURNMENT**  
(Peraza)  
Humberto Peraza  
Governing Board Vice President |
Item #3
Minutes
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD

TIM NADER, GOVERNING BOARD PRESIDENT
NORMA L. HERNANDEZ, GOVERNING BOARD VICE PRESIDENT
NICK AGUILAR, GOVERNING BOARD MEMBER
JEAN ROESCH, ED.D., GOVERNING BOARD MEMBER
TERRI VALLADOLID, GOVERNING BOARD MEMBER
CLAUDIA DURAN, STUDENT GOVERNING BOARD MEMBER
DENISE WHITTAKER, INTERIM SUPERINTENDENT/PRESIDENT

MINUTES
SPECIAL MEETING OF THE GOVERNING BOARD
POLICY COMMITTEE
NICK AGUILAR, GOVERNING BOARD MEMBER & COMMITTEE CHAIR
JEAN ROESCH, ED.D., GOVERNING BOARD MEMBER

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: Wednesday, June 15, 2011
TIME: 10:00 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.

<table>
<thead>
<tr>
<th>ITEM</th>
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</thead>
<tbody>
<tr>
<td>1. Call to Order (Aguilar)</td>
<td>CALL TO ORDER</td>
</tr>
<tr>
<td>10:15 a.m., Building 100, Conference Room A</td>
<td></td>
</tr>
</tbody>
</table>

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).

Board Members Present: Nick Aguilar, Jean Roesch
Staff Present: Michael Kerns, Patti Blevins, Robert Temple, Wayne Yanda

| Oral Communication | 2. ORAL COMMUNICATION |

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.

An oral presentation to the Board does not 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 briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.”

Bob Temple, Interim VP for Business and Financial Affairs, and Wayne Yanda, Director of Finance, were introduced.
3. APPROVAL OF MINUTES (ENCLOSURE)
   (Aguilar)
   Policy Committee Meeting, May 18, 2011

   The minutes were approved without objection.

4. DISCUSSION OF DRAFT BUSINESS POLICIES AND PROCEDURES (ENCLOSURE)
   (Aguilar)

   Aguilar suggested revising policies and procedures by inserting "college" in front of "district," to read "college district."

   Discussion of draft business policies and procedures:

   A. Policy No. 6330 - Purchasing

      There was discussion regarding setting the amount for purchases. Temple indicated that the limit, which changed annually, was set by the San Diego County Office of Education (SDCOE). Aguilar suggested including in the policy that procedures would be updated to reflect changes required by the SDCOE and that a resolution would be presented to the Board annually once the new number was established. Blevins to research personal liability for violations of policy by administrators.

   B. Procedure No. 6330 - Purchasing

      Suggested revisions included:

      - Add language from delegation policy
      - Specify 10 "working" days
      - Specify at least three qualified sources (if only two, need written rationale)

   C. Policy No. 6340 - Contracts

      It was noted that policy for contracts and purchasing are under the purview of the Vice President for Business and Financial Affairs.

      Suggested revision included the following:

      - Questionnaire to reflect criteria regarding qualifications.

   D. Procedure No. 6340 - Contracts

      Suggested revisions included the following:

      - First bullet - update to reflect bid limits in writing, email or fax.
      - Second bullet - revise "...unless special circumstances..." It is too ambiguous as is. Temple will return with suggested language.
      - Specify 10 "business" days
      - Minor grammatical revisions

      Temple and Yanda to revise and develop procedures further based on suggestions.

5. DISCUSSION OF CHAPTER 2 PROCEDURES (ENCLOSURE)
   (Aguilar)

   Discussion of Chapter 2 procedures for the policies listed below:
<table>
<thead>
<tr>
<th>ITEM</th>
<th>The following procedures were reviewed.</th>
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<tbody>
<tr>
<td>A.</td>
<td>Chapter 2 Procedures Information</td>
</tr>
<tr>
<td>B.</td>
<td>Policy No. 2435 - Evaluation of the Superintendent/President</td>
</tr>
<tr>
<td>C.</td>
<td>Policy No. 2610 - Presentation of Initial Collective Bargaining Proposals</td>
</tr>
<tr>
<td>D.</td>
<td>Policy No. 2745 - Governing Board Self-Evaluation</td>
</tr>
</tbody>
</table>

Aguilar submitted his proposed revisions. He indicated his preference for the first form.

Aguilar announced that it would be his last meeting as the Committee Chair, as he will submit a letter of resignation next week to the Superintendent of schools. He expressed his appreciation to all for their work in policy revision.

Adjournment 6. ADJOURNMENT 12:05 pm
(Aguilar)

Melinda Nish, Ed.D.
Governing Board Secretary
Item #4A
Revised Policy No. 2015
Student Trustee
STUDENT TRUSTEE

Reference: Education Code Section 72023.5 and 72103

The Associated Student Organization (A.S.O.) President will serve as the Student Trustee for the Governing Board.

The A.S.O. President/Student Trustee will be elected by a majority vote in the Spring A.S.O. election, and serve as student Board member for the next school year (June 1 through May 15 annually). All students of the student body are permitted to participate in the A.S.O. election. The election will be conducted in accordance with administrative procedures established by the Superintendent/President, or designee, and set forth in Article VII (Election Code) of the A.S.O. By-Laws. The Student Trustee will be sworn in at the June Governing Board meeting. Before taking office the Student Trustee shall attend a training session with the Superintendent/President and the Governing Board President regarding the role and responsibilities of the Governing Board pursuant to College District Policy and Procedure No. 2740, "Board Education."

The Student Trustee must be a resident of California, must maintain enrollment in at least nine units at Southwestern Community College District, and not be on academic or disciplinary probation.

On or before May 15 of each year, the Governing Board shall consider whether to afford the Student Trustee any of the following privileges:

- The privilege to make and second motions;
- The privilege to receive compensation for meeting attendance at the level received by other members of the Governing Board;
- The privilege to serve a term commencing on June 1.

The Student Trustee shall be seated with the Governing Board and shall be recognized as a full member of the Governing Board at meetings. The Student Trustee shall be entitled to attend all Governing Board training sessions. The Student Trustee is entitled to participate in discussion of issues and receive all materials presented to members of the Board (except for closed session). The Student Trustee will have an advisory vote, which will be recorded in the official minutes, but does not determine whether an item passes and does not pertain to closed session items. The Student Trustee shall be entitled to any mileage allowance necessary to attend Governing Board Meetings to the same extent as publicly elected trustees.

If the A.S.O. President/Student Trustee is unable to fulfill the duties of the office or does not meet the qualifications stated above, the A.S.O. Executive Vice President will serve as the Student Trustee. If the Executive Vice President is unable to serve or does not meet all...
STUDENT TRUSTEE

qualifications, the succession will continue in the following order: Social Vice President, Vice President for Club Affairs, Vice President for Public Relations, Secretary, Treasurer.

If the office of Student Trustee becomes vacant by reason of resignation, disqualification, or any other reason, a special election will be held to select the Student Trustee. The special election shall be held within thirty (30) days after notice of the vacancy comes to the attention of the Superintendent/President. Candidates for the office of Student Trustee may nominate themselves or be nominated by others by filing an application certifying that the candidate is eligible for service under the criteria set forth in California law, District Procedure No. 2015, and the A.S.O By-Laws.
Item #4B
Revised Policy No. 2740
Board Education
BOARD EDUCATION

References: Accreditation Standard IV.B.1.f

The Governing Board of Southwestern Community College District is committed to its ongoing development as a Board and to a trustee education program that includes new trustee orientation for new Governing Board members and the student trustee.

To that end, the Governing Board will engage in study sessions and team building exercises, provide access to reading materials, and support conference attendance and other activities that foster trustee education. At the Governing Board's annual retreat, specific on-going educational needs will be determined in conjunction with the Board Self-Evaluation. A Governing Board training schedule will be developed and posted on the College District website.

The Governing Board and the Superintendent/President shall assist each newly elected or appointed trustee to understand the Governing Board's functions, policies and procedures before he/she takes office. The following methods shall be employed:

1. The new trustee shall be invited to meet with the Superintendent/President, the Governing Board President and appropriate administrative personnel to discuss services being performed by the Governing Board review the role of Governing Board members.

2. The new trustee shall be notified of Governing Board meetings prior to his/her officially taking office. The Superintendent/President or designee shall supply materials and information pertinent to meetings and shall explain their use.

3. The new trustee will be given selected materials concerning his/her responsibility as a member of the Governing Board and a copy of all Governing Board policies by the Superintendent/President.

See College District Procedure No. 2740, Board Education.
CAMPAIGN CONTRIBUTIONS

Reference: Government Code Sections 81000, et seq.; 82015; 84200, et seq.; 85201

No person shall make a contribution in excess of $1,000 to a candidate seeking election to the Governing Board of Southwestern Community College District for a single election. No candidate shall solicit or accept a contribution in excess of $1,000 from a person for a single election. A candidate may receive up to $300.00 from a person in each of the general and special elections. All contributions made by a person whose contribution activity is financed, maintained or controlled by another person shall be deemed to be made by that other person. A candidate may contribute in excess of $1,000 to his or her own campaign. This contribution limit shall be reviewed by the Governing Board biannually.

No organization shall make a contribution to any candidate seeking election to the Governing Board of Southwestern Community College District or candidate-controlled campaign committee. All contributions made by a person whose contribution activity is financed, maintained or controlled by an organization shall be deemed to be made by that organization. If the contribution is deemed made by an organization, it is prohibited.

This prohibition shall not apply to contributions made to a committee that is organized solely for the purpose of supporting or opposing any ballot measure.

Definitions

A. "Candidate" means any individual seeking election to the Governing Board of Southwestern Community College, the candidate's campaign committee, committee(s) controlled by the candidate, and agents of the candidate.

B. "Contribution" is defined in a manner identical with the definition found in Government Code Section 82015, contained within the Political Reform Act, and any related provisions in the California Code of Regulations.

C. "Organization" means a proprietorship, labor union, firm, partnership, joint venture, syndicate, business, trust, company, corporation, association, or committee, including a political action committee. "Organization" does not include political party committees, as that term is defined in California Government Code Section 85205.

