



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

DISTRICT GOVERNANCE COUNCIL

August 16, 2017

3:00 p.m. – Room 245

AGENDA

- *1.0 Review Minutes of July 19, 2017
- *2.0 Review of Board Agenda for August 24, 2017
- 3.0 Additional Agenda Items
- 4.0 State Budget Update Carroll
- *5.0 Review of Revisions to Board Policies Lamb
& Procedures – Chapters 1 and 2
- *6.0 Districtwide Strategic Plan 2017-2021 Bulger
- 7.0 Roundtable

*Attachments

Next DGC MEETING scheduled: Wednesday, September 6, 2017 – 3:00 p.m.
District Office – Room 245

Visitors and observers are welcome. The District Governance Council (DGC) follows an open process and conducts open meetings. However, because of limited space, we ask that visitors sit in the extra chairs provided against the walls to leave room available at the table for voting DGC members. Your help is appreciated.



Board Policies

Chapter 1 – The District Chapter 2 - Board of Trustees

The following **new** Board Policies are being put forth for **adoption** as part of the Board's ongoing 6-year comprehensive review of all Board policies and procedures:

BP 1100 The San Diego Community College District (legally required policy)

BP 2750 Board Member Absence from the State (legally advised policy)

The following Chapter 2 Board Policies are being put forth for **revision** as part of the Board's ongoing 6-year comprehensive review of all Board policies and procedures:

BP 2340 Agendas (change to reflect updated Brown Act requirements regarding website posting)

BP 2350 Speakers (change to reflect updated requirements regarding use of translators)

BP 2355 Decorum (minor changes for consistency and to update references)

BP 2720 Communications Among Board Members (minor changes for consistency and to add legally required language)

NOTE for all following documents: The **red ink** signifies language that is **legally required** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The language in **black ink** is from current adopted board policies. The language in **blue ink** is included for consideration.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Board Policy

Chapter 1 – The District

BP 1100 – THE SAN DIEGO COMMUNITY COLLEGE DISTRICT

The District has been named the San Diego Community College District.

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

The District consists of the following college and/or education center(s):

- **San Diego City College**
1313 Park Boulevard, San Diego, CA 92101
- **San Diego Mesa College**
7250 Mesa College Drive, San Diego, CA 92111
- **San Diego Miramar College**
10440 Black Mountain Road, San Diego, CA 92126
- **San Diego Continuing Education Campuses**
 - **César E. Chávez Campus**
1901 Main Street, San Diego, CA 92113
 - **Educational Cultural Complex**
4343 Ocean View Boulevard, San Diego, CA 92113
 - **Mid-City Campus**
3792 Fairmount Avenue, San Diego, CA 92105
 - **North City Campus**
8355 Aero Drive, San Diego, CA 92123
 - **San Diego Continuing Education at Mesa College**
7350 Armstrong Place, San Diego, CA 92111
 - **San Diego Continuing Education at Miramar College**
10440 Black Mountain Road, San Diego, CA 92126

- [West City Campus](#)
[3249 Fordham Street, San Diego, CA 92110](#)

Reference: [Education Code Section 72000\(b\)](#),
[Elections Code Section 18304](#)

Adopted:

(This is a new policy)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Board Policy

Chapter 2 – Board of Trustees

BP 2750 – BOARD MEMBER ABSENCE FROM THE STATE

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

- Upon business of the District with the approval of the Board of Trustees.
- With the consent of the Board of Trustees 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 of Trustees.
- 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 of Trustees 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 of Trustees may appoint an interim member to serve in the member's absence. If two or more members of the Board of Trustees 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 of Trustees to conduct business and discharge its responsibilities.
- The term of an interim member of the Board of Trustees 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.

