

MEETINGS OF THE GOVERNING BOARD

A quorum necessary for the transaction of business at any meeting of the Governing Board shall consist of three members (majority) of the Governing Board. The Rules and Regulations of the Governing Board shall govern the procedural conduct of meetings. Otherwise, *Robert's Rules of Order* shall apply to determine the rules for the orderly conduct of meetings.

I. TYPES OF MEETINGS

- A. Regular meetings of the Governing Board shall be open to the public, be accessible to persons with disabilities, and be held at the District Office or at a college of the District as regularly scheduled in accordance with Government Code Sections 54950 et seq. (Brown Act). A notice identifying the location, date and time of each regular meeting of the Governing Board shall be posted in each community college of the District at least 10 days prior to the meeting and shall remain posted until the day and time of the meeting.
- B. Special meetings may be called by the President or by a majority of the members of the Governing Board. Notice of such meetings shall be posted at least 24 hours before the time of the meeting and delivered to the local news media requesting such notice. No business other than that indicated in the notice may be transacted or discussed.
- C. Emergency meetings may be called by the President of the Governing Board when prompt action is needed because of actual or threatened disruption of public facilities under such circumstances as are permitted by the Brown Act, including work stoppage, crippling disasters, and other activity that severely impairs public health or safety. No closed session shall be conducted during an emergency meeting, except as provided for in the Brown Act to discuss a dire emergency. Notice of such an emergency meeting will be provided to the local news media as required by law.
- D. Meetings Adjourned to Another Time: Any regular or special meeting may be adjourned to a later time or date by majority of the votes cast, provided a specific future meeting time to reconvene is set for such an adjourned meeting in accordance with the Brown Act. When no quorum appears for a regular or special meeting, by mutual agreement of Governing Board members present or the Acting Secretary, if no Governing Board members are present, a specific time may be set for an adjourned meeting. At such adjourned meetings all business may be regularly transacted which would have been proper at the meeting from which adjournment is taken, all in accordance with the Brown Act.

Government Code Sections 54955, 54956, 59956.5
Education Code Section 72000(d)(1)

II. AGENDAS

Under the direction of the Governing Board, the agenda is prepared by the Chancellor. The Board agenda is comprised of the Table of Contents (brief description of the closed and public sessions) and the individual Board reports.

- A. The Chancellor shall submit an agenda, which includes reports and recommendations, to each member of the Governing Board at least 72 hours in advance.

- B. Whenever it is necessary to submit any report or recommendation to the Governing Board after the regular meeting agenda has been posted, said report or recommendation shall be made available to the public at the time the writing is submitted to the Governing Board members. The document in question shall clearly indicate that it has been added to the Governing Board packet after the 72-hour agenda deadline.
- C. Three working days (72 hours) before each regular meeting of the Governing Board the official agenda shall be posted in a conspicuous place at the District Office, in the administration offices of each college, and on the District website; for special meetings, 24 hours.
- D. The agenda for each regular or special meeting shall contain information regarding whether a closed session will be held and shall identify the topics to be discussed in any closed session in the manner required by law.
- E. The order of business may be changed by general consent of the Governing Board.
- F. No business may be acted on or discussed which is not on the agenda, except when one or more of the following apply:
- a majority decides there is an “emergency situation” as defined for emergency meetings;
 - two-thirds of the members present (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 Governing Board subsequent to the agenda being posted; and/or
 - an item appeared on the agenda of and was continued from a meeting held not more than five calendar days earlier.
- G. Public Right to Place Matters on Agenda
Members of the public may place matters directly relating to community college District business on the agenda of District Governing Board meetings, and members of the public may address the Governing Board regarding items on the agenda as such items are taken up. Persons seeking to place items on the agenda must submit a written description of the item to the Chancellor. Speakers must adhere to the subject provided in writing. The request to be placed on the agenda must be in accordance with deadlines set by the Chancellor’s Office for preparation of agenda materials. If the District has an existing internal procedure to address the subject matter of the agenda item, that internal procedure must be followed prior to placing the item on the agenda of the Governing Board. Once any internal procedure process has been completed, the Chancellor will schedule the item on the next regular meeting agenda, if possible, but not later than forty-five (45) working days after the date the request is submitted.