D. "Person" means a natural individual.
Item #6A
Proposed New Procedure No. 2740
Board Education
BOARD EDUCATION

Reference: Accreditation Standard IV.B.1.f

Pursuant to Policy 2740, “Board Education,” all new trustees elected/appointed to the Governing Board of the Southwestern Community College District shall be provided with an orientation by the President of the Governing Board and the Superintendent/President, and shall receive the following materials:

- Copies of the College District’s negotiated contracts with California School Employees’ Association (CSEA) and Southwestern College Education Association (SCEA);
- Current organizational charts;
- Policy & Procedure Manual Chapter 2;
- Shared Governance Handbook

All new trustees elected/appointed to the Governing Board of the Southwestern Community College District shall be provided with an opportunity to:

- Review the District budget with the Vice President for Business & Financial Affairs;
- Meet with the Shared Consultation Council (SCC);
- Tour the Southwestern College Higher Education Centers at National City, Otay Mesa and San Ysidro, and the Crown Cove Aquatic Center.

The Governing Board shall, at its annual retreat, develop a training schedule to address specific educational needs of the Board. Training sessions regarding the Brown Act, Conflict of Interest and Code of Ethics shall be included every year.
Item #6B
Proposed New Procedure No. 2745
Governing Board Self-Evaluation
GOVERNING BOARD SELF-EVALUATION

Reference: Accreditation Standard IV.B.1.e and g

Pursuant to Policy No. 2745, the Governing Board hereby establishes procedures and adopts the attached form for annual self-evaluation, to take place each April.

Based on this self-evaluation, the Governing Board may develop both short-term and long-term goals for itself and the College District. In addition to identifying specific issues, discussion of the Governing Board’s roles and responsibilities may build communication and understanding of Governing Board members’ values and strengths as individuals, and lead to a stronger, more cohesive working group.

- The content and format of the Self-Evaluation Form will be developed and revised as necessary by the Superintendent/President upon advice of counsel and/or at the request of the Governing Board.

- The Superintendent/President or designee will distribute the Self-Evaluation Form to each Governing Board member at least one month prior to the annual retreat.

- Each Governing Board member shall submit a completed Self-Evaluation Form to the Superintendent/President or designee two weeks before the annual retreat. The results will be compiled by tallying the responses given for each question and providing a list of all comments.

- Review of the self-evaluation results will be conducted at the annual retreat. A facilitator may be used to assist in this process. The results of this self-evaluation will be published in the agenda of a regularly scheduled Governing Board meeting no later than two (2) months following the Governing Board retreat.

- All forms and documentation associated with the Governing Board Self-Evaluation will be kept as source documents for the Agenda item.
BOARD SELF-EVALUATION

References: Accreditation Standard IV.B.1.e and g

The Governing Board is committed to assessing its own performance as a Board in order to identify its strengths and areas in which it may improve its functioning.

To that end, the Governing Board shall establish procedures for annual self-evaluation.

Please see District Procedure No. 2745 "Board Self-Evaluation."
Southwestern Community College District

**Governing Board Self-Evaluation Form**

<table>
<thead>
<tr>
<th>RATING SCALE</th>
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</thead>
<tbody>
<tr>
<td>1  Unsatisfactory</td>
</tr>
<tr>
<td>2  Satisfactory</td>
</tr>
<tr>
<td>3  Excellent</td>
</tr>
</tbody>
</table>

Using the rating scale above, please indicate your evaluation of how the Governing Board, as an entity, fulfills its responsibilities in the following areas:

1. Are the roles of Board chair and other officers clear?  
   [ ] 1  [ ] 2  [ ] 3

2. Are meetings conducted in such a manner that the purposes are achieved effectively and efficiently?  
   [ ] 1  [ ] 2  [ ] 3

3. Do Board members respect each other’s opinions?  
   [ ] 1  [ ] 2  [ ] 3

4. Are discussions structured so that all have an opportunity to contribute?  
   [ ] 1  [ ] 2  [ ] 3

5. Do Board members have adequate information upon which to base decisions?  
   [ ] 1  [ ] 2  [ ] 3

6. Are decisions clearly defined?  
   [ ] 1  [ ] 2  [ ] 3

7. Do all Board members receive support for ongoing education about college and state issues?  
   [ ] 1  [ ] 2  [ ] 3

8. Is information shared among Board members about important issues?  
   [ ] 1  [ ] 2  [ ] 3

9. Does the Board keep the CEO informed on contacts with the community or college employees?  
   [ ] 1  [ ] 2  [ ] 3

10. Does the CEO keep the Board informed of contacts with the community or college employees?  
    [ ] 1  [ ] 2  [ ] 3

11. Is the Board available to the CEO for support and feedback?  
    [ ] 1  [ ] 2  [ ] 3

12. Is the CEO available to the Board for support and feedback?  
    [ ] 1  [ ] 2  [ ] 3

13. Does the Board show its support for the college through members attending various events?  
    [ ] 1  [ ] 2  [ ] 3
14. Is the Board sensitive to the concerns of students and employees while maintaining impartiality?  

15. Is the Board knowledgeable about the institution’s history, mission, values, strengths, and weaknesses?  

16. Does the composition of the Board reflect the community in which it serves?  

17. Does the Board have strategies for involving the community in relevant decisions?  

18. Does the Board help promote the image of the college in the community?  

19. Do agendas focus on those policy issues that relate to Board responsibilities?  

20. Do agendas include legislative and state policy issues that will impact the college?  

21. Do agendas provide adequate time for planning and discussion?  

22. Are agendas focused enough to use the Board’s time efficiently?  

23. Are issues dealt with in a timely manner?  

24. Were issues which occupied most of the Board’s time and attention during the last year closely tied to the mission and goals of the institution?  

25. Has the Board spent adequate time on future planning and providing a vision for the college?  

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<th>COMMENTS</th>
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## Southwestern Community College District
Governing Board Self-Evaluation

### I. PHILOSOPHY AND MISSION, GOALS AND POLICIES

<table>
<thead>
<tr>
<th></th>
<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Board assures a systematic, comprehensive review of the District's policies and the procedures which implement them.</td>
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<tr>
<td>2.</td>
<td>The Board requires and approves comprehensive institutional planning for enrollment, staffing, physical facilities, availability of resources, budget development, and educational programs.</td>
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<td>3.</td>
<td>In the past year the Board has reviewed the District's educational program to determine if it is meeting the educational and community services needs of the community at large.</td>
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### COMMENTS:

### II. BOARD ORGANIZATION AND MEETINGS

<table>
<thead>
<tr>
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<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>With input from the Board through the Board Chair, Board agendas are adequately developed, the issues coming to the Board are appropriate, supporting information is sufficient, and sufficient time is allowed for study in advance of the meetings.</td>
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<tr>
<td>2.</td>
<td>Provision is made for hearing of the public at Board meetings while still preventing domination or control of discussion by a single individual or group. Executive (closed) sessions are held only when needed and strictly according to law.</td>
<td></td>
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<tr>
<td>3.</td>
<td>Board meetings are conducted in such a manner that the purposes are achieved efficiently and effectively. The Board acts with a spirit of harmony and cooperation, giving each member courteous consideration of his/her opinion.</td>
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### COMMENTS:
### III. BOARD-SUPERINTENDENT/PRESIDENT RELATIONSHIP AND RESPONSIBILITIES

<table>
<thead>
<tr>
<th></th>
<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Board provides the Superintendent/President with a clear job description and performance expectations and, based on these, annually evaluates the Superintendent/President's performance. During expanded evaluations (at least once every three years), the input of community members, administrative management staff, faculty, classified staff, and students is sought. The Board regularly offers commendation when deserved and constructive criticism when necessary. The Board provides the support necessary for the Superintendent/President to be effective in carrying out his/her role and encourages the professional growth of the Superintendent/President.</td>
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<tr>
<td>2.</td>
<td>The Board works to develop and maintain a climate of confidence, mutual respect and trust, with open communication with the Superintendent/President. The Board and Superintendent/President work cooperatively to maintain a total District perspective. The Board channels concerns, complaints and criticisms of the college through the Superintendent/President for study and reporting back to the Board if action is required.</td>
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**COMMENTS:**
### IV. BOARD RELATIONSHIPS WITH THE SUPERINTENDENT/PRESIDENT, FACULTY, STAFF AND STUDENTS

<table>
<thead>
<tr>
<th></th>
<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Board's emphasis is on the establishment of policy and the Board holds the Superintendent/President and his/her staff accountable for the administration of District programs and services, and the conduct of District business.</td>
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<tr>
<td>2.</td>
<td>The Board is committed to shared governance and the involvement of faculty and staff in decision-making as specified in AB 1725 and District policy. The Board, through the Superintendent/President, delegates to the Academic Senate responsibility for implementing educational policies as specified in state statutes and regulations.</td>
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<tr>
<td>3.</td>
<td>The Board protects the academic freedom of faculty in actions and in written policy.</td>
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<tr>
<td>4.</td>
<td>The Board, through the Superintendent/President, seeks advice and recommendations from faculty, staff, and students in formulating basic educational policies.</td>
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<tr>
<td>5.</td>
<td>The Board demonstrates its commitment to equal opportunity and diversity.</td>
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<tr>
<td>6.</td>
<td>The Board establishes and assures currency of written policies for the guidance of the Superintendent/President, faculty and staff in the operation of the District.</td>
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**COMMENTS:**
<table>
<thead>
<tr>
<th></th>
<th>V. PRIMACY OF EDUCATIONAL WELFARE OF STUDENTS</th>
<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Board weighs decisions in terms of what is best for students. The equality of opportunity for all students is assured.</td>
<td></td>
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<tr>
<td>2.</td>
<td>The District's goals in the area of student services are clear and serve as a standard against which the student support services can be evaluated. The Board, through staff, annually reviews and evaluates the District's non-curricular student services with respect to stated philosophy and mission, community needs, effectiveness and cost-effectiveness.</td>
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<tr>
<td>3.</td>
<td>The District's goals in the area of instructional program services are clear and serve as a standard against which program services can be evaluated. The Board, through staff, regularly reviews and evaluates the District's instructional services to students with respect to goals and mission, community needs, and program effectiveness.</td>
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</table>