Reference: Government Code Section 1064

Adopted:

(This is a new policy)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Board Policy

Chapter 2 – Board of Trustees

BP 2340 – AGENDAS

An agenda shall be posted adjacent to the place of meeting as well as on the District's Internet website at least 72 hours prior to the meeting time for regular meetings. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

No business may be acted on or discussed which is not on the agenda, except when one or more of the following apply:

- a majority decides there is an “emergency situation” as defined for emergency meetings;
- two-thirds of the members (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to the attention of the Board of Trustees subsequent to the agenda being posted;
- an item appeared on the agenda of and was continued from a meeting held not more than five days earlier.

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

The Chancellor shall establish administrative procedures that provide for public access to agenda information and reasonable annual fees for the service.

Any Board member may put items on the agenda pertinent to the educational jurisdiction of this District. Members of the Board of Trustees who desire to introduce an item for immediate action at the public Board meeting at which that item is first considered should file such item for inclusion on the agenda with the Office of the Chancellor five working days preceding the next Board Meeting for agenda items that do not require any preparation and seven working days preceding for agenda items that require review and preparation.

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

Agendas shall be developed by the Chancellor in consultation with the Board President.

Agenda items submitted by members of the public must be received by the Office of the Chancellor ten working days prior to the regularly scheduled Board meeting.

Agenda items initiated by members of the public shall be placed on the Board's agenda following the items of business initiated by the Board and by staff. Any agenda item submitted by a member of the public and heard at a public meeting cannot be resubmitted before the expiration of a 90-day period following the initial submission.

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

Adopted: 12/14/06

Revised: 5/11/17, _____

(Replaces current SDCCD BP 2340)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Board Policy

Chapter 2 – Board of Trustees

BP 2350 – SPEAKERS

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

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

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

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

- The President of the Board may rule members of the public out of order if their remarks do not pertain to matters that are within the subject matter jurisdiction of the Board of Trustees or if their remarks are unduly repetitive.
- Non-scheduled substitutes may not speak in place of scheduled speakers unless alternates have been submitted on the original request.
- Employees who are members of a bargaining unit represented by an exclusive bargaining agent may address the Board of Trustees under this policy, but may not attempt to negotiate terms and conditions of their employment. This policy does not prohibit any employee from addressing a collective bargaining proposal pursuant to the public notice requirements of Government Code Section 3547 and the policies of this Board implementing that section.
- [Speakers wishing to address the Board](#) shall complete a written request to address the Board of Trustees at the beginning of the meeting at which they wish to speak. 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.
- No person may speak without being recognized by the President of the Board of Trustees.
- Each speaker will be allowed a maximum of five minutes per topic. Twenty minutes shall be the maximum time allotment for public speakers on any one subject regardless of the number of speakers at any one Board meeting. At the discretion of a majority of the Board of Trustees, these time limits may be extended.
- [A member of the public who utilizes a translator may have twice the allotted time, to ensure that non-English speakers receive the same opportunity to directly address the Board of Trustees.](#)
- Each speaker coming before the Board of Trustees is limited to one presentation per specific agenda item before the Board, and to one presentation per meeting on non-agenda matters.

Reference: Education Code Section 72121.5;
Government Code Sections 3547 and 54950 et seq.

Adopted: 12/14/06

Revised: 5/11/17, _____

(Replaces current SDCCD BP 2350)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Board Policy

Chapter 2 – Board of Trustees

BP 2355 – DECORUM

The rules of parliamentary law embraced in Robert's RULES OF ORDER (revised) shall serve as a guide in public meetings of the Board of Trustees in all cases in which such rules are not inconsistent with these policies of the Board.

The presiding officer is authorized to order a meeting of the Board of Trustees adjourned at any time if the legislative decorum of the meeting is disrupted by members of the audience and the audience does not observe a request by the presiding officer for restoration of order.

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

- Remarks or discussion in public meetings on charges or complaints which the Board [of Trustees](#) has scheduled to consider in closed session.
- Profanity, obscenity, and other offensive language.
- Physical violence and/or threats of physical violence directed towards any person or property.

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person(s) may be removed [from the meeting room](#).