Members of the public submitting items on the agenda will be allotted five (5) minutes to address the Governing Board on the item. After the item has been placed on the agenda and considered by the Governing Board at a regular or special meeting, it will not be placed on the agenda again for ninety (90) days unless the Governing Board continues the matter for further discussion and/or action.

III. CLOSED SESSION

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

- A. Matters discussed in closed session may include:
1. the appointment, employment, evaluation of performance, discipline or dismissal of a public employee;
 2. change in complaints brought against public employees by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. (The employee shall be given at least 24 hours written notice of the closed session.);
 3. advice of counsel on pending litigation, as defined by law;
 4. consideration of tort liability claims as part of the District's membership in any joint powers agency formed for purposes of insurance pooling;
 5. real property transactions;
 6. threats to public security;
 7. review of the District's position regarding labor negotiations and giving instructions to the District's designated negotiator;
 8. discussion of student disciplinary action, with final action taken in public;
 9. conferring of honorary degrees;
 10. consideration of gifts from a donor who wishes to remain anonymous; and
 11. consideration of its response to a confidential final draft audit report from the Bureau of State Audits.
- B. After any closed session, the Governing Board shall reconvene in open (public) session before adjourning and shall announce any actions taken in closed session and the vote or abstention of every member present.
- C. All matters discussed or disclosed during a lawfully held closed session and all notes, minutes, records or recordings made of such a closed session are confidential and shall remain confidential unless and until required to be disclosed by action of the Governing Board or by law.
- D. If any person requests an opportunity to present complaints to the Governing Board about a specific employee, such complaints shall first be presented to the Chancellor. Notice shall be given to the employee against whom the charges or complaints are directed.

If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Governing Board. The employee shall be given at least 24 hours written notice of the closed session, and shall be given the opportunity to request that the complaints be heard in an open meeting of the Governing Board.

Education Code Section 72122

Government Code Sections 54956.75, 54956.8; 54956.9; 54956.95; 544957; 544957.6

IV. MINUTES

- A. A record of all transactions of the Governing Board shall be recorded and kept on file in the District Office as the permanent official record of the District. The minutes shall, at a minimum, be open to inspection by the public during regular office hours. For convenience, the District will make every effort to provide the Governing Board agendas, minutes, policies and procedures on the web site.
- B. The action of the Governing Board shall be recorded in accordance with Section 72121(a) of the Education Code. A member's position on an issue or vote may be entered in the record upon the request of the member. Governing Board members' comments should be recorded immediately after the result of the vote has been announced by the President and before the introduction of a new question or issue.

V. VOTING

- A. The Governing Board shall act by majority vote of all of the membership constituting the Governing Board, except as otherwise required by law. Most procedural motions require a majority of the votes cast in order to pass, except as otherwise provided by *Robert's Rules of Order*. In the event of a tie vote, the motion at issue shall lose. No action shall be taken by secret ballot. The Governing Board will publicly report any action taken in open session and record the vote or abstention of each individual member present.

Education Code Section 72000(d)(3)

- B. The following actions require a two-thirds majority of all members of the Governing Board:
- resolution of intention to sell or lease real property (except where a unanimous vote is required);
 - resolution of intention to dedicate or convey an easement;
 - resolution authorizing and directing the execution and delivery of a deed;
 - action to declare the District exempt from the approval requirements of a planning commission or other local land use body;
 - appropriation of funds from an undistributed reserve; and
 - resolution to condemn real property.
- C. The following actions require a unanimous vote of all members of the Governing Board:
- resolution authorizing a sale or lease of District real property to the state, any county, city, or to any other school or community college district; and
 - resolution authorizing lease of District property under a lease for the production of gas.

Education Code Sections 81310 and following, 81365, 81511, 81432
Government Code Sections 53094, 54950, and following
Code of Civil Procedure, Section 1245.240

VI. SUSPENSION OF THE RULES FOR CONDUCT OF MEETINGS OF THE GOVERNING BOARD

The rules for the conduct of meetings of the Governing Board expressed in the Policy as supplemented by *Robert's Rules of Order* may be subscribed for any meeting of the Governing Board by an affirmative vote of all members present. Requirements, based on the Education Code and the Government Code, or other statute, may not be suspended for this manner.

This Policy may be amended at any regular meeting, or any special meeting, when properly placed on the agenda and approved by three affirmative votes.

Rules 29-30 of Rules and Regulations of the Governing Board