ORDER OF BUSINESS - REGULAR MEETING
Wednesday, December 19, 2012
First Public Session 2:00 p.m.
Closed Session
(Immediately Following Adjournment of Capital Construction Committee)

Educational Services Center
Board Room – First Floor
770 Wilshire Blvd.
Los Angeles, CA 90017

I. Roll Call (2:00 p.m.)

II. Flag Salute

III. Reports from Representatives of Employee Organizations at the Resource Table

IV. Public Agenda Requests
   1. Oral Presentations
   2. Proposed Actions

V. Reports and Recommendations from the Board
   • Reports of Standing and Special Committees
     BT1. Amend Chapter X, Article VII of the Board Rules

VI. Reports from the Chancellor
   • Reports from the Chancellor regarding District activities or pending issues
     o Presentation on: Pathways to Success for Students with Disabilities at Los Angeles City College (Dr. Randy Anderson)

VII. Consent Calendar
   Matters Requiring a Majority Vote
   BF1. 2012-2013 Budget Adjustments
   BF2. Receipt of Annual Audit
   BF3. Receipt of General Obligation Bond Financial Audit
   BF4. Amend Chapter VII, Article V, Board Rule 7503.10 – Mileage Reimbursement Rates

   Matters Requiring a Super Majority Vote - None

VIII. Recommendations from the Chancellor - None

IX. Recess to Capital Construction Committee
   A. Roll Call
   B. Public Speakers
   C. Presentations/Initiative Reviews
      • Proposed LEED™ and Parking Structure Projects – Presentation and Approval
        o Los Angeles Valley College – Monarch Center, Design-Build, $30.4 Million, LEED™ Silver
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D. New Business
E. Adjourn Capital Construction Committee

X. Reconvene Regular Meeting of the Board of Trustees

XI. Roll Call

XII. Requests to Address the Board of Trustees – Closed Session Agenda Matters
   Location: Board Room

XIII. Recess to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq., and the Education Code to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5. (Refer to Attachment “A” for Closed Session agenda). Location: Board Hearing Room

XIV. Reconvene Regular Meeting Location: Board Room

XV. Reports and Recommendations from the Board
   • Report on Actions Taken in Closed Session – December 19, 2012

XVI. Consent Calendar (continued)
   Matters Requiring a Majority Vote
   ISD1. Student Discipline – Expulsion

XVII. Notice Reports and Informatives
   BT/A. [Notice] Amend Chapter II, Article I of the Board Rules
   BT/B. [Notice] Amend Chapter II, Article II of the Board Rules
   BT/C. [Notice] Amend Chapter II, Article III of the Board Rules
   BT/D. [Notice] Amend Chapter II, Article IV of the Board Rules
   BT/E. [Notice] Amend Chapter III of the Board Rules
   BT/F. [Notice] Amend Chapter X, Article I of the Board Rules
   BT/G. [Notice] Amend Chapter XIV of the Board Rules
   BF/A. [Notice] Amend Chapter VII, Article V of the Board Rules
   BF/B. [Notice] Amend Chapter VII, Article VI of the Board Rules

XVIII. Announcements and Indications of Future Proposed Actions

XIX. Adjournment

***Next Regularly Scheduled Board Meeting***
Wednesday, January 16, 2013
(Public Session scheduled for 2:00 p.m.)
Los Angeles Harbor College
1111 Figueroa Place
Wilmington, CA 90744

In compliance with Government Code section 54957.5(b), documents made available to the Board after the posting of the agenda that relate to an upcoming public session item will be made available by posting on the District’s official bulletin board located in the lobby of the Educational Services Center located at 770 Wilshire Boulevard, Los Angeles, California 90017. Members of the public wishing to view the material will need to make their own parking arrangements at another location.

If requested, the agenda shall be made available in appropriate alternate formats to persons with a disability, as required by Section 202 of the American with Disabilities Act of 1990 (42 U.S.C. Section
12132), and the rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, for whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

To make such a request, please contact the Executive Secretary to the Board of Trustees at (213) 891-2044 no later than 12 p.m. (noon) on the Tuesday prior to the Board meeting.
CLOSED SESSION
Wednesday, December 19, 2012

Educational Services Center
Board Room – First Floor
770 Wilshire Boulevard
Los Angeles, CA 90017

I. Public Employee Evaluation
(pursuant to Government Code section 54957)
   A. Inspector General

II. Consideration of Student Discipline
(pursuant to Government Code section 54962 and Education Code section 72122)

III. Public Employee Discipline/Dismissal/Release/Charges/Complaints
(pursuant to Government Code section 54957)

IV. Conference with Legal Counsel - Existing Litigation
(pursuant to Government Code section 54956.9(a)
   A. Fernando Corletto v. LACCD
   B. Mathew Pugliese v. LACCD
   C. Fu-Gen v. LACCD, et. al.
   D. Taisei Construction Company v. LACCD (two cases)
   E. Saleem Abdul-Myhee v. LACCD
   F. Tammy Robinson v. LACCD
V. Discussion with Real Property Negotiator as may be announced prior to closed session
(pursuant to Government Code section 54956.8)

A. District Negotiators: Marvin Martinez and James O’Reilly
   Negotiation party: Los Angeles Unified School District
   Property: Harbor Teacher Preparation Academy at Los Angeles Harbor College
   Under negotiation: Price and terms of payment

VI. Conference with Legal Counsel - Anticipated Litigation
(pursuant to Government Code section 54956.9 (b))

A. Potential claim against a defaulted contractor and surety at Los Angeles Pierce College
Subject: AMEND CHAPTER X, ARTICLE VII OF THE BOARD RULES

The following motion is presented by Trustees Svonkin, Veres, and Santiago:

Amend Chapter X, Article VII of the Board Rules as follows:

10701. ATTENDANCE AT CONFERENCES – BOARD MEMBERS.
A. Members of the District governing board are authorized, subject to Board approval, to attend and be reimbursed for actual and necessary expenses for meetings or conferences related to public school education as follows:
   o Visits to educational institutions.
   o Meetings of the California Legislature, its committees, or with any members thereof.
   o Meetings of or with accreditation councils or committees.
   o Meetings of conferences of any society, association or organization which the Board has approved for membership.
   o Meetings with Federal, State or local government officials on matters of District business.
   o Meetings with officers or employees of other educational institutions.
   o Meetings to interview prospective employees.
   o Such other meetings on matters of District business as may be directed by the Board.

