WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT

BP 2105 Election of Student Trustee
BP 2110 Vacancies on the Board
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BP 2210 Officers
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BP 2750 Board Member Absence from the State

Board of Trustees

References:

Education Code Sections 72023, 72103, and 72104

The Board shall consist of seven members elected by the qualified voters of the District. Members shall be elected by trustee area as defined in BP 2100 titled Board Elections.

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

Any person, regardless of gender, who is 18 years of age or older, a citizen of the State of California, a resident of the West Valley-Mission Community College District, a registered voter 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.

A trustee candidate must be a resident of the Trustee Area for which the election is being held.

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

No member of the governing board shall, during the term for which he or she is elected, hold an incompatible office.

Date Adopted: January 17, 2012
(Replaces current WVMCCD Policy 1.6.1)

The Student Trustee shall make himself/herself informed about those issues that have a direct or significant impact on students of the District and such issues that are brought to the attention of the Student Trustee by any concerned students.

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- The Student Trustee shall gather student input and disseminate information by meeting at least once per month, school calendar permitting, at a scheduled meeting of the sarmatioa schemna-3(at)6(o)-3(n)-3(ce)6(T3tpn6(h7-3(a)6(n)-3(d)-3(u)-3(tg)6(0

Although the Board encourages candidate statements in the sample ballot package, the District shall not be responsible for the cost of such statements or any other charges incurred by individual candidates.

The Chancellor shall submit recommendations to the Board regarding adjustments to be made to the boundaries of each trustee area, if any adjustment is necessary, after each decennial federal census. The Chancellor shall submit the recommendation in time for the 0 1 168.74 12(th)-5(e)6( )1 72.024 612.34 Tm[(th)-5(e)6.[(th1)-3(sth)-5(s85(e)-306.r.[(sh)-3(dras85(e

Board of Trustees

References:
Education Code Sections 72023.5 and 72103

The Student Trustee(s) shall be chosen by the students enrolled in the District as follows:

The Student Trustee representing each college shall be elected by all the students of the student body enrolled in each college of the District in a general election held at each college for that purpose. Normally, an election will be held in the Spring Semester so that the office is filled by June 1. The student member 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 Chancellor, except that all members of the student body shall be permitted to vote in the recall election.

If the seat of a student member becomes vacant during his or her term, the Board of Trustees may authorize the officers of student body associations established pursuant to Section 76060 at each community college in the district to appoint a student to serve the remainder of the term in accordance with procedures established by the Board of Trustees.

Alternatively, special election may be held if the office becomes vacant by reason of the resignation or disqualification of an elected student member, or by any other reasons. Special elections shall be held within 30 days after notice of the vacancy comes to the attention of the Chancellor. Candidates for the position may nominate themselves or be nominated by others by the filing of an application at their campus of residence certifying that the candidate is eligible for service under the criteria set forth in California law and these policies.

See Administrative Procedure 2105.

Date Adopted: January 17, 2012
Date Revised: June 16, 2015

Board of Trustees

References:

Board of Trustees

Reference:
ACCJC Accreditation Standard I.V

The Board of Trustees governs on behalf of the citizens of the West Valley-Mission Community College District in accordance with the authority granted and duties defined in the Education Code.

The Board is committed to fulfilling its responsibilities to:

- Represent the public interest.
- Assure fiscal health and stability.
- Delegate power and authority to the chief e

Fix the rate of compensation for all employees and review all salary schedules annually or as determined by contractual obligation.

x Consider the recommendations of the Chancellor on matters of maintenance of buildings, grounds, and equipment, including site utilization, physical plant development, and major improvements.

x Require and consider reports from the Chancellor concerning the conditions of the Colleges.

x Consider the curricular offerings of the Colleges upon the recommendation of the Academic Senate.

x

Board of Trustees

Reference:
Education Code Section 72000

At its annual organizational meeting, the Board shall elect one of its members as President, a second as Vice President, and a third as Trustee Representative to the Santa Clara County Committee on School District Organization. The terms of office shall be for one year.

