



Board Policy and Administrative Regulations

Red	Legally Required
Green	Legally Advised
Orange	Best/Good Practice
Blue	Suggested
Light Blue	Accreditation Standard

Revisions since first reading



Board Policy
Chapter 1 – The District

BP 1100 THE SANTA MONICA COMMUNITY COLLEGE DISTRICT

The District has been named the Santa Monica Community College District and uses the name "Santa Monica College."

These names are the property of the District. No person shall, without the permission of the Board, use these names or the names or other facilities of the District, or any abbreviation of them, to imply, indicate, or otherwise suggest that an organization, product, or service is connected or affiliated with, or is endorsed, favored, supported, or opposed by, the District.

The Santa Monica Community College District consists of Santa Monica College, its campuses and educational centers.

District Offices – 2714 Pico Boulevard, Santa Monica, CA 90405
SMC Main Campus – 1900 Pico Boulevard, Santa Monica, CA 90405
Airport Arts Campus – 2800 Airport Avenue, Santa Monica, CA 90405
Bundy Campus – 3171 S. Bundy Drive, Los Angeles, CA 90066
Center for Media & Design – 1660 Stewart Street, Santa Monica, CA 90404
Emeritus Campus – 1227 2nd Street, Santa Monica, CA 90401
Performing Arts Center – 1310 11th Street, Santa Monica, CA 90401

Reference:

Education Code Section 72000(b)

Adopted: April 6, 2009

Revised:

(Replaces SMC BP 2100)



Board Policy
Chapter 1 – The District

BP 1200 DISTRICT MISSION

The mission of the Santa Monica Community College District is:

Santa Monica College provides a safe and inclusive learning environment that encourages personal and intellectual exploration, and challenges and supports students in achieving their education goals. Students learn to contribute to the global community as they develop an understanding of their relationship to diverse social, cultural, political, economic, technological, and natural environments. The College recognizes the critical importance of each individual's contribution to the achievement of this mission.

Santa Monica College provides open and affordable access to high-quality undergraduate degrees and certificates, and participates in partnerships with other colleges and universities to facilitate access to baccalaureate and higher degrees. The College's programs and services assist students in the development of skills needed to succeed in college, prepare students for careers and transfer, and nurture a lifetime commitment to learning.

The District's mission is evaluated and revised on a regular basis.

Reference:

ACCJC Accreditation Standard I.A

Adopted:

(This is a new policy)



Board Policy
Chapter 2 – Board of Trustees

BP 2010 BOARD MEMBERSHIP

The Board of Trustees shall consist of seven members elected by the qualified voters of the District (residents of Santa Monica and Malibu) as provided by law. 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 Board.

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

No member of the Board of Trustees shall, during the term for which he/she is elected, hold an incompatible office.

No member of the Board of Trustees shall, during the term for which he/she was elected, be eligible to serve on the governing board of a high school district whose boundaries are coterminous with those of the community college district.

References:

Education Code Sections 72023, 72103, and 72104;
ACCJC Accreditation Standard IV.C.6

Adopted: May 1, 2000

Revised: December 1, 2003

(Replaces SMC BP 1110)



Board Policy
Chapter 2 – Board of Trustees

BP 2015 STUDENT TRUSTEE

The Board of Trustees shall include one non-voting student member. The Student Trustee shall be enrolled in and maintain a minimum of five semester units in the District at the time of nomination and throughout the term of service. The student member is not required to give up employment with the District. The student shall maintain minimum standards of scholarship of at least a 2.0 grade point average during his/her term.

The Student Trustee shall be seated with the Board and shall be recognized as a full member of the 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).

Rights and Responsibilities

1. The Student Trustee shall serve a one-year term, commencing June 1st of each year. No person shall serve as Student Trustee for more than one term. A person who serves for less than one term as Student Trustee shall not be barred from being elected to a full term as Student Trustee.
2. The Student Trustee shall have the right and responsibility to attend all public meetings of the Board of Trustees, including those held during summer and winter sessions. The Student Trustee shall not have the right to attend closed sessions unless specifically invited by action of the Board of Trustees to attend closed sessions, but the Student Trustee may not attend closed sessions on personnel or collective bargaining matters.
3. The Student Trustee shall be entitled to mileage allowance for travel within the District to the same extent as regular members of the Board of Trustees for attendance at Board meetings. The Student Trustee is not entitled to the District's health benefit package.
4. The Student Trustee shall serve as a liaison between the Board of Trustees and the Associated Students Board of Directors. He/she shall attend meetings of the Associated Students Board of Directors as a non-voting member no less than once a month and provide a report to the Board of Trustees. He/she shall also report to the Associated Students Board of Directors on activities and issues concerning the Board of Trustees.

Board Authorized Privileges

The Board of Trustees shall by May 15th of each year, as required by the Education Code, take action to authorize any of the following privileges for the Student Trustee for the coming year:

1. The Student Trustee may make and second motions.
2. The Student Trustee is entitled to an advisory vote which ~~may shall~~ be cast before the rest of the Board of Trustees and be recorded as such in the official minutes. The advisory vote shall not be included in determining the vote required to carry any measure before the Board.
3. The Student Trustee ~~will may~~ receive compensation up to the amount prescribed by Education Code Section (see BP 2725 Board Member Compensation 1413). The term of compensation for the Student Trustee shall be from June through May.

Reference:

Education Code Section 72023.5

Note: The District must abide by the language in the Education Code which does not require the Student Trustee to be a resident. There is a Chancellor's Office opinion dated May 23, 2001 that indicates districts cannot impose more restrictions than those found in Education Code 72023.5

Adopted: May 1, 2000 (for BP 1411 and BP 1412)

Revised: July 6, 2005 (for BP 1412)

(Replaces SMC BP 1110, BP 1411, and BP 1412)



Board Policy
Chapter 2 – Board of Trustees

BP 2100 BOARD ELECTIONS

Eligibility

A member of the Board of Trustees must be a qualified elector of the District as provided by law. Any person, regardless of sex, who is 18 years of age or older, a citizen of the State of California, a resident of the Santa Monica Community College District, a registered voter, and who is not disqualified by the Constitution or laws of the State from holding a civil office, is eligible to be elected or appointed a member of the Board of Trustees without further qualifications. An employee of the District may not be sworn into office as an elected or appointed member of the governing board until he/she resigns as an employee.

Statement Costs for Board of Trustees Candidates

To encourage broad participation in District governance, the District will bear the costs of Board of Trustees candidate statements ~~up to 200 words~~ to be included in the voter's sample ballot pamphlet provided said candidate complies with the County of Los Angeles Registrar-Records/County Clerk requirement and procedures.

Election

Election to the Board of Trustees shall be held in conjunction with the general election on Tuesday after the first Monday in November in each even-numbered year. The terms of all members shall commence on the first Friday in December next succeeding his or her election and upon certification by the County of Los Angeles. Each member shall serve until his/her successor is elected and qualified.

When three or more members are to be elected, the three or more candidates receiving the highest number of votes shall be elected. Any tie in voting shall be settled by the casting of lots by the Board of Trustees.

Before any person elected or appointed as a member of the Board of Trustees enters upon the performance of his/her duties, he/she shall execute the specified oath of office in triplicate. One of the forms shall be filed in each of the following places: The office of the Los Angeles County Superintendent of Schools, the Los Angeles County Clerk's Office, and the Superintendent/President's Office. A copy of the form shall be ~~given to~~ ~~retained by~~ the Board member.

Term

The term of office of an elected member of the Board of Trustees shall be four years except when he/she is seeking election to complete the unexpired term of a vacated position. The term of all members shall commence on the first Friday in December next succeeding his/ ~~er~~ her election and upon certification by the County of Los Angeles except when appointed.

The terms of office of the members shall be staggered so that some of the terms expire in December of each even-numbered year. The County Superintendent of Schools shall make any determinations and assignments necessary for these purposes.

Also see BP 2010 Board Membership

References:

Education Code Sections 5000 et seq., 72000, 72023, 72034, 72036, and 72103

Adopted: May 1, 2000 (for BP 1120 and BP 1130) and August 7, 2000 (for BP 6120)

Revised: December 1, 2003 (for BP 1120 and BP 1130); _____

(Replaces SMC BP 1120, BP 1130, and BP 6120)



Board Policy
Chapter 2 – Board of Trustees

BP 2105 ELECTION OF STUDENT TRUSTEE

The student member of the Board of Trustees shall be chosen by the students enrolled in the District as follows:

Election

The Student Trustee shall be elected by all the students of the student body in a general election held for that purpose. Normally, an election will be held in the spring semester so that the office is filled by June 1. The Student Trustee may be recalled by all the students of the student body in an election held for that purpose in accordance with administrative procedures established by the Superintendent/President.

Vacancy

If the seat of a student member becomes vacant during his/her term, the Board may authorize the officers of the Associated Students established pursuant to Education Code Section 76060 to appoint a student to serve the remainder of the term in accordance with procedures established by the Board.

BP 2015 Student Trustee describes the qualifications, rights and responsibilities, and the Board authorized privileges for the Student Trustee.

Recall

If the Student Trustee becomes ineligible, is recalled, cannot serve, or the position becomes vacant, the Board of Trustees may request that the Associated Students Board of Directors conduct an election or open an application process **for an appointment** to fill the vacancy.

Also see BP 2015 Student Trustee and AR 2105 Election of Student Trustee

References:

Education Code Sections 72023.5 and 72103;
Associated Students Constitution and Bylaws

(This is a new policy)



Board Policy
Chapter 2 – Board of Trustees

BP 2110 VACANCIES ON THE BOARD

Vacancies on the Board of Trustees 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 Board shall be governed by Education Code Section 5090.

Vacancies in Office

A vacancy in office shall occur on the happening of any of the following events before the expiration of the term of office:

1. The death of the incumbent.
2. An adjudication pursuant to a quo warranto proceeding declaring that the incumbent is physically or mentally incapacitated due to disease, illness or accident and that there is reasonable cause to believe that he/she will not be able to perform the duties of his/her office for the remainder of his/her term.
3. Resignation. A vacancy resulting from resignation occurs when the written resignation is filed with the Los Angeles County Superintendent of Schools, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become effective on that date.
4. Removal from office (willful or corrupt misconduct in office).
5. Ceasing to be resident of the Santa Monica Community College District.
6. Absence from the State of California without the permission required by law beyond the period allowed by law.
7. Ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law.

8. Conviction of a felony or of any offense involving a violation of his/her official duties. A Board member shall be deemed to have been convicted under this subdivision when trial court judgment is entered.
9. Refusal or neglect to file his/her required oath or bond within the time prescribed.
10. The decision of a competent tribunal declaring void his/her election or appointment.
11. The making of an order vacating his or her office and declaring the office vacant when he/she fails to furnish an additional or supplemental bond.
12. Commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate or stimulant addict; but in that event the office shall not be deemed vacant until the order of commitment has become final.

Filling Vacancies

Whenever a vacancy occurs, or whenever a resignation has been filed with the Los Angeles County Superintendent of Schools containing a deferred effective date, the Board of Trustees shall, within 60 days of the vacancy or the filing of the deferred resignation, either make a provisional appointment to fill the vacancy or order an election.

When the Board of Trustees determines to fill the vacancy by appointment, the Superintendent/President shall assure that there is ample publicity to and information for prospective candidates. Publicity shall include posting in three public places in the District and publication in a newspaper of general circulation.

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.

If a provisional appointment is made within the 60 day period, the registered voters of the District may, within 30 days from the date of appointment, petition for the conduct of a special election to fill the vacancy pursuant to Education Code Section 5091. The provisional appointment will be made by a majority public vote of the Board members at a public meeting.

A provisional appointment confers all powers and duties of a member of the Board of Trustees upon the appointee immediately following his/ or her appointment.

A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for the Board of Trustees, whereupon an election shall be held to fill the vacancy for the remainder of the unexpired term. A person elected at an election to fill the vacancy shall hold office for the remainder of the term in which the vacancy occurs or will occur.

Special Provisions - Vacancies Occurring During Regular Board of Trustees Election Year

- There shall be no special election or appointment to fill a vacancy on the Board of Trustees if the vacancy occurs within four months of the end of the term.
- There shall be no special election or appointment on the Board of Trustees if the vacancy occurs during the period between six months and 130 days prior to a regularly scheduled election and the position is not scheduled to be filled at such election. In such a case, the position shall be filled at a special election for that position to be consolidated with the regular election.

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

Also see BP 2010 Board Membership and BP 2750 Board Member Absence from the State.

References:

Education Code Sections 5090 et seq.;
Government Code Sections 1770, and 3060 et seq.

Adopted: May 1, 2000

Revised:

(Replaces SMC BP 1150 and BP 1151)



Board Policy
Chapter 2 – Board of Trustees

BP 2200 BOARD DUTIES AND RESPONSIBILITIES

The Board of Trustees of the Santa Monica Community College District derives its powers from the Constitution of the State of California (Article IX; Section 14), and laws enacted by the Legislature of the State of California (Education Code).

The Board of Trustees has the Power(s) and Responsibility to:

1. determine the educational program of the Santa Monica Community College District and to ensure the quality, integrity, improvement of student learning programs and services and the resources necessary to support them.
2. hire, evaluate and terminate the Superintendent/President.
3. make rules and regulations for the operation of the District; generally it delegates that authority to the Superintendent/President, retaining the right to review rules and regulations for harmony with Board of Trustees policies.
4. call or cause to call the elections for certain purposes among the voters of the District.
5. hold and convey property for the use and benefit of the District.
6. impose the authorization of eminent domain.
7. contract for goods and services necessary for the operation of the District.
8. be fiscally independent from the County Department of Education for the purpose of processing payroll, retirement and payment of expenditures, or of causing special assessments to be levied on property within the District.
9. fix and prescribe duties to be performed by employees of the District.
10. establish its own procedures.

11. sue and be sued.

12. appraise and review its actions and policies.

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

The 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 college operations;
- Hire and evaluate the Superintendent/President;
- Delegate power and authority to the chief executive to effectively lead the District;
- Assure fiscal health and stability;
- Monitor institutional performance and educational quality; and
- Advocate and protect the District.

Also see BP 2715 Code of Ethics/Standards of Practice.

References:

Education Code Sections 5304, 70902, 72000, and 72400;
ACCJC Accreditation Standard IV

Adopted: May 1, 2000

Revised: July 5, 2016; _____

(Replaces SMC BP 1210)



Board Policy
Chapter 2 – Board of Trustees

BP 2210 OFFICERS

At the annual organizational meeting, the Board of Trustees shall elect from among its members a Chair and Vice-Chair of the Board.

The terms of officers shall be for one year.

The Board does not have an official system of rotation of officers; it elects the officers each year from among all its members.

Duties of the Chair of the Board of Trustees

It shall be the duty of the Chair to preside at all meetings of the Board of Trustees, to enforce parliamentary rules, and to appoint all special committees for which no provision has been made in other District policies. He/she shall sign all papers and documents as required by law or as authorized by action of the Board of Trustees. He/she shall be authorized to call emergency and special meetings of the Board of Trustees and it shall be his/her duty to do so upon the written request of a majority of the members as required by law.

The Board Chair shall determine the seating of the Board of Trustees at the annual organizational meeting by choosing either drawing of numbers or alphabetical assignments of seating for trustees other than the Board Chair seated in the middle, the Vice-Chair seated to the left of the Chair, the Superintendent/President seated to the right of the Chair, and the Student Trustee seated in the designated Student Trustee position. This new seating will take effect at the next meeting of the Board of Trustees.

It shall be the duty of the Chair to review the agenda for meetings of the Board of Trustees. The agenda will be prepared in advance by the Superintendent/President and reviewed at a regularly scheduled agenda meeting.

Duties of the Vice-Chair of the Board of Trustees

It shall be the duty of the Vice-Chair, in the absence of the Chair, to preside at meetings of the Board of Trustees or when the Chair is absent from the dais during the meeting.

The Vice-Chair may be included by the Chair to review the agenda for meetings of the Board of Trustees at scheduled agenda meetings.

Duties of the Secretary to the Board of Trustees

The Superintendent/President shall serve as Secretary to the Board of Trustees and shall cause the following duties to be performed:

1. Keep a full, accurate, and indexed record of the proceedings of the Board of Trustees;
2. Have charge of all records and files of the Board of Trustees;
3. Conduct all official correspondence of the Board of Trustees and shall sign all official documents as required by law or by action of the Board of Trustees;
4. Notify all members of the Board of Trustees of all regular, special, emergency, and adjourned meetings, formulate and serve all required notices for the Board of Trustees;
5. Secure information, opinions, rulings, and decisions from the offices of the County Superintendent of Schools, the County Auditor, and County Counsel;
6. Prepare and execute all contracts authorized by the Board of Trustees;
7. Keep an index of the Board of Trustees policies and shall prepare revisions and additions to such policies for possible adoption by the Board of Trustees;
8. Prepare and keep current a set of administrative regulations which implement the policies of the Board of Trustees;
9. Prepare and post the agenda for each meeting of the Board of Trustees which shall be forwarded with all necessary documentation to each trustee 72 hours prior to a regular meeting and 24 hours prior to special meetings;
10. Have prepared the minutes of Board meetings for adoption;
11. Sign, when authorized by law or by Board action, any documents that require the signature of the Secretary or the Clerk of the Board; and
12. Attend all Board meetings and closed sessions, unless excused, and in such cases to assign a designee;

Secretary's Duties to Communicate with the Board of Trustees

The Board of Trustees holds the Superintendent/President accountable for the conduct of District business, which not only includes administration of the educational program, but also includes a process for keeping the Board of Trustees informed of college-related proceedings, activities and events. As the authorized representative of the Board of Trustees, the Superintendent/President, Secretary to the Board of Trustees, is responsible for following a process to communicate with the Board of Trustees, as follows:

1. The Superintendent/President should regularly communicate with and/or contact by telephone and regularly meet with each member of the Board of Trustees to review District business.
2. All printed, college-related materials (correspondence, reports, flyers, invitations) generated by college constituents should be forwarded to the Superintendent/President's Office for distribution to the Board of Trustees. These materials are included in the regular delivery to the Board of Trustees.
 - a. The Superintendent/President should assure that all trustees receive the same materials. (Note: The Student Trustee does not receive confidential materials.)
 - b. ~~At the request of the Board of Trustees, a copy of Any communication directed to all trustees should be forwarded to the Superintendent/President.~~
 - c. Correspondence from college constituents and Board-related organizations should be circulated/distributed to all trustees.