B. Travel Authorization and Budget
   1. Trustees Traveling for the District
      a. Authority to Act as Representative. Trustees traveling as a representative of the Board or the District must obtain advance, express authority from the Board, regardless of the funding source. Trustees traveling to attend an educational conference who are not acting in a representative capacity do not need to obtain advance authority.
      b. Authority to Incur Expenses. Trustees must obtain advance, express authority of the Board in order to be reimbursed for expenses by the District, except to visit colleges, college-sponsored events, or events sponsored by District or college auxiliary organizations; to attend District Board meetings or committee meetings; or to attend educational conferences.
      c. When the Chancellor requests the assistance of a Trustee to act as a representative of the Board, and advance approval is not possible due to the press of business, the Board may ratify both the representation and the expenses incurred.
2. Travel and Mileage Allowance
   a. For each fiscal year, the Trustees shall adopt a budget with allowances for
      mileage, hotel, conference fees and other related expenses for conducting
      District business. The allowances shall be stated in the following parts:
      i. Mileage reimbursement for attending District Board meetings and any
         District Board committee meeting ("Meeting Mileage");
      ii. Other local mileage for District business ("Local Mileage");
      iii. Conference expenses ("Conferences").
   b. The Trustees shall have equal amounts available for their respective
      allowances, except as follows:
      i. Additional budgetary resources may be allowed for the President of
         the Board or for a Trustee serving as an ongoing, designated
         representative of the Board in a local, state or national organization;
      ii. The Meeting Mileage allowance shall be increased as necessary for a
         Trustee to attend any and all District Board meetings or committee
         meetings of the Board.
   c. Except as provided within this rule, an individual Trustee shall not be
      entitled to reimbursement for expenses beyond the allocated Local
      Mileage and Conference allowances, unless another Trustee consents to
      the transfer of funds from his or her respective allowances to that
      Trustee's allowances.
   d. A Trustee may obtain permission to travel on behalf of the District at his or
      her own expense.
3. Travel on non-District Funds
   a. A Trustee may travel at the Trustee’s personal expense on his or her
      behalf.
   b. Trustees who travel on non-District funds shall have be responsible
      individually for appropriate reporting as required by the Conflict of Interest
      Code, or by other applicable laws, including but not limited to tax laws.
4. Activity Report
   a. Trustees who utilize their Conference allowance or travel as a District or
      Board representative shall provide a brief, written report regarding those
      activities in order to be reimbursed, or if advances were provided in
      keeping with District policies, within thirty (30) days after completion of
      the activity.

Background: The Finance and Audit Committee reviewed a proposed policy on Trustee travel and
mileage expenses. After deliberations regarding the draft during its meeting on November 7, 2012,
the Committee voted unanimously to recommend to the full Board the adoption of this policy.
Subject: **2012-2013 BUDGET ADJUSTMENTS**

In the General Fund, transfer $140,000 from the Contingency Reserve to account 100000 to provide additional funding to augment college budgets for the addition of four newly hired full-time faculty to meet the District's FON obligation as detailed in Attachment I.

(eBTA: D-0483)

Background: At the Final Budget for fiscal year 2012-2013 the District set aside $2.1 million to fund 60 new hire full-time instructors. As of November 13, 2012 the colleges hired 64 full-time instructors. This increase in the number of faculty hires requires additional funding of $140,000 for the four additional positions at $35,000 each.

**FISCAL IMPLICATIONS:** This action increases the college budgets by $140,000 and reduces the Contingency Reserve by the same amount, leaving a balance in the Contingency Reserve of $34,370,462.

**REQUIRES FIVE (5) AFFIRMATIVE VOTES**

Recommended by:  
Adriana D. Barrera, Deputy Chancellor  
Approved by:  
Daniel J. LaVista, Chancellor
## Subsidized Funding for Full-Time Faculty Filled Positions for Fall 12*

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<th>Actual (New Hires)</th>
<th>Budget Augmentation Required</th>
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*first year reimbursement at $35,000 per position
Subject: RECEIPT OF ANNUAL AUDIT

Accept the annual independent audit of the District’s financial records and accounts for the 2011-2012 fiscal year completed by the firm of KPMG LLP. The independent audit also included the audit of the District’s schedule of expenditure of federal awards as well as the District’s compliance with Section 400 of the Chancellor’s Office’s California Community Colleges Contracted District Audit Manual for the 2011-2012 fiscal year completed by the firm of Vasquez & Company LLP.

Background: An annual financial audit of the District is conducted every fiscal year by independent contract auditors as required by Education Code Sec. 84040 and reported to the Board of Trustees.

The financial statement audit report received an “unqualified” opinion, which means that the basic financial statements referred to in the audit present fairly, in all material respects, the financial position of the District as of June 30, 2012, and the results of its operations and cash flows for the year then ended in conformity with U.S. generally accepted accounting principles.

Ten copies of the District’s report will be provided to each campus and a copy forwarded to the exclusive representