



Board Policy
Chapter 2 – Board of Trustees

BP 2305 ANNUAL ORGANIZATIONAL MEETING

The annual organizational meeting shall be held within a 15 day period that commences with the first Friday in December next succeeding election and upon certification of the election by the County of Los Angeles.

The purpose of the annual organizational meeting is to elect a Chair and Vice-Chair of the Board and conduct any other business as required by law or determined by the Board of Trustees.

The Secretary of the Board shall, within 15 days prior to the date of the annual organizational meeting, notify in writing all members and members-elect of the date and time selected for the meeting. The Chair and Vice-Chair of the Board of Trustees shall be elected for a term of one year.

The Board of Trustees may, by a vote of at least four of its members, remove any of its officers from office. When the office is declared vacated, the Board may elect a successor to that office. In such an event, the newly-elected officer shall be eligible to complete his/her predecessor's term and be eligible to be elected to another term in that office.

The Superintendent/President shall serve as Secretary to the Board of Trustees. The Executive Vice-President, Business and Administration shall serve as Assistant Secretary to the Board of Trustees. The Superintendent/President shall appoint a recording secretary to the Board of Trustees.

Also see BP 2210 Officers

Reference:

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

Adopted: June 6, 2017

(Replaces former SMC BP 1170)



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BP 2310 REGULAR MEETINGS OF THE BOARD

Regular meetings of the Board of Trustees shall be held on the first Tuesday of the month. Regular meetings of the Board shall normally be held at 1900 Pico Boulevard, Santa Monica, California.

A notice identifying the location, date, and time of each regular meeting of the Board shall be posted at least ten days prior to the meeting and shall remain posted until the day and time of the meeting.

Regular meetings of the Board of Trustees shall be held in accordance with the adopted annual schedule of meetings unless changed by the Board in a subsequent regular meeting.

All regular meetings of the Board shall be held within the boundaries of the District except in cases where the 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 meetings of the 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.

All actions authorized or required by law of the Board of Trustees shall be taken at the meetings. An agenda shall be distributed according to BP 2340 Agendas. Closed sessions are restricted from public attendance (See BP 2315 Closed Sessions).

Adjourned Meetings

The Board of Trustees may adjourn any regular or adjourned meeting to a time and place specified in the order of adjournment. The adjourned meeting is a regular meeting for all purposes. A meeting without a quorum (four members) may adjourn. If all members are absent from any regular or adjourned meeting, the Secretary of the Board may declare the meeting adjourned to a stated place and time.

Parliamentary Procedure

The rules contained in the current edition of Robert's Rules of Order, newly revised, shall govern the procedures of all meetings of the Board of Trustees unless otherwise stated in these policies.

Also see BP/AR 2320 Special and Emergency Meetings as well as BP/AR 2340 Agendas

References:

Education Code Section 72000(d);

Government Code Sections 54952.2, 54953 et seq., and 54961

Adopted: May 1, 2000 (for BPs 1510, 1511, 1513, and 1530)

Revised: December 1, 2003 (for BP 1510); December 2005 (for BP 1511); October 7, 2008 (for BP 1511)

Revised: June 6, 2017

(Replaces former SMC BP 1510, BP 1511, BP 1513, and BP 1530)



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BP 2315 CLOSED SESSIONS

Closed sessions of the Board of Trustees shall only be held as permitted by applicable legal provisions including, but not limited to, the Ralph M. Brown Act, California Government Code, and California Education Code.

Closed sessions, with one exception, are called only during or following a regular or special Board of Trustees meeting. Before or after going into closed session, the Board shall include in the agenda or announce publicly the reasons for the closed session (e.g., to “discuss personnel issues and litigation”) and identify the statutory authority for the closed session (e.g., “Government Code Sections 54957 (personnel) and 54956.9(a)(b) and (c) (litigation).”) If the litigation relates to pending litigation the name or number of the case must be given.

The exception noted in the above paragraph is that contained in Government Code Section 3549.1(d). A closed session may be scheduled by the public college employer for the purpose of discussion with the public college employer’s representative on collective bargaining items that are within the scope of representation under Government Code Section 3543.2, and for the purposes of instructing the designated representative on the Board’s position concerning such items.

Closed sessions, with the exception of those for the purpose set forth above regarding items under the scope of representation, must be held in connection with an item appearing on the agenda, either at regular or special meetings, and must be held at the location of regularly scheduled meetings.