Also see BP 2305 Annual Organizational Meeting

Reference:

Education Code Section 72000

Adopted: May 1, 2000 (for BP 1260, BP 1261, BP 1262, and BP 1263)

Revised:

(Replaces SMC BP 1260, BP 1261, BP 1262, and BP 1263)



Board Policy
Chapter 2 – Board of Trustees

BP 2220 COMMITTEES OF THE BOARD

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

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

Committee of the Whole

The Board of Trustees shall take action in all matters only as a Committee of the Whole, with all meetings to be public except as permitted by state law.

Standing Committees

The Board of Trustees shall not appoint standing committees, but shall act as a Committee of the Whole in all matters, with all meetings to be public except as permitted by state law.

Appointment/Election of Trustees to College Task Forces

The Board of Trustees may appoint or elect a member of the Board of Trustees to serve on a college task force. Authorization of the Board of Trustees is required before a trustee may serve on a college task force.

Temporary Advisory Committees

The Board of Trustees shall appoint such temporary advisory committees as may be deemed necessary or advisable, and the Chair and the Superintendent/President shall be ex-officio members of each committee. The duties of the committee shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

Board committees that are only advisory have no authority or power to act on behalf of the Board of Trustees. Findings or recommendations shall be reported to the Board for consideration.

Reference:

Government Code Section 54952

Adopted: May 1, 2000

Revised:

(Replaces SMC BP 1160)



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:

(Replaces SMC BP 1170)



Board Policy
Chapter 2 – Board of Trustees

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)

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



Board Policy
Chapter 2 – Board of Trustees

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 state 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 disciplinary action or any other action except expulsion in connection with any student in the public college of the District, if a student hearing would lead to giving out of information concerning the student. (Education Code Sections 49073 and 49076) However, the discussion of student disciplinary action must include final action taken in public.~~

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:

(Replaces SMC BP 1540)



Board Policy
Chapter 2 – Board of Trustees

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 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

(Replaces SMC BP 1512)



Board Policy
Chapter 2 – Board of Trustees

BP 2330 QUORUM AND VOTING

A majority (four) of the elected members of the Board of Trustees shall constitute a quorum. The Board shall act by majority vote of all of the membership of the Board, except as noted below. The Student Trustee's vote is advisory and is not included in the majority.

No action shall be taken by secret ballot. **The Board will publicly report any action taken in open session and the vote or abstention of each member present.**

When required by law, the following actions shall be approved by a two-thirds majority of all members of the 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.

When required by law, the following actions **require** shall be approved by a unanimous vote of all members of the 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;
- Resolution authorizing lease of District property under a lease for the production of gas.

References:

Education Code Sections 72000(d)(3), 81310 et seq., 81365, 81511, and 81432;
Government Code Sections 53094 and 54950 et seq.;;
Code of Civil Procedure Section 1245.240

Adopted: May 1, 2000
Revised: December 1, 2003

(Replaces SMC BP 1520)



Board Policy
Chapter 2 – Board of Trustees

BP 2340 AGENDAS

The Superintendent/President, as Secretary of the Board of Trustees, shall prepare an agenda for each regular meeting of the Board of Trustees. The agenda shall be reviewed in advance by the Board Chair at regularly scheduled agenda review meetings. The Chair may include the Vice-Chair in the agenda review meetings.

Any member of the Board of Trustees may call the Board Chair and/or the Superintendent/President and request any item to be placed on the agenda no later than one week before the meeting of the Board of Trustees.

An agenda shall be posted adjacent to the place of meeting as well as on the District's internet website 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. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

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 order of business may be changed by consent of the Board of Trustees.

The Superintendent/President shall establish administrative regulations that provide for public access to agenda information and reasonable annual fees for the service.

Members of the public may place matters directly related to the business of the District on an agenda for a board meeting by submitting a written summary of the item to the Superintendent/President. The written summary must be signed by the initiator. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.

Members of the public may **request to** place matters on the agenda for meetings of the Board of Trustees according to the following provisions:

1. Such requested agenda item shall be related to the business of the District.
2. The item shall be submitted to the Superintendent/President's Office **two weeks ten days** prior to the time a regularly scheduled Board meeting is to commence. Individuals who wish to place an item on the agenda should complete a form available in the Superintendent/President's Office which includes name, address, subject of agenda item, rationale for agenda item, and a contact telephone number.
3. If the item submitted is presented for Board consideration, a summary of the item shall be placed on the agenda during Communication and Public Comments.
4. The number of items presented for a Board meeting may be limited by the Superintendent/President in consultation with the Board Chair.

~~A summary of the items submitted by the public shall be placed on the agenda during Public Comments.~~

Also see BP 2310 Regular Meetings of the Board, BP/AR 2320 Special and Emergency Meetings, AR 2430 Agendas, and BP/AR 3300 Public Records.

References:

Education Code Sections 72121 and 72121.5;
Government Code Sections 6250 et seq. and 54954 et seq.

Adopted: May 1, 2000 (for BP 1550, BP 1551, and BP 1560)

Revised: December 1, 2003 (for BP 1550 and BP 1560); _____

(Replaces SMC BP 1550, BP 1551, and BP 1560)



Board Policy
Chapter 2 – Board of Trustees

BP 2345 PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board of Trustees shall provide opportunities for members of the general public to participate in the business of the Board.

Members of the public may bring matters directly related to the business of the District to the attention of the Board in one of ~~three~~ **two** ways:

1. There will be a time at each regularly scheduled Board meeting for the general public to make comments to the Board:
 - a. Items not on the agenda, during Public Comments,
 - b. Items on the agenda, at the time the Board reaches the item on the agenda

Members wishing to comment on such items shall submit a written request at the beginning of the meeting to the Recording Secretary to the Board of Trustees that ~~summarizes the item and~~ provides his/her name and organizational affiliation, if any. No action may be taken by the Board on such items.

2. ~~Members of the public may also submit written communications to the Board of Trustees on items on the agenda and speak to agenda items at the Board meeting. Written communication regarding items on the Board's agenda should be sent to the reach the Superintendent/President's Office in advance of the meeting not later than five working days prior to the meeting at which the matter concerned is to be before the 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.~~
3. Members of the public may **request to** place items on the prepared agenda in accordance with BP 2340 Agendas.

~~A written summary of the item must be submitted to the Superintendent/President at least two weeks prior to the Board meeting. The summary must be signed by the initiator, contain his/her residence or business address, and organizational affiliation, if any.~~

If requested, writings that are public records shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.

Claims for damages are not considered communications to the Board of Trustees under this rule but shall be submitted to the District.

Also see BP 2340 Agendas, BP 2350 Speakers, and BP 2355 Decorum.

References:

Education Code Section 72121.5;

Government Code Sections 54954.3 and 54957.5

*NOTE: The language in **red ink** is legally required (unless noted otherwise) and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The Policy & Procedure Service issued legal updates to this policy in February 2003, March 2012, and Spring 2017.*

Adopted:



Board Policy
Chapter 2 – Board of Trustees

BP 2350 SPEAKERS

Persons may speak to the Board of Trustees either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board.

Oral presentations relating to a matter on the agenda, including those on the consent agenda, shall be heard before a vote is called on the item.

Persons wishing to speak to matters not on the agenda shall do so at the time designated at the meeting for public comment.

Those wishing to speak to the Board are subject to the following:

- The Chair of the Board may rule members of the public out of order if their remarks do not pertain to matters that are within the subject matter jurisdiction of the Board of Trustees or if their remarks are unduly repetitive.
- Non-scheduled substitutes may not speak in place of scheduled speakers unless alternates have been submitted on the original request.
- Employees who are members of a bargaining unit represented by an exclusive bargaining agent may address the 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 Board implementing that section.

