

Updated 10/3/25 based on feedback received to date

Select Chapter 1 Board Policies – With Recommended Edits by the Board of Trustees Ad Hoc Committee on Policies, Spring 2025

Policy Number	Policy Name	Policy Status
BP 1.01	Election and Membership	Reviewed 8/24/2023
BP 1.015	Student Trustee	Reviewed 8/24/2023
BP 1.02	Powers and Duties of the Board – REVISED	Reviewed 10/20/2022
BP 1.03	Organization of the Board – REVISED	Reviewed 10/20/2022
BP 1.04	Officers – Duties – REVISED	Reviewed 10/20/2022
BP 1.05	Regular Meetings of the Board – REVISED	Reviewed 9/23/2021
BP 1.06	Closed Sessions	Reviewed 10/20/2022
BP 1.07	Special and Emergency Meetings – REVISED	Reviewed 10/20/2022
BP 1.08	Quorum and Voting	Reviewed 10/20/2022
BP 1.09	Agendas – REVISED	Reviewed 3/24/2016 / Due for review Fall 2024
BP 1.10	Public Participation at Board Meetings	Reviewed 10/20/2022
BP 1.11	Speakers at Board Meetings – REVISED	Reviewed 10/20/2022
BP 1.12	Decorum – REVISED	Reviewed 10/20/2022
BP 1.13	Minutes of Meetings – REVISED	Reviewed 10/20/2022
BP 1.14	Recording Meetings – REVISED	Reviewed 10/20/2022
BP 1.15	Board Policy and Administrative Procedures	Reviewed 6/22/2023
BP 1.16	Public Access Sunshine Policy	Reviewed 10/20/2022
BP 1.17a	Governing Board Code of Ethics – REVISED	Reviewed 8/24/2023
BP 1.17b	Governing Board Code of Responsibilities – REVISED	Reviewed 8/24/2023
BP 1.18	Institutional Code of Ethics	Reviewed 10/20/2022
BP 1.19	Conflict of Interest	Reviewed 8/24/2023
BP 1.20	Protected Disclosure of Improper Government Activity	Reviewed 10/20/2022
BP 1.21	Committees of the Board – REVISED	Reviewed 8/24/2023
BP 1.22	Audit Committee Guiding Principles – REVISED	Reviewed 8/24/2023

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BP 1.25	Chief Administrator: Authority, Selection, and Term of Office – REVISED	Reviewed 10/20/2022
BP 1.26	Changes In Administrator Title, Salary and Benefits	Reviewed 10/20/2022
BP 1.27	Practices and Procedures Governing Conduct Related to Elections and Ballot Measure Elections – REVISED	Reviewed 11/14/2019
BP 1.28	Control and Direction	Reviewed 10/20/2022
BP 1.29	The Community and the Board	Reviewed 10/20/2022
BP 1.30	Unlawful Discrimination	Incorporated into BP 2.30 / No need for review
BP 1.31	Access to Faculty and Staff Mailboxes	Reviewed 10/20/2022
BP 1.32	Prohibiting Workplace Violence	Reviewed 10/20/2022
BP 1.33	Accreditation Eligibility Requirement 21, Standards I.C.12 and 13 – REVISED (K. Charles)	Reviewed 10/20/2022
BP 1.34	Board Member Travel	Incorporated into BP 2.19 / No need for review
BP 1.35	Board Professional Development and Orientation – REVISED	Reviewed 3/24/2016 / Due for review Fall 2024
BP 1.36	Sexual Harassment Policy	Incorporated into BP 2.31 / No need for review
BP 1.37	Delegation of Authority to the Chancellor – REVISED	Reviewed 8/24/2023
BP 1.38	Chancellor Selection – REVISED	Reviewed 1/28/2021

The Board of Trustees Ad Hoc Committee on Policies reviewed Chapter 1 board policies during 2024-25 to ensure accreditation compliance. Revisions (via tracked changes) are being presented to the Participatory Governance Council for consideration and recommendation. Subsequent global changes by AVC Kristin Charles to headings, along with a number of changes to legal references, are in alignment with the Community College League of California templates (including updated references to ACCJC Accreditation Standards).

The following policies are not included in the list above because they all underwent full review in Spring 2025: BP 1.00 (District Vision and Mission Statement), BP 1.23 (Board Self Evaluation), and BP 1.24 (Evaluation of the Chancellor).

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: ELECTION AND MEMBERSHIP	Number: BP 1.01
Legal AuthorityReferences: California Constitution, Article IX, Section 16(a) and California Election Code 13307	Related to CCLC BP 2100

A. THE BOARD OF TRUSTEES

The Community College District shall be under the control and management of a Governing Board composed of seven members who shall be elected by the voters of the Community College District, in accordance with state law. A student representative shall serve on the Governing Board in accordance with state law. No member of this Board shall be eligible to serve on the Board of Education. Vacancies occurring on the Governing Board shall be filled for the unexpired term by the Mayor.

Members shall be elected to staggered four-year terms in even-numbered years as provided in the City Charter.

Members of the Board, including the student member, who attend all meetings of the full Board shall receive the amount authorized by state law.

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

A member of the Board 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, and on jury duty or the absence is due to hardship deemed acceptable by the Board.

The Board may alternately be referred to as the Board of Trustees or as the Governing Board.

B. COSTS OF CANDIDATE'S STATEMENTS AND OTHER MATERIALS

The San Francisco Community College District shall assume no responsibility nor any financial obligation to the Registrar of Voters of the City and County of San Francisco or to any person who may be a candidate for election to the Board of the San Francisco Community College District in regard to statements or other materials related to election purposes, pursuant to Section 13307 of the California Elections Code.

SAN FRANCISCO COMMUNITY COLLEGE
DISTRICT POLICY MANUAL

Title: STUDENT TRUSTEE	Number: BP 1.015
Legal AuthorityReferences: California Education Code Section 72023.5, 72103, 76061	Related to CCLC BP 2015

The Board shall include one advisory-voting student member. The term of office shall be one year commencing on June 1.

In alignment with California Education Code Section 76061, all students meeting the minimum standards of eligibility for service at the time of election and throughout the term of service shall be considered, including:

- credit students enrolled in 5 semester credit units in the District with a 2.0 minimum GPA,
- students enrolled in a District adult education program offered pursuant to Article 9 (commencing with Section 84900) of Chapter 5 of Part 50, or
- students enrolled with the District as a disabled student, as defined in subdivision (b) of Section 84850.

The student member is not required to give up employment with the District.

The student member shall be seated with the Board and shall be recognized as a full member of the Board at meetings. The student member is entitled to participate in discussion of issues and received all materials presented to members of the Board. The student member shall be entitled to any mileage allowance or public transit expense necessary to attend board meetings to the same extent as publicly elected trustees.

On or before 1st week of April of each year, before the election of the new Student Trustee, the Board shall consider whether to afford the student member any of the following privileges:

- The privilege to make and second motions;
- The privilege to attend closed sessions, other than closed sessions on personnel or collective bargaining matters;
- The privilege to receive compensation for meeting attendance at the same level as other board members).

Candidates for the position may nominate themselves or be nominated by others by the filing of an application certifying that the candidate is eligible for service under the criteria set forth in California law and these policies. The election will be conducted in accordance with administrative procedures adopted by the Associated Students Executive Board and the Student Activities Office.

The student member shall be elected by all the students of the student body in a general

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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 Member may be recalled in accordance with the process outlined in the Associated Students "General Guidelines for Student Trustee Election and Recall City College of San Francisco" document.

If the seat of a student member becomes vacant during that individual's term, the governing board 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 governing board.

SAN FRANCISCO COMMUNITY COLLEGE
DISTRICT POLICY MANUAL

Title: POWERS AND DUTIES OF THE BOARD	Number: BP 1.02
Legal Authority/References: California Education Code Section 70902; California Government Code Sections 81000 et seq.	CCLC Number: BP 2200

A. GENERAL PROVISIONS

In conformity with its interpretation of its powers and duties under the law, the Board of Trustees assumes full responsibility for the general control and direction of the District.

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

In order to carry out its responsibility for general control and direction of the District, it will be the purpose and practice of the Board to function as follows:

- a. Represent the public interest. Determine broad general policies, plans, and procedures to guide its officers and employees.
- ~~a-b.~~ Determine broad general policies and plans to guide the college.
- c. Establish administrative policies that support the institutional mission and set prudent, ethical, and legal standards for college operations. by which authority and responsibility for services will be defined and determined.
- ~~d.~~ Assure the Board operates in an open, accessible, welcoming spirit, and in partnership with the Chancellor, ensure the district maintains an anti-racist culture.
- ~~e.~~ In consultation with the Chancellor, ensure Establish policies that policies ensure the District operates in an anti-racist manner.
- ~~b-d.~~ Conduct all business in open and public meetings, except in those matters as specified by the Brown Act and the Education Code that may be dealt with in Closed Sessions.
- ~~e-e.~~ Select, hire, and evaluate the District's chief executive officer, the Chancellor.
- ~~d-f.~~ Deliberate with its chief executive officer upon matters initiated by its own members and grant or withhold its approval of proposals brought before it by its executive officer by application of the principle of pre-audit.
- ~~e-g.~~ Focus on deliberations on policy determination, broad District planning, hiring and evaluation of the Chancellor, and maintaining fiscal stability.
- ~~f-h.~~ Ensure that eOn an annual basis, the Board will receives and adoptsBe responsible for developing a balanced and sustainable annual budget that includes, but is not limited to, <FILL IN>unrestricted, categorical and capital outlay funds (see BP 8.01). Determine and

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~~control the District's operations and capital outlay budgets.~~

i. Delegate authority in all administrative matters to the Chancellor, including, but not limited to, hiring or promotion of specific individuals as outlined in BP 1.37 Delegation of Authority to the Chancellor.

~~g.i.~~ ~~However,~~ ~~t~~ The governing board shall not delegate any power that is expressly made nondelegable by statute. Any rule delegating authority shall prescribe the limits of the delegation pursuant to Education Code 70902.

~~h.k.~~ Approve construction contracts and contracts for services and equipment in conformance with the Education Code and Public Contract Code.

~~i.l.~~ Evaluate ~~and criticize, and by veto, correct~~ and revise Board policies and actions as need may arise ~~as provided for in Section 1.05.~~

~~j.m.~~ Order elections as authorized by the Education Code.

This policy is not intended to limit any authority or powers of the Board under all applicable laws

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT POLICY MANUAL

Title: ORGANIZATION OF THE BOARD	Number: BP 1.03
Legal AuthorityReference: California Education Code Section 72000	CCLC Number: BP 2305

The organization of the Board shall be in accordance with Education Code Section 72000. The Board shall hold an annual organizational meeting on a day within the period of January 8 and January 31, inclusive. At the annual organizational meeting, the Board shall organize by electing a president and vice-president from its members, ~~and Secretary to the Board.~~

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: OFFICERS - DUTIES	Number: BP 1.04
Legal AuthorityReference: California Education Code 72000 and 70902	CCLC Number: BP 2210

Officers of the Board shall consist of a President and Vice President and their election shall be by Aye or No vote.

It shall be the duty of the President to call and to preside at all meetings of the Board, to appoint the chairpersons of special and standing committees, and to perform such other duties as the law may require or the Board order.

It shall be the duty of the Vice President to perform all the duties of the President in case of absence or incapacity of that officer.

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

The Chancellor shall serve ex-officio as Secretary to the Board. The Chancellor shall conduct the official correspondence of the Board and shall prepare, in conjunction with the Board President, the agenda and act as custodian of the records of all actions of the Board. The Chancellor shall [make efforts to assess the availability of trustees and recommend scheduling meetings at times that ensure maximum participation of board members in special and emergency meetings.](#) [Further, the Chancellor shall -](#) notify all members of special meetings and shall furnish such other notices as required by law or by Board regulations.

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: REGULAR MEETINGS OF THE BOARD	Number: BP 1.05
Legal Authority/References: Education Code, sections 70902 and 72000(d); Government Code, sections 54952.2, 54953 et seq.; 54961.	Related to CCLC BP 2310

One or more regular meetings of the Board shall usually be held each month. A regular meeting shall normally be held the fourth Thursday of each month. Regular meetings of the Board shall be held at a time and place within the District.

Meetings shall be noticed and held in accordance with the District's Sunshine Policy. An agenda identifying the location, date, and time of each regular meeting of the Board shall be posted at least 72 hours prior to the meeting and shall remain posted until the day and time of the meeting. The meeting notices shall be posted in the lobby of the building where the meetings are held ~~Conlan Hall~~, on the District website, in conspicuous locations at centers, and on electronic media. All regular meetings of the Board shall be held within the boundaries of the District except in cases when meetings outside of the District's boundaries are authorized by law. All regular Board meetings shall include a land acknowledgment statement at the beginning.

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

The order of business for regular meetings will be consistent with Robert's Rules of Order.

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 herein then by the Robert's Rules of Order, however, no procedural rules or rulings shall operate to invalidate otherwise lawful actions of the Board.

Commented [KC1]: Suggestion from PGC (adjusted slightly to reflect language elsewhere in this BP): "President or Trustee chairing the meeting"

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: CLOSED SESSIONS	Number: BP 1.06
Legal AuthorityReferences: California Education Code Sections 70902, 72122, and 76232; California Government Code Sections 54956.5, 54956.8, 54956.9, 54957, and 54957.6	CCLC Number: BP 2315

Closed sessions of the Board shall only be held as permitted by applicable legal provisions, including, but not limited to, the Brown Act and the California Education Code, and the District Sunshine Policy. The agenda for each regular or special meeting shall indicate if a closed session will be held and shall identify the topics to be discussed in closed session in the manner required by law. The Board shall ideally receive documents 72 hours in advance of the closed session, but not less than 24 hours in advance.

Closed sessions during emergency meetings are permitted as authorized by law.

After any closed session, the Board shall reconvene in open session before adjourning and shall announce any reportable actions taken in closed session that require such a public report and the vote of every member present. All matters discussed or disclosed during a closed session and all notes and minutes 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. There shall not nor ever be video, audio and/or other real- time recording of closed session meetings except only by written minutes. The Board shall determine, in accordance with applicable law, who may be present during closed sessions.

Complaint procedures that provide for a hearing before the Board or that provide for closed session review shall be scheduled for a closed session of the Board. If the Board will hear charges or complaints against a specific employee, the employee about whom the charge or complaint pertains shall be given at least twenty-four (24) hours written notice of the closed session and shall be given the opportunity to request that the charge or complaint be heard in an open meeting of the Board. If the charges or complaints include confidential information or implicate the privacy rights of other individuals that would permit closed session consideration, such matters shall be addressed in closed session.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: SPECIAL AND EMERGENCY MEETINGS	Number: BP 1.07
Legal AuthorityReferences: California Education Code Sections 70902 and 72129; California Government Code Sections 54956, 54956.5, and 54957	CCLC Number: BP 2320

I. Special Meetings. Special meetings may be called by the presiding officer of the Board or by a majority of the members of the Board. Notice of such meetings shall be posted along with attachments at least twenty-four (24) hours before the time of the meeting in the manner used for regular meetings. Written notice shall also be delivered personally or by other means to each Board member, unless notice is waived, and to appropriate media so that the notice is received at least twenty-four (24) hours before the time of the meeting. [The Chancellor shall make efforts to ensure maximum participation of board members in special meetings.](#)

Each special meeting notice shall indicate the location and time.

No business other than that included in the notice may be transacted or discussed.

II. Emergency Meetings. Emergency meetings may be called by the President of the Board when prompt action is needed to address emergency situations. Emergency situations include ~~both~~ work stoppage, [and/or](#) crippling activity, [and/or](#) or other activity that severely impairs public health, safety, or both and dire emergencies defined as a crippling disaster, mass destruction, terrorist acts, or threatened terrorist activity that poses immediate and significant peril requiring prompt action. Notice shall be given [at least](#) one hour prior to the emergency meeting in the manner described by law or after the meeting as allowed by law.

A closed session may be held during an emergency meeting to consult with law enforcement or security officials if agreed to by a two-thirds vote of the Board, or if two-thirds of the Board's membership is not present, by a unanimous vote of the members present. Information verifying the meeting shall be posted as soon as possible after the meeting in accordance with the Brown Act and the District Sunshine Policy.

The minutes of an emergency meeting and other required information shall be posted at the District's official posting sites for a minimum of ten (10) days as soon after the emergency meeting as possible.

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SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: QUORUM AND VOTING	Number: BP 1.08
Legal AuthorityReferences: California Education Code Sections 70902, 72000(d)(3), 81313, 81365, 81432, and 81452; California Government Code Section 54954.2	CCLC Number: BP 2330

I. Quorum. A quorum of the Board shall consist of four members. No official action shall be taken when a quorum is absent.

II. Voting. The Board shall act by majority vote of all of the membership of the Board, unless a higher level of Board votes is required. A roll call vote shall be taken when requested by any Trustee or as otherwise required by law. No action shall be taken by secret ballot.

At times, a super majority or unanimous vote is required by law. These instances include, but are not limited to, a two-thirds vote of all members present or unanimous vote if less than two-thirds of the Board is present to override the failure to agendaize an item when the need to act arose after the agenda was posted, and two-thirds or unanimous votes required for certain actions concerning District real and personal property.

The Chancellor shall include special voting requirements on agendas.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: AGENDAS	Number: BP 1.09
Legal Authority/References: California Education Code Section 72121 and 72121.5 Government Code Sections 548954 et seq. and 7920.0006250 et seq.	Related to CCLC BP 2340

The Board of Trustees meeting agenda shall be posted 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.

The agenda shall be developed by the Chancellor in accordance with ~~an~~ Administrative Procedure 1.09 established by the Chancellor. The Chancellor shall consult on the agenda with ~~the~~ Board President, ~~and/or~~ Vice-President ~~if due to unavailability of the Board President is unavailable,~~ prior to posting.

The order of business may be changed by the President of the Board at the meeting.

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 in BP 1.07.
- 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 ~~(see BP 1.08);~~
- an item appeared on the agenda and was continued from a meeting held not more than five days earlier.

The Chancellor shall establish an administrative procedure that provides for public access to agenda information. Reasonable fees may be charged for ~~printed~~ documents ~~requested by the public.~~

The Agenda shall be developed by the Chancellor in consultation with the Board President ~~and/or~~ Vice President ~~due to unavailability of the Board President.~~ A draft agenda will normally be ready for joint review ~~seven (7) ten (10)~~ days prior to the scheduled regular meeting date. Agenda items proposed by individual Trustees will appear on the agenda if the item is submitted no later than twenty-one (21) days prior to the meeting and has the concurrence of one (1) other Trustee. The Chancellor, in consultation with the Board President, is authorized to modify the deadline on a case-by-case basis if there is sufficient staff time to prepare background information and if modifying the deadline is in the best interests of the district. Special and Emergency Meeting Agendas shall be developed as described in BP & AP 1.07 Special and Emergency Meetings.

Members of the public may request to 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

Commented [KC2]: Suggestion based on Admin Assoc Input: Change to “Administrative Procedure 1.09 provides for public access to agenda information. Reasonable fees may be charged for printed documents requested by the public.” and move after next paragraph for flow.

Commented [KC3]: Suggestion based on Admin Assoc Input: remove this sentence given that it is redundant with a prior sentence at beginning of second paragraph.

Chancellor.) The written summary must be signed by the initiator. The Chancellor shall, in consultation with the Board President, determine whether the matter is to be placed on the agenda. The Board reserves the right to consider and take action in closed session on items submitted by members ~~for~~ of the public as permitted or required by law.

Commented [KC4]: Note from Admin Assoc Input: this is redundant with the AP. Also, AP indicates that the agenda will be physically posted in Conlan Hall. We need to change to more generic language about location (e.g., "outside of where the Board of Trustees meeting will be held").

Commented [KC5R4]: Need to be clear that we have to follow Brown Act requirements making it accessible when building is closed (therefore outside the building).

Commented [KC6R4]: I will bring APs through separately in the interest of time. We have several APs in need of review.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: PUBLIC PARTICIPATION AT BOARD MEETINGS	Number: BP 1.10
Legal AuthorityReferences: California Education Code Sections 70902 and 72121.5; California Government Code Sections 54954.3 and 54957.5	CCLC Number: BP 2345

The Board shall provide opportunities for members of the public to participate in the business of the District at public meetings.

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

I. Members of the public may submit written communications to the Board regarding items on the agenda and/or speak to agenda items at the Board meeting in accordance with BP 1.09 and 1.11. To facilitate distribution of written materials, materials should be submitted to the Chancellor not less than seventy-two (72) hours prior to a regular meeting or twenty-four (24) hours prior to a special meeting at which the matter will be before the Board. 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. Claims for damages are not considered communications to the Board under this policy.

II. Members of the public may place items on the prepared agenda in accordance with Board Policy 1.09. The initiator of such an item shall have up to three (3) minutes to present the information to the Board. Following this presentation, the Board may, but is not required to address the issue, refer the issue to the Chancellor or to a Board committee, or request the matter be placed on a future agenda.

III. Each regularly scheduled Board meeting shall provide an opportunity for the public to discuss items under the subject matter jurisdiction of the Board that are not on the agenda. A member of the public wishing to present such an item shall submit a written request at the beginning of the meeting to the Chancellor that summarizes the item and provides their name and organizational affiliation, if any. No action may be taken by the Board on such items. As a matter of courtesy, the Board encourages people to notify the Chancellor in advance of the Board meeting of their intention to address the Board on matters that do not appear on the agenda. Public comment is limited to two minutes per speaker for no more than a total of ten (10) minutes per topic.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: SPEAKERS AT BOARD MEETINGS	Number: BP 1.11
Legal Authority/References: California Education Code Sections 70902 and 72121.5; California Government Code Sections 54950, et seq.	CCLC Number: BP 2350

I. General Speaking Rights. Persons may speak to the Board either on an agenda item or on other matters that are within the subject matter jurisdiction of the Board.

A. 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.

B. Persons wishing to speak to matters not on the agenda shall do so in accordance with BP 1.10.

II. Process for Speakers. Those wishing to speak on matters on the agenda are subject to the following:

A. Any person desiring to address the Board must complete a "Request to Address the Board" card. Cards shall be available in the Office of the Chancellor and at each Board 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. Completed cards should be presented to the Board President prior to the beginning of the meeting so the President can determine if speaker cards have been submitted for each item.

B. The request shall include the person's name and name of the organization or group represented, if any, and a statement noting the agenda item or topic to be addressed.

C. 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 Board Policy 2610.

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

E. Thirty (30) minutes shall be the usual maximum time allotment for public speakers on any one subject on the agenda regardless of the number of speakers at any one Board meeting. At the discretion of the President or a majority of the Board, this time allotment may be set at less than thirty (30) minutes or this time allotment may be extended.

F. ~~Each speaker will be allowed a maximum of two (2) minutes per agenda item or two minutes for items not on the agenda.~~ For items on the agenda and items not on the agenda, speakers will be allowed a maximum of two (2) minutes per item. Should another person who has

submitted a Request to Address the Board card in advance of consideration of an agenda item wish to forgo speaking on that item, they may grant their speaking time to another who has also submitted a Request to Address the Board card, but in no event shall any speaker have more than two (2) allotments (totaling up to four (4) minutes) of speaking time on any agenda item. In order to facilitate the completion of District business, the President may limit the total length of time allotted to comments on a given agenda item which may reduce the individual speaker's time below the usual maximum of two (2) minutes.

G. Comments and 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 are solely responsible for the content of such comments or presentations.

H. The President, or another board member? may terminate a speaker's privilege of address if the speaker fails to speak on the subject matter for which the privilege of the floor was granted, the remarks are unduly repetitive, or if the speaker is ruled out of order under Board Policy 1.11.

I. The Board President reserves the right to determine the order of the speakers.

J. If possible and within reason, the District will provide language interpretation services.

Commented [KC7]: Suggestion from PGC: "The Board President or Trustee who is chairing the meeting"

Commented [KC8]: Edit from Admin Assoc Input: change to BP 1.12 (Decorum).

Commented [KC9]: Suggestion from PGC: "The Board President or Trustee who is chairing the meeting"

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: DECORUM	Number: BP 1.12
ReferencesLegal Authority: California Education Code Sections 70902 and 72121.5; California Government Code Section 54954.3(b)	CCLC Number: BP 2355

- I. **Standards of Decorum.** The following may be ruled out of order by the presiding officer.
- A. Profanity, obscenity, and other offensive language.
 - B. Physical violence and/or threats of physical violence directed towards any person or property.
 - C. Remarks that do not pertain to the subject matter for which the privilege of the floor was granted.
 - D. Undue interruptions or other interferences with the orderly conduct of Board business.

II. **Willful Disruption of a Meeting.** 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.

Before removal, a warning and a request that the person(s) curtail the disruptive activity will be made by the President of the Board or any Trustee who is ~~chairing~~presiding the meeting or by recommendation of another Board member. If the behavior continues, the person(s) may be removed by a vote of the Board, based on a finding that the person is intentionally disrupting the meeting and has substantially impaired the conduct of the meeting.

If order cannot be restored by the removal in accordance with these rules of individuals who are willfully disrupting the meeting, the Board may order the meeting room cleared and may continue in session. Under such circumstances, the meeting will continue to be recorded and/or live-streamed and made available for public viewing. 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.

III. **Public Concerns.** Nothing in this policy prohibits members of the public from criticizing District policies, procedures, programs, or services or of any other aspect of its proposals or activities, or of the acts or omissions of the body, on the basis that the performance of one or more public employees is implicated, or on any basis other than reasonable time constraints adopted by the Board.

However, all formal complaints about District policies, procedures, programs or services and all formal charges or complaints against an employee of the District for which no specific grievance or complaint process is available shall be in writing and signed by the person making the charge or complaint and shall be filed with the Chancellor who shall, after investigation, take or recommend appropriate action.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: MINUTES OF MEETINGS	Number: BP 1.13
ReferencesLegal Authority: Reference: California Education Code Sections 70902 and 72121(a); California Government Code Section 54957.5	CCLC Number: BP 2360

The Chancellor shall cause minutes to be taken of all regular meetings of the Board in accordance with the District Sunshine Policy. The minutes shall state the time the meeting was called to order, the names of the members attending the meeting, the roll call vote on each matter considered at the meeting, the time the Board or committee began and ended any closed session, the names of the members and the names, and titles where applicable, of any other persons attending any closed session, a list of those members of the public who spoke on each matter if the speakers identified themselves, whether such speakers supported or opposed the matter, for each agenda item, and the time the meeting was adjourned.

Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes.

The minutes may also record requests made by individual Trustees and the responses to such requests. If any Trustee wishes to have any additional matter included in the minutes, they must submit a written statement with a request that it be included in the minutes.

To ensure an accurate record of the Board of Trustees' decisions and the directions it gives to the administration and to avoid future confusion and uncertainty, every "action" (see following definition) by the Board of Trustees must be by a documented vote on a written resolution or other document.

The meetings to which this policy applies include, but are not limited to: work sessions or committee meetings, open sessions, special meetings, and retreats.

"Actions" include, but are not limited to: written resolutions, direction given on labor negotiations, legal actions, real estate matters, and personnel issues as well as on programs, projects, and plans that are presented for Board review, comment, and feedback.

At its subsequent work session, committee meeting, or open or closed session, the Board of Trustees will approve the accuracy of the written record of the immediate past meeting of a similar nature (i.e., open session and next open session, closed session and next closed session). Following a special meeting or retreat, the Board will approve the written record at its next open or closed session as appropriate.

| The officially adopted minutes shall [be posted on the District website and shall](#) be available for inspection and copying upon request no later than ten (10) working days after the meeting at which the minutes are adopted. Upon request, minutes required to be produced by this section, shall be made available in increased type size.

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.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: RECORDING MEETINGS	Number: BP 1.14
ReferencesLegal Authority: California Education Code Sections 70902 and 72121(a); California Government Code Sections 54953.5 and 54953.6	CCLC Number: BP 2365

Regular public meetings shall be recorded electronically or on video tape or other means of maintaining a record of the proceedings, pursuant to the District Sunshine Policy.

Special meetings shall be similarly recorded. There shall not nor ever be video, audio and/or other real-time recording of closed session meetings except only by written minutes. Recordings shall be subject to inspection and/or copying by members of the public in accordance with the California Public Records Act and the District Sunshine Policy. The Chancellor shall ensure that any such recordings are maintained and shall be kept indefinitely by SFCCD and shall not be erased or destroyed unless the recordings are being transferred into a different format for archival or accessibility requirements.

Any such digital recordings that are made shall be posted on the body's website.

Inspection of any such recordings of open sessions shall be provided without charge on an appropriate playback device made available by SFCCD; if the meeting recording is not readily available, copies of any such recordings shall be provided upon request and payment for the actual cost of the media used to make the copy.

Persons attending an open and public meeting of the Board may, at their own expense, record the proceedings with an audio or video tape recording or a still or motion picture camera or other means of recording, or may broadcast the proceedings. However, if the Board finds by a majority vote that the recording or broadcast cannot continue without noise, illumination, obstructing views, or other interference that constitutes a persistent disruption of the proceedings, any such person shall be directed by the President to discontinue the recording or broadcasting.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: BOARD POLICY AND ADMINISTRATIVE PROCEDURES	Number: BP 1.15
ReferenceLegal Authority: California Education Code Section 70902	Related to CCLC BP 2410

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 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.

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 provide each member of the Board with copies of new or revised administrative procedures when they are issued. The Board reserves the right to direct revisions of the administrative procedures should they, in the Board's judgment, be inconsistent with the Board's own policies.

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

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: PUBLIC ACCESS SUNSHINE POLICY	Number: BP 1.16
Legal AuthorityReferences: California Education Code 70902: California Government Codes 6250 and 54950 et seq.	CCLC Number: Various

San Francisco Community College District Open Governance “Sunshine” Policy

Article I. Goals, Purpose and Commitment

The San Francisco Community College District (“District”) is committed to providing the public with timely and wide-ranging access to its meetings, written records and information. As a matter of law, the District is subject to the California Public Records Act (CPRA) (Gov. Code, § 6250 *et seq.*), and the Ralph M. Brown Act (Gov. Code, § 54950 *et seq.*). It shall be the policy of the District to follow the best practices and procedures that promote public access and participation in the governance of the District.

The CPRA and the Brown Act establish minimum meeting and disclosure requirements that the District must follow. The District can provide the public with greater access to its records and meetings than what is required under state law. The District now desires to codify a practice of expansive disclosure of records and enhanced access to meetings by formally adopting this San Francisco Community College District Open Governance “Sunshine” Policy (Policy), which is modeled after the CPRA and the San Francisco Sunshine Ordinance (S.F. Admin. Code § 67.21 *et seq.*).

Accordingly, this Policy shall govern meetings of District policy and advisory bodies and the release of written public information, whether by inspection of the record or by providing a copy. The CPRA, the Brown Act and other laws remain applicable to the District; however, this Policy may provide greater access to meetings and documents than what is required by these laws.

Article II. Public Meetings

A. Definitions.

Whenever in this Policy the following words or phrases are used, they shall have the following meanings.

1. “SFCCD” or “District” shall mean the San Francisco Community College District.
2. “Meeting” shall mean any of the following:
 - a. A congregation of a majority of the members of a body at the same time and place, to hear, discuss, and/or deliberate upon any item that is within the subject matter jurisdiction of the body;

- b. A series of gatherings, each of which involves less than a majority of a body, to hear, discuss and/or deliberate upon any item that is within the subject matter jurisdiction of the body, if the cumulative result is that a majority of the members of the body has become involved in such gatherings; or
 - c. Any other use of personal intermediaries or communications media that could permit a majority of the members of a body to become aware of an item of business and of the views or positions of other members with respect thereto, and to negotiate consensus thereupon.
- 3. "Meeting" shall not include any of the following:
 - a. Individual contacts or conversations between a member of a body and another person that do not convey to the member of the body the views or positions of other members of the body upon the subject matter of the contact or conversation and in which the member of the body does not solicit or encourage the restatement of the views of the other members of the body;
 - b. The attendance of a majority of the members of a body at a local, regional, state, or national conference, or at a meeting organized to address a topic of local community concern and open to the public, provided that a majority of the members of a body refrains from using the occasion to collectively discuss any item within the subject matter jurisdiction of the body; or
 - c. The attendance of a majority of the members of a body at a purely social, recreational, or ceremonial occasion other than one sponsored or organized by or for the body itself, provided that a majority of the members of the body refrains from using the occasion to discuss any item within the subject matter jurisdiction of the body. A meal gathering of a body before, during, or after a meeting of the body is a part of that meeting and shall be conducted only under circumstances that permit public access to hear and observe the discussion. Such meetings shall not be conducted in restaurants or other locations where public access is possible only in consideration of making a purchase or some other payment of value.
 - d. The attendance of a majority of the members of a body at a meeting of a standing committee of the body, provided that the members of the body who are not members of the standing committee attend only as observers or as members of the public.
 - e. The attendance of a majority of the members of a body at a meeting of another body to comment on a matter specifically noticed before that body.
- 4. "Policy Bodies"
 - a. A locally elected or appointed board, body or standing committee that is responsible for governing of the SFCCD according to state laws and in the

best interest of the students and the local community, providing leadership and policy direction; and

b. Established Policy Bodies:

- (i) Board of Trustees or any body composed of a quorum of the Board
- (ii) Academic Senate Executive Council
- (iii) College Advisory Council
- (iv) Planning and Budgeting Council
- (v) Citizens' Bond Oversight Committee
- (vi) Local Hiring Oversight Committee

c. A body the membership of which consists of the majority of the Board members.

5. "Advisory Bodies"

- a. Bodies or groups created by or reporting to the Chancellor or a policy body.
- b. All shared governance committees and subcommittees except the Academic Senate Executive Council, College Advisory Council and the Planning and Budgeting Council.

B. Conduct of Business for Policy Bodies

- 1. All meetings of policy bodies shall be open and public and governed by the Brown Act and the provisions of this Policy.
- 2. Time and Place for Meetings
 - a. Regular Meetings. Schedule. Each policy body shall adopt a schedule of regular meetings and meeting sites at its first annual meeting. The schedule shall be posted prominently on the District's website and at the administrative offices and library of each campus.
 - (i) Holidays. Meetings that would otherwise fall on a holiday shall be held on the next business day, unless otherwise scheduled in advance.
 - (ii) Changes. If a meeting must be canceled, continued or rescheduled for any reason, or if the meeting site changes from the annual schedule, a notice of such change shall be provided to the public as soon as is reasonably possible, including posting of a cancellation notice in the same manner as described in section B.3, below, and mailed notice shall be made if sufficient time permits.
 - (iii) Emergencies. If, because of fire, flood, earthquake or other emergency, it would be unsafe to meet at the regular meeting place, meetings may be held for the duration of the emergency at some other place specified by the policy body. The change of meeting site shall be announced by the most rapid means of communication available at the time and, if possible, in the prescribed method. Reasonable attempts shall be made to

contact others regarding the change in meeting location.

- b. Special Meetings. The presiding officer or a majority of the members of any policy body may call a special meeting by delivering written notice to each member of such policy body and the local media that have requested written notice of special meetings in writing, and by posting notice in the prescribed manner.
 - (i) Notice Delivery. Such notice shall be delivered personally or by mail, e-mail, or facsimile as requested so that it is delivered at least 24 hours before the time of such meeting as specified in the notice.
 - (ii) Notice Requirements. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the presiding officer or secretary of the body or committee a written waiver of notice. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.
 - (iii) Location. Each special meeting shall be held at the regular meeting place of the policy body if possible.
 - (iv) Alternate Location. A policy body may designate an alternate meeting place provided that the notice is posted, faxed, e- mailed or mailed at least seven (7) calendar days prior to the meeting prominently specifying the alternate location.
 - (v) Submitting Comments. Every notice of public meetings shall state that persons who are unable to attend the public meeting or hearing may submit, prior to the meeting to the appropriate officer, written comments regarding the subject of the meeting or hearing, that these comments will be made a part of the official public record, and that the comments will be brought to the attention of the person or persons conducting the public meeting or hearing. The notice should also state the name, address, facsimile number and e-mail address of the person(s) to whom those written comments should be submitted.

3. Agenda Requirements

- a. Posting Time and Location. An agenda shall be posted at least 72 hours before a regular meeting at specifically assigned locations for notices and on the District's website. The agenda shall also be posted outside the meeting room as soon as practicable but no later than the start of the meeting. It shall specify the members of the council, board or committee and the time and location of the meeting.
- b. 24 hours' notice is required for special meetings of the Board of Trustees or of the Citizens' Bond Oversight Committee.

- c. Agenda Items. The agenda shall contain a meaningful description of each item of business to be transacted or discussed at the meeting, including a summary of each proposed action, and whether each item of business is subject to possible action or for discussion only.
- d. Proposed Actions. If a specific action is proposed or contemplated it shall be included in the agenda item.
- e. Description. A description is meaningful if it is sufficiently clear and specific to alert a person of average intelligence and education whose interests are affected by the item that they may have reason to attend the meeting or seek more information on the item. The description shall be concise and written in plain, easily understood English.
- f. Documents. It shall refer to any explanatory documents that have been provided to the policy body in connection with an agenda item, such as correspondence or reports, and such documents shall be made available for public inspection and copying at a location indicated on the agenda during normal office hours and on the District website. Copies can be requested at the cost of 15 cents per page.
- g. Limitations. The body may neither act upon, nor discuss, any item not appearing on the posted agenda, except that members of a policy body may respond to statements made or questions posed by persons exercising their public testimony rights, to the extent of asking a question for clarification, providing a reference to staff or other resources for factual information, or requesting staff to report back to the body at a subsequent meeting concerning the matter raised by such testimony.
- h. Notwithstanding subdivision (g), the Board may discuss an item not appearing on the agenda if it determines by a two-thirds' vote of the Board members present at the meeting, or if less than two-thirds are present, a unanimous vote of those members present, that there is an emergency situation. An emergency situation means: (1) An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both; or (2) A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting under this section may endanger the public health, safety, or both.
 - (i) Items requiring Board action not on the agenda may be acted upon if 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 immediate action must be so imperative as threaten the public interest if action is deferred that the need for immediate action came to the attention of the District subsequent to the agenda being posted.

- (ii) Continued Items. The item was on an agenda posted pursuant to subdivision (a) for a prior meeting of the body occurring not more than five (5) 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. In addition, notice of the continuation shall be posted with the agenda of the prior meeting specifying that a particular agenda item was continued to that meeting.
- i. Accessibility. Presiding officers of each meeting shall ensure that agendas and other material related to meetings are accessible to persons with disabilities. Upon request, materials shall be made available in alternative formats. Requests shall be made to the secretary of the board or Board committee at least 48 hours prior to a regular meeting or Board committee meeting. Requests for such materials for other than regular meetings shall be made as soon as possible. All policy bodies shall comply with the guidelines and recommendations of federal and state law.
- j. Notice of Accessibility. Each body covered by this policy shall ensure that notices and agendas for regular and special meetings shall include the following notice:

KNOW YOUR RIGHTS UNDER THE DISTRICT'S SUNSHINE POLICY
(Section II.B.3.j)

The District's duty is to serve the public, reaching its decisions in full view of the public. The Board of Trustees and its committees, Citizens' Bond Oversight Committee, Academic Senate, College Advisory Council, Planning and Budgeting Council, and the Local Hiring Oversight Committee of the San Francisco Community College District exist to conduct the people's business. This Policy assures that deliberations are conducted before the people and that District operations are open to the people's review.

For information on your rights under the Sunshine Policy (Citation) or to report a violation of the Policy by the Board of Trustees or its committees, or the Citizens' Bond Oversight Committee, contact the City and County of San Francisco Sunshine Ordinance Task Force. To report a violation of the Policy by the District Shared Governance Committees, contact the San Francisco Community College District's Committee on Information and Public Records.

- k. Accessibility Contact Information. Each agenda of the bodies covered by this Sunshine Policy shall include the address, area code and phone number, fax number, e-mail address, and a contact person's name for City and County's Sunshine Ordinance Task Force/Appropriate District Committee. Information on how to obtain a free copy of the Sunshine Policy shall be included on each agenda.
- 4. Closed Sessions: Agenda Disclosures
 - a. Additional Requirements. In addition to meeting requirements for closed

session agendas provided in Government Code section 54954.5, any agenda shall specify and disclose the nature of any closed session by providing all of the following information:

- (i) Conference with Real Property Negotiator. With respect to every item to be discussed in closed session pursuant to Government Code section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: _____

Person(s) Negotiating: _____

Under Negotiation:

Price: _____ Terms of Payment: _____ Both: _____

- (ii) Litigation. With respect to every item of business to be discussed in closed session pursuant to Government Code section 54956.9 (a), each agenda item for a policy body covered by this Policy that involves existing litigation shall identify the case name, court, case number and date the case was filed on the written agenda. The body may withhold of certain information relating to existing litigation if disclosure would jeopardize the District's ability to effect service of process or to conclude existing settlement negotiations. Each agenda item that involves anticipated litigation shall require an announcement as required by applicable law.

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation: _____

or:

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation: _____ as defendant
_____ as plaintiff.

- (iii) Employees/Threat to Public Facilities. With respect to every item of business to be discussed in closed session pursuant to Government Code section 54957:

THREAT TO PUBLIC SERVICES OR FACILITIES

Name, title and agency of law enforcement officer(s) to be conferred with: _____

or:

PUBLIC EMPLOYEE APPOINTMENT/HIRING

Title/description of position(s) to be filled: _____

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position and, in the case of a routine evaluation, name of

employee(s) being evaluated: _____

or:

PUBLIC EMPLOYEE DISMISSAL/DISCIPLINE/RELEASE

Number of employees affected: _____

- (iv) Conference with Labor Negotiator/Collective Bargaining. With respect to every item of business to be discussed in closed session pursuant to Government Code Section 54957.6: Collective Bargaining Agreement. When renegotiating a collective bargaining agreement or negotiating a successor collective bargaining agreement, the name of the collective bargaining agreement: _____

5. Closed Sessions: Permitted Topics.

A policy body may, but is not required to, hold closed sessions:

- a. With the Attorney General, district attorney, agency counsel, security consultant or a security operations manager, sheriff, or chief of police, or their respective deputies, on matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities.
- b. To consider the appointment, employment, evaluation of performance, or dismissal of a SFCCD employee, if the policy body has the authority to appoint, employ, or dismiss the employee, or to hear complaints or charges brought against the employee by another person. If the employee, who is the subject of the discussion, requests a public hearing the hearing shall be public. The term "employee" as used in this section shall not include any elected official, member of a policy body or applicant for such a position, or person providing services to SFCCD as an independent contractor or the employee thereof, including but not limited to independent attorneys or law firms providing legal services to SFCCD for a fee rather than a salary.
 - (i) Nothing contained in the Brown Act prevents a legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another persons or employee unless the employee requests a public session. (Gov. Code, § 54957(b)(1).)
 - (ii) Under the Brown Act, as a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of their right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at

least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void. (Gov. Code, § 54957(b)(2).)

- c. Based on advice of its legal counsel, and on a motion and vote in open session to assert the attorney-client privilege, to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would likely and unavoidably prejudice the position of SFCCD in that litigation.

Litigation shall be considered pending when any of the following circumstances exist:

- (i) An adjudicatory proceeding before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator, to which SFCCD is a party, has been initiated formally; or,
 - (ii) A point has been reached where, in the opinion of the policy body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against SFCCD, or the body is meeting only to decide whether a closed session is authorized pursuant to that advice or, based on those facts and circumstances, the body has decided to initiate or is deciding whether to initiate litigation.
 - (iii) A closed session may not be held under this section to consider the qualifications or engagement of an independent contract attorney or law firm, for litigation services or otherwise.
- d. With SFCCD's designated representatives regarding matters within the scope of collective bargaining or meeting and conferring with public employee organizations when a policy body has authority over such matters.
 - (i) Such closed sessions shall be for the purpose of reviewing SFCCD's position and instructing its designated representatives and may take place solely prior to and during active consultations and discussions between SFCCD's designated representatives and the representatives of employee organizations or the unrepresented employees. A policy body shall not discuss compensation or other contractual matters in closed session with one or more employees directly interested in the outcome of the negotiations.
- e. In addition to the closed sessions authorized by subsection 5(d)(i), a policy body subject to Government Code Section 3501 may hold closed sessions with its designated representatives on mandatory subjects within the scope of representation of its represented employees, as determined pursuant to Section 3504.

6. Statement of Reasons for Closed Sessions

- a. Prior to any closed session, a policy body shall state the general reason or reasons for the closed session, and shall cite the statutory authority, including the specific section and subdivision, or other legal authority under which the session is being held. In the closed session, the policy body may consider only those matters covered in its statement. In the case of regular and special meetings, the statement shall be made in the agenda disclosures and specifications required by this Policy. In the case of adjourned and continued meetings, the statement shall be made with the same disclosures and specifications required by this Article, as part of the notice provided for the meeting.
- b. In the case of an item added to the agenda as a matter of urgent necessity, the statement shall be made prior to the determination of urgency and with the same disclosures and specifications as if the item had been included in the agenda. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

7. Disclosure of Closed Session Discussions and Actions

- a. After every closed session, a policy body may in its discretion and in the public interest, disclose to the public any portion of its discussion that is not confidential under federal or state law or non-waivable privilege. The body shall, by motion and vote in open session, elect either to disclose no information or to disclose the information that a majority deems to be in the public interest. At the conclusion of each closed session, the Board will determine what will be reported in open session regarding the closed session discussions and actions pursuant to the Brown Act. The disclosure shall be made through the presiding officer of the body or such other person, present in the closed session, whom they designate to convey the information.
- b. A policy body shall publicly report any action taken in closed session and the vote or abstention of every member present thereon, as follows:
 - (i) Real Property Negotiations: Approval given to a policy body's negotiator concerning real estate negotiations pursuant to Government Code section 54956.8 shall be reported as soon as the agreement is final. If its own approval renders the agreement final, the policy body shall report that approval, the substance of the agreement and the vote thereon in open session immediately. If final approval rests with another party to the negotiations, the body shall disclose the fact of that approval, the substance of the agreement and the body's vote or votes thereon upon inquiry by any person, as soon as the other party or its agent has informed the body of its approval. If, notwithstanding the final approval, there are conditions precedent to the final consummation of the transaction, or there are multiple contiguous or closely located properties that are being

considered for acquisition, the document referred to in subdivision (b) of this section need not be disclosed until the condition has been satisfied or the agreement has been reached with respect to all the properties, or both.

- (ii) Litigation: Direction or approval given to the body's legal counsel to prosecute, defend or seek or refrain from seeking appellate review or relief, or to otherwise enter as a party, intervenor or amicus curiae in any form of litigation as the result of a consultation pursuant to Government Code section 54956.9 shall be reported in open session as soon as given, or at the first meeting after an adverse party has been served in the matter if immediate disclosure of SFCCD's intentions would be contrary to the public interest. The report shall identify the adverse party or parties, any co-parties with SFCCD, any existing claim or order to be defended against or any factual circumstances or contractual dispute giving rise to the SFCCD's complaint, petition or other litigation initiative.
- (iii) Settlement: A policy body shall neither solicit nor agree to any term in a settlement which would preclude the release of the text of the settlement itself and any related documentation communicated to or received from the adverse party or parties. Any written settlement agreement and any documents attached to or referenced in the settlement agreement shall be made publicly available at least 72 hours before the meeting of the policy body at which the settlement is to be approved to the extent that the settlement would commit SFCCD or a department thereof to adopting, modifying, or discontinuing an existing policy, practice or program or to pay \$50,000 or more. The agenda for any meeting in which a settlement subject to this section is discussed shall identify the names of the parties, the case number, the court, and the material terms of the settlement. Where the disclosure of documents in a litigation matter that has been settled could be detrimental to the District's interest in pending litigation arising from the same facts or incident and involving a party not a party to or otherwise aware of the settlement, the documents required to be disclosed by subdivision (b) of this section need not be disclosed until the other case is settled or otherwise finally concluded.
- (iv) Employee Actions: Action taken to appoint, employ, dismiss, transfer or accept the resignation of a public employee in closed session pursuant to Government Code section 54957 shall be reported immediately in a manner that names the employee, the action taken and position affected and, in the case of dismissal for a violation of law or of the policy of the District, the reason

for dismissal. "Dismissal" within the meaning of this Policy includes any termination of employment at the will of the employer rather than of the employee, however characterized. The proposed terms of any separation agreement shall be immediately disclosed as soon as presented to the body, and its final terms shall be immediately disclosed upon approval by the body.

- c. Reports required to be made immediately may be made orally or in writing, but shall be supported by copies of any contracts, settlement agreements, or other documents related to the transaction that were finally approved or adopted in the closed session and that embody the information required to be disclosed immediately shall be provided to any person who has made a written request regarding that item following the posting of the agenda, or who has made a standing request for all such documentation as part of a request for notice of meetings pursuant to Government Code Sections 54954.1 or 54956.
- d. A written summary of the information required to be immediately reported pursuant to this section, shall be posted by the close of business on the next business day following the meeting, in the place where the meeting agendas of the body are posted. Any other documents required shall be released within two (2) business days.
- e. For each agenda item of a policy body covered by this Policy that involves anticipated litigation, the policy body shall disclose at any time requested and to any member of the public whether such anticipated litigation developed into litigation and shall identify the court, case number, and date the case was filed.

8. Recording, filming and still photography

- a. Any person attending an open and public meeting of a policy body or advisory body shall have the right to record the proceedings with an audio, video and/or digital recorder to broadcast the proceedings, in the absence of a reasonable finding of the policy body that the recording or broadcast cannot continue without such noise, illumination or obstruction of view as to constitute a persistent disruption of the proceedings.
- b. All policy bodies shall audio record each regular and special meeting, excluding closed sessions. Each such audio recording, and any other recording of a meeting made at the direction of the policy body, shall be a public record subject to inspection pursuant to the California Public Records Act (Gov. Code, § 6250 *et seq.*). These recordings shall be kept indefinitely by SFCCD, and shall not be erased or destroyed unless the recordings are being transferred into a different format for archival or accessibility requirements. Inspection of any such recordings of open sessions shall be provided without charge on an appropriate playback device made available by SFCCD; if the meeting recording is not readily

available, copies of any such recordings shall be provided upon request and payment for the actual cost of the media used to make the copy. Requests shall be made through the department, board, committee task force, or committee whose meeting is recorded.

- c. Minutes will be taken for the Board closed session. These minutes will be reviewed and approved in closed session. Closed session minutes, made pursuant to Section 8(b), shall be made available whenever all rationales for closing the session are no longer applicable. Minutes of closed sessions of bodies covered by this Policy wherein the justification for the closed session is "anticipated litigation" shall be released to the public in accordance with any of the following provisions: two (2) years after the meeting if no litigation is filed; upon expiration of the statute of limitations for the anticipated litigation if no litigation is filed; as soon as the controversy leading to anticipated litigation is settled or concluded.
- d. Policy body recordings shall be posted on the body's website within three days.

9. Agendas and Related Materials: Public Records

- a. Agendas of meetings, meeting packets, or documents, or any other documents on file with the clerk or secretary of the policy body, in connection with a matter anticipated for discussion or consideration at a public meeting shall be made available to the public for inspection and copying at the office of the policy body at least 48 hours before the hearing. Unless demonstrably unfeasible these materials shall be made available on the policy body's website, at least 48 hours prior to the meeting. Public review copies of the agenda and all related documents that constitute the meeting packet shall be made available at the meeting to the public in sufficient quantities commensurate with the anticipated number of people attending the hearing.
- b. If any document subject to adoption, approval or award by a policy body is not available at least 48 hours before the meeting at which that document is scheduled to be adopted, approved or awarded and a member of the policy body requests that the matter be continued, the policy body must continue the item to a time not less than 48 hours after the document was made available. Nothing in this subsection shall prohibit the policy body from amending a document at a meeting.
- c. Documents which are distributed prior to or during their discussion at a public meeting to members of a policy body shall be made available for public inspection immediately or as soon thereafter as is practicable.

10. Public Testimony.

- a. Every agenda for regular meetings shall provide an opportunity for members of the public to directly address a policy body on items of interest to the public that are within policy body's subject matter jurisdiction, provided that no action shall be taken on any item not

appearing on the agenda unless the action is otherwise authorized by Section B.3. of this Article.

- b. Every agenda for special meetings at which action is proposed to be taken on an item shall provide an opportunity for each member of the public to directly address the body concerning that item prior to action thereupon.
- c. A policy body may adopt reasonable regulations to ensure that the intent of subdivisions (a) and (b) are carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Each policy body shall adopt a rule providing that each person wishing to speak on an item before the body at a regular or special meeting shall be permitted to be heard once for up to two minutes. Time limits shall be applied uniformly to members of the public wishing to testify.
- d. A policy body shall not abridge or prohibit public criticism of the policy, procedures, programs or services of SFCCD, or of any other aspect of its proposals or activities, or of the acts or omissions of the body, on the basis that the performance of one or more public employees is implicated, or on any basis other than reasonable time constraints adopted in regulations pursuant to subdivision (c) of this section.
- e. To facilitate public input, any agenda changes or continuances shall be announced by the presiding officer of a policy body at the beginning of a meeting, or as soon thereafter as the change or continuance becomes known to such presiding officer.

11. Minutes of the Board.

- a. A designee of each policy body shall record the minutes for each regular and special meeting of a board or committee.
- b. The minutes shall state the time the meeting was called to order, the names of the members attending the meeting, the roll call vote on each matter considered at the meeting, the time the board or committee began and ended any closed session, the names of the members and the names, and titles where applicable, of any other persons attending any closed session, a list of those members of the public who spoke on each matter if the speakers identified themselves, whether such speakers supported or opposed the matter, for each agenda item, and the time the meeting was adjourned.
- c. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the minutes. The officially adopted minutes shall be available for inspection and copying upon request no later than ten working days after the meeting at which the minutes are adopted. Upon request, minutes required to be produced by this section, shall be made available in increased type size.

12. Public Comment By Members Of Policy Bodies.

Every member of a policy body retains the full constitutional rights of a citizen to comment publicly on the wisdom or propriety of SFCCD actions, including those of the policy body of which they are a member. Bodies shall not sanction, reprove or deprive members of their rights as elected or appointed officials for expressing their judgments or opinions, including those which deal with the perceived inconsistency of non-public discussions, communications or actions with the requirements of state or federal law or of this Policy.