The duties of the President of the Board shall include:

- Presiding at all meetings of the Board.
- Appointing or providing for the election of all Board committees.
- Convening special meetings as required, in cooperation with the Chancellor.
- Reviewing and approving the Board agenda.
- Serving as spokesperson of the Board pertaining to actions taken by it.
- -evaluation process is completed on an annual basis.

The Vice President shall perform the duties of the President when called upon to do so or in the absence of the President.

It shall be the duty of the Trustee Representative to attend a meeting called by the County Superintendent of Schools to elect members of the Santa Clara County Committee on School District Organization.

The Chancellor shall serve as the Secretary to the Board. The major duties and responsibilities of the Secretary to the Board shall include:

- Notifying members of the Board of all meetings.
- Preparing agendas and attending all Board meetings.
- Recording the minutes of Board meetings and transmitting copies to each member of the Board before each ensuing regular meeting.

- Certifying or attesting to Board actions, as required and executing official papers.

- Conducting correspondence on behalf of the Board in response to communications received by the Board or in pursuance of Board actions.

- Having charge of and safeguarding all records, proceedings, and documents of the Board.

- Filing and posting copies of the quarterly financial report as required by law.

Any officer of the Board may be removed from office by the majority vote of the membership of the full Board.

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

Date Adopted: January 17, 2012
(Replaces current WVMCCD Policies 1.7.1 and 1.7.3)

The Board may refer audit, budget, and finance matters to the Audit and Budget Oversight Committee for thorough discussion.

Representatives to Groups/Organizations
The Board may appoint such other representatives to groups and organizations as deemed appropriate.

Date Adopted: January 17, 2012
Date Revised: July 21, 2015
(Replaces current WVMCCD Policies 1.7.2, 1.7.4, 1.7.5, and 1.7.6)

Board of Trustees

References:

Education Code Section 72000(d);
Government Code Sections 54952.2, 54953 et seq., and 54961

Regular meetings of the Board shall be held on the first and/or third Tuesdays of each month.

Unless noticed otherwise, regular meetings will be held on alternating months at each College campus, in the Board Room at West Valley College, 14000 Fruitvale Avenue, Saratoga, California, and in the Hospitality Management Building at Mission College, 3000 Mission College Boulevard, Santa Clara, California.

A notice identifying the location, date, and time of each regular meeting of the Board shall be posted at least ten (10) days prior to the meeting and shall remain posted until the day and time of the meeting.

Any changes in the location of regularly scheduled Board meetings, which shall only occur at locations within the District boundaries (except in cases where the Board is meeting with another local agency or is meeting with its attorney to discuss pending

members of the Board.

In case the date and/or place of any regular meeting is changed, the Secretary to the Board will take appropriate steps to inform the public of the change in advance of the meeting.

All regular and special 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.

Any and all materials available to the Board, excepting materials related to closed session items, shall be available to the public and to members of the District community, and all such materials in or with the agenda package for Board members shall be in or with the public copies of the agenda package.

Board of Trustees

References:

Education Code Section 72122;
Government Code Sections 54956.8, 54956.9, 54957, 54957.6, and 11125.4

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

- x The appointment, employment, evaluation of performance, discipline or dismissal of a public employee.

- x Charges or complaints brought against a public employee by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. The employee shall be given at least twenty-four (24) hours written notice of the Closed Session. Please see last paragraph for further information.

- x Advice of counsel on pending litigation, as defined by law.

- x
  joint powers agency formed for purposes of insurance pooling.

- x Real property transactions.

- x Threats to public security.

- x

- x Discussion of student disciplinary action, with final action taken in public.

- x Conferring of honorary degrees.

- x Consideration of gifts from a donor who wishes to remain anonymous.

- x Consideration of its response to a confidential final draft audit report from the Bureau of State Audits.