COMMENTS:
### VI. BUSINESS & FINANCIAL MANAGEMENT

<table>
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<tr>
<th></th>
<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Board makes long-range planning provisions for acquisition of sites, facilities and maintenance. The Board adopts a realistic annual budget supporting the District's mission, priorities and programs. The Board monitors the budget and spending patterns to assure fiscal integrity. The Board establishes written policies to ensure efficient administration of budget, purchasing, accounting, risk management and other business &amp; financial areas.</td>
<td></td>
<td></td>
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<tr>
<td>2.</td>
<td>The Board assures that the budget reflects the District priorities for programs and services. The Board requires in its operating budget that capital fund requests reasonably equate programs with the availability of funds to support them.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>The Board works to influence the appropriation of adequate financial support for the District through legislative contacts and participation in the efforts of statewide community college organizations. The Board supports, and assists when appropriate, the activities and fundraising efforts on behalf of the college district by the Southwestern College Foundation.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**COMMENTS:**

### VII. PHYSICAL FACILITIES AND LONG-RANGE PLANNING

<table>
<thead>
<tr>
<th></th>
<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Board has approved a facilities master plan, and requires periodic update reports from the Superintendent/President, for the physical needs, present and anticipated, for each campus or center, including information regarding technology infrastructure, equipment, and software needs and utilization.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>The Board requires physical plant utilization studies before approving requests for remodeling or new construction. The Board requires provision for both necessary and preventive maintenance of facilities.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**COMMENTS:**
### VIII. BOARD/GOVERNMENTAL/COMMUNITY RELATIONS

<table>
<thead>
<tr>
<th></th>
<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Board assures that the District at large is well-informed about educational issues in the community, California and in the nation and that channels of access and exchange of views exist among the District and appropriate governmental bodies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>The Board, together with District staff, works to maintain ongoing positive relations with those legislators elected from the District, to provide them with information on issues important to the District, and to request active support for District priorities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>The Board encourages and assists staff to educate and involve community, businesses, and industry representatives in governmental advocacy supporting District priorities.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**COMMENTS:**
### IX. PERSONAL QUALITIES

<table>
<thead>
<tr>
<th></th>
<th>Exceeds Expectations</th>
<th>Meets Expectations</th>
<th>Needs Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Each Board member devotes the time and effort necessary to make a positive and proactive contribution to the District and maintains a District-wide perspective rather than representing a faction of the constituency. Board members recognize they act only as a team.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Each Board member takes special care to be positive, constructive, respectful and considerate of other Board members, their opinions and concerns, and when commenting on work of the Superintendent/President and staff. Board deliberations and discussions are conducted in open meetings, except in those cases where a closed session is necessary and allowed by the Brown Act.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>The Board encourages support for and interest in the District. The Board encourages citizen participation in an advisory capacity in the solution of specific problems.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Each Board member seeks to be aware of the broader community college issues at the state and national levels; participates in discussion and resolution of these issues as appropriate; and seeks to improve his/her performance by participation at state conferences and other educational meetings.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**COMMENTS:**
Southwestern Community College District

**GOVERNING BOARD SELF-EVALUATION FORM**

Please rate the Governing Board's performance as an entity, using the following key:

1 = unsatisfactory  
2 = somewhat unsatisfactory  
3 = somewhat satisfactory  
4 = satisfactory  
5 = exceeds expectations

Please provide comments to improve the performance of the Board.

<table>
<thead>
<tr>
<th><strong>Board Organization</strong></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board officer responsibilities are clear</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Board considers and respects minority opinions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board committees have clear and appropriate responsibilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board members make decisions after thorough discussion and exploration of many perspectives</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meeting agenda items contain sufficient background information and recommendations for the Board</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**COMMENTS:**

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<table>
<thead>
<tr>
<th><strong>Policy Role</strong></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board members understand and support the concept that Board policy is the primary voice of the Board</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Board has clarified the difference between its policy role and the roles of the Superintendent/President and staff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Board focuses on policy in Board discussions, not administrative matters</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>The Board, through the Superintendent/President, seeks advice and recommendations from faculty, staff, and students in developing educational policy</td>
<td></td>
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</tbody>
</table>

**COMMENTS:**

__________________________
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__________________________
### Strategic Planning

- The Board requires long-range strategic planning
- The Board is appropriately involved in the planning process
- The Board is familiar with the general strategic and master plans of the institution

**COMMENTS:**


### Community Relations

- The Board effectively represents the "voice" of the community
- The Board encourages active cooperation by citizens, organizations, and the media with respect to establishing policy on current college operations and proposed future developments
- The Board has strategies for involving the community in discussion of issues that impact the community
- The Board assists in developing educational partnerships with community agencies, businesses and local government, where appropriate

**COMMENTS:**


### Board-Superintendent/President Relations

- A climate of mutual trust and respect exists between the Board and Superintendent/President
- The Board sets clear expectations for the Superintendent/President
- The Board effectively evaluates the Superintendent/President
- The Board clearly delegates the administration of the District to the Superintendent/President

**COMMENTS:**


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Southwestern Community College District
 Governing Board Self-Evaluation Form
 Page 2 of 5
### Standards for District Operations

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The Board assures that the budget reflects college priorities in the mission and goals of the strategic plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board assures that student access and success and institutional effectiveness are priorities in mission and goals of the strategic plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board is supportive of efforts to improve teaching and learning</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**COMMENTS:**

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### Institutional Effectiveness

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The Board monitors the effectiveness of the college in fulfilling the mission</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board requires the college to regularly evaluate program effectiveness</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board regularly reviews reports on student learning outcomes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board reviews accountability reports to state and federal agencies</td>
<td></td>
<td></td>
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</tbody>
</table>

**COMMENTS:**

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### Board Leadership

<table>
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<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
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<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The Board understands its roles and responsibilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>• The Board adheres to a code of ethics or standards of practice</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>• The Board works together in a spirit of harmony, unity and cooperation to accomplish the work of the Board</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Board members are adequately prepared and participate in Board meetings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board accommodates the differences of opinion that arise during debates of issues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Once a decision is made, Board members cease debate and uphold the decision of the Board</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board maintains confidentiality of privileged information</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Through its behavior, the Board has set a positive example for the SUPERINTENDENT/PRESIDENT and other employees</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board works to build positive relationships with all stakeholders</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**COMMENTS:**

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*Southwestern Community College District*

*Governing Board Self-Evaluation Form*

*Page 3 of 5*
### Advocating for the College

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Board members support the colleges by attending various events</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board helps educate the local community about community college needs and issues</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board advocates college interests to state and national agencies and legislators</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board works to secure adequate public funding</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board actively supports the college’s foundation and fundraising efforts</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

**COMMENTS:**

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### Board Education

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>• New Board members receive an orientation to the Board and the institution</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Board members are engaged in a continuous process of training and development</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board is knowledgeable about state and national laws and issues related to community colleges</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board is knowledgeable about major social and economic trends and issues that affect the institution</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board adequately studies issues prior to Board action</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• The Board annually evaluates itself</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**COMMENTS:**

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GENERAL QUESTIONS

A. What are the Board's greatest strengths?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

B. What are the major accomplishments of the Board in the past year?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

C. What are the areas in which the Board could improve?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

D. Do you have suggestions for improving Board meetings and/or other functions?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

E. What three to five issues do you believe the Board should include in setting priorities for the coming year?

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
Item #6C
Proposed New Procedure No. 2205
Governing Board Attorney List
GOVERNING BOARD ATTORNEY LIST

Reference: Government Code Section 53060

Government Code section 53060 authorizes the Governing Board to enter into contracts to obtain special services and advice in legal or administrative matters for the District. The Governing Board shall establish an approved attorney list using the following procedure:

1. Commencing in Spring 2012, and every third year thereafter, the Board shall solicit written proposals for legal services from local and regional attorneys.

2. After review of written proposals, the Board, within its discretion, shall either:
   a. Appoint no more than ten (10) attorneys or legal firms to provide services to the College District on an "as needed" basis; or
   b. Request oral presentations from as many firms it deems necessary to establish an approved attorney list.
      - Oral presentations to the Board shall take place in open session at a special meeting (or meetings) called pursuant to Policy No. 2320.
POLICY & PROCEDURE MANUAL

CHAPTER 2

POLICIES PERTAINING to the GOVERNING BOARD

January 2012
<table>
<thead>
<tr>
<th>Policy</th>
<th>No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board Membership</td>
<td>2010</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Student Trustee</td>
<td>2015</td>
<td>3/12/08</td>
</tr>
<tr>
<td>• Administrative procedures required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board Elections</td>
<td>2100</td>
<td>3/9/11</td>
</tr>
<tr>
<td>Vacancies on the Governing Board</td>
<td>2110</td>
<td>3/12/08</td>
</tr>
<tr>
<td>• Administrative procedures required.</td>
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<td></td>
</tr>
<tr>
<td>Board Duties &amp; Responsibilities</td>
<td>2200</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Officers of the Governing Board</td>
<td>2210</td>
<td>4/19/06</td>
</tr>
<tr>
<td>Committees Of The Board</td>
<td>2220</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Annual Organizational Meeting Of The Governing Board</td>
<td>2305</td>
<td>4/19/06</td>
</tr>
<tr>
<td>Regular Meetings Of The Governing Board</td>
<td>2310</td>
<td>7/11/07</td>
</tr>
<tr>
<td>Closed Session Meetings Of The Governing Board</td>
<td>2315</td>
<td>4/19/06</td>
</tr>
<tr>
<td>Special And Emergency Meetings Of The Governing Board</td>
<td>2320</td>
<td>4/19/06</td>
</tr>
<tr>
<td>Quorum And Voting</td>
<td>2330</td>
<td>4/19/06</td>
</tr>
<tr>
<td>Agendas</td>
<td>2340</td>
<td>6/8/11</td>
</tr>
<tr>
<td>• Agendas (Procedure)</td>
<td>2340</td>
<td>6/8/11</td>
</tr>
<tr>
<td>Public Participation At Board Meetings</td>
<td>2345</td>
<td>4/19/06</td>
</tr>
<tr>
<td>Oral Communications</td>
<td>2350</td>
<td>3/12/08</td>
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<tr>
<td>• Administrative procedures required.</td>
<td></td>
<td></td>
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<tr>
<td>Decorum</td>
<td>2355</td>
<td>4/19/06</td>
</tr>
<tr>
<td>Minutes</td>
<td>2360</td>
<td>4/19/06</td>
</tr>
<tr>
<td>Recording</td>
<td>2365</td>
<td>3/12/08</td>
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<tr>
<td>• Administrative procedures required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adoption of Policy &amp; Administrative Procedures</td>
<td>2410</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Delegation Of Authority To The Superintendent/President</td>
<td>2430</td>
<td>7/13/11</td>
</tr>
<tr>
<td>Superintendent/President Selection</td>
<td>2431</td>
<td>11/8/06</td>
</tr>
<tr>
<td>Evaluation Of The Superintendent/President</td>
<td>2435</td>
<td>3/12/08</td>
</tr>
<tr>
<td>• Administrative procedures required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shared Planning &amp; Decision Making</td>
<td>2510</td>
<td>10/13/10</td>
</tr>
<tr>
<td>• Participation in Local Decision Making (Procedure)</td>
<td>2510</td>
<td>3/9/11</td>
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</table>
Southwestern Community College District Policy Manual