Speakers who engage in such conduct may be removed [from the podium](#) and denied the opportunity to speak to the Board [of Trustees](#) 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. If the behavior continues, the person(s) may be removed by a vote of the Board [of Trustees](#), based on a finding that the person is violating this policy, and that such activity is intentional 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 interrupting the meeting, the Board [of Trustees](#) may order the meeting room cleared and may continue in session. The Board [of Trustees](#) 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.

Reference: Education Code Section 72121.5;
Government Code Section 54954.3 (b)

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

Adopted: 12/14/2006

~~SDCCD- former policy 1001.13~~

Adopted: 12/14/06

Revised:

(Replaces current SDCCD BP 2355)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Board Policy

Chapter 2 – Board of Trustees

BP 2720 – COMMUNICATIONS AMONG BOARD MEMBERS

The Board of Trustees may take action on matters properly before it only in public at a regular, special, or emergency meeting, except in those instances where action is permitted by law in ~~C~~losed ~~S~~ession. The authority of the Board [of Trustees](#) may be exercised only as a Board and only at such meetings or ~~C~~losed ~~S~~essions as are duly and legally constituted. Individual members acting in their individual capacities have no authority to commit the Board [of Trustees](#) or Chancellor to any policy determination or course of action.

Members of the Board [of Trustees](#) shall not communicate among themselves by the use of any form of communication (e.g., personal intermediaries, e-mail, or other technological device) in order to reach a collective concurrence regarding any item that is within the subject matter jurisdiction of the Board [of Trustees](#). In addition, Board Members may not use a series of communications by any means or through any person to discuss, deliberate, or take action on any item of business within the subject matter jurisdiction of the Board.

Reference: Government Code Section 54952.2

~~Government Code Section 54952.2~~

~~Adopted: 12/14/2006~~

~~SDCCD – former policy 1001.10~~

Adopted: 12/14/06

Revised:

(Replaces current SDCCD BP 2720)



Administrative Procedures

Chapter 2 - Board of Trustees

The following **new** Administrative Procedures are being put forth for **approval** as part of the Board's ongoing 6-year comprehensive review of all Board policies and procedures:

AP 2110 Vacancies on the Board (legally required language regarding the filling of vacancies)

AP 2320 Special and Emergency Meetings (legally required language regarding the calling of Special and Emergency meetings)

AP 2340 Agendas (legally advised procedure details agenda development and posting in accordance with Brown Act requirements)

AP 2345 Public Participation at Board Meetings (legally advised language regarding public speakers)

AP 2360 Minutes (suggested procedure to reflect local practice)

AP 2365 Recording (legally advised procedure to reflect local practice regarding maintenance of recordings in accordance with the California Public Records Act)

AP 2610 Presentation of Initial Collective Bargaining Proposals (legally required language as detailed in Government Code Section 3547)

AP 2710 Conflict of Interest (legally required language detailing Board member and employee conflicts of interest)

AP 2735 Board Member Travel (suggested procedure to address process for approval and payment for Board Member Travel)

NOTE for all following documents: The **red ink** signifies language that is **legally required** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The language in **black ink** is from current adopted board policies. The language in **blue ink** is included for consideration.



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Administrative Procedure

Chapter 2 – Board of Trustees

AP 2110 – VACANCIES ON THE BOARD

Filling a Vacancy

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

The posted notice of vacancy shall include directions regarding applications or nominations of legally qualified candidates. Persons applying or nominated must meet the qualifications required by law for members of the Board.

Applying for an Appointment

Persons applying for appointment to the Board shall receive a letter from the Chancellor containing information about the District and the Board, and including a candidate information sheet to be completed and returned by a specific date.

Interviewing and Selecting Candidates

The Board may request personal interviews with candidates. Interviews will be conducted in a public hearing scheduled for that purpose.

Each Board member will review all candidate information sheets, with final selection made by a majority vote of the Board members at a public meeting called for that purpose.

Whenever a provisional appointment is made, the Board shall, within ten days of the provisional appointment, post notices of both the actual vacancy or the filing of a deferred resignation and the provisional appointment in three public places in the District. It shall also publish a notice in a newspaper of general circulation.