Addressing the Board of Trustees

Regular Meetings of the Board of Trustees

Members of the public may address the Board of Trustees by oral presentation concerning any subject that lies within the jurisdiction of the Board of Trustees provided the requirements and procedures herein set forth are observed.

Special Meetings of the Board of Trustees

Members of the public may address the Board of Trustees by oral presentation on any item included on the agenda for consideration by the Board of Trustees, provided the requirements and procedures herein set forth are observed.

Procedure for Addressing the Board of Trustees

1. Individuals wishing to speak to the Board at a Board of Trustees meeting during Public Comments or regarding item(s) on the agenda must complete an information card with name, address, name of organization (if applicable), and the topic or agenda item on which comment is to be made.

No member of the public may speak without being recognized by the Chair of the Board.

Generally, each speaker may be allowed a maximum of five minutes per topic. If there are more than four speakers on any topic or item, the Board reserves the option of limiting the time for each speaker. Each speaker is limited to one presentation per specific agenda item before the Board and to one presentation per meeting on non-agenda matters. A speaker's time may not be transferred to another speaker.

General Public Comments and Consent Agenda

- The card to speak during Public Comments or on a Consent Agenda item must be submitted to the recording secretary at the meeting before the Board reaches the Public Comments section in the agenda.
- Five minutes may be allotted to each speaker per topic for general public comments or per item in the Consent Agenda. The speaker must adhere to the topic. Individuals wishing to speak during Public Comments or on a specific item on the Consent Agenda will be called upon during Public Comments.

Major Items of Business

- The card to speak during Major Items of Business must be submitted to the recording secretary at the meeting before the Board reaches that specific item in the Major Items of Business in the agenda.
- Five minutes may be allotted to each speaker per item in Major Items of Business. The speaker must adhere to the topic. Individuals wishing to speak on a specific item in Major Items of Business will be called upon at the time that the Board reaches that item in the agenda.

Exceptions: The time allotment does not apply to individuals who address the Board at the invitation or request of the Board or the Superintendent/President.

2. Any person who disrupts, disturbs, or otherwise impedes the orderly conduct of any meeting of the Board of Trustees by uttering loud, threatening, or abusive language or engaging in disorderly conduct shall, at the discretion of the presiding officer or majority of the Board, be requested to be orderly and silent and/or removed from the meeting. (See BP 2355 Decorum)
3. The Board of Trustees urges that charges and complaints against any District employee be submitted to the Board in writing. This allows the Board to more carefully examine the complaint and initiate an investigation when necessary. However, no one will be prevented from making a charge or complaint to the Board because they decline to do so in writing. If a complaint is made orally, the Board may request that the individual making the complaint provide additional information to facilitate an investigation. The Board may also afford the District employee, about whom a complaint is made, the opportunity to respond either orally or in writing at the same or subsequent meeting.

Also see BP 2345 Public Participation at Board Meetings and BP 2355 Decorum.

References:

Education Code Section 72121.5;
Government Code Sections 54950 et seq.

Adopted: May 1, 2000

Revised: December 1, 2003

(Replaces SMC BP 1570)



Board Policy
Chapter 2 – Board of Trustees

BP 2355 DECORUM

The following will be ruled out of order by the presiding officer:

- Remarks or discussion in public meetings on charges or complaints which the Board has scheduled to consider in closed session.
- Profanity, obscenity, and other offensive language.
- Physical violence and/or threats of physical violence directed toward 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 Board for the duration 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 Board may order the meeting room cleared and may continue in session. The 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 rule.

Also see BP 2345 Public Participation at Board Meetings and BP 2350 Speakers

References:

- Education Code Section 72121.5;
- Government Code Section 54954.3(b)

Adopted:

(This is a new policy)



Board Policy
Chapter 2 – Board of Trustees

BP 2360 MINUTES

The Superintendent/President shall cause minutes to be taken of all meetings of the Board. The minutes shall record all actions taken by the Board of Trustees.

The minutes of the Board of Trustees meetings shall include only those matters disposed of by motions regularly made and seconded and the recommendations made by the Superintendent/President. All recommendations of the Board of Trustees meetings shall be numbered serially.

The minutes shall be public records and shall be available to the public. If requested, the minutes shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

The minutes shall also record names of those present, all motions, names of those making and seconding motions, and votes.

References:

Education Code Sections 72000, and 72121(a);
Government Code Section 54957.5

Adopted: May 1, 2000

Revised: December 1, 2003

(Replaces SMC BP 1580)



Board Policy
Chapter 2 – Board of Trustees

BP 2365 RECORDING

Any audio or video recording of an open and public Board meeting made by or at the direction of the Board of Trustees shall be subject to inspection by members of the public in accordance with the California Public Records Act, Government Code Sections 6250 et seq.

Meetings of the Board of Trustees shall be audio recorded. The Superintendent/President shall ensure that any such recordings are maintained for at least 30 days following the taping or recording.

Persons attending an open and public meeting of the Board of Trustees may, at their own expense, record the proceedings, in the public seating area or an area approved in advance by the Board Chair, with an audio or video recording or a still photo camera or may broadcast the proceedings. However, if the 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 Board Chair to stop.

References:

- Education Code Section 72121(a);
- Government Code Sections 6250 et seq., 54953.5, and 54953.6

Adopted: February 2, 2009

Revised:

(Replaces SMC BP 1590)



Board Policy
Chapter 2 – Board of Trustees

BP 2410 BOARD POLICIES AND ADMINISTRATIVE REGULATIONS

The Board of Trustees shall be the policy-making body of the Santa Monica Community College District and shall establish general policies governing the operations of the college in accordance with its Vision, Mission, Supporting Goals, and Institutional Learning Outcomes. Implicit in the adoption of policies is the understanding that the Superintendent/President is delegated the authority to carry them out.

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

The policies adopted by the Board of Trustees are consistent with the provisions of the law, but do not encompass all laws relating to the District's activities. All District employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

The Board of Trustees shall determine the general scope and nature of the operation of the District, but shall not make specific administrative regulations, unless:

1. law requires the Board of Trustees to do so, or
2. a particular matter is of such magnitude that the Superintendent/President should not bear the responsibility alone and needs specific action of the Board of Trustees on such matter.

The Board of Trustees shall seek the recommendation of the Superintendent/President prior to adopting, amending, repealing, or suspending any policy. The formal adoption of policies shall be recorded in the minutes of the Board of Trustees. Only those written statements so adopted and so recorded shall be regarded as official Board policy.

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

However, revisions of a technical nature that do not affect the intent of the bylaws may be adopted, amended, or repealed at a meeting in which the proposal has been submitted in writing.

The Board of Trustees shall regularly assess its policies for effectiveness in fulfilling the District's mission.

The bylaws and the policies of the Board of Trustees shall be subject to temporary suspension upon the affirmative vote of four or more members of the Board of Trustees.

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

The Board of Trustees does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Superintendent/President. Adoption and amendment of such adopted regulations shall be by the same procedure as that specified for policies.

The Board of Trustees reserves the right to review and ~~suggest direct~~ revisions of administrative regulations should they, in the judgment of the Board, be inconsistent with the policies adopted by the Board.

Copies of all board policies and administrative regulations shall be readily available to District employees through the Superintendent/President.

References:

Education Code Section 70902;
ACCJC Accreditation Standards I.B.7, I.C.5, and IV.C.7

Adopted: May 1, 2000

Revised: July 5, 2016

(Replaces SMC BP 1220)



Board Policy
Chapter 2 – Board of Trustees

BP 2430 DELEGATION OF AUTHORITY TO THE SUPERINTENDENT/PRESIDENT

The Board of Trustees delegates to the Superintendent/President the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The Superintendent/President may delegate any powers and duties entrusted to him/her by the Board, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Superintendent/President is empowered to reasonably interpret board policy. In situations where there is no board policy direction, the Superintendent/President shall have the power to act but such decisions shall be subject to review by the Board of Trustees. It is the duty of the Superintendent/President to inform the Board of such action and to recommend written board policy if one is required.

The Superintendent/President is expected to perform the duties contained in the Superintendent/President job description and 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 Board in consultation with the Superintendent/President.

The Superintendent/President shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Superintendent/President shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Superintendent/President, they are not unduly burdensome or disruptive to District operations.

The Superintendent/President shall act as the professional advisor to the Board in policy formation.

References:

Education Code Sections 70902(d) and 72400;
ACCJC Accreditation Standards IV.B.5 and IV.C.12

Adopted: November 15, 2004

Revised:

(Replaces SMC BP 2120)



BP 2431

Board Policy
Chapter 2 – Board of Trustees

BP 2431 SUPERINTENDENT/PRESIDENT SELECTION

In the event of vacancy in the position of Superintendent/President, the Board of Trustees shall establish a search process to fill the vacancy. The process shall be fair and open and comply with relevant regulations.