Chapter 2 - Governing Board

<table>
<thead>
<tr>
<th>Topic</th>
<th>Code</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Role and Scope of the Academic Senate: 10+1 Agreement</td>
<td>2515</td>
<td>10/13/10</td>
</tr>
<tr>
<td>• Role and Scope of the Academic Senate: 10+1 Agreement (Procedure)</td>
<td>2515</td>
<td>10/13/10</td>
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<tr>
<td>Presentation Of Initial Collective Bargaining Proposals</td>
<td>2610</td>
<td>3/12/08</td>
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<tr>
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<tr>
<td>Conflict Of Interest</td>
<td>2710</td>
<td>3/12/08</td>
</tr>
<tr>
<td>• Conflict of Interest (Procedure)</td>
<td>2710</td>
<td>6/9/10</td>
</tr>
<tr>
<td>Conflict of Interest Code</td>
<td>2712</td>
<td>9/8/10</td>
</tr>
<tr>
<td>• Conflict of Interest Code Procedure</td>
<td>2712</td>
<td>9/8/10</td>
</tr>
<tr>
<td>Code Of Ethics</td>
<td>2715</td>
<td>10/13/10</td>
</tr>
<tr>
<td>• Code of Ethics Procedure</td>
<td>2715</td>
<td>7/13/11</td>
</tr>
<tr>
<td>Political Activity</td>
<td>2716</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Personal Use Of Public Resources</td>
<td>2717</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Communications Among Board Members</td>
<td>2720</td>
<td>8/12/09</td>
</tr>
<tr>
<td>Board Member Compensation</td>
<td>2725</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Health &amp; Welfare Benefits, Governing Board</td>
<td>2730</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Travel – Board Members &amp; Superintendent/President</td>
<td>2735</td>
<td>3/12/08</td>
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<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>Board Education</td>
<td>2740</td>
<td>3/12/08</td>
</tr>
<tr>
<td>Board Self-Evaluation</td>
<td>2745</td>
<td>3/12/08</td>
</tr>
<tr>
<td>• Administrative procedures required.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
BOARD MEMBERSHIP

References: Education Code Sections 72023, 72103, and 72104

The Governing Board shall consist of five (5) members elected by the qualified voters of the District. Members shall be elected at large.

Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Governing Board.

An employee of the District may not be sworn into office as an elected or appointed member of the Governing Board unless he or she resigns as an employee.

No member of the Governing Board, during the term for which he or she is elected, shall be eligible to serve on the governing board of a high school district having shared boundaries or contained within the boundaries of the District.
STUDENT TRUSTEE

Reference: Education Code Section 72023.5 and 72103

The Associated Student Organization (A.S.O.) President will serve as the Student Trustee for the Governing Board.

The A.S.O. President/Student Trustee will be elected by a majority vote in the Spring A.S.O. election, and serve as student Board member for the next school year (June 1 through May 15 annually). All students of the student body are permitted to participate in the A.S.O. election. The election will be conducted in accordance with administrative procedures established by the Superintendent/President, or designee, and set forth in Article VII (Election Code) of the A.S.O. By-Laws. The Student Trustee will be sworn in at the June Governing Board meeting.

The Student Trustee must be a resident of California, must maintain enrollment in at least nine units at Southwestern Community College District, and not be on academic or disciplinary probation.

On or before May 15 of each year, the Governing Board shall consider whether to afford the Student Trustee any of the following privileges:

- The privilege to make and second motions;
- The privilege to receive compensation for meeting attendance at the level received by other members of the Governing Board;
- The privilege to serve a term commencing on June 1.

The Student Trustee shall be seated with the Governing Board and shall be recognized as a full member of the Governing Board at meetings. The Student Trustee is entitled to participate in discussion of issues and receive all materials presented to members of the Board (except for closed session). The Student Trustee will have an advisory vote, which will be recorded in the official minutes, but does not determine whether an item passes and does not pertain to closed session items. The Student Trustee shall be entitled to any mileage allowance necessary to attend Governing Board Meetings to the same extent as publicly elected trustees.

If the A.S.O. President/Student Trustee is unable to fulfill the duties of the office or does not meet the qualifications stated above, the A.S.O. Executive Vice President will serve as the Student Trustee. If the Executive Vice President is unable to serve or does not meet all qualifications, the succession will continue in the following order: Social Vice President, Vice President for Club Affairs, Vice President for Public Relations, Secretary, Treasurer.
If the office of Student Trustee becomes vacant by reason of resignation, disqualification, or any other reason, a special election will be held to select the Student Trustee. The special election shall be held within thirty (30) days after notice of the vacancy comes to the attention of the Superintendent/President. Candidates for the office of Student Trustee may nominate themselves or be nominated by others by filing an application certifying that the candidate is eligible for service under the criteria set forth in California law, District Procedure No. 2015, and the A.S.O By-Laws.
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 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.
VACANCIES ON THE GOVERNING BOARD

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

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 sixty (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.

1. Elections

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.

2. Provisional Appointments

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 may include interviews at a public meeting.

Adopted: 3/12/08
Southwestern Community College District Policy

No. 2200

Governing Board

BOARD DUTIES AND RESPONSIBILITIES

Reference: Accreditation Standard IVB.1.d; Education Code Section 70902

The Governing Board governs on behalf of the citizens of the Southwestern Community College District in accordance with the authority granted and duties defined in Education Code Section 70902.

The Governing Board is committed to fulfilling its responsibilities to:

- Represent the public interest;
- Establish policies that define the institutional mission and set prudent, ethical, and legal standards for District operations;
- Hire and evaluate the Superintendent/President;
- Delegate power and authority to the Superintendent/President to effectively lead the District;
- Assure fiscal health and stability;
- Monitor institutional performance and educational quality;
- Perform regular Board self-evaluations; and
- Advocate and protect the District.
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;
Southwestern Community College District Policy

No. 2210

Governing Board

- 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.
COMMITTEES OF THE BOARD

Reference: Government Code Section 54952

The Governing Board may establish committees that it determines are necessary to assist the Board in its responsibilities. Any committee established by Governing Board action shall comply with the requirements of the Brown Act and with these policies regarding open meetings.

Governing Board committees that are advisory in nature, and are composed solely of less than a quorum of members of the Board, are not required to comply with the Brown Act or with these policies regarding open meetings, unless they are standing committees.

Governing Board committees have no authority or power to act on behalf of the Board. Findings or recommendations shall be reported to the Governing Board for consideration.
ANNUAL ORGANIZATIONAL MEETING OF THE GOVERNING BOARD

Reference: Education Code Section 72000(c)(2)(A)

The annual organizational meeting of the Governing Board will be held within fifteen days of the date elected Governing Board members take office, generally at the regular meeting held the second Wednesday in December. The purpose of the annual organizational meeting is to elect a Governing Board President and a Vice President, and conduct any other business as required by law or determined by the Governing Board.
REGULAR MEETINGS OF THE GOVERNING BOARD

References: Education Code Section 72000(d);
Government Code Sections 54952.2, 54953, 54955, and 54961

Regular meetings of the Governing Board shall generally be held on the second Wednesday of each month. Regular meetings of the Governing Board shall normally be held at 900 Otay Lakes Road, Room 214, Chula Vista, California.

A notice identifying the location, date, and time of each regular meeting of the Governing Board shall be posted at least ten (10) days prior to the meeting and shall remain posted until the day and time of the meeting. All regular meetings of the Governing Board shall be held within the boundaries of the District except in cases where the Governing Board is meeting with another local agency or is meeting with its attorney to discuss pending litigation if the attorney’s office is outside the District.

All regular and special meetings of the Governing Board shall be open to the public, be accessible to persons with disabilities, and otherwise comply with Brown Act provisions, except as required or permitted by law.

Unless otherwise specified, meetings of the Governing Board shall be adjourned by 10:00 p.m. If the meeting does not end by 10:00 p.m., the Board shall determine whether to extend the meeting or to adjourn and finish the business at an adjourned meeting.

For purposes of this policy, “adjourn” is defined as follows: the action of a deliberative body in bringing a session to a close, with the intention of resuming at a later date.

At any time during any regular or special board meeting, the Governing Board may adjourn to a specified time and place. The time and place of the meeting shall be posted within twenty-four (24) hours after the time of adjournment. The adjourned meeting shall resume its business at the point in the agenda where the motion to adjourn was passed.

Adopted: 4/19/06
Revised & Adopted: 7/11/07
CLOSED SESSION MEETINGS OF THE GOVERNING BOARD

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

Closed sessions of the Governing Board shall be held only as permitted by applicable legal provisions including but not limited to the Brown Act, the California Government Code and the California Education Code. Matters discussed in closed session may include:

1. the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee;

2. 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);

3. advice of counsel on pending litigation, as defined by law;

4. consideration of tort liability claims as part of the District’s membership in any joint powers agency formed for purposes of insurance pooling;

5. real property transactions;

6. threats to public security;

7. review of the District’s position regarding labor negotiations and giving instructions to the District’s designated negotiator;

8. discussion of student disciplinary action, with final action taken in public;

9. consideration of gifts from a donor who wishes to remain anonymous;

10. 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, as required by 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

Adopted: 4/19/06
Replaces District Policy #1009 (Governing Board Meetings) dated 7/90
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, in closed session, such complaints shall first be presented to the Superintendent/President. 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 twenty-four (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.
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 upon a call issued in writing and signed by a majority 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. 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.
QUORUM AND VOTING

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

A quorum of the Governing Board shall consist of three members.