C. Conduct of Business for Advisory Bodies

1. All gatherings of advisory bodies shall be accessible to individuals upon inquiry and to the extent possible, consistent with the facilities in which they occur.
 - a. Such gatherings need not be conducted in any particular space for the accommodation of members of the public, although members of the public shall be permitted to observe on a space available basis consistent with legal and practical restrictions on occupancy.
 - b. Such gatherings need not provide opportunities for comment by members of the public, although the person presiding may, in their discretion, entertain such comments or questions from observers as may be relevant to the purpose statement of the committee.
 - c. Gatherings subject to this subsection include the following: advisory committees or other multimember bodies created in writing or by the initiative of, or otherwise primarily formed or existing to serve as a non-governing advisor to a member of a policy body, the Chancellor, and social, recreational or ceremonial occasions sponsored or organized by or for a policy body to which a majority of the body has been invited.
2. To the extent not inconsistent with state or federal law, the Board of Trustees shall include in any contract with an entity that owns, operates or manages any property in which the District has or will have an ownership interest, including a mortgage, and on which the entity performs a function related to the furtherance of health, safety or welfare, a requirement that any meeting of the governing board of the entity to address any matter relating to the property or its District-related activities on the property, or performance under the contract or grant, be conducted as provided in subdivision (1) of this section. Records made available to the governing board relating to such matters shall be likewise available to the public, at a cost not to exceed the actual cost up to 15 cents per page, or at a higher actual cost as demonstrated in writing to such governing board.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: GOVERNING BOARD CODE OF ETHICS	Number: BP 1.17A
Legal Authority References: California Education Code Section 70902 Government Code Section 1064	Related to CCLC BP 2715

The Board of Trustees shall:

1. Assure the opportunity for high quality education for every student within the fiscal limitations of the District.
2. Represent all segments of the community in advocating for the best interest of the community.
3. Function as a team seeking to stay well-informed and to act objectively. Be informed about the District, educational issues and responsibilities of trusteeship.
4. Recognize that the Board of Trustees exercises power only through the decisions it makes as a group.
5. Maintain confidentiality of privileged information.
6. Treat ~~the public, other board members, and employees~~everyone with courtesy, respect and civility.
7. Ensure an atmosphere in which controversial issues can be presented fairly and in which the dignity of each individual is maintained.
8. Ensure public input into Board deliberations and adherence to the letter and spirit of the open meeting laws and regulations.
9. Prevent conflicts of interest and the perception of conflicts of interest.

All governing Board members are expected to maintain the highest standards of conduct and ethical behavior as enumerated above. The Governing Board will be prepared to investigate the factual basis behind any charge or complaint of Board member misconduct. The Governing Board shall develop protocols that determine how its members are investigated, within applicable law and due process.

SAN FRANCISCO COMMUNITY COLLEGE
DISTRICT POLICY MANUAL

Title: GOVERNING BOARD CODE OF RESPONSIBILITIES	Number: BP 1.17B
References Legal Authority: California Education Code Section 70902 Government Code Section 1064	Related to CCLC BP 2200

No member of the Board shall be absent from the state for more than 60 days, except in any of the following situations:

- Upon business ~~of the community of community~~ college district with the approval of the Board.
- With the consent of the Board for an additional period not to exceed a total absence of 90 days. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.
- For federal military deployment, not to exceed an absence of a total of six months, as a member of the Armed Forces of the United States or the California National Guard. If the absence of a member of the Board pursuant to this subdivision exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in their absence. If two or more members of the Board are absent by reason of the circumstances described in this subdivision, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities.
- The term of an interim member of the Board appointed as set forth above may not extend beyond the return of the absent member, nor may it extend beyond the next regularly scheduled election for that office.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: INSTITUTIONAL CODE OF ETHICS	Number: BP 1.18
Legal Authority/Reference: <u>ACCJC Accreditation Standard 4.6 III.A.13, IV.C.11</u>	CCLC Number: BP 2715 (partial)

Definition of Ethics

Ethical behavior is often defined as “right” or “good” behavior as measured against commonly accepted rules of conduct for a society or for a profession. The ethical person is often described in absolute terms as one who is fair, honest, straightforward, trustworthy, unbiased, and unprejudiced. If, however, one is inconsistently fair or honest, one loses credibility and is perceived to be unethical. The ethical person must be conspicuously consistent in the exercise of integrity to sustain the credibility that is an expectation of office.

Importance of Ethics

The credibility of City College of San Francisco employees depends upon whether they are perceived as honest.

Statements of ethical standards do not necessarily ensure ethical behavior. Yet public statements of intent surely create an expectation that public officials will indeed act with integrity in the public interest.

Expectations for Ethical Behavior

Employees of City College of San Francisco shall be committed to the principles of honesty and equity and professionalism. They shall not seek to abridge for any purpose the freedoms of other employees or students. At the same time, they shall not willingly permit the right and privileges of any members of the College community to override the best interests of the public served by the College.

Employees shall exercise judgments that are unbiased, fair, consistent, and equitable. They shall exhibit openness and reliability in what they say and do as educational leaders. They shall confront issues and people without prejudice. They shall do everything they can to demonstrate a commitment to excellence in education and without compromise to the principles of ethical behavior, as stated in relevant sections of employee handbooks.

Similarly, students are expected to abide by respectful and ethical behavior and decision-making in their treatment of College employees, other students, and members of the public, as stated in the Code of Student Conduct.

Employee Responsibilities

The following statements of responsibilities are intended as guidelines:

- To provide and protect student access to the educational resources of the College;
- To protect human dignity and individual freedom, and assure that students are respected as individuals, as learners, and as independent decision-makers;
- To protect students from disparagement, or arbitrary judgment;
- To keep foremost in mind at all times that the College exists to serve students;
- To develop a climate of trust and mutual support;
- To foster openness by encouraging and maintaining open communication;
- To encourage, support, and abide by the written Board Policies and Administrative Procedures of City College of San Francisco; and
- To challenge unethical behavior in a timely manner.

SAN FRANCISCO COMMUNITY COLLEGE
DISTRICT POLICY MANUAL

Title: CONFLICT OF INTEREST	Number: BP 1.19
Legal AuthorityReferences: California Government Code Section 87100 et seq. and the conflict of interest provisions under the Political Reform Act	Related to CCLC BP 2710

No trustee, officer, or employee shall make, or in any way attempt to use their official position to influence a District decision in which they have an economic interest. An employee with an economic interest as defined below, or other conflict of interest, shall notify their supervisor and abstain from participating in the decision or activity related to the decision.

A District decision is defined as follows:

- When a trustee, officer, or employee votes on a matter, appoints a person, approves a rate, rule or regulation, adopts or enforces a policy or law, or makes a determination not to act with regard to the foregoing.
- When a trustee, officer, or employee obligates or commits their agency to any course of action, including decisions to issue, deny, suspend or revoke any permit, license application or authorization; grant District approval to a plan, design, report or study; or, adopt policies, standards or guidelines for the District.
- When a trustee, officer, or employee participates in the making of a District decision or influences a District decision by giving advice, making recommendations, or otherwise communicating with a decision maker.

An economic interest is defined as follows:

- Economic interests in business entities, either as an investor, partner, officer or manager.
- Economic interests in real property: investing \$2,000 or more in real property, including those held by a spouse or registered domestic partner.
- Economic interests in sources of income to a trustee, officer, or employee, who receive \$500 or more in income from one source within 12 months prior to the District decision.
- Economic interests in sources of gifts to a public official.
- Economic interests in a business entity for which the trustee, officer, or employee is an officer, director, employee, or holds a business position irrespective of having an investment or receiving income from the entity.
- Economic interest in personal financing and those of their immediate family where the District decision results in the personal expenses, income assets or liabilities of the

trustee, officer, or employee or their immediate family increasing or decreasing.

The Chancellor shall establish an Administrative Procedure designating the Board of Trustees and a list of designated employee positions required to file Statements of Economic Interest specifying the categories of economic interests that must be reported.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: PROTECTED DISCLOSURE OF IMPROPER GOVERNMENT ACTIVITY	Number: BP 1.20
Legal AuthorityReference: California Education Code Sections 87160-87164	CCLC Number: BP 7700

An employee may not directly or indirectly use or attempt to use the official authority or influence of the employee for the purpose of intimidating, threatening, coercing, commanding, or attempting to intimidate, threaten, coerce, or command any person for the purpose of interfering with the right of that person to disclose to an administrator, member of the Board of Trustees, or the Chancellor:

1. Any activity that violates a state or federal law or regulation, including, but not limited to, corruption, malfeasance, bribery, theft of government property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of government property, or willful omission to perform duty.
2. Any activity that is economically wasteful or involves gross misconduct, incompetency, or inefficiency.
3. Any condition that may significantly threaten the health or safety of employees or the public if the disclosure or intention to disclose was made for the purpose of remedying that condition.

SAN FRANCISCO COMMUNITY COLLEGE
DISTRICT POLICY MANUAL

Title: COMMITTEES OF THE BOARD	Number: BP 1.21
Legal Authority References: Education Code, <u>s</u>Section 70902; Government Code, <u>s</u>Section 54952	Related to CCLC BP 2200

I. Establishing Committees. The Board may by action, or the President may, establish committees that are necessary to assist the Board in its responsibilities. All standing committees shall comply with applicable requirements of the Brown Act and with Board policies regarding open meetings. Board advisory committees ~~and, also known as ad hoc committees,~~ that are composed solely of less than a quorum of members of the Board are not required to comply with the Brown Act, San Francisco Community College District Open Governance Sunshine Policy ("Sunshine Policy") or with Board policies regarding open meetings, unless they are standing committees.

Board committees have no authority or power to act on behalf of the Board. Findings or recommendations of such committees shall be reported to the Board for consideration.

II. Committee of the Whole. All members of the Board of Trustees shall be members of the Committee of the Whole. This committee shall have power to consider and report upon any matters which require committee attention and action and without reference to any other standing or special committee of the Board. It may also consider reports from other committees of the Board. The President of the Board shall appoint a member to chair the Committee of the Whole.

Specialized Committees of the Whole shall include committees on Chancellor/Board Relations and on District Audits.

III. Standing Committees. Standing Committees of the Board may be established by the President or by vote of the Board. The functions of all such committees shall be fact finding, deliberative and advisory, but never legislative or administrative. Further, each standing committee shall have a charter that outlines scope and responsibilities, which shall be developed in consultation with the Chancellor. with All such committees shall consult with the Chancellor and report to the Board.

Meetings of Standing Committees of the Board, including the Committee of the Whole, may be called at any time by the committee chair or upon written demand of two members of the committee. In the event that a member of a standing committee will be or is absent from a committee meeting, the committee chair may appoint another Trustee as a temporary committee member for the duration of the meeting. The temporary committee member shall have the same voting privileges as the absent member.

All standing committee requests for special reports shall be made to the Chancellor during a meeting of the standing committee.

IV. Committee Duties. Committees shall consider matters which have been referred to them by the President or Board or which a majority of the committee membership determines should be considered by the committee. In the latter case, where a committee recommends the conduct of a study, the Board shall be notified of the proposed study. The committee shall not proceed with the proposed study unless the study is authorized by the Board.

The Chancellor shall consult with the committee chair on the development of the committee meeting agenda.

When a specific matter has been referred to a standing committee, the committee chair in consultation with the Chancellor, will call for the schedule ~~scheduling of~~ a committee meeting as soon as practicable so as to consider the matter and make timely recommendations to the full Board. A committee recommendation or a report on progress made towards a recommendation will be required by the second regular Board meeting following the referral or forty-five (45) days following the referral, whichever is later. Any matter previously referred to a committee may be placed on a regular Board agenda by the President with the concurrence of one additional Board member at any time in accordance with the timelines for preparing such agendas (see BP 1.09).