References:

Title 5 Sections 53000 et seq.;
ACCJC Accreditation Standards IV.B and IV.C.3

Adopted: December 1, 2003

Revised:

(Replaces SMC BP 1266)



Board Policy
Chapter 2 – Board of Trustees

BP 2432 SUPERINTENDENT/PRESIDENT SUCCESSION

1. The Board of Trustees delegates authority to the Superintendent/President to appoint an acting Superintendent/President to serve in his/her absence for short periods of time, not to exceed 30 calendar days at a time.
2. In the absence of the Superintendent/President and when an acting Superintendent/President has not been named, administrative responsibility shall reside with:

Executive Vice-President
Vice-President, Business and Administration
Vice-President, Academic Affairs
Vice-President, Human Resources
Vice-President, Student Affairs

3. If the absence exceeds three consecutive months, the Board shall appoint an acting or interim Superintendent/President.
4. In the case of resignation, retirement, or death of the Superintendent/President, the Board shall establish a search process. The Board may appoint an interim Superintendent/President ~~for up to one year. It shall appoint an interim if the time available to conduct a search is less than six months.~~

References:

Education Code Sections 70902(d) and 72400;
Title 5 Section 53021(b)

Adopted: December 1, 2003

Revised:

(Replaces SMC BP 1265)



Board Policy
Chapter 2 – Board of Trustees

BP 2435 EVALUATION OF THE SUPERINTENDENT/PRESIDENT

The Board of Trustees shall conduct an evaluation of the Superintendent/President at least annually at a special meeting scheduled on a mutually agreed upon date. Such evaluation shall comply with any requirements set forth in the contract of employment with the Superintendent/President as well as this policy.

The Board shall evaluate the Superintendent/President using an evaluation process developed and jointly agreed to by the Board and the Superintendent/President. Each member of the Board will individually rate the Superintendent/President's performance **on the following criteria:**

Standard Leadership Criteria

- Educational Advancement and Quality
- Fiscal Health and Internal Operations
- Community and Government Relations (Local/State/National)
- Facilities and Sustainability
- Partnership with the Board of Trustees

Annual Performance Criteria

The performance criteria will be drawn each year from goals and priorities identified by the Board of Trustees.

The criteria for evaluation shall be based on board policy, the Superintendent/ President's job description, and performance goals and objectives developed in accordance with BP 2430 Delegation of Authority to the Superintendent/President.

Reference:

[ACCJC Accreditation Standard IV.C.3](#)

Adopted: May 1, 2000

Revised: December 1, 2003; May 6, 2014; and July 5, 2016

(Replaces SMC BP 1280)



Board Policy
Chapter 2 – Board of Trustees

BP 2510 PARTICIPATION IN LOCAL DECISION-MAKING

The Board of Trustees is the ultimate decision-maker in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board of Trustees is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for Board action and administrative regulations for Superintendent/President action under which the District is governed and administered.

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

Academic Senate (Title 5 Sections 53200-53206)

The Board of Trustees or its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law. Regulations to implement this section are developed collegially with the Academic Senate.

Classified Staff (Title 5 Section 51023.5)

Staff shall be provided with opportunities to participate in the formulation and development of policies and regulations that have a significant effect on staff. The opinions and recommendations of the classified staff will be given every reasonable consideration.

Students (Title 5 Section 51023.7)

The Associated Students shall be given an opportunity to participate effectively in the formulation and development of policies and regulations that have a significant effect on students, as defined by law. The recommendations and positions of the Associated Students will be given every reasonable consideration. The selection of student representatives to serve on District committees or task forces shall be made after consultation with the Associated Students.

Except for unforeseeable emergency situations, the Board of Trustees 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.

Participatory Governance at SMC

Santa Monica College is a community composed of students, faculty, staff, administration, and the Board of Trustees who are committed to the implementation of the Participatory Governance Policy (AB 1725). The Board of Trustees honors the concept of participatory governance in all areas defined by State laws and regulations as policy of the Santa Monica Community College District, while retaining its own rights and responsibilities as the ultimate authority.

The Board of Trustees has adopted the following participatory governance policies developed by the Academic Senate (See BP 2511 Participatory Governance: Academic Senate), Classified Staff (See BP 2512 Participatory Governance: Classified Staff), Associated Students (See BP 2513 Participatory Governance: Associated Students), and Management Association (See BP 2514 Participatory Governance: Management Association).

Also see BP/AR 2410 Board Policies and Administrative Regulations, BP/AR 2511 Participatory Governance: Academic Senate, BP/AR 2512 Participatory Governance: Classified Staff, BP/AR 2513 Participatory Governance: Associated Students, BP/AR 2514 Participatory Governance: Management Association, BP/AR 2610 Presentation of Initial Collective Bargaining Proposals, BP/AR 3250 Institutional Planning, BP/AR 5400 Associated Students, and BP 7140 Collective Bargaining.

References:

Education Code Section 70902(b)(7);

Title 5 Sections 53200 et seq. (Academic Senate), 51023.5 (Staff), and 51023.7 (Students);

ACCJC Accreditation Standard IV.A

Adopted: November 15, 2004

Revised: May 4, 2009; _____

(Replaces SMC Board Policy Article 2200)



Board Policy
Chapter 2 – Board of Trustees

BP 2511 PARTICIPATORY GOVERNANCE: ACADEMIC SENATE

The Board of Trustees recognizes and endorses the rights and responsibilities assigned to faculty by Assembly Bill 1725 (1988) and in order that the faculty may have formal and effective procedures for participating in the formation and implementation of District policies on academic and professional matters, an Academic Senate is hereby established at Santa Monica College.

The Board recognizes the Academic Senate (The Senate) as the body which represents the faculty in collegial governance relating to academic and professional matters. The Academic Senate President or designee shall be accorded an opportunity on the Board's regular agenda to address the Board regarding its concerns. The Board of Trustees shall consider and respond to such views and recommendations.

Formation, Procedures, Membership

The Board of Trustees of the Santa Monica Community College District hereby authorizes the faculty of the college to:

1. Fix and amend by vote of the faculty the composition, structure, and procedures of the Academic Senate.
2. Provide for the selection, in accordance with accepted democratic election procedures, of the members of the Academic Senate.
3. Provide for the membership of part-time faculty members in the Academic Senate.

Powers

The Board shall rely primarily upon the advice and judgment of the Academic Senate in the areas listed below. Rely primarily means that the recommendations of the Academic Senate will normally be accepted and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted.

1. Grading Policies
2. Faculty roles and involvement in accreditation processes, including self-study and annual reports
3. The assessment of faculty professional development needs

If a Senate recommendation in the above areas is not accepted, the Board or its designee shall promptly communicate its reasons in writing to the Senate.

The process for mutual agreement shall be used for all other academic and professional matters and shall occur primarily through the Academic Senate's joint committee process. Mutual agreement means that the policy and implementation recommendations shall be prepared by an Academic Senate joint committee and/or the joint Educational Policies Committee of the Academic Senate and ratified by the Academic Senate and the Superintendent/President.

1. The Board of Trustees designates and directs the Superintendent/President or designee to meet and confer with representatives of the Academic Senate with respect to recommendations made or proposed to be made by the Senate.
2. The list of academic and professional matters which are to be resolved by mutual agreement, includes but is not limited to:
 - A. Curriculum, including establishing prerequisites and placing courses within disciplines.
 - B. Degree and certificate requirements.
 - C. Educational program development.
 - D. Standards or policies regarding student preparation and success.
 - E. District and college governance structures, as related to faculty roles.
 - F. Policies for faculty professional development activities.
 - G. Processes for program review.
 - H. Processes for institutional planning and budget development.
 - I. Policies for academic personnel matters.
 - J. Other academic and professional matters as mutually agreed upon between the Board of Trustees and the Academic Senate.
3. The Educational Policies Committee consists of Senate Executive Committee members and senior staff.
4. The structure and composition of the Academic Senate joint committees will be based on the tradition of joint committees at the college. Each Academic Senate joint committee shall be constructed as follows:
 - A. Faculty members shall be appointed by the Academic Senate.
 - B. Administrators shall be appointed by the Superintendent/President.
 - C. The committee chair shall be a faculty member appointed by the Academic Senate President after consultation with the Superintendent/President or designee.
 - D. The committee secretary shall be an administrator appointed by the Superintendent/President or designee after consultation with the Academic Senate President.