The notice shall state the fact of the vacancy or resignation and the date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation. It shall also contain the full name of the provisional appointee to the Board, the date of appointment, and a statement that unless a petition calling for a special election, containing a sufficient number of signatures, is filed in the Office of County Superintendent of Schools within 30 days of the date of the provisional appointment, it shall become an effective appointment.

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

Term and Powers of Office

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

Reference: Education Code Sections 5090 et seq.;
Government Code Sections 1770 and 6061

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Administrative Procedure

Chapter 2 – Board of Trustees

AP 2320 – SPECIAL AND EMERGENCY MEETINGS

Special Meetings

Whenever a special meeting of the Board of Trustees is called, the Chancellor shall cause the call and notice to be posted at least 24 hours prior to the meeting in a location freely accessible to the public. The Chancellor shall also ensure that the following notices of the meeting are delivered either personally or by other means:

- Written notice to each member of the Board, including the student members.
- Written notice to each local newspaper of general circulation, and each radio or television station that has previously requested in writing to be provided notice of special meetings.

The written notice must be received at least 24 hours before the time of the meeting as set out in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. The notice may be waived by members of the Board in writing either prior to or at the time of the meeting.

Emergency Meetings

Whenever an emergency meeting of the Board is called, the Chancellor shall cause notice to be provided by telephone at least one hour prior to the meeting to each local newspaper of general circulation and each radio or television station that has requested notice of special meetings. If telephone services are not functioning, the Chancellor shall provide the newspapers, radio stations, and television stations with information regarding the purpose of the meeting and any action taken at the meeting as soon after the meeting as possible.

Reference: Education Code Sections 72023.5 and 72129;
Government Code Sections 54956 and 54956.5

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Administrative Procedure

Chapter 2 – Board of Trustees

AP 2340 – AGENDAS

1) **NOTICING** - The agenda for each regular Board meeting will be posted in the outdoor entryway of the Charles W. Patrick Building District Office, located at 3375 Camino del Rio South San Diego CA 92108, at least 72 hours prior to each regular meeting of the Board and at least 24 hours prior to each special meeting. Copies of the agenda shall be available in the Chancellor's Office during regular office hours prior to the Board meeting and the agenda shall be posted on the District's website.

The agenda is the official document under which District business is transacted.

2) **OFFICIAL BOARD ACTIONS** - The Board may take official action only on items listed on the Board meeting agenda, except in the case of an emergency situation. An emergency situation shall exist if in the judgment of the Chancellor immediate action is required to protect the health, safety, and/or welfare of the college, its students, employees, or property.

3) **AGENDA DEVELOPMENT** - The initiator prepares a proposed agenda item using the District's BoardDocs website, attaching electronic versions of all necessary backup documentation. Items are submitted via the appropriate approval tree, as determined by the responsible Cabinet member.

Upon endorsement by the Cabinet member by the published deadline, the item is forwarded to the Chancellor's Office for review. If there are personnel or fiscal implications, the item is forwarded to the Chief Human Resources Officer and/or the Chief Business Officer. Following review/editing of fiscal implications, proposed agenda items are returned to the Chancellor's Office. The Chancellor's Office staff proofreads and edits agenda items to ensure consistency and forwards to the Chancellor for approval.

The list of agenda items to be considered at the Board meeting is posted outside the second floor of the Charles W. Patrick Building District Office, located at 3375 Camino del Rio South San Diego CA 92108. Members of the public and of the District community can view Board agendas on the District's website. Notice is sent via email to the major District distribution lists, as well as those requesting written notice in accordance with the Ralph M. Brown Act.

The public can receive copies of the agenda through the Chancellor's Office at the standard District charge for photocopies. Any individual can print the agenda from the website at no charge.

The agenda shall be posted in these locations at least 72 hours prior to the meeting time for regular meetings and at least 24 hours prior to the meeting time for special meetings. If

requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to disabled persons.

The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.

No fees shall be charged to the public for such access.

4) **RECEIPT OF AGENDA** - The Board shall receive an agenda for a regular meeting from the Chancellor's Office at least four days in advance of the date it is to be considered by the Board. Any supportive or documentary evidence or information pertinent to the agenda items shall be enclosed with the agenda.

5) **FUTURE AGENDA ITEMS** - At the request of any Board Member, the Board President shall include specific items on a future agenda (next meeting unless otherwise requested) for discussion or action.

6) **AGENDA ITEMS FROM PUBLIC** - Members of the public may place items on the agenda. Items requested to be placed on the agenda must relate directly to District business. The determination of whether or not items to be placed on the agenda by members of the public relate directly to District business is to be made by the Chancellor or his/her designee.

Acceptance of an item for inclusion on the agenda does not confer upon the requestor the right to direct or require preparatory staff study, analysis, research, or review of material related to the item.

Any item placed on the agenda by a member of the public is subject to all policies and procedures regulating the conduct of Board business.

Reference: Education Code Section 72121

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Administrative Procedure

Chapter 2 – Board of Trustees

AP 2345 – PUBLIC PARTICIPATION AT BOARD MEETINGS

In accordance with Education Code Section 72121.5, members of the public are invited to participate in the governance system of the District by utilizing the Public Comment section of the Board meeting agenda.

Public comment on items listed on the Board meeting agenda shall be heard at the time the item is discussed and prior to Board action on the item.

Public comment on matters not listed on the Board meeting agenda may do so during the Public Comments section of the Board meeting for Regular Board meetings only; for Special Meetings and Retreats, comments are only allowed for items on the posted agenda. In accordance with Education Code Section 72121.5, the Board shall take no action on such matters, other than an action of referral.

Public comments shall be limited to five minutes (a total of twenty minutes on the same subject) unless this time limit is waived by action of the Board. A member of the public who utilizes a translator may have twice the allotted time, to ensure that non-English speakers receive the same opportunity to directly address the Board of Trustees.

Reference: [Education Code Section 72121.5;](#)
[Government Code Section 54954.2](#)

Date Approved:
(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2360 – MINUTES

Minutes of official Board of Trustees meetings are taken by the Chancellor's Office staff. Regular, special, emergency, and adjourned meetings are official meetings. Actions taken in closed session are reported at the following official meeting and become part of the minutes of that meeting. Study sessions are informational meetings, and minutes are not kept.

Minutes of open meetings shall contain, at minimum, the following information:

- Meeting details, such as date, time, location and meeting type;
- Accounting of Board members present and absent;
- The nature of all motions, including the names of Board members making and seconding such motions, and disposition;
- Name and subject of public speakers; and
- Time of adjournment.

Non-action items shall be recorded in the minutes by stating the name of the speaker and the general topic.

The minutes may also include a brief summary of verbal reports of Board members, administrators, and senate representatives.

Following Board approval, minutes can be accessed by college staff and the public on the District's website or by contacting the Chancellor's Office.

Reference: [Education Code Section 72121\(a\)](#)

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Administrative Procedure

Chapter 2 – Board of Trustees

AP 2365 – RECORDING

The Chancellor's Office is responsible for maintaining audio recordings of Board Meetings, excluding closed sessions. The audio recordings of meetings are available to the public in accordance with the California Public Records Act, Government Code Section 6250, and may be erased or destroyed no sooner than 30 days after the taping or recording. Any inspection of a video or audio recording shall be provided without charge on a video or audio player made available by the District.