An adequate record of all standing committee meetings shall be maintained.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: AUDIT COMMITTEE GUIDING PRINCIPLES	Number: BP 1.22
Legal Authority Reference: Govt. Code Section 13886(a)	Related to CCLC BP 2220

PURPOSE

To assist the Board of Trustees in fulfilling its oversight responsibilities for the financial reporting process, the system of internal control, the audit process, and the District's process for monitoring compliance with laws and regulations regarding Board policies related to the laws and regulations governing financial conduct.

AUTHORITY

The Audit Committee has authority to authorize and oversee investigations into matters within its scope of responsibility. It is empowered to, consistent with State and Local laws and regulations:

- Oversee the work of any registered public accounting firm employed by the San Francisco Community College District.
- Seek to resolve disagreements between administration and the auditors regarding financial reporting and risk assessment.
- Recommend to the full Board of Trustees approval of all auditing and risk assessment services.
- Recommend to the full Board of Trustees the retention of independent counsel, accountants, or others to advise the Committee or assist in conducting an investigation.
- Seek information as required from employees.
- Meet with District officers, external auditors, or outside counsel, as necessary.

COMPOSITION

The Audit Committee will consist of three members of the Board of Trustees, the internal auditor, and if possible one appointed non-voting external Certified Public Accountant (CPA) who shall not be compensated. The Board president will appoint Committee members and the Committee chair.

MEETINGS

The Audit Committee will meet at least two times a year, with authority to convene

additional meetings, as necessary. All Committee members are expected to attend each meeting, in person or via teleconference or video-conference, [as prescribed by the Brown Act](#). The Committee will conduct public meetings or meet in a closed session in conformance with the Brown Act. The Committee may invite administration, auditors or others to attend meetings and provide pertinent information, as necessary. Copies of audio recordings [of public meetings](#) will be available upon request.

RESPONSIBILITIES

The Committee will carry out the following responsibilities which include, but are not limited to:

Financial Statements

- Review significant accounting and reporting issues, including complex or unusual transactions, and recent professional and regulatory pronouncements, and understand their impact on the financial statements.
- Review with administration and the external auditors the results of audits, including any difficulties encountered.
- Review the Annual Financial Statement audits, and consider whether they are complete, accurate, consistent with information known to committee members, and reflect appropriate accounting principles.
- Review with administration and the external auditors all matters required to be communicated to the committee under generally accepted auditing Standards.
- Review how administration develops interim financial information, and the nature and extent of internal and external auditor involvement.
- Review quarterly financial reports with administration and the external auditors before filing with regulators, and consider whether they are complete and consistent with the information known to committee members.

Internal Control

- Review the effectiveness of the District's internal control system, including information technology security and control.
- Review the scope of internal and/or external auditors' review of internal control over financial reporting, and obtain reports on significant findings and recommendations, together with administration's responses.

Internal Audit

- Review with administration and the District Internal Auditor the guiding principles, activities, staffing, and organizational structure of the internal audit function.
- Review and approve the annual Audit Plan and all major changes to the plan for recommendation to the full Board of Trustees.

- Review the effectiveness of the internal audit function, including compliance with The Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing, implementation of the Audit Plan, and execution of internal audit activities/functions.
- When necessary, meet separately with the Chancellor and the District Internal Auditor to discuss matters that are in accordance with the Brown Act.

External Audit

- Review the external auditors' proposed audit scope and approach, including coordination of audit effort with internal audit.
- Review the performance of the external auditors, and recommend to the Board of Trustees the appointment or discharge of the auditors.
- Review the independence of external auditors by obtaining information from auditors regarding relationships between the external auditors and the District, including non-audit services, and discussing the relationships with the auditors.
- Review with administration and the District Internal Auditor efforts to reduce annual audit fees.

Compliance

- Review the effectiveness of administration's efforts to monitor compliance with laws and regulations, including results of administration's investigation and follow-up (including disciplinary action) of any instances of noncompliance.
- Review the findings of any examinations by regulatory agencies, and any auditor observations.
- Review the process for communicating the financial policies to District personnel, and for monitoring compliance therewith.
- Consult with the appropriate administrative staff regarding compliance matters.
- Provide an open avenue of communication between the Office of Internal Audit, the external auditors, and the Board of Trustees.
- Report annually to the Board of Trustees, in open session, describing the Committee's composition, responsibilities and how they were discharged.

Other Responsibilities

- Perform other activities related to the guiding principles as required by the regulations.
- Recommend to the full Board and oversee special investigations as needed that relate to committee responsibilities.
- Review and assess the adequacy of the Committee's guiding principles annually,

requesting Board of Trustees approval for proposed changes, and ensure appropriate disclosure as may be required by law or regulation.

- Review any reports the District issues that relate to committee responsibilities.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: CHIEF ADMINISTRATOR: AUTHORITY, SELECTION, AND TERM OF OFFICE	Number: BP 1.25
Legal Authority/References: California Education Code Sections 70902 <u>subdivision (d)</u> and 72400; Title 5 Sections 53000 et seq.; <u>Title 5 Section 53021 subdivision (b)</u> ACCJC Standards <u>IV.B.5., IV.C.3., and IV.C.12 4.5</u>	CCLC Number: BP 2430 BP 2431 BP 2432

The Board accepts and establishes the office of the Chancellor as that of Chief Executive Officer of the District, and delegates to this office all administrative authority within its power except that having to do with the Chancellor's own appointment or dismissal, or as otherwise especially provided in this manual, [or as specified in California State Education Code 70902.](#)

The Chancellor shall be appointed by the Board of Trustees and serve for a term or terms not to exceed 4 (four) years at an annual salary to be fixed by the Board. The contract may be renewed at the discretion of the Board.

When the Chancellor is absent for fewer than 30 (thirty) continuous days, [the Board of Trustees](#) ~~they~~ [Chancellor](#) will appoint an Acting Chancellor. When the Chancellor is absent for more than 30 continuous days, or is incapacitated, the Board of Trustees will appoint an acting Chancellor.

When the position of Chancellor is vacant, pending the appointment of a permanent Chancellor by the Board, the Board of Trustees shall appoint an Interim Chancellor.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: CHANGES IN ADMINISTRATOR TITLE, SALARY, AND BENEFITS	Number: BP 1.26
ReferenceLegal Authority: California Education Code 72400	CCLC Number: NA

Upon any recommended change in appointment, title, or increase in compensation or benefits of any administrator, the Chancellor must present to the Board of Trustees for approval (1) the basis for the appointment, title or increase in salary or benefits, not including scheduled sequential steps and/or benefits; (2) the percentage increase in salary or benefits; and (3) how any change is consistent with the policies, protocols, and salary schedule adopted by the District.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: PRACTICES AND PROCEDURES GOVERNING CONDUCT RELATED TO ELECTIONS AND BALLOT MEASURE ELECTIONS	Number: BP 1.27
ReferencesLegal Authority: California Education Code Section 70902 and Section 7058, and California Government Codes Section 84308	Related to CCLC BP 2716

1. **PURPOSE.** This policy is primarily intended to address District involvement in ballot measure elections and campaigns. Board of Trustee elections are subject to additional laws, regulations, and limitations established by the State of California, City and County of San Francisco, and the City and County of San Francisco Ethics Commission.
<https://sfethics.org/>
2. **TRAINING.** All Board members and all City College of San Francisco/San Francisco Community College District administrators or other employees acting as agents of the administration who are involved in a ballot measure ~~and~~ shall be trained in and follow campaign finance law and the proper use of public funds. To accomplish this requirement, the Office of General Counsel or equivalent legal authority shall assure a regular campaign ethics and campaign finance training program for all Board members and administrators or other employees acting as agents of administration involved in bond elections.
3. **COMPLIANCE WITH RELEVANT GOVERNMENT CODE.** All activities relating to a ballot measure campaign, including campaigns by candidates for election to the Board of Trustees, shall be subject to Education Code Sections 7058 and 70902 and Government Code Section 84308.
4. **PERMITTED COLLEGE ACTIVITIES.** District funds and resources may be used to provide information relating to facilities bond campaigns, ballot measures, and candidates, and for purposes of pre-campaign polling to gauge interest in a potential ballot measure. Pursuant to California Education Code section 7058, nothing in this policy shall prohibit the use of a forum or town hall under the District's control if the forum is open to the general public.
5. **PERMITTED INDIVIDUAL ACTIVITIES.** Administrators or other college employees acting as agents of the administration are permitted to engage in political activity using their own resources and while off-duty.
6. **PROHIBITED ACTIVITIES.**
 - A. Board members, administrators, and employees of City College of San Francisco/San Francisco Community College District are prohibited from using college funds, services,

supplies, or equipment of any kind to advocate for the passage or defeat of any ballot measure or the election or defeat of any candidate, including, but not limited to, any candidate for election to the Board of Trustees. For purposes of this restriction, "funds, services, supplies, or equipment" includes, but is not limited to, on-duty personnel time and effort, District facilities, District property, District buildings, District-owned or issued computers, laptops, or mobile communication devices, any accounts receivables received or owed to the District (including any rents or lease payments whatsoever), and other resources of the District;

B. No board member or administrator or other employee acting as agents of administration may ask another person or entity to act as an agent or intermediary for the District in making a political contribution in order to circumvent the restrictions of this policy and of California law.

7. PROTECTION OF FREE SPEECH. Nothing herein is intended to restrict the free speech activities of the faculty, staff, administration, or Associated Students provided that there is no use of District funds, services, supplies, or equipment as described above.

8. WRITTEN COMPLIANCE NOTICE. All existing and future vendor contracts with the San Francisco Community College District, as well as all RFP documents to solicit and award vendor contracts of any kind shall include this signed acknowledgment statement:

"No financial contribution or donation to a ballot measure or Board election or CCSF Foundation has been required. Any donation to a campaign or to the Foundation has been properly reported and disclosed in compliance with governing legal code; and has not been considered in the award or continuation of this contract."

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: CONTROL AND DIRECTION	Number: BP 1.28
Reference Legal Authority: California Education Code Section 70902	CCLC Number: NA

Control by law will be effected through Federal and State laws and regulations through Board policies, regulations, resolutions, decisions, and enactments, and may be in the form of written words or in the nature of charts, calendars, schedules, forms, maps or diagrams; all such authorizations by law, whether general or special, shall stand as authority under the Board of Trustees until changed or until they expire or are repealed.

By Federal and State law and regulations, authority and responsibility for the conduct of the District are vested in the Board. The authority and responsibility are accepted and assumed by the Board.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: THE COMMUNITY AND THE BOARD	Number: BP 1.29
References Legal Authority: California Education Code Section 70902 California Government Code Sections 54950 et seq.	CCLC Number: NA

The Board recognizes the right of the public to information concerning all of its actions and policies and concerning the details of its educational and business operations. Copies of the agenda of each regular board meeting will be made available to interested persons and organizations upon request to the Chancellor.

The Board recognizes the right of the public to be informed about Board meetings and of its right of access to public records.

The Board recognizes its obligation for the dissemination, throughout the district, of information concerning its educational programs, and for interpreting these programs to the people; and further, the individual responsibility to represent the district in the various communities when called upon to do so. It is the general policy of the Board to welcome the advice and assistance of all individuals and groups in Board consideration of educational problems of the district. At the same time, the Board recognizes that by law it alone is responsible for determining the policies of the district.

It is recognized that, from time to time, there will be complaints and criticisms from members of the community. The official policy of the Board shall be as follows:

The channel for complaints and criticisms on which action is requested will be the Chancellor's office or their designee.