The agenda for each r

Board of Trustees

Adjourned meetings may be held when the Board decides that the business of the District establishes a need to hold such a meeting. Such meetings shall serve as a continuation of a regular meeting and must be noticed in the manner required by law

Date Adopted: January 17, 2012
(Replaces current WVMCCD Policies 1.8.4,

Board of Trustees

References:

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

A quorum of the Board shall consist of four (4) members.

The Board shall act by majority vote, a minimum of four affirmative votes of all the membership of the Board, except as noted below.

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 individual member present.

The following actions require 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.

The following actions require 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.

Date Adopted: January 17, 2012
Date Revised: April 21, 2015

Board of Trustees

References:

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

An agenda for each meeting of the Board shall be prepared by the Chancellor in cooperation with the Board President.

Any Board member may request that an item be agendized for a future meeting.

The agenda for each regular and special meeting shall be posted adjacent to the place of meeting where the public and District employees may see it, at least seventy-two T u8ETBT1 0 2s

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Board of Trustees

References:

Education Code Section 72121.5;
Government Code Sections 54954.3 and 54957.5

Members of the public also may submit written communications to the Board on items on the agenda and/or speak to agenda items at the Board meeting. Written communication regarding items on the Board's agenda should reach the office of the Chancellor not later than one (1) working day prior to the meeting at which the matter concerned is to be before the Board. All such written communications must be dated and signed by the author, and contain the residence or business address of the author and the author's organizational affiliation, if any.

Pursuant Government Code Section 54957.5, if a writing that is a public record that relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency, is distributed less than seventy-two (72) hours prior to that meeting, the writing shall be made available for public inspection at the time the writing is distributed to all, or a majority of all, of the members of the body. 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.

Board of Trustees

References:

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

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

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.

All individuals from the public wishing to address the Board are requested to complete an Oral Communications Request Form supplied by the Secretary to the Board at the beginning of the meeting and indicate which item(s) they wish to address. The Request

represented, if any, and a statement noting the agenda item or topic to be addressed.

When that item is announced by the President of the Board, members of the public wishing to speak on that item will be recognized by the President at the appropriate time. This is a request for Board convenience and not a requirement, in that the Board recognizes that a person attending a Board meeting may not intend to speak to an item, but may hear some part of the discussion and decide then to speak.

When an individual from the public is recognized by the Board President, he/she will be allowed no more than three (3) minutes to orally address the Board. If an individual is addressing the Board as a representative of a group, he/she will be allowed up to five (5) minutes to speak. Should the sum of oral communications require more than thirty minutes to complete, the Board President may proceed with the balance of the agenda and return to Oral Communications from the Public before New Business.

The Board requests that persons addressing the Board preface their remarks by stating their name and address. Speakers are encouraged to (a) be direct and concise, (b) avoid repetition of statements already made on the same subject, and (c) subsequently, put their views in writing for information to the Board. Board members may direct

questions to speakers through the President. Time limits may be waived by action of the Board.

Any person appearing before the Board on any agendized or non-agendized item shall be treated with courtesy and respect by members of the Board.

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

- The President of the Board may rule members of the public out of order if their

Profanity, obscenity and other offensive language.

- Physical violence and/or threats of physical violence directed towards any person or property.

A person or persons who are ruled out of order shall be warned by the President of the Board of their infraction. If the behavior continues, the person(s) may be removed by a vote of the Board, based on a finding that the person or persons involved are violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

In the event that any Board meeting is willfully interrupted by an individual or group of persons so as to render the orderly conduct of the meeting unfeasible, and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and continue in session. The Board will establish a process for allowing members of the public back into the meeting. Representatives of the news media and staff members, except those participating in the disturbance, shall be allowed to attend the meeting. The Board shall then only consider

Board of Trustees

References:

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

The Chancellor shall cause minutes to be taken of all meetings of the Board. A record of all transactions of the Board in open session will be set forth in the Minute Book of the Board, and the Minute Book will be kept by the Secretary as a permanent official record of legislation in the District and will be open to inspection by the public. If requested, the minutes shall be made available in appropriate alternative formats so as to be accessible to persons with a disability.