No Board action shall be taken by secret ballot.

Separation of a compound agenda item into two or more items for separate votes may be requested by any Board member.

No vote shall be taken on any matter before the Governing Board until all Board members have had the opportunity to speak on the matter for up to three (3) minutes, or longer at the discretion of the Board President.

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

The following actions require a majority vote of all members of the Governing 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 Governing 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;
- Other resolutions which are required by law to be unanimous.
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 Governing Board President, in consultation with the Superintendent/President, to identify the agenda items for each regular and special meeting, in accordance with Robert Rules of Order, pursuant to Policy No. 2355, "Decorum." It shall be the responsibility of the Superintendent/President, to develop and prepare an agenda containing the items of business to come before the Governing Board at each regular and special meeting, consistent with District Policy & Procedure No. 2510, "Shared Planning & Decision Making," and No. 2515 “Academic Senate: 10+1.”

Members of the Governing Board, staff members, and members of the public may submit items to be placed on the Governing Board meeting agenda pursuant to District Procedure No. 2340.

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 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.

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

See also, District Policy No. 2345, "Public Participation at Board Meetings."

Adopted: 4/19/06
Revised & Adopted: 6/8/11
AGENDAS

Reference: Education Code Sections 72121

Any Governing Board member may put items pertinent to the subject matter jurisdiction of the Governing Board on the agenda. Members of the Governing Board who wish to introduce an item for action at the public Board meeting at which that item is first considered should submit such item for inclusion on the agenda with the Governing Board President and the Superintendent/President at least seven (7) working days preceding public notice of the next Governing Board meeting for agenda items that do not require enclosures and at least twelve (12) working days preceding public notice of the next Governing Board meeting for agenda items that require enclosures.

Any staff member or member of the public may request an item to be placed on the agenda of a regularly scheduled Governing Board meeting by submitting a written request with the Office of the Superintendent/President at least seven (7) working days preceding public notice of the next Governing Board meeting for agenda items that do not require enclosures and at least twelve (12) working days preceding public notice of the next Governing Board meeting for agenda items that require enclosures. 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.

A written request to place an item on the Governing Board meeting agenda shall include the name, address and telephone number of the person(s) making the request, the name of the organization represented (if any), the nature of the request, and supportive information regarding the request.

The Superintendent/President shall post an agenda containing a brief description of each item of business to be transacted or discussed at the meeting. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public.

Governing Board meeting agendas are made available to employees and members of the public as follows:
- A hard copy of the agenda is posted outside the Office of the Superintendent/President, the Office of Communications, Community & Government Relations, and the place of meeting, at least 72 hours prior to the meeting time;
- An electronic copy of the agenda is posted on the College District’s website at www.swccd.edu under “About SWC;”
- An electronic copy is posted in the Public Folders of the College District’s email network; and
- Persons with a disability may request an agenda in an alternative format. A fee may be charged for the alternative format service, based upon actual cost to the College District.
PUBLIC PARTICIPATION AT BOARD MEETINGS

References: Education Code 72121.5; Government Code Sections 54954.3 and 54957.5

The Governing Board shall provide opportunities for members of the general public and the District staff to participate in the business of the Governing Board. Claims for damages are not considered communications to the Governing Board under this policy, but shall be submitted to the District in compliance with District Policy No. 3810 “Claims Against the District.”

Members of the public and District staff may bring matters directly related to the business of the District to the attention of the Governing Board as follows:

1. There will be a time at each regularly scheduled board meeting for members of the public and District staff to discuss items not on the agenda. The order of business will be suspended to allow the Governing Board to hear “Oral Communications.” No action may be taken by the Governing Board on such items. (See District Policy No. 2350 “Oral Communications” for additional information.)

2. Members of the public may place items on the prepared agenda in accordance with District Policy No. 2340 “Agendas.”

3. Members of the public may submit written communications to the Governing Board regarding items on the agenda and/or speak to agenda items at the Governing Board meeting. Written communication regarding items on the Governing Board’s agenda should reach the office of the Superintendent/President not later than five working days prior to the meeting at which the matter is to be before the Governing Board. All such written communications shall be dated and signed by the author, and shall contain the residence or business address of the author and the author’s organizational affiliation, if any.

Adopted: 4/19/06
Replaces District Policy #1009 (Governing Board Meetings) dated 7/90
ORAL COMMUNICATIONS

References: Education Code 72121.5; Government Code Sections 3547 and 54950 et seq.

Persons may speak to the Governing 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.

Persons wishing to speak must complete a "Request for Oral Communications" card, including the topic to be discussed and name and organizational affiliation of the speaker, if any. This card must be completed and in the hands of the Secretary of the Board prior to the beginning of the "Oral Communications" period of a regularly scheduled Governing Board meeting. Please see District Procedure No. 2350, "Oral Communications," for more information.

It is the intent of the Governing Board to allow those individuals who complete and submit the required card to address the Governing Board within the parameters set forth herein and in District Procedure No. 2350, "Oral Communications."

Claims for damages are not considered communications to the Governing Board under this policy, but shall be submitted to the District in compliance with District Policy No. 3810 "Claims Against the District."

If a complaint against the District or an employee of the District is made orally, the Governing Board may request that the complainant provide information in writing to facilitate any necessary investigation. The Governing Board may also afford any District employee who is complained against the opportunity to respond either orally or in writing at the same or a subsequent meeting. Personal attacks against any employee of the District will not be allowed.

Employees who are members of a bargaining unit represented by an exclusive bargaining agent may address the Governing 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 Governing Board implementing that section.

No action may be taken by the Board on items presented during Oral Communications which are not on the published agenda.

See also, District Policy No. 2345, "Public Participation at Board Meetings" and District Procedure No. 2350, "Oral Communications."

Adopted: 3/12/08

Replaces District Policy #1035 (Oral Communications Policy) and portions of #1009 (Meetings of the Governing Board).
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.
MINUTES

References: Education Code Section 72121(a);
            Government Code Section 54957.5

The Superintendent/President shall cause minutes to be taken of all meetings of the
Governing Board.

The minutes shall record every official act of the Governing Board in sufficient detail to
show compliance with the law. The minutes shall be maintained in a suitable journal of
proceedings.

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.

The minutes shall also record:

- names of Governing Board members who are present,
- all motions,
- names of those making and seconding motions,
- votes, and
- major discussion points.
RECORDING

References: Education Code Section 72121(a);
Government Code Sections 54953.5 and 54953.6

If the Governing Board causes any tape or video recording of a meeting, the recording shall be subject to inspection by members of the public in accordance with the California Public Records Act, Government Code Sections 6250 et seq. The Superintendent/President is directed to enact administrative procedures to ensure that any such recordings are maintained for at least thirty days following the taping or recording.

Persons attending an open and public meeting of the Governing Board may, at their own expense, record the proceedings with an audio or video tape recording or a still or motion picture camera or may broadcast the proceedings. No District property or materials shall be used for such recording or broadcast.

If the Governing Board finds by a majority vote that the recording or broadcast cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a persistent disruption of the proceedings, any such person shall be directed by the President of the Governing Board to stop.

Adopted: 3/12/08
ADOPTION OF POLICIES AND ADMINISTRATIVE PROCEDURES

References:  
Education Code Section 70902;  
Accreditation Standards IV.B.1.b and e

The Governing Board may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Governing Board policies are intended to be statements of intent by the Board on specific issues within its subject matter jurisdiction.

The policies have been written to be consistent with provisions of law, but do not encompass all laws relating to District activities. All District employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

Policies of the Governing Board may be adopted, revised, added to, or amended at any regular Governing Board meeting by a majority vote. Proposed changes or additions shall be introduced for review and discussion not less than one regular meeting prior to the meeting at which action is recommended.

Administrative procedures are to be issued by the Superintendent/President as statements of method to be used in implementing Board Policy. Such administrative procedures shall be consistent with the intent of Board Policy. Administrative procedures may be revised as deemed necessary by the Superintendent/President.

The Governing Board does not adopt administrative procedures unless specifically required to do so by law, or unless requested to do so by the Superintendent/President. The Governing Board, however, reserves the right to review and direct revisions of administrative procedures if such procedures, in the judgment of the Governing Board, are inconsistent with the policies adopted by the Governing Board.

Copies of all policies and administrative procedures shall be readily available to District employees through the Superintendent/President or designee.

Adopted: 3/12/08
Replaces District Policy #1023 (Policy Adoption Policy) and Policy #1007 (Governing Board Functions)
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.

Pursuant to Education Codes §§81655-81656 and Public Contract Codes §20111 and §20651, the Governing Board hereby delegates authority to the Superintendent/President to make purchases and/or enter into contracts which are operational in nature on behalf of the College District for the lease or purchase of equipment, materials, supplies, or services. The amount of authority is subject to changes made by the San Diego County Office of Education in its “Annual Adjustment to Bid Threshold.” The Vice President for Business & Financial Affairs shall be responsible to submit the County’s Annual Adjustment to Bid Threshold to the Governing Board as an Information item. This delegation of authority to the Superintendent/President shall remain in effect until revoked by the Governing Board.

(1) A list of all purchases and/or contracts made pursuant to this authority shall be submitted for review by the Governing Board as an Information item on the monthly Governing Board agenda.

(2) Every recommended purchase and/or contract which exceeds this authority shall be submitted for approval by the Governing Board as an Action item on the monthly Governing Board agenda.

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.
DELEGATION OF AUTHORITY TO THE SUPERINTENDENT/PRESIDENT

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 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.
SUPERINTENDENT/PRESIDENT SELECTION

References: Accreditation Standard IV.B.1.j; Title 5 Section 53000 et seq.

If the position of Superintendent/President should become vacant, the Governing Board shall establish a search process to fill the vacancy.

The Governing Board may conduct the final interviews of the five (5) top candidates recommended by the search committee. The Governing Board shall appoint the Superintendent/President.

The process shall be fair and open and comply with relevant regulations. The final authorization to hire the Superintendent/President rests with the Governing Board.
EVALUATION OF THE SUPERINTENDENT/PRESIDENT

Reference: Accreditation Standard IV.B.1

The Governing Board shall conduct an evaluation of Superintendent/President at least annually. Such evaluation shall comply with any requirements set forth in the contract of employment with the Superintendent/President as well as this policy.