Matters discussed shall be kept confidential, unless a majority of Board members present in the closed session agree not to hold such matters confidential.

Closed sessions, according to law, may be held for the following reasons:

Real Estate Negotiations (Government Code Section 54956.8)

To discuss the purchase, sale, exchange, or lease of real property by or for the local agency. The purpose is to grant authority to the negotiator on price and terms of payment.

Pending Litigation (Government Code Section 54956.9)

To seek the advice of counsel on pending litigation, as defined by law. Pending litigation when discussion in open session concerning those matters would prejudice the position of the District in the litigation. Litigation is pending when any of the following circumstances exist:

- (a) Proceedings before a court, administrative body, hearing officer, or arbitrator to which the District is a party, have been formally initiated.
- (b) Legal counsel determines based on existing facts that there is a significant exposure to litigation.
- (c) When deciding whether to litigate, closed session is proper.

The Board must indicate the authority for the closed session and, when known, the title of the case.

Personnel (Government Code Section 54957)

Consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of an employee (Government Code Section 54957). The Board shall publicly report at a next public meeting the action taken and the roll call vote thereon in a prior closed session relative to the matter in this section.

To hear complaints or charges against an employee by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. The employee shall be given at least 24 hours written notice of the closed session.

Public Security (Government Code Section 54957)

For consideration of matters affecting the national security.

For discussion with attorney general, district attorney, sheriff, or chief of police, or their respective deputies on matters posing a threat to the security of public buildings, public services, or facilities. (Government Code Section 54957)

Labor Negotiations (Government Code Section 54957.6)

To review the District's position regarding labor negotiations and give instructions to the District's designated negotiator.

For discussion with a representative of the public college employer for the purposes of considering collective bargaining items considered within the scope of representation under Government Code Section 3543.2, and for the purpose of instructing the designated representative concerning the governing board's position on those items.

For discussion of a state conciliator (mediator) who has intervened as authorized by law in matters affecting employer/employee relations.

Student Discipline (Education Code Section 72122)

For the consideration of the suspension of, or other disciplinary action or any other action in connection with any student, if a public hearing would lead to the giving out of information concerning students which would be violation of state or federal law regarding the privacy of student records, a student may request to have the hearing conducted in public in accordance with the procedures set forth in Education Code Section 72122. The final action of the Board shall be taken at a public meeting.

Honorary Degrees (Education Code Section 72122)

To consider the conferring of an honorary degree.

Anonymous Donor (Education Code Section 72122)

To consider gifts from a donor who wants to remain anonymous.

Tort Liability Claims (Government Code Section 54956.95)

To consider tort liability claims as part of the District's membership in any joint powers agency formed for purposes of insurance pooling.

Audit Report from the Bureau of State Audits (Government Code Section 54956.75)

To consider the Board's 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 Board shall reconvene in open session before adjourning and shall announce any actions taken in closed session and the vote or abstention of every member present in accordance with the provisions of Government Code Section 54957.1.

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

References:

Education Code Section 72122;

Government Code Sections 3543.2, 3549.1, 54956.8, 54956.9, 54957, 54957.1, 54957.6, and 11125.4

Adopted: May 1, 2000

Revised: June 6, 2017

(Replaces former SMC BP 1540)



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BP 2320 SPECIAL AND EMERGENCY MEETINGS

Special Meetings

A special meeting of the Board of Trustees may be ordered at any time by the Chair of the Board, the Superintendent/President, or by a written request of a majority of the members of the Board of Trustees.

Notice of such meetings shall be posted at least 24 hours before the time of the meeting and shall be noticed in accordance with the Brown Act. Notices of special meetings must be delivered and received at least 24 hours in advance, either personally or by mail, to each member of the Board of Trustees, local newspapers of general circulation, and radio or television stations requesting such notices, and posted in appropriate areas for faculty, staff, students and the public. The notice shall specify the time and place of the special meeting and the business to be transacted. No business other than that included in the notice may be transacted or discussed.

Special meetings shall be open to the public in the same manner as are regular and adjourned meetings. The only exception to this requirement occurs when the Board of Trustees meets in closed session, in which case the statutes which apply to closed sessions will become effective.

Emergency Meetings

Emergency meetings may be called by the Chair of the 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.

References:

- Education Code Section 72129;
- Government Code Sections 54956, 54956.5, 54957, and 54962

Adopted: May 1, 2000

Revised: December 1, 2003, June 6, 2017

(Replaces former SMC BP 1512)