The basic function of the open session minutes shall be the recording of official actions of the Board.

The open session minutes shall record the name of the person making a motion, the name of the person seconding it and the vote. A member abstaining from voting on a proposition may state his/her reasons and may have them recorded in the open session minutes if he/she so requests at the time of the voting.

For the following standing items on Board agendas, the open session minutes will reflect a brief summary of the information shared and the name of the person presenting the information.

- x Presentations/Recognitions
- x Oral Communications from the Public
- x Written Communications from the Public
- x Academic Senate Update
- x Classified Senate Update
- x Student Senate Update

Mission College Update

x West Valley College Update

x

x

x

x Standing Committee Reports

x Trustee Comments

Date Adopted: January 17, 2012
(Replaces current WVMCCD Policy 1.8.12)

Board of Trustees

References:

Education Code Section 70902;
ACCJC Accreditation Standards IV.C.7, IV.D.4, I.B.7, and I.C.5

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

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

Policies of the 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. The Board shall regularly assess its policies for effectiveness in fulfilling the Distric mission.

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

The Chancellor shall biennially provide each member of the Board with any administrative procedure revisions since the last time they were provided. The Board reserves the right to direct revisions of the administrative procedures should they, in the

Copies of all Board policies and administrative procedures shall be readily available to District employees through the Chancellor.

Date Adopted: January 17, 2012
Date Revised: April 21, 2015

Board of Trustees

References:

Education Code Sections 70902(d) and 72400;
ACCJC Accreditation Standards IV.B.5, IV.C.12, and IV.D.1

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

The Chancellor may delegate any powers and duties entrusted to him/her by the Board (including the administration of colleges and centers), but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Chancellor is empowered to reasonably interpret Board policy. In situations where

Board of Trustees

References:

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

Board of Trustees

Board of Trustees

Reference:
Government Code Section 3547

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

Meeting and negotiating between the District and an exclusive representative may occur subsequent to the presentation of initial proposals, public hearings, and Board of Trustee adoption of its response and proposals. The public will be given an opportunity to become informed and to express itself publicly on initial proposals and new subjects of bargaining.

Date Adopted: January 17, 2012
(Replaces current WVMCCD Policies 3.8.1 and 3.8.2)

Board of Trustees

Reference:
ACCJC Accreditation Standard IV.C.11

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

- Acting only in the best interests of the entire community.
- Ensuring public input into Board deliberations; adhering to the law and spirit of the open meeting laws and regulations.
- Preventing conflicts of interest and the perception of conflicts of interest.
- Using appropriate channels of communication.
- Respecting others; acting with civility.
- Being informed about the District, educational issues, and responsibilities of trusteeship.
- Devoting adequate time to Board work.
- Maintaining confidentiality of closed sessions.
- Working and communicating through appropriate channels of authority and responsibility.

When information is requested by Board members, the following policy shall be observed.

- No restraints are placed upon District employees in providing routine public information to Board members.

- Public information that exists in the form requested will be provided as soon as possible.

- Individual Board members shall not instruct staff to conduct investigations, prepare reports, or undertake extensive analysis of information. However, such requests shall be directed by the majority vote of the Board through the Chancellor.

- All Board member requests received will be referred to the Chancellor who will determine the appropriate disposition and may include, where indicated, the anticipated cost of completing the request, as well as an expected completion date.

A Board member shall not approach a District employee on personal or sensitive matters with the request that such matters be held in confidence.