The Governing Board shall evaluate the Superintendent/President using an evaluation process developed and jointly agreed to by the Board and the Superintendent/President.

The criteria for evaluation of the Superintendent/President's job description and performance goals and objectives shall be developed in accordance with Board Policy No. 2430, "Delegation of Authority to the Superintendent/President."

Adopted: 3/12/08

Replaces District Policy #3029 (Superintendent/President Evaluation)
SHARED PLANNING & DECISION MAKING

References: Education Code Sections 70902(b)(7); AB 1725
Title 5, Sections 53200 et seq., 51023.5, and 51023.7;
Accreditation Standard IV.A.2 and IV. A.5

Southwestern Community College District believes that the high quality of decision-making,
and planning and the resulting programs and services offered by the College are
dependent upon a collaborative process in which creative thinking, ideas and perspectives
contribute to the well being of the entire College community. The Governing Board of
Southwestern Community College District adopts the following principles and policies when
receiving, adopting and acting upon recommendations from the Academic Senate in areas
of academic and professional matters as specified in Title 5, Section 53200, of the
California State Code of Regulations, and AB 1725 (1988) and in respect to the concept
and need for shared planning and decision-making in all areas defined by State laws and
regulations. In executing that responsibility, the Governing Board is committed to its
obligation to ensure that appropriate members of the District participate in developing
recommended policies for Board action and administrative procedures for
Superintendent/President action under which the District is governed and administered.

Except for unforeseeable emergency situations, the Governing Board or its sole designee
shall not take any action on matters subject to this policy until the appropriate constituent
group or groups have been provided the opportunity to participate.

Nothing in this policy will be construed to interfere with the formation or administration of
employee organizations or with the exercise of rights guaranteed under the Educational
Employment Relations Act, Government Code Sections 3540 et seq., or any collectively
bargained agreements.

Each of the following constituent groups shall participate as required by law in the decision-
making processes of the District:

1. Faculty (Title 5 Sections 53200-53206 & AB 1725)

Faculty shall be provided with opportunities for participatory decision making
and have a substantial voice in decision-making. The Governing Board or its
designees will consult with the Academic Senate, as duly constituted with
respect to academic and professional matters, as defined by law, District
Policy and Procedure No. 2510, "Shared Planning & Decision Making," and
District Policy and Procedure No. 2515, "Role & Scope of the Academic
Senate: 10 + 1 Agreement".

The Governing Board recognizes Southwestern College Educator's
Association (SCEA) as the exclusive bargaining unit for faculty.
SHARED PLANNING & DECISION MAKING

2. **Staff** (Title 5 Section 51023.5 & Education Code Section 70901.2)

Staff shall be provided with opportunities for participatory decision making and have a substantial voice in decision making. “Staff” means all employees in the Classified Service, including Classified Administrators, Classified Confidentials and Classified Bargaining Unit members.

The Governing Board recognizes California School Employees’ Association (CSEA) Chapter 524 as the exclusive bargaining agent for all members of the classified bargaining unit. The Governing Board or its designee will work jointly with CSEA Chapter 524 to ensure the District’s compliance with California Education Code Section 70901.2 and any other legislation, legal decisions, or administrative determinations affecting shared governance issues.

3. **Students** (Title 5 Section 51023.7)

The Associated Students Organization (ASO) shall be provided with opportunities to participate for participatory decision making and have a substantial voice in decision-making. The recommendations and positions of the ASO will be given equal value and every reasonable consideration.

The Governing Board recognizes the ASO as the official voice for all Southwestern College students in the areas listed below:

1. grading policies
2. codes of student conduct
3. academic disciplinary policies
4. curriculum development
5. courses or programs which should be initiated or discontinued
6. processes for institutional planning and budget development
7. standards and policies regarding student preparation and success
8. student services planning and development
9. student fees within the authority of the District to adopt
10. any other District or College policy, procedure or related matter that the District Governing Board determines will have a significant effect on students.
11. policies and procedures pertaining to the hiring and evaluation of faculty, administration and staff.
**Southwestern Community College District Policy**

**No. 2510**

**Governing Board**

**SHARED PLANNING & DECISION MAKING**

4. Administrators

Administrators shall be provided with opportunities for participatory decision making and have a substantial voice in decision making.

The Governing Board recognizes Southwestern Community College District Administrator's Association (SCCDA) as the sole and official representation of administrators promoting the interest of administrators of the District.
SHARED PLANNING AND DECISION MAKING

References:  
Education Code Sections 70902(b)(7); AB 1725;  
Title 5 Sections 53200 et seq., 51023.5, and 51023.7;  
Accreditation Standards IV.A.2 and IV.A.5

A. Purpose:

Southwestern Community College District believes that the high quality of planning, decision making, programs and services offered by the College is dependent upon the most creative thinking, ideas and contributions by the entire College community. The Governing Board of the Southwestern Community College District, adopts the following principles and policies when receiving, adopting, and acting upon recommendations from the Academic Senate in areas of academic and professional matters as specified in Title 5, Section 53200, of the California State Code of Regulations, and AB 1725 (1988).

The Governing Board shall identify procedures for the delegation of authority and responsibility to its Academic Senate. The Governing Board and Academic Senate are then enjoined to consult with each other in a collegial and timely manner. Regulations have made provision to rely primarily on the judgment of the Academic Senate, or to seek joint resolution with the Academic Senate.

"Participatory decision-making" is the act of District employees participating collegially in the decision-making processes of the College. The goal of participatory decision-making is to include within the decision-making processes, representatives of all college constituencies affected by these decisions (Title 5 53203.a-f and Education Code Sections 66700 and 70901). To ensure that governance is shared, all groups shall operate within the participatory decision-making processes. Mutual trust and support are essential for the success of participatory decision making; these result from demonstration by each group involved that they first seek to improve the college and to strengthen its ability to carry out the college's mission of educating our constituent populations. Participatory decision making is designed to serve the entire District. It is, therefore, incumbent upon all constituent groups, ad-hoc committees, standing committees, councils, task forces, and others involved, to ensure that representation from all areas of the District, and any satellite locations, be fair and inclusive. Every effort should be made to include individuals who increase the District's ability to represent the increasingly diverse student body faculty, staff, employees and the District population.
SHARED PLANNING AND DECISION MAKING

B. Principles:

1. Participation is to be encouraged in all sectors to encourage all members of the College's constituency groups to ensure equal opportunity to participate fully in governance activities.

2. The number and size of committees should be kept as small as possible.

3. Each committee or council will establish operating principles to govern the following:
   - An annual review of its goals in relation to the college mission to be presented in a written progress report to its designated parent committee as determined by the Integrated Planning Handbook.
   - A method to determine the membership of the committee.
   - Distribution of agenda prior to meeting dates, timely distribution of minutes and distribution of other materials deemed necessary for the effective participation on said committees. These materials will be maintained and available on the committee website annually. Archival documents will be electronically stored in an accessible public domain.
   - Methods to conduct their meetings in accordance with standard parliamentary procedures and/or self-developed rules.
   - A calendar of meeting dates made available at the beginning of each academic year.

4. Constituent groups may form ad-hoc groups and task forces as needed based on definitions determined by the Integrated Planning Model Handbook.

5. The Superintendent/President shall act as the Governing Board's sole designee in matters which affect shared planning and decision making and which pertain to faculty outside of the collective bargaining process.

C. Constituent Groups

Each of the following shall participate as required by law in the decision-making processes of the District:

1. Faculty (Title 5 Sections 53200-53206 & AB 1725)

Faculty shall be included in all matters of participatory decision-making in order to ensure full participation of all constituency groups.

The Governing Board or its sole designee will consult with the Academic Senate, as duly constituted with respect to academic and professional
SHARED PLANNING AND DECISION MAKING

matters, as defined by law, District Policy No. 2510, "Shared Planning & Decision Making," and District Policy and Procedure No. 2515 "Role & Scope of the Academic Senate: 10 + 1 Agreement," which clarifies the areas of rely primarily and mutually agree, which are based on Education Code, Title 5 regulations and AB 1725.

All faculty appointments shall be made through the Academic Senate President except those that entail compensation, workload and working conditions, which shall be made through the SCEA President.

2. Staff (Title 5 Section 51023.5.)

Staff shall be included in all matters of participatory decision-making in order to ensure full participation of all constituency groups.

All classified staff appointments will be made through the CSEA President except those that entail inclusion of Confidentials, which shall be made by the Confidentials group.

3. Students (Title 5 Section 51023.7.)

Students shall be included in all matters of participatory decision-making in order to ensure full participation of all constituency groups.

All student appointments shall be made through the ASO President.

4. Administrators

Administrators shall be included in all matters of participatory decision-making in order to ensure full participation of all constituency groups. The Southwestern Community College District Administrators' Association (SCCDAA) utilizes the meet and confer process to represent the administrative staff.

All administrator appointments shall be made through the SCCDAA President.

Except for unforeseeable emergency situations, the Governing Board or its sole designee shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate. Any action taken by the Governing Board or its sole designee in emergency situations shall be explained in writing and made available to all constituency groups for transparency in shared decision-making at our campus and to strengthen participatory decision making among all constituencies.
ROLE AND SCOPE OF THE ACADEMIC SENATE: 10 + 1 AGREEMENT

References: Ed Code 70901 & 70902 (b)(7), Title 5 §53200 (c) (1-11), & AB 1725

The Governing Board has established this policy to outline the District’s official Agreement with the Academic Senate as set out in AB 1725 and hereby agrees to consult with the Academic Senate in either rely primarily or mutually agree manner with respect to all academic and professional matters as defined by law.

Academic and professional matters are defined in AB 1725 and regulation, which includes policy development and implementation. These 10 + 1 areas include:

1. Curriculum, including establishing prerequisites and placing courses within disciplines.
2. Degree and certificate requirements.
4. Educational programs development.
5. District and college governance structures as related to faculty roles.
6. Policies for faculty professional development activities.
7. Standards and Policies regarding student preparation and success.
8. Processes for Academic Program Review.
9. Faculty roles and involvement in accreditation processes, including self-study and annual reports.
10. Processes for institutional planning, budget development, and program review.
11. Other academic and professional matters as mutually agreed upon between the Governing Board and the Academic Senate.