Reference: [Government Code Sections 54953.5 and 54953.6](#)

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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Administrative Procedure

Chapter 2 – Board of Trustees

AP 2610 – PRESENTATION OF INITIAL COLLECTIVE BARGAINING PROPOSALS

Whenever an initial collective bargaining proposal is received from an exclusive representative of District employees, or whenever the District's own negotiator presents an initial proposal, the following actions must be taken at public meetings of the Board of Trustees:

- The exclusive representative or the District must present the initial collective bargaining proposal orally or in writing to the Board at a public meeting.
- The public shall have an opportunity to respond to the exclusive representative's or District's initial proposal at a subsequent public Board meeting. The opportunity for public response shall appear on the Board's regular agenda. Public response shall be taken in accordance with the Board's policies regarding speakers.
- After the public has an opportunity to respond to an initial proposal presented by the District, the Board shall, at the same meeting or a subsequent meeting, adopt the District's initial proposal. The adoption shall be indicated as a separate action item on the Board agenda. There shall be no amendment of the District's initial proposal unless the public is again afforded a reasonable opportunity to respond to the proposed amendment at a public meeting.
- If new subjects of meeting and negotiating arise after the presentation of initial proposals, the following procedure shall be followed: all new subjects of meeting and negotiating, whether proposed by the exclusive representative or the District, shall be posted by the District in the same public place as it posts its agendas within 24 hours after their presentation in negotiations.
- When a request to reopen a collective bargaining agreement, as required by the agreement, is received from an exclusive representative or is made by the District, the public notice procedure outlined in this procedure shall be followed.
- When the District and the exclusive representative agree to amend an executed collective bargaining agreement in accordance with the agreement, the following procedure shall be followed:
 - The amendment shall appear on the agenda as a notice item, for action at a subsequent Board meeting.

The public shall have an opportunity to respond to the amendment at a subsequent Board meeting. The public response shall be indicated on the agenda.

Reference: Government Code Section 3547

Date Approved:

(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2710 – CONFLICT OF INTEREST

Incompatible Activities (Government Code Sections 1099 and 1126)

Board members and employees shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the District. A Board member shall not simultaneously hold two public offices that are incompatible. When two offices are incompatible, a Board member shall be deemed to have forfeited the first office upon acceding to the second.

Financial Interest (Government Code Sections 1090 et seq.)

Board members and employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as members of the Board or as employees.

A Board member shall not be considered to be financially interested in a contract if his/her interest meets the definitions contained in applicable law (Government Code Section 1091.5).

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other member of the Board to enter into the contract. Remote interests are specified in Government Code Section 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child.

No Employment Allowed (Education Code Section 72103(b))

An employee of the District may not be sworn in as an elected or appointed member of the Board of Trustees unless and until he/she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. This provision does not apply to an individual who is usually employed in an occupation other than teaching and who also is, at the time of election to the Board, employed part time by the District to teach no more than one course per semester or quarter in the subject matter of that individual's occupation (Education Code Section 72103(b)).

Financial Interest in a Decision (Government Code Sections 87100 et seq.)

If a Board member or employee determines that he/she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of an employee, this announcement shall be made in writing and submitted to the Board. A Board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter.

- Publicly identify the financial interest in detail sufficient to be understood by the public;
- Recuse himself/herself from discussing and voting on the matter;
- Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A Board member may, however, discuss the issue during the time the general public speaks on the issue.

Gifts (Government Code Section 89503)

Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays, and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.

A gift of travel does not include travel provided by the District for Board members and designated employees.

Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501 and 89502).

Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. The term "honorarium" does not include:

- Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade, or profession is making speeches.
- Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction from income tax purposes.

Representation (Government Code Section 87406.3)

Elected officials and the Chancellor shall not, for a period of one-year after leaving their position, act as an agent or attorney for, or otherwise represent for compensation, any person appearing before that local government agency.

Reference: Education Code Section 72103(b);
Government Code Sections 1090 et seq., 1099, 1126, 87100 et seq., 87105,
87200-87210, 87406.3, 89501, 89502, 89503, and 89506;
Title 2 Sections 18700 et seq.

Date Approved:
(This is a new procedure)



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 2 – Board of Trustees

AP 2735 – BOARD MEMBER TRAVEL

Board members are required to comply with board policies and administrative procedures established for District employees, including completion of travel and conference request forms. On request, the Chancellor's Office staff will assist Board members with travel arrangements and the completion of appropriate forms.

Also see BP/AP 7400 Employee Travel

Reference: [Education Code Section 72423](#)

Date Approved:

(This is a new procedure)