Data or reports prepared by individual Board members for distribution to the Board shall be the sole responsibility of the author and shall place no obligation on the part of the Chancellor or the Board to take action. Such materials should normally be distributed

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Generally, individual Board members shall inform the Chancellor of significant concerns expressed by members of internal or external constituencies even though no action is requested. In turn, the Board shall be kept informed of significant concerns by the Chancellor. The intent of this section is to assure that sensitive or controversial events do not become the subject of public comment before the Board and the administration have knowledge of the facts in the case.

Board members shall maintain orderly conduct at Board meetings.

No member of the Board shall make, participate in making, or in any way attempt to use

Board of Trustees

References:

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

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

Initiative or referendum measures may be drafted on an area of legitimate interest to the Dist

Board of Trustees

Board of Trustees

Reference:
Government Code Section 54952.2

Members of the Board shall not communicate among themselves outside of a noticed meeting 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. In addition, no other person shall make serial communications to Board Members.

Date Adopted: January 17, 2012
(This is a new policy recommended by the Policy and Procedure Service)

Board of Trustees

References:
Education Code Section 72024

The District shall provide compensation to Board members for attending Board meetings at the maximum rate authorized by statute. Compensation shall be paid according to the formula set by statute. Student members are provided compensation at half the rate of that paid to Board members.

A member of the Board who does not attend all meetings held by the Board in any month may receive, as compensation, an amount not greater than the pro-rata share of the number of meetings actually attended.

A Board member may be paid for any meeting when absent if the Board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting the Board member is performing services outside the meeting for the District, or is on jury duty.

A Board member may be paid in any calendar year for the meetings from which he/she is absent if the Board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting from which the member is absent, he/she was ill or experiencing a hardship deemed acceptable by the Board.

Date Adopted: January 17, 2012
Date Revised: April 21, 2015

Board of Trustees

Reference:
Government Code Sections 53201 and 53208.5

Board members, including student members, are eligible to receive health and welfare benefits established for personnel of the West Valley-Mission Community College District during their term of office. The benefits of members of the Board through the Di
of benefits being received by any category of non-safety employee of the District.

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 ta aishrnHsea-3(cte)4(d)n ()4(d)n697eenberi81163edoet:to ected to db2ossion

Board of Trustees

Reference:
ACCJC Accreditation Standard IV.C.9

The Board is committed to its ongoing development as a board and to a trustee education program that includes new trustee orientation. To that end, the Board will engage in study sessions, provide access to reading materials, and support conference attendance and other activities that foster trustee education.

Attendance at meetings either directly or indirectly related to community colleges or the governance thereof shall be encouraged for the inherent value thereof to the District, its internal and external constituencies, and the professional growth of Board members.

Board members may attend regional, State, or national conferences and workshops

However, no formal action shall be taken at such conferences or workshops concerning District business, and any such discussion of public business shall be merely incidental to the individual participation of Board members and for the sole purpose of professional development.

Board of Trustees

Reference:
ACCJC Accreditation Standard IV.C.10

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

The Board, including the Student Trustees, shall participate in an annual Board self-evaluation process. The purpose of the evaluation is to identify those areas that are working well and those that need improvement and to increase communication and understanding among Board members. An evaluation instrument, with criteria based upon District policy designed to produce constructive feedback for improved performance, shall be adopted. A facilitator may be used by the Board as necessary to assist in this process.

To that end, The Board has established the following processes:

1.	Board finalizes and approves its annual performance goals. At meeting of the Board, the Board will review and approve its annual performance goals.	September
2.	Board conducts a progress review of its annual performance goals. At a meeting of the Board, the Board will discuss its progress toward goals.	Not later than March
3.	Input is solicited from employees and constituent groups. instrument to all employees of the Colleges and District. Constituent groups are asked to solicit, compile, and return assemble the input from employees and groups and provide to Board members prior to the annual self-evaluation meeting.	April
4.	Board conducts its annual self-evaluation meeting. At a workshop or meeting, the Board will discuss accomplishment of its current-year goals, conduct a self-	July

evaluation, and begin discussion of its goals for the upcoming year.