- E. All Academic Senate joint committees shall be comprised in such a manner so that the ratio of the faculty appointees to administrative appointees is approximately 2:1.
 - F. The Academic Senate and the Superintendent/President shall mutually agree on the addition of any classified staff and students to the designated joint committees.
5. If, within one month, during the Fall and Spring semesters when the Academic Senate is in session, either party fails to ratify the policy development and implementation recommendation, the Academic Senate President and the Superintendent/President shall decide, within ten working days from the date, which of the following options shall be used to resolve the impasse.
- A. Send the recommendations back to the committee of origin and direct them to develop a new recommendation.
 - B. The Academic Senate and the Superintendent/President shall both delegate their ratification authority to the committee of origin and the committee's final recommendation shall become the recommendation on the issue.
 - C. The Academic Senate President and the Superintendent/President shall resolve the issue independent of the committee of origin.
6. The Senate reserves the right, after consultation with the administration, to present its concerns and recommendations directly to the Board and the Board shall respond to the Senate.
7. District standing committees (e.g., District Planning and Advisory Council and its planning subcommittees, matriculation advisory committee, staff diversity advisory committee) shall be structured to include appropriate representation of the Academic Senate, administrators, and classified staff when matters being considered are within their purview. Student representation shall be included on such groups whenever appropriate and possible.
8. The appointment of faculty members to serve on college or District committees, task forces, or other groups dealing with academic and professional matters shall be made by the Senate, after consultation with the Superintendent/President or designee.

Duties Assigned by Administration and the Board of Trustees

The Academic Senate may assume such responsibilities and perform such functions as may be requested of it by the administration or by the Board of Trustees.

Scope of Regulations

Nothing in this Board policy shall be construed to impinge upon the due process rights of faculty, nor to detract from any negotiated agreements between collective bargaining representatives and the Board of Trustees.

It is the intent of the Board of Trustees to respect agreements between the Academic Senate and the Faculty Association as to how they will consult, collaborate, share, or delegate among themselves the responsibilities that are or may be delegated to the Academic Senate pursuant to these recognitions.

Also see BP/AR 2410 Board Policies and Administrative Regulations, BP/AR 2510 Participation in Local Decision-Making, BP/AR 2610 Presentation of Initial Collective Bargaining Proposals, BP/AR 3250 Institutional Planning, and BP 7140 Collective Bargaining.

References:

Education Code Sections 66700, 70901, and 70902;
Title 5 Sections 53200 et seq.

Adopted: May 1, 2000

Revised: July 9, 2007; _____

(Replaces SMC BP 2210)



Board Policy
Chapter 2 – Board of Trustees

BP 2512 PARTICIPATORY GOVERNANCE: CLASSIFIED STAFF

The Board of Trustees recognizes and endorses the rights and responsibilities assigned to non-management classified staff by Title 5 Section 51023.5. Classified staff includes permanent non-management, non-confidential, full-time and part-time non-academic employees. Further, the Board recognizes the technical, professional, and skilled expertise of the classified staff whose functions are critical to the successful operation of the District and to the success of the faculty and students.

Participation

In view of the management structure of the District as it pertains to classified staff, and pursuant to Title 5, Section 51023.5 subsection 4, classified staff shall be afforded opportunities to participate in the formation and development of District and college policies and procedures, and in processes which have or will have a significant effect on classified staff.

When a classified staff representative is to serve on a District task force, committee, or other governance group, California School Employees Association (CSEA) Chapter 36, the exclusive representative of classified employees of the District, shall appoint the representative for the respective bargaining unit members. The exclusive representative of the classified employees and the Board of Trustees may mutually agree to an alternative appointment process through a memorandum of understanding.

Scope of Regulations

Nothing in this Classified Staff Participatory Governance Policy shall be construed to impinge upon the due process rights of non-management classified staff, nor to detract from any negotiated agreements between collective bargaining representatives and the Board of Trustees.

Also see [BP/AR 2410 Board Policies and Administrative Regulations](#), [BP/AR 2510 Participation in Local Decision-Making](#), [BP/AR 2610 Presentation of Initial Collective Bargaining Proposals](#), [BP/AR 3250 Institutional Planning](#), and [BP 7140 Collective Bargaining](#).

References:

Education Code Section 70901.2;
Title 5 Section 51023.5

(Replaces SMC BP 2220)



Board Policy
Chapter 2 – Board of Trustees

BP 2513 PARTICIPATORY GOVERNANCE: ASSOCIATED STUDENTS

The Board of Trustees recognizes the Associated Students as the duly elected representatives of the student body of Santa Monica College, as provided by Education Code Section 76060. The Associated Students are encouraged to voice opinions and make recommendations to the administration of the college and the Board of Trustees with regard to District and college policies and procedures that have or will have a significant effect on the student body.

The Board of Trustees of Santa Monica Community College District hereby authorizes the students of the college to establish the Associated Students and charges them with the responsibility to:

- A. Fix and amend by vote of the A.S. Board of Directors the composition, structure, and procedures of the Associated Students.
 - B. Provide for the selection, in accordance with accepted democratic election procedures, of the members of the Associated Students.
1. District policies and procedures that have or will have a significant effect on students include the following:
- A. grading policies
 - B. codes of student conduct
 - C. academic disciplinary policies
 - D. curriculum development
 - E. courses or programs which should be initiated or discontinued
 - F. processes for institutional planning and budget development
 - G. standards and policies regarding student preparation and success
 - H. student services planning and development
 - I. student fees the adoption of which are within the authority of the District
 - J. any other District and college policy, procedure, or related matter the Board of Trustees (and the Associated Students) determine(s) will have a significant effect on the student body

This list does not preclude the opportunity for students to request participation in other District committees as appropriate.

2. The Associated Students of Santa Monica College shall be provided an opportunity to participate in the formulation and development of District and college policies and procedures that have or will have a significant effect on the student body, as defined in item 3. This right includes the opportunity to participate in processes for developing recommendations for the Board of Trustees regarding such policies and procedures in collaboration with the appropriate college organization(s).
3. The Board of Trustees, except in an unforeseeable emergency, shall not take action on a matter having significant effect on the student body until it has provided the Associated Students with an opportunity to participate in the formulation of the policy or the procedure or the joint development of recommendations regarding the action.
4. The Board of Trustees shall ensure that at the District and college levels, recommendations and positions developed by the Associated Students are given every reasonable consideration.
5. The selection of all student representatives to serve on all appropriate college committees, appropriate Academic Senate Joint Committees, task forces, or other governance groups shall be made by the Associated Students after consultation with the Superintendent/President and the President of the Academic Senate.
 - A. In order that the recommendations and opinions of students are given every reasonable consideration, the Associated Students will designate students to participate in each of the appropriate college committees: Academic Senate Joint committees, task forces, or other governance groups, according to item number 3 and in the spirit of AB 1725.
 - B. To facilitate student attendance, the prior commitments of all student members of any given committee should receive equal consideration in scheduling meetings. Students should have ready access to campus resources to carry out adequately committee responsibilities.
 - C. Student members on committees will annually review, evaluate, and make recommendations for any changes in the governance structure, if needed, to insure an adequate voice. The recommendations will be given to the appropriate committee chairs, organizational leaders, administrators and the Board of Trustees.
6. Administration, faculty, and staff should provide appropriate means and understanding of governance issues in order to increase student preparedness, self-confidence, and credibility in the collegial governance process.
 - A. Administration, faculty, and committee chairs will provide training and orientation at the beginning of each academic year for the purpose of building trust, fostering teamwork, and preparing for meaningful participation in the governance process.

- B. Both faculty and administration will provide ongoing consultative services such as regular, timely meetings with committee chairpersons, the development of mentorships, or other alternative means of sharing with students.
7. The A.S. President, or a designee, regularly shall be accorded the opportunity to present positions and recommendations of the Associated Students to the Board of Trustees.
 8. The Board of Trustees shall give reasonable consideration to recommendations and positions developed by the Associated Students regarding District and college policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.
 9. The Associated Students embrace the philosophy of participatory governance by encouraging faculty, staff, and administration to participate effectively on appropriate Associated Student boards, committees, and task forces. Appointment of faculty and staff to A.S. Committees shall be made by appropriate representative organizations after consultation with the President of the Associated Students.
 10. Nothing in this section shall be construed to impinge upon the due process rights of faculty, staff, and administration, nor to detract from any negotiations or negotiated agreements between collective bargaining agents and the Board of Trustees.

Also see [BP/AR 2410 Board Policies and Administrative Regulations](#), [BP/AR 2510 Participation in Local Decision-Making](#), [BP/AR 3250 Institutional Planning](#), and [BP/AR 5400 Associated Students](#).

References:

Education Code [Section 76060](#);
Title 5 Section 51023.7

Adopted: May 1, 2000

Revised:

(Replaces SMC BP 2230)

ordance with this Section.



Board Policy
Chapter 2 – Board of Trustees

BP 2514 PARTICIPATORY GOVERNANCE: MANAGEMENT ASSOCIATION

The Board of Trustees recognizes the Santa Monica College Management Association as a professional organization chartered to promote the success and professional development of all academic managers, classified administrators and managers, and confidential staff. The goal is to assist and support managers and confidential employees in developing their skills to promote professional achievement and support student success. Through mentoring and professional development, the goal and objectives further the college's mission and vision statements. This provision does not confer any collective bargaining rights.