Corresponding procedures to implement Policy No. 2515 have been developed in collaboration with the Academic Senate.

Adopted: 10/13/10
Approved by Academic Senate: 8/11/10
ROLE AND SCOPE OF THE ACADEMIC SENATE: 10 + 1 AGREEMENT

References: Educational Code §66700 §70901 & 70902; Title 5 §53200 (d) (1) & (2) and §53203 (d) (1) & (2); AB 1725.

The Governing Board agrees to consult with the Academic Senate and to either rely primarily upon the advice and judgment of the Academic Senate or mutually agree with respect to all academic and professional matters as defined by law. The Governing Board designates the Superintendent/President as its sole designee for purposes of implementation of this policy. Regarding all academic and professional matters, the Board of Trustees recognizes the Academic Senate as the representative of the faculty and will rely primarily upon the advice and judgment of the Academic Senate in accordance with processes of collegial consultation as defined by law and outlined in this procedure.

a) Title 5 Mandate:

Academic and professional matters are delineated in Title 5, Section §53200 (c), the Governing Boards of individual Community College Districts are directed by this section and §53200 (d) to "consult collegially." This means that the District Governing Board shall develop policies on academic and professional matters through either or both of the following methods. At the Governing Board's discretion, they may either Rely Primarily or Mutually Agree with the Academic Senate. Academic and professional matters are defined in regulation, which includes policy development and implementation.

b) Definitions & Procedures:

"Rely Primarily" means that the Governing Board shall rely primarily upon the advice and judgment of the Academic Senate. The recommendations of the Senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted. If a recommendation is not approved after a good faith effort to reach agreement, the Board or its designee shall promptly communicate in writing its reason to the Academic Senate within a period of ten (10) days.

"Mutually Agree" means that recommendations will be prepared by either the Academic Senate or the Board's designee and are subsequently ratified by both. If mutual agreement cannot be reached, the Board or its designee shall promptly communicate in writing its reason to the Academic Senate within a period of ten (10) days.
ROLE AND SCOPE OF THE ACADEMIC SENATE: 10 + 1 AGREEMENT

A. The Governing Board of Southwestern College shall rely primarily upon the advice and judgment of the Academic Senate in the following areas:

1. Curriculum, including establishing prerequisites and placing courses within disciplines.
2. Degree and certificate requirements.
4. Educational programs development.
5. District and college governance structures as related to faculty roles.
6. Policies for faculty professional development activities.
7. Standards and Policies regarding student preparation and success
8. Processes for Academic Program Review.

B. Matters that require the SWC Governing Board and the Academic Senate to mutually agree include:

9. Faculty roles and involvement in accreditation processes, including self study and annual reports.
10. Processes for institutional planning, budget development, and program review.
11. Other academic and professional matters as mutually agreed upon between the Governing Board and the Academic Senate.

Policy No. 2515 and its corresponding Procedure No. 2515 cannot be changed without full agreement of the Academic Senate.
PRESENTATION OF INITIAL COLLECTIVE BARGAINING PROPOSALS

Reference: Government Code Section 3547

Meetings between the Board and its designated representatives for the purpose of discussing the Board's position regarding any matter within the scope of representation shall be deemed closed meetings and held in Executive Session. All such discussion shall be deemed confidential. Except by majority authorization of the Governing Board, the content of such confidential discussions shall not be released to any party not present at the Executive Session, other than as required by the representatives in the performance of their negotiations duties.

The Superintendent/President is directed to enact administrative procedures that assure compliance with the requirements of Government Code Section 3547 regarding the presentation of initial proposals for collective bargaining to the Governing Board.

Adopted: 3/12/08
First Reading 2-13-08
Replaces District Policies #1019 (Governing Board Negotiations Policy) and #1017 (Personnel Negotiations/Public Notice Policy)
CONFLICT OF INTEREST

References: Government Code Sections 1090 et seq., 1126, and 87200 et seq.; Title 2 Section 18730 et seq.

Governing Board members shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Governing Board members.

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

A Governing 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 Governing 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.

Governing Board members shall file statements of economic interest with the filing officer identified by the administrative procedures.

Governing Board members are encouraged to seek counsel from the District’s legal advisor in every case where any question regarding possible conflict of interest arises.
CONFLICT OF INTEREST

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

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

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

A Governing 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 Governing 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 Governing Board meeting and noted in the official Governing Board minutes. The affected Governing Board member shall not vote or debate on the matter or attempt to influence any other member of the Governing 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 Governing 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 Sections 87100 et seq.) If a Governing 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 Governing Board’s official minutes. In the case of a designated employee, this announcement shall be made in writing and
CONFLICT OF INTEREST

submitted to the Governing Board. A Governing 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 Governing Board member may, however, discuss the issue during the time the general public speaks on the issue.

**Gifts** (Government Code Section 89503)
Governing 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 Governing Board members and designated employees.

Governing 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 and 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:

Approved by Governing Board June 9, 2010
CONFLICT OF INTEREST

- 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 Section 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.

Conflict of Interest Violations (Government Code Section 1097)
Any violation of the provisions of law regarding financial interests is punishable by a fine of not more than one thousand dollars ($1,000), or by imprisonment in the state prison, and disqualification from holding any elected office in the State of California.

Procedure for Monitoring and Handling Allegations of Conflict of Interest
The Governing Board has responsibility for monitoring itself, and ensuring that laws and policies are followed. Addressing allegations of Conflict of Interest is the responsibility of the Board Chair or other trustees identified by the Board. Any response to such allegations must uphold the public trust.

The Superintendent/President and Board President are authorized to consult with legal counsel when they become aware of or are informed about actual or perceived violations of pertinent laws and regulations regarding conflict of interest. Violations of law may be referred to the District Attorney or Attorney General as provided for in law.

Violations of Board Policy & Procedure 2710 "Conflict of Interest" or Board Procedure 2712 "Conflict of Interest Code" will be addressed by the Board President, who will first discuss the violation with the Board member to reach a resolution. If resolution is not achieved and further action is deemed necessary, the President may appoint an ad hoc committee to examine the matter and recommend further courses of action to the Board. Sanctions will be determined by the Board officers or committee and may include a recommendation to the Board to censure the member. If the Board President is perceived to have committed the violation, the Vice President of the Board is authorized to pursue resolution.
CONFLICT OF INTEREST CODE


Pursuant to the Political Reform Act, Southwestern Community College District will adopt and publish a Conflict of Interest Code compliant with the California Code of Regulations, title 2, Section 18730, et seq., and any amendments to it duly adopted by the Fair Political Practices Commission. The District’s Conflict of Interest Code is contained in District Procedure No. 2712.
CONFLICT OF INTEREST CODE

References: Government Code §§ 81000, et seq., 87103(e), 87300-87302, & 89501-89503; California Code of Regulations Title 2 §18730

The Political Reform Act (Government Code Section 81000, et seq.) requires the Southwestern Community College District ("District") to adopt and publish a Conflict of Interest Code. California Code of Regulations, title 2, Section 18730, which contains the terms of a standard Conflict of Interest Code, and any amendments to it duly adopted by the Fair Political Practices Commission, is hereby incorporated by reference. This regulation, the list of Designated Positions establishing disclosure requirements, and the list of Disclosure Categories, shall constitute the Conflict of Interest Code of Southwestern Community College District.

Designated Positions. The persons holding positions listed as Designated Positions are employees who make or participate in making decisions which may foreseeably have a material effect on the District's economic interests. Designated employees must file a Statement of Economic Interest, Form 700 annually.

Pursuant to Title 2, §18734, consultants are also included in the list of designated employees and must disclose pursuant to the broadest disclosure category in this Code. However, 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 broadest disclosure requirements. 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. This determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

All persons assuming designated positions shall file Statements of Economic Interest within 30 days after assuming the designated position. All persons who leave designated positions shall file Statements within 30 days after leaving the designated position.

Disclosure Categories. Designated employees must report economic interests according to the disclosure category(ies) which have been assigned to each designated position.

Disqualification. No employee holding a designated position 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 on its effect on the general public, on the employee or a member of his or her immediate family. (California Code of Regulations, title 2, §18730(b)(9)).

Approved by Governing Board September 8, 2010
### CONFLICT OF INTEREST CODE

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CONFLICT OF INTEREST CODE

DISCLOSURE CATEGORIES: Individuals holding designated positions must report their economic interests according to the following disclosure category(ies) to which their position has been assigned.

Disclosure Category 1: Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency; and investments and business positions in business entities, and income, including loans, gifts¹, and travel payments, from all sources.

Disclosure Category 2: Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Disclosure Category 3: Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the agency.

Disclosure Category 4: Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.

Disclosure Category 5: Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that filed a claim against the agency during the previous two years, or have a claim pending.

Disclosure Category 6: Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources, that are of the type to request an entitlement to use agency property or facilities, including, but not limited to:

- A license
- Utility permit
- Station vendor permit.

Upon receipt of the annual Statements of Economic Interest for all designated positions, the Human Resources Compliance Coordinator for the District shall make and retain a copy and forward the original of each statement to the County Board of Supervisors.

¹ "Gifts," as used in all disclosure categories, shall be defined as gifts with a value of $50 or more received from persons doing business with Southwestern Community College District.
CODE OF ETHICS

References: Accreditation Standard IV.B.1.a, e, and h

The Governing Board of Southwestern Community College District is committed to serving the educational needs of all residents of the District community and to carrying out its duties and responsibilities in accordance with the highest standards of ethical conduct.

District Policy and Procedure No. 2715, “Code of Ethics,” together with District Policy No. 3015, “Institutional Code of Ethics,” shall constitute the ethical standard for its members in both the conduct of policy and in its relationships with the administration, staff, students, and the District community.

Within this ethical context and the Board’s obligation to the District’s primary mission, each member of the Board is responsible to adhere to the standards of practice set forth below. The process for addressing alleged violations of this policy are set forth in District Procedure No. 2715.