An individual board member does not have legal authority to promise action or correction in such matters.

Rather than conduct their own investigation of a complaint, a board member will refer the complaint to the office of the Chancellor for staff investigation and study. A report and a recommendation will subsequently be brought to the Board.

In general, complaints or criticisms must be presented in writing.

Unless the complaint or criticism is met by the administration to the complete satisfaction of the complainant, the item will be included on the next board agenda, and the individual concerned will be invited to appear before the Board, if the individual so requests, unless such open discussion is inappropriate.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: ACCESS TO FACULTY AND STAFF MAILBOXES	Number: BP 1.31
Legal AuthorityReference: California Education Code Section 70902	CCLC Number: NA

It is the policy of the San Francisco Community College District that faculty and staff should have access to faculty and staff mailboxes for distribution of written communications, provided no District staff is involved in the physical distribution of such communication and the source of this communication is clearly identified.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: PROHIBITING WORKPLACE VIOLENCE	Number: BP 1.32
Legal AuthorityReference: California Education Code Section 70902	CCLC Number: BP 3430 BP 3433 BP 3510

The San Francisco Community College District is committed to providing a safe educational and work environment free from violence, threats of violence, stalking, harassment, intimidation, and other disruptive behavior.

Violence, threats, stalking, harassment, intimidation, and other disruptive behavior will not be tolerated. Any District employee who violates this policy will be subject to immediate and appropriate disciplinary action pursuant to the applicable employee discipline policies and procedures of the District and may further be subject to such additional civil and criminal sanctions, including but not limited to restraining orders, criminal charges, and civil lawsuits, as permitted by law.

Incidents of violence, threats, stalking, harassing, intimidation, or other disruptive behavior should be reported immediately in accordance with the Workplace Violence procedures. All reports of incidents will be taken seriously and will be dealt in accordance with the workplace violence guidelines contained in the District's Injury and Illness Prevention for Workplace Security.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: ACCREDITATION ELIGIBILITY REQUIREMENT 21, STANDARDS I.C.12 and 13	Number: BP 1.33
Legal AuthorityReferences: Title 5 Section 51016; <u>ACCJC Accreditation Eligibility Requirement 21</u>	CCLC Number: BP 3200

The Chancellor shall ensure the District complies with the accreditation process and standards of the Accrediting Commission of Community and Junior Colleges and of other District programs that seek special accreditation.

The Chancellor shall keep the Board informed of approved accrediting organizations and the status of accreditations.

The Chancellor shall ensure that the Board is involved in any accreditation process in which Board participation is required or desired.

The Chancellor shall provide the Board with a summary of any accreditation report and any actions taken or to be taken in response to recommendations in an accreditation report.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: BOARD PROFESSIONAL DEVELOPMENT AND ORIENTATION	Number: BP 1.35
Legal Authority/Reference: California Education Code Section 70902, WASC/ACCJC Accreditation Standard <u>4 IV-C</u>	Related to CCLC BP 2740

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

To that end, the Board of Trustees will engage in study sessions and Board retreats, support conference attendance, and promote other activities that foster effective Trustee participation, operations, leadership and decision-making for the benefit of the San Francisco Community College District.

Ongoing Trustee Development

Board members are expected to attend at least one state or national conference at least every two years. Recommended conferences include those sponsored by the Community College League of California, the Association of Community College Trustees and the American Association of Community Colleges.

The Board of Trustees will hold at least two Board retreats or workshops each year, at which the Board will have the opportunity to discuss concerns and ideas with other members of the Board and the Administration. Discussion topics may include, but are not limited to, board self-evaluation, college and board goal achievement and goal setting, board policies and key issues facing the college, [as well as participatory governance, ethics, the Brown Act and the Public Records Act](#).

New Trustee Orientation

- **Publicly Elected Board Members ([Trustees](#))**

The Chancellor and the Board shall assist each new member-elect to understand the Board's functions, policies, and procedures before the assumption of office. Such assistance will include providing written materials and invitations to attend Board meetings and conferences with the Chancellor. New Board members shall be encouraged to attend meetings held as training/information sessions by state and national organizations.

- **Student Board Member ([Student Trustee](#))**

The Chancellor shall provide an overall orientation to the student Board member upon assumption of office to include providing written materials; an overall review of the

institution's history and development, the structure of public higher education at the state level; an explanation of the concept of consultation; and an invitation to schedule additional meetings with the Chancellor. The Chancellor will encourage the student trustee to attend the new student trustee orientation sponsored by the [California Community College Trustees \(CCCT\) association](#) [Community College League of California \(CCLC\)](#).

~~In June of each year the President of the Board of Trustees shall appoint a member of the Board of Trustees to act as mentor to~~ The student trustee may select a member of the Board of

Commented [KC10]: From Associated Students: Add "The Chancellor or their designee will support the Student Trustee in selecting a mentor."

Publicly Elected and Appointed Board Members (Trustees)

The Chancellor and two to three experienced trustees will be responsible for the orientation of new Board members. The Chancellor should assume the primary responsibility for offering guidance to the Board in planning and implementing the program with the help of carefully selected trustees, senior administrative officers, and the Board chair. The Chancellor should be recognized by the Board as a most important person who shares the responsibility for its education and its development as an effective organization. Participation by members of the Board is necessary. It is especially important for the Board's elected leaders (Chair and Vice Chair) to assume a visible role.

The orientation needs to make the important distinction between orientation to the institution and orientation to the new Board member's trusteeship, two objectives that require separate attention. Since the needs of each new trustee may vary, it is appropriate for the chief executive officer to inventory the personal and professional interests and experiences of each incoming Board member to permit tailoring the program accordingly.

Orientation to the Institution

New Board members will receive information and direction in the following areas:

- a walking tour of the Ocean campus and visits to the college centers.
- a review of key institutional data that mark trends that have occurred over the past few years (enrollment, budget, student achievement, accreditation status and recommendations, etc.).
- a brief description of the institution's distinctive history and development in conjunction with a review of the college organization, programs, budget and facilities.
- a list of trustees, names and titles of key administrators, faculty, staff and student leaders and a copy of the emergency telephone list.
- structure and operations of the Board of Trustees. All governing boards are not identical. New members need to know who is on the Board and how governance works at City College of San Francisco.
- the review structure of public higher education at the state level. Include a discussion of the role of the Chancellor's Office, Board of Governors, Community College League of California (CCLC), and the California Community College Trustee Association (CCCT).

- the review processes for decision-making, consultation with college constituent groups and the college committee structure.
- opportunities for the new trustee to ask questions on the administrative organization; academic organization, programs and priorities; budget and state support background; physical plant priorities, both construction and maintenance; current issues facing the college and/or the Board of Trustees and highlight objectives from the college's planning process.
- the concept of consultation in a collegiate setting as required by the Legislature and the Board of Governors, and its implementation at City College. Include the role and membership of the Governance Council, Academic Senate, Faculty unions, Classified unions, and Associated Student Council.
- a hard copy and a link to the Board Policy Manual and minutes of recent Board meetings. Discuss the manner in which the Board solicits public participation and responds to complaints and questions.
- opportunities to meet informally with faculty, staff, students, administrators and fellow trustees. Ensure new Board members are introduced to the current leadership of all campus organizations.
- guidance to distinguish between the role of the Board as an organization and the role of an individual trustee.
- reading that might be used in discussions such as: Trustee Responsibilities by John W. Nason (AGB Publication #1), A Guide for New Trustees by Nancy R. Axelrod (AGB Publication #2) and Trusteeship in Community Colleges by Cindra Smith, (ACCT)
- local, state, and/or national meetings for trustees. A good experience would include attendance at the CCLC Trustee Orientation Workshop held in January/February in conjunction with the annual Legislative Conference.
- the laws, including the Brown Act, that apply to governing boards in California. In particular, review Education Code section 70902, Board of Trustees; Governing Board Responsibilities and Function, The Board Meeting--Brown Act Rules, published by the California School Boards Association, and Chapter One of the San Francisco Community College District Board Policy Manual which outlines the role of the Board of Trustees of the District.

New Student Trustees

1. The newly elected student trustee shall, within two weeks of being elected, make arrangements to meet with the out-going student trustee, the ~~student activities director~~student life and leadership managers, the Chancellor and a trustee mentor ~~assigned by the President of the Board of Trustees (if selected)~~.
2. The outgoing student trustee shall be responsible for ~~the handing over of the CCLC Student Trustee Handbook,~~ updating the new student trustee on any outstanding business, and giving an overview of the role of the student trustee.
3. The ~~Student Activities Director~~student life and leadership managers shall be in charge of

Commented [KC11]: From Associated Students: change to "the manager responsible for student life and leadership"

Commented [KC12R11]: See also AP. Need to change language there too. This will take place via separate review.

Commented [KC13]: From Associated Students: remove reference to the handbook (particularly since this document changes)

Commented [KC14]: From Associated Students: change to "the manager responsible for student life and leadership"

communication training and parliamentary procedures.

4. The Chancellor or designee will give an overview of the college mission, familiarizing the student trustee with administrative policies and procedures, understanding the board structure, general operational principles of the board as well as the student trustee's rights, responsibilities and privileges.
5. The student trustee should attend the Community College League of California student trustee orientation or a similar activity.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: DELEGATION OF AUTHORITY TO THE CHANCELLOR	Number: BP 1.37
Legal Authority References: California Education Code Sections 70902(d) and 72400 Public Contract Code 20654 ACCJC Accreditation Standard 4.5 IV.B.1.J AND IV.B.2	Related to CCLC BP 2430

The Board delegates to the Chancellor the executive responsibility for administering the 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 them by the Board including the administration of functions of the college, 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 there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board, in a timely manner, of such action and to recommend written Board policy if one is required.

The Chancellor is expected to perform the duties contained in the Chancellor 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 Chancellor.

The Chancellor is authorized to settle lawsuits, claims, complaints and other actions up to a maximum value of \$50,000. The Chancellor shall report settlements to the Board of Trustees.

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in a timely~~in timely~~ fashion.

In an emergency, to avoid danger to life or property, or to permit the continuance of existing college classes, the Board delegates to the Chancellor the authority to approve items normally approved by the Board as long as the items do not require Board approval under state law or regulations. In the event Board approval is required, the Chancellor shall call for an immediate emergency meeting of the Board.

The Chancellor shall act as the professional advisor to the Board in policy.

The Chancellor shall issue an administrative procedure delegating authority to their staff.

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT
POLICY MANUAL

Title: CHANCELLOR SELECTION	Number: BP 1.38
Legal Authority References: Title 5, California Code of Regulations, Sections 53000 et seq.; WASC/ACCJC 2014 Accreditation Standards 4.5 IV.B. and IV.C.3	Related to CCLC BP 2431

The Board is responsible for the recruitment and selection of the Chancellor. [The Board may, at its discretion, engage internal and/or external individuals or organizations to assist in facilitating this process.](#)

In the event of a Chancellor vacancy, the Board shall act in accordance with the applicable provisions of the Education Code, Title 5 of the California Code of Regulations, and the relevant Human Resources guidelines.

The Board of Trustees reserves the right to modify the procedures for a specific Chancellor selection by Action of the Board.