Formation and Membership

Members of the Management Association comprises academic managers (Superintendent/President, Vice-Presidents, Deans, Associate Deans, Assistant Deans, Directors, Assistant Directors and Project Managers) and classified administrators, managers, and confidential employees.

The officers of the SMC Management Association are: president, president-elect, a secretary and a treasurer. The officers are nominated by the managers at large and elected by a majority vote to serve a term of one year. Elections shall be held in May of each year for the following fiscal year.

Participation

The process of participatory governance shall be used for all professional matters on which managers have expertise and shall occur through the representation on college-wide committees exclusive of collective bargaining issues.

The appointment of managers and confidential employees to represent the Management Association on the District Planning and Advisory Council (DPAC) and its planning subcommittees shall be made by the Management Association after consultation with the Superintendent/President or designee.

The Management Association may present proposals to the Superintendent/President regarding policies, administrative regulations and procedures. The Management Association may assume such responsibilities and perform such functions as may be requested by the Superintendent/President.

Also see BP/AR 2410 Board Policies and Administrative Regulations, BP/AR 2510 Participation in Local Decision-Making, and BP/AR 3250 Institutional Planning.

Reference:

Government Code Section 3540.1(c)

Adopted: November 15, 2004

Revised: May 2010; _____

(Replaces SMC BP 2240)



Board Policy
Chapter 2 – Board of Trustees

BP 2610 PRESENTATION OF INITIAL COLLECTIVE BARGAINING PROPOSALS

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

Collective bargaining begins when either an exclusive representative or the District itself presents an initial proposal for consideration in accordance with the following timelines:

The Board of Trustees will be represented by a chief negotiator in the collective bargaining process with employee organizations. The collective bargaining process will be directed by the Board of Trustees and communicated by the chief negotiator.

Also see AR 2610 Presentation of Initial Collective Bargaining Proposals and BP 7140 Collective Bargaining

References:

Government Code [Sections](#) 3540-3549.3, [and](#) 54957.6

Adopted: May 1, 2000 (for BP 1171) and July 9, 2001 (for BP 3134)

Revised: December 1, 2003 (for BP 1171); _____

(Replaces SMC BP 1171 and BP 3134)



Board Policy
Chapter 2 – Board of Trustees

BP 2710 CONFLICT OF INTEREST

Board members and employees shall not be financially interested in any contract made by them in their official capacity, or in any body or board of which they are members.

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

A Board member shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to his/her duties as an officer of the District.

In compliance with law and regulation, the Superintendent/President shall establish administrative regulations to provide for disclosure of assets of income of 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.

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

Limits of Authority

Individually, a member of the Board of Trustees may not commit the District to any policy, act, or expenditure. The Board member cannot do business with the District or have an interest in any contract with the District in general. The Board member does not represent any factional segment of the community as a whole.

No individual member of the Board, by virtue of holding office, shall exercise any administrative responsibility with respect to the District.

The Board of Trustees shall adopt a Conflict of Interest Code BP 2712 Conflict of Interest Code). In addition, the Superintendent/President shall establish an AR 2712 Conflict of Interest Code. Nothing contained in this code is intended to modify or abridge the provisions of the Political Reform Act of 1974. The provisions of this Code are additional to Government Code and other laws pertaining to conflicts of interest. Except as otherwise indicated the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Code shall be interpreted in a manner consistent therewith.

Board members are encouraged to seek counsel from the District's legal advisor in every case where any question arises.

Also see BP 2200 Board Duties and Responsibilities, AR 2710 Conflict of Interest, BP/AR 2712 Conflict of Interest Code, BP 2715 Code of Ethics/Standards of Practice, BP 2716 Board Political Activity, and BP 2717 Personal Use of Public Resources – Board

References:

Education Code Sections 72530, and 72533;
Government Code Sections 1090 et seq., 1126, 81000 et seq., and 87200 et seq.;;
Title 2 Sections 18730 et seq.

Adopted: May 1, 2000 (for BP 1240 and BP 1250)

Revised:

(Replaces SMC BP 1240 and BP 1250)



Board Policy
Chapter 2 – Board of Trustees

BP 2712 CONFLICT OF INTEREST CODE

The purpose of the Conflict of Interest Code is to provide for the disclosure and disqualification of Board members and designated employees of the District. The Conflict of Interest Code shall apply to all Board members and designated employees of the District, as specifically required by the Political Reform Act. The Political Reform Act (Government Code Sections 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. This Code has the force and effect of law. Any Board member or designated employee, violating any provision of the code, or Political Reform Act, are subject to the administrative, criminal, and civil sanctions provided in the Act.

The Fair Political Practices Commission has adopted a regulation (2 Cal. California Code of Regulations Section 18730) which contains the terms of a standard conflict of interest code. After public notes and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated into the conflict of interest code of this agency by reference. This regulation and the Board Policy sections designating officials and employees and establishing economic disclosure categories shall constitute the conflict of interest code of this agency.

Also see BP 2200 Board Duties and Responsibilities, BP/AR 2710 Conflict of Interest, AR 2712 Conflict of Interest Code, BP 2715 Code of Ethics/Standards of Practice, BP 2716 Board Political Activity, and BP 2717 Personal Use of Public Resources – Board.

References:

Government Code Sections 8100et seq., 87103(e), 87300-87302, 89501, 89502, and 89503;
Title 2 Section 18730

Adopted: November 15, 2004 (for BP 2160 and BP 2161); September 15, 2009 (for BP 2163); and August 6, 2013 (for BP 2162)

Revised: August 6, 2013 (for BP 2163); October 4, 2016 (for BP 2162 and BP 2163);

(Replaces SMC BP 2160, BP 2161, BP 2162, and BP 2163)



Board Policy
Chapter 2 – Board of Trustees

BP 2715 CODE OF ETHICS/STANDARDS OF PRACTICE

Santa Monica College is committed to the principle that higher education and lifelong learning should be available to every person who can benefit. Given this basic condition, the activities and deliberations of the Board of Trustees will be guided by this code of ethics.

The Board of Trustees:

- has as its basic function the establishment of the policies by which the District is to be administered.
- holds the Superintendent/President accountable for the administration of the educational program and the conduct of District business.
- is made up of individuals who will strive to work with fellow Board members in a spirit of harmony and cooperation even when values and beliefs are divergent.
- is a unit of authority; Board members have no individual authority outside of official meetings.
- assures the orderly operation of the District by encouraging employees to make use of appropriate procedures before bringing their concerns to the Board.
- has the authority and responsibility to encourage the administration, faculty, and staff to be original and creative in responding to the needs of the college community.

The Board of Trustees maintains high standards of ethical conduct for its members. Members of the Board are responsible to:

- support and assist in fostering the most effective relations between the college and the community.
- never use his/her position for material gain.
- 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 Board of Trustees. Initiative or referendum measures may be drafted on an area of legitimate interest to the District. The Board may, by resolution, express the Board's position on ballot measures. Public resources may be used only for informational efforts regarding ballot measures.

- not use or permit others to use public resources for personal purposes or any other purpose not authorized by law.
- devote time, thought, and study for effective participation and contribution in the decision-making process of the Board.
- comply with pertinent laws and regulations that deliberations in closed session are confidential and not for public discussion or disclosure.
- make decisions only after all facts have been presented and discussed. Statements or promises as to how one will vote prior to regular meetings are inappropriate.
- Abide by majority decisions of the Board.
- participate in state and national community college trustees' associations and in educational conferences, workshops, and training sessions offered by local, state, and national organizations to enhance his/her potential as a Board member.

The Board will promptly address any violation of the Code of Ethics by a Board member or Board members in the following manner:

The Superintendent/President and Board Chair 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, including but not limited to conflict of interest, open and public meetings, confidentiality of closed session information, and use of public resources. Violations of law may be referred to the District Attorney or Attorney General as provided for in law.

Violations of BP 2715 Code of Ethics/Standards of Practice will be addressed by the Chair of the Board, 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 Chair of the Board 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 and may include a recommendation to the Board to censure the Board member. If the Chair of the Board is perceived to have violated the code, the Vice Chair of the Board is authorized to pursue resolution.

Also see BP 2200 Board Duties and Responsibilities, BP 2310 Regular Meetings of the Board, BP 2315 Closed Sessions, BP/AR 2710 Conflict of Interest, BP/AR 2712 Conflict of Interest Code, BP 2716 Board Political Activity, and BP 2717 Personal Use of Public Resources – Board.

References:

- Education Code Sections 7054 and 7056;
- Government Code Sections 8314 and 54963;
- Penal Code Section 424;
- ACCJC Accreditation Standard IV.C.11

Adopted: May 1, 2000

Revised: March 2, 2009; _____

(Replaces SMC BP 1230)



Board Policy
Chapter 2 – Board of Trustees

BP 2716 BOARD POLITICAL ACTIVITY

Members of the Board of Trustees 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 Board.

Initiative or referendum measures may be drafted on an area of legitimate interest to the District. The Board may by resolution express the Board's position on ballot measures. Public resources may be used only for informational efforts regarding the possible effects of District bond issues or other ballot measures.

Also see BP/AP 7370 Employee Political Activity

References:

Education Code Sections 7054, 7054.1, and 7056;
Government Code Section 8314

Adopted:

(This is a new policy)



BP 2717

Board Policy
Chapter 2 – Board of Trustees

BP 2717 PERSONAL USE OF PUBLIC RESOURCES – BOARD

No trustee 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.

Also see AR 7371 Personal Use of Public Resources - Employees

References:

Government Code Section 8314;
Penal Code Section 424

Adopted:

(This is a new policy)



BP 2720

Board Policy
Chapter 2 – Board of Trustees

BP 2720 COMMUNICATIONS AMONG BOARD MEMBERS

Members of the Board shall not communicate among themselves by the use of any form of communication (e.g., personal intermediaries, e-mail, or other technological device) in order to reach a collective concurrence regarding any item that is within the subject matter jurisdiction of the Board of Trustees. ~~In addition, no other person shall make serial communications to Board members.~~

Reference:

Government Code Section 54952.2

Adopted:

(This is a new policy)



Board Policy
Chapter 2 – Board of Trustees

BP 2725 BOARD MEMBER COMPENSATION

Members of the Board of Trustees, including the Student Trustee, who attend all Board meetings may receive as compensation the maximum amount permissible by law. A member of the Board who does not attend all meetings held by the Board of Trustees 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 Board of Trustees, including the Student Trustee, may be paid for a meeting when absent if the Board, by resolution, finds that at the time of the meeting the member is performing services outside the meeting for the community college district, is ill, on jury duty, or the absence is due to a hardship deemed acceptable by the Board of Trustees.

Reference:

Education Code Section 72024

Adopted: May 1, 2000

Revised:

(Replaces SMC BP 1330 and BP 1413)



Board Policy
Chapter 2 – Board of Trustees

BP 2730 BOARD MEMBER HEALTH BENEFITS

Members of the Santa Monica Community College District Board of Trustees shall be permitted to participate in Santa Monica Community College District's health benefit programs. The benefits of members of the Board through the District's health benefits programs shall not be greater than the most generous schedule of benefits being received by any category of non-safety employee of the District.

The Student Trustee is not entitled to the District's health benefit package.

Former Board Members

Former members of the Board of Trustees may continue to participate in the District's health benefits programs upon leaving the Board if the following criteria are met:

- the member must have begun service on the Board after January 1, 1981;
- the member must have been first elected to the Board before January 1, 1995; and
- the member must have served at least 12 years.

All other former Board members may continue to participate in the District's health benefits programs on a self-pay basis.

References:

Government Code Sections 53201 and 53208.5

Adopted: May 1, 2000 (for BP 1320)

Revised: December 1, 2003 (for BP 1320)

(Replaces SMC BP 1310 and BP 1320)



Board Policy
Chapter 2 – Board of Trustees

BP 2735 BOARD MEMBER TRAVEL

Attendance at meetings and conferences related to educational or college matters shall be encouraged for the professional growth of members of the Board of Trustees and benefit to the District. **Members of the Board shall have travel expenses paid whenever they travel as representatives of and perform services directed by as a member of the Board of Trustees.** Members of the Board of Trustees are hereby authorized to attend the following meetings and conferences and be reimbursed for related actual and necessary expenses.

Within the State of California

- Meetings called by the Chancellor of the California Community Colleges
- Regular or committee meetings of the California Legislature
- Meetings or conferences of any society, association, or organization for which the Board of Trustees has approved membership
- Meetings of accreditation, councils, or commissions of California public agencies or related federal agencies
- Visits to colleges in the State of California for the discussion of any college matter of interest to the District
- Any meeting within the state deemed by the Board to relate to community college matters

Out of State

- Meetings with representatives of the United States Government to discuss District business
- Attendance at conferences concerned with educational legislation of federal appropriations to community colleges
- Any deemed by the Board to relate to community college matters
- Meetings recommended by the Superintendent/President

All necessary actual and necessary expenses of attending such meetings, including transportation, meals, lodging and registration fees shall be a charge against District funds up to the limit of funds provided for the Board. An advance of these funds may be authorized, with the advance to be repaid or adjusted upon the filing of a regular claim for actual expenses incurred.

The Superintendent/President shall be notified of all such meetings to be attended by members of the Board of Trustees. Board members will share information regarding the meetings with the Superintendent/President and/or the Board of Trustees as appropriate, for the benefit of the Board of Trustees, the college, and the public.

An excused absence from a regular or special meeting of the Board of Trustees because of attendance at such meetings and/or conferences shall be requested no later than the next regular meeting of the Board of Trustees.

Student Trustee

The Student Trustee is authorized to attend and be reimbursed for expenses incurred for attendance at the following conferences:

- CCCT Student Trustee Orientation
- CCCT Annual Conference
- CCCT Legislative and New Trustee Orientation Conference,
- Other trustee conferences as approved in advance by the Superintendent/ President

Board members will be covered under the District travel insurance policy while engaging in District business.

[Also see BP/AR 6540 Insurance and BP/AR 7400 Employee Travel](#)

Reference:

Education Code Section 72423

Adopted: May 1, 2000

Revised:

(Replaces SMC BP 1340 and BP 1414)



Board Policy
Chapter 2 – Board of Trustees

BP 2740 BOARD EDUCATION

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

Orientation of New Members

The Board of Trustees, the Superintendent/President, and the staff shall assist each new member-elect/appointee to understand the Board of Trustees functions, policies, and procedures before he/she takes office. The following methods shall be employed:

1. The electee/appointee shall be invited to meet with the Superintendent/President and other administrative personnel to discuss services being performed by the Board of Trustees.
2. The electee/appointee shall be notified of Board of Trustees meetings prior to his/her taking office officially. The Superintendent/President or designate shall supply material pertinent to meetings and shall explain its use.
3. The electee/appointee shall be given selected material concerning his/her responsibility as a member of the Board of Trustees.
4. A Board of Trustees Policy Manual shall be given to each new member by the Superintendent/President.

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

Study Sessions

The Board of Trustees shall schedule two annual study sessions; the dates to be adopted by the Board in the annual calendar of meetings.

At the Study Sessions, the Board will have the opportunity to discuss individual concerns and ideas with other members of the Board and the administration and give direction. Discussion topics may include, but not be limited to, proposed administrative plans, Board policies/goals, future agenda items, agenda format, et cetera.

Reference:

ACCJC Accreditation Standard IV.C.9

Adopted: May 1, 2000 (for BP 1140 and BP 1514)

Revised: December 1, 2003 (for BP 1140) and
February 2, 2009 (for BP 1514)

(Replaces SMC BP 1140 and BP 1514)



Board Policy
Chapter 2 – Board of Trustees

BP 2745 BOARD SELF-EVALUATION

The Board of Trustees 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 Board has established the following processes:

The Board of Trustees shall hold an annual self-evaluation ~~as part of the summer Study Session~~ on a mutually agreed upon date.

Purpose

No less than once a year, the Board shall evaluate the functioning, strengths, and weaknesses of the Board and identify specific functions working well and those needing improvement.

Methodology

The methodology will be determined by the Board of Trustees each year based on the priorities of the institution. The process for evaluation shall be recommended to and approved by the Board. If an instrument is used, all Board members will be asked to complete the evaluation instrument and submit them to the Recording Secretary.

Elements of Consideration

- To assess the strengths and weaknesses of the Board as a whole.
- To determine the effectiveness of the performance of the trustees in achieving the District's goals.
- To determine the effectiveness of the policies established by the Board.
- To assess accomplishments relative to the *Vision, Mission, and Goals* of the District.

A summary of the evaluations will be presented and discussed at a Board session scheduled for that purpose. The results of the discussion will be used to identify accomplishments in the past year and provide the basis for the Board to develop its goals and priorities to address the needs of the college for the next year.

Reference:

ACCJC Accreditation Standard IV.C.10

Adopted: May 1, 2000

Revised: December 1, 2003 and May 6, 2014

(Replaces SMC BP 1270)



Board Policy
Chapter 2 – Board of Trustees

BP 2800 LEGAL SERVICES

The Board of Trustees may, at its discretion appoint an attorney(s) to perform desired legal services. The attorney shall serve at the Board of Trustees' pleasure and be compensated at a mutually agreed-upon rate.

References:

No specific references

Adopted: May 1, 2000

Revised:

(Replaces SMC BP 1172)