1. Practice good citizenship in community and state affairs;

2. Accept the legal and ethical commitments and responsibilities of the Governing Board to residents of the District, to the staff, to the taxpayers, and, most important, to the students served;

3. Dedicate themselves to the highest ideals of honor and integrity in all public and personal relationships;

4. Not accept or solicit loans or gifts from employees of the Southwestern Community College District or their family members;

5. Recognize that a Governing Board member has no legal authority as an individual, that decisions can be made only by a majority vote of the entire Board at a Board meeting, and that no individual Governing Board member has authority to direct staff or programs at the District;

6. Render all decisions regarding the issues at hand based on the available facts and independent judgment, and to refuse to surrender that judgment to any other individual or special interest group;

7. Be aware of the cultural and economic make-up, and the geographic distribution of the members of our community, and to make responsible decisions to meet the educational goals of a diverse population;

Adopted: 3/12/08
Revised & Adopted: 10/13/10
CODE OF ETHICS

8. Encourage the free expression of opinion by all Governing Board members and to seek systematic communications between the Board and students, staff and all elements of the community;

9. Abide by majority decisions of the Governing Board, while retaining the right to seek changes in decisions through ethical and constructive channels;

10. Keep confidential all information and discussions conducted during closed sessions of the Governing Board;

11. Bring direct and indirect credit to the District through personal effort in business, social, professional, and personal relationships;

12. Avoid any conflict of interest or the appearance of impropriety that could result because of their position as Governing Board members, and to not intentionally use Board membership, the goodwill or name of the College or District for personal gain or prestige;

13. Fulfill the responsibilities of their commission without regard to prejudice, provinciality, partisanship, or animosity;

14. Recognize that the District is a major employer and that the Governing Board's actions will affect the capacity of many people to practice the profession or trade in which they have so much personal investment;

15. Refrain from using District time, personnel, supplies, and equipment for non-District activities;

16. Work with other Governing Board members to establish effective Board policies and to delegate authority for the administration of the District to the Superintendent/President;

17. Ensure public input into Governing Board deliberations and adhere to the law and spirit of the open meeting laws and regulations;

18. Be informed and educated about the District, educational issues and the responsibilities of trusteeship and devote adequate time to perform the work of the Governing Board.
CODE OF ETHICS

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

The Governing Board is committed to serving the educational needs of all residents of the Southwestern Community College District, and to carrying out its duties in accordance with the highest standards of ethical behavior. The Governing Board shall foster awareness of ethical expectations by:

- Providing the Code of Ethics policy and procedure to all trustees and having them available at Board meetings;
- Including a review of the Code of Ethics when orienting new Board members;
- Assuring the vitality of the Code of Ethics by reviewing, reading and signing the Code of Ethics at its annual retreat;
- Using the Code of Ethics as criteria in the Board self-evaluation process.

1. The Governing Board shall annually designate a standing "Special Counsel" from the list of legal firms approved by the Board to provide legal services to the College District. The Special Counsel shall be an attorney other than the SWC Campus Counsel or employed or associated with the SWC Campus Counsel and shall report directly to the Governing Board.

2. Within 90 days of the date the alleged violation becomes known or should have become known, all complaints of alleged violations of Policy No. 2715, "Code of Ethics," shall be submitted in writing, in a sealed envelope addressed as follows:

   Special Counsel c/o Executive Assistant
   Office of the Superintendent/President
   Southwestern Community College District
   900 Otay Lakes Road
   Chula Vista, CA 91910

3. The Executive Assistant shall stamp the envelope addressed to the Special Counsel as "Confidential" with date and time of receipt of the envelope and immediately thereafter inform the Special Counsel of the receipt of the envelope and forward it, as received, to the address of record for the Special Counsel.

4. The Special Counsel shall review and assess the complaint(s) and, as a part of that review, contact the Governing Board member(s) named in the complaint and provide the Governing Board member(s) the opportunity to provide any information regarding the complaint which would enable Special Counsel to determine if the complaint provides sufficient information to establish the possible violation of the Code of Ethics Policy.

Approved by the Governing Board: 10/13/10
Revised & Approved: 7/13/11
CODE OF ETHICS

5. If, upon completion of the review and assessment of the complaint, the Special Counsel determines that the complaint is without merit or provides insufficient information to determine that a violation of the Code of Ethics Policy, Special Counsel shall dismiss the complaint and inform the complainants, if known, and the Governing Board member(s) named in the complaint of the dismissal. Upon recommendation of the Governing Board member(s) named in the complaint, the dismissal shall be announced at the next regularly scheduled Governing Board meeting.

6. If Special Counsel determines that the complaint provides sufficient information to establish a possible violation of the Code of Ethics Policy, Special Counsel shall present such findings to the Governing Board, in open session at a regularly scheduled or special Governing Board meeting. At that time Special Counsel will make recommendations for those matters contained in the complaint that are within the jurisdiction or responsibility of the Governing Board. If unresolved at the local level or deemed necessary by Special Counsel, the complaint will be forwarded to such other governmental agency having responsibility for the assessment, investigation, and/or enforcement of any applicable laws or regulations relating to the alleged violation of the Code of Ethics Policy.
POLITICAL ACTIVITY

References: Education Code Sections 7054 and 7056; Government Code 8314

Members of the Governing Board shall not use District funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the Governing Board.

Initiative or referendum measures may be drafted on an area of legitimate interest to the District. The Governing Board may by resolution express the Board's position on ballot measures. Public resources may be used only for informational efforts regarding ballot measures.
PERSONAL USE OF PUBLIC RESOURCES

References: Government Code Section 8314;
Penal Code Section 424

No Governing Board member shall use or permit others to use public resources, except
that which is incidental and minimal, for personal purposes or any other purpose not
authorized by law.
COMMUNICATIONS AMONG BOARD MEMBERS

Reference: Government Code Section 54952.2

A majority of the members of the Governing Board are prohibited from using, outside of a properly agendized meeting, a series of communications of any kind, (e.g., direct communications, telephone, personal intermediaries, e-mail, or other technological device) to discuss, deliberate, or take action on any item of business within the subject matter jurisdiction of the Governing Board.

An unlawful "serial meeting" occurs when communications take place outside a noticed meeting among individual board members or groups of board members less than a majority which come to involve a majority, whether directly or through intermediaries, to discuss, deliberate or take action on any item of business within the subject matter jurisdiction of the board.

Such "serial meetings" are prohibited by law whether or not a concurrence is reached based on the communications.
BOARD MEMBER COMPENSATION

References: Education Code Sections 35120, 72023.5, 72024 and 72425

Members of the Governing Board, including the student trustee, who attend all Board meetings, shall receive four hundred dollars ($420) per month. A member of the Governing 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 Governing Board may be paid for a meeting when absent if the Board, by resolution duly adopted and included in its minutes, finds at the time of the meeting the absent member is performing services outside the meeting for the District, is ill, on jury duty, or is absent due to a hardship deemed acceptable by the Governing Board.

A member of the Governing Board will be paid for two meetings annually from which the member is absent due to illness.

The Governing Board may, on an annual basis, increase the compensation of Board members in an amount not to exceed five percent. Any increase is subject to rejection in a referendum by a majority of the voters in the District.

Adopted: 3/12/08

Replaces District Policies #1015 (Governing Board Absence Policy)
and #1031 (Governing Board Compensation)
HEALTH AND WELFARE BENEFITS

Reference: Government Code Sections 53201(a), (b) and (c)(1); and 53205

Active Board Members

Members of the Governing Board shall be permitted to participate in the District's health and welfare benefit programs as afforded to all District employees.

Former Board Members

1. Former members of the Governing Board may continue to participate in the District's health benefits programs upon leaving the Board if all of the following criteria are met:
   a. the member must have begun service on the Governing Board after January 1, 1981;
   b. the member must have been first elected to the Governing Board before January 1, 1995; and
   c. the member must have served at least 12 years.

2. All other former Governing Board members may continue to participate in the District's health benefits programs on a self-pay basis, subject to insurance carrier contract limitations and specifications.

3. If the qualifying former Governing Board member moves out of the service area of the District's health providers, the District shall provide an amount up to the average of the current medical premiums paid by the District toward payment of the Governing Board member's medical benefit costs for medical coverage, provided that he/she provides the District with verification of alternate coverage costs.

Adopted: 3/12/08
Replaces District Policy #1033 (Governing Board Members' Health & Welfare Benefits)
TRAVEL – BOARD MEMBERS AND SUPERINTENDENT/ PRESIDENT

References: Education Code Sections 72423 and 87032

I. Governing Board Members

Members of the Governing Board shall be reimbursed for travel expenses whenever they travel as representatives of and perform services directed by the Board.

Absence from Governing Board meetings for travel permissible under this Policy will be an excused absence from Governing Board meetings and will not reduce the Governing Board member’s monthly compensation unless required by state law.

II. Superintendent/President

The Superintendent/President shall be reimbursed for actual and necessary expenses incurred in connection with conducting official District business.

Please see District Procedure No. 2735, "Travel – Board Members and Superintendent/President."

Adopted: 3/12/08

Replaces District Policy #3005 (Governing Board/Superintendent/President Travel Reimbursement Policy)
BOARD EDUCATION

References: Accreditation Standard IV.B.1.f

The Governing Board is committed to its ongoing development as a Board and to a trustee education program that includes new trustee orientation.

To that end, the Governing Board will engage in study sessions, provide access to reading materials, and support conference attendance and other activities that foster trustee education.

The Governing Board and the Superintendent/President shall assist each newly elected or appointed trustee to understand the Governing Board's functions, policies and procedures before he/she takes office. The following methods shall be employed:

1. The new trustee shall be invited to meet with the Superintendent/President, the Governing Board President and appropriate administrative personnel to discuss services being performed by the Governing Board.

2. The new trustee shall be notified of Governing Board meetings prior to his/her officially taking office. The Superintendent/President or designee shall supply materials and information pertinent to meetings and shall explain their use.

3. The new trustee will be given selected materials concerning his/her responsibility as a member of the Governing Board and a copy of all Governing Board policies by the Superintendent/President.

Adopted: 3/12/08
BOARD SELF-EVALUATION

References: Accreditation Standard IV.B.1.e and g

The Governing Board is committed to assessing its own performance as a Board in order to identify its strengths and areas in which it may improve its functioning.

To that end, the Governing Board shall establish procedures for annual self-evaluation.

Please see District Procedure No. 2745 "Board Self-Evaluation."