DATE: February 26, 2008
TO: Board of Trustees
FROM: Dr. Philip R. Day, Jr., Chancellor
SUBJECT: POLICY MANUAL
Notice of Intention to Amend the SFCCD Policy Manual
Section 1.05 – Meetings (adding a general public comment period near the beginning of Regular Board meetings)
(Resolution No. 080226-P2)

BACKGROUND INFORMATION:

WHEREAS, as a public body, the Board of Trustees has an obligation to Hear from the public at large on matters pertaining to issues under Its jurisdiction; and

WHEREAS, a the Board of Trustees has a standing agenda item near the End of the meeting agenda that allows such general public comment; and

WHEREAS, since meetings of the Board of Trustees can go on for many Hours, the public currently has had no way to judge when in the Evening the general public testimony would occur; and

WHEREAS, Members of the public wishing to address the Board on items Not on the agenda would be better served if a period were made available Closer to the beginning of the meeting; and

WHEREAS, many public bodies, including Board of Supervisors, the Board Of Education, and many City Commissions, have policies offering a general public comment period near the beginning of their agendas, and that these policies serve the public well; therefore

RECOMMENDATION:

RESOLVED: That notice is hereby given that the following proposed amendment to the San Francisco Community College District Policy Manual, Section 1.05 – Meetings, shall be acted upon at the March 20, 2008 meeting of the Board of Trustees;
That SFCCD Policy Manual Section 1.05 – Meetings, shall be amended read as follows: (NOTE: Additions or substitutions are indicated by *bold italic* and deletions are indicated by strike-over). (See following pages).

John Rizzo, Originators  
Milton Marks  
Diana Munoz-Villanueva
PM 1.05 MEETINGS

A. Order of Business for Regular Meetings may be as follows:

I. Roll Call
II. Pledge of Allegiance
III. Approval of Minutes (if available)
IV. Adoption of Resolutions Agenda
V. Approval of Consent Agenda Items as Listed
VI. Public Comment on items not on agenda pertaining to issues(s) under the jurisdiction of the Board (limited to two minutes per speaker for no more than a total of ten minutes)
VII. Special Presentations (if scheduled)
VIII. Financial Report
IX. Action on Other Resolutions Agenda Items
X. Report from Constituent Groups
   - Academic Senate
   - Associated Students
   - Classified Senate
XI. Board of Trustees’ Report
XII. Chancellor and Staff Reports
XIII. Requests to Speak
XIV. Adjournment

The order of business may be revised at any meeting when, in the discretion of the President, such revision will benefit the public and/or order of the meeting. In the conduct of its business, the procedure of the Board will be governed by the policies set forth in this manual, or if not covered hereby then by the Robert's Rules of Order, Revised, however, no procedural rules or rulings shall operate to invalidate otherwise lawful actions of the Board.

B. Preparation for Meetings. At least seventy-two (72) hours before a regular meeting, an agenda shall be posted containing a brief general description of each item of business to be transacted or discussed at the meeting, including closed session items. The agenda for Board meetings shall be delivered to Board members at least seventy-two (72) hours prior to the time of regular meetings and at least twenty-four (24) hours prior to the time of special meetings. All resolutions are subject to amendment and replacement pursuant to applicable law. Resolutions proposed by individual Board members must obtain the concurrence of two (2) other Board members. However, items requiring Board action which do not appear on the agenda may be acted upon under any of the following circumstances: 1. At least four (4) Board members determine that an emergency situation exists, 2. Two-thirds of the members of the Board present at the meeting, or if less than two-thirds of the members are present, a unanimous vote of those members present determine that there is a need to take immediate action and that the need for immediate action came to the attention of the District subsequent to the agenda being posted, or 3. The matter was posted on an agenda for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the
meeting at which action is being taken. Prior to discussing any item pursuant to these three exceptions, the Board shall publicly identify the item. An emergency situation shall mean:

(a) Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body. (b) Crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body. Agenda items appearing on the published agenda may be removed by a majority vote of the Board. The Agenda shall be posted at the entrance door at 33 Gough Street and at the entrance to the lobby of Conlan Hall at City College of San Francisco, 50 Phelan Avenue, at least seventy-two (72) hours prior to the time of the regular meetings and at least twenty-four (24) hours prior to the time of special meetings and these sites shall be the official posting locations of all Board agendas. The agenda shall also be posted on the District’s web site. In addition, to the extent practicable, the agenda shall be posted in other facilities and sites as listed in the Administrative Regulations. A notice identifying the location, date, and time of the regular meeting shall be posted at the official posting locations at least ten (10) days prior to the meeting and shall remain so posted to and including the time of the meeting. The meeting notice shall also be posted on the District’s web site.

A member of the public may place an item on the Board agenda for regular meetings if the item relates directly to District business and is a matter of public concern, and if a written request is received in the Chancellor’s Office no later than noon three full calendar weeks in advance of a regular Board meeting, and to avoid repetitive additions to the agenda, if the subject matter has not previously been submitted for the agenda within the past three months. In the interest of effective management of meeting time, no person shall place more than two items on any single regular agenda without justifying, to the satisfaction of the Chancellor, the necessity of including additional items on that agenda as opposed to later agendas. The Chancellor shall determine whether the specific matter is directly related to the business of the District. Items which have been properly submitted and verified as related to the business of the District will be addressed in the “Requests to Speak” portion of the agenda or otherwise at the conclusion of all other District business on the agenda. The member of the public who properly submits an agenda item will be allowed up to three (3) minutes at the meeting to present the information to the Board. Following this presentation, the Board may, but is not required to address the issue, may put the issue on a future agenda for more discussion and possible action, or may refer the issue to the administration.

C. **Voting.** The vote, by Roll Call, shall be taken and recorded when demanded by any member, or as otherwise required by law.

D. **Adoption of Policies.** Any policy may be adopted by the Board, be amended or repealed by an affirmative vote of four members at any meeting, providing notice of said intended action has been given at a previous meeting. Any policy or bylaw which is regulatory as to the Board but is not otherwise required by law may be suspended temporarily by a vote of at least five (5) members or of all those members present if four members are present, if such suspension is in the best interest of the District.

E. **Reports.** Board members requesting reports must do so through the President of the Board with the concurrence of at least two (2) other Board members.

F. **Recording Minutes of Meeting.** As records of Board actions at meetings, the minutes shall contain only resolutions and ultimate actions of the Board, as well as any individual Board member requests along with responses to such requests, but if any Trustee desires to have any additional matter included, he/she must submit a written statement with a request that it be included in the minutes. For regular meetings, there shall also be a tape recording of the proceedings and/or some other means of maintaining a permanent record of the proceedings. For special meetings, to the
extent possible, there shall also be a tape recording of the proceedings and/or some other means of maintaining a permanent record of the proceedings.

Records of all business transacted and of all policies and regulations or other controls enacted by the Board shall be set forth in full in the official records of the District, which shall be the official public records of Board actions.

G. **Regular Meetings of the Board.** One or more meetings shall be held each month, at the regular meeting place of the Board, 33 Gough Street, San Francisco, except that a regular monthly meeting may be adjourned in accordance with the law. The Board may also meet at other District locations served by the District or at other locations outside the District as provided by law.

H. **Special Meetings of the Board.** Such meetings may be called by the presiding officer of the Board or by a majority of the members of the Board by delivering personally or by mail written notice to each Board member and to appropriate media. Such meetings shall be within District boundaries except as otherwise provided by law. Notices of such meetings and agenda will be posted as described in the foregoing.

I. **Meetings Open to the Public.** All meetings of the Board, including committees, shall be open to the public except as otherwise provided by law. The Board recognizes the right of the public to be informed about Board meetings and of the public’s right of access to public meetings.

J. **Meetings Closed to the Public.** All closed session shall be closed to the public. Closed sessions may be held in accordance with the law. Closed sessions can be held during a regular or special meeting.

K. **Quorum.** A quorum for the conduct of Board business shall consist of four (4) members. No official action may be taken when a quorum is absent.

L. **Granting the Privilege of the Floor.** A member of the public, faculty, classified staff and students may address the Board at a Board meeting as follows. A person desiring to speak shall be recognized by the Chair only after complying with the following procedures:

For matters appearing on the agenda, an individual desiring to address the Board must complete a “Request to Address Board” card, completing the information thereon including the subject to be addressed. If there is to be a written report presented, a copy (ies) shall be submitted in advance to the Chancellor.

Any person desiring to address the Board on non-agenda items must also complete the “Request to Address Board” card and will be recognized in accordance with Section A or at the end of the agenda. Only items directly related to District business may be presented. Cards for these purposes are available in the Office of the Chancellor and also at the Board meeting. Completed cards should be presented to the Board President prior to the beginning of the meeting. As a matter of courtesy, the Board encourages people to notify the Chancellor’s Office in advance of the Board meeting of their intention to address the Board. Prior to calling for a vote on an item before the Board, the Presiding Officer shall determine if speaker cards have been submitted for that item. Persons who have submitted cards prior to the consideration of the item shall be called upon by the Presiding Officer. Persons who address the Board may address only the agenda item being considered and shall have up to three minutes for comments. Should another person who has submitted a request to speak card in advance of consideration of the item wish to forego speaking on that item, he or she
may grant his or her speaking time to another speaker who has also submitted a request to speak
card, but in no event shall any speaker have more than two allotments (totaling up to six minutes) of
speaker time on any item. However, in order to facilitate the completion of District business, the
Presiding Officer may also limit the total length of time allotted to the speakers on a given topic or
agenda item which may reduce the individual speaker’s time on the topic or item. Speaking too long,
being unduly repetitious, or discussing irrelevances disrupt the meeting, and may result in the
forfeiture of speaking opportunities during the meeting.

The President of the Board reserves the right of determining the order of the speakers and changing
the order of the agenda if it will be of benefit to the public and/or the order of the meeting.

Undue interruptions or other interferences with the orderly conduct of Board business cannot be
allowed. Defamatory or abusive personal remarks which disturb or impede the meeting or exceed the
bounds of civility necessary to the conduct of District business are always out of order. However, the
Board shall not prohibit public criticism of the policies, procedures, programs, or services of the
District, or of the acts of omissions of the Board.

The President may terminate the speaker’s privilege of address if after being called to order, he or
she persists in improper conduct or remarks, or if the speaker fails to speak on the subject matter for
which the privilege of the floor was granted.

No oral presentation shall include charges or complaints against any employee of the Board, or
otherwise present information, which does not relate directly to the topic at hand or which disrupts or
impedes the meeting. All formal charges or complaints against an employee, for which a specific
grievance or complaint process is not otherwise available, shall be in writing and signed by the
person making the charge and shall be filed with the Chancellor who shall, after investigation, take or
recommend appropriate action. There shall be no oral presentation or discussion of confidential
formal charges or complaints in open public meetings of the Board on non-agenda items or unless
otherwise required by law.

Comments or presentations made by members of the public to the Board do not necessarily reflect
the opinion of the Board or of its individual members, nor does the Board necessarily endorse or
sanction such comments or presentations. Persons who address the Board on matters of their
choosing are solely responsible for the content of such comments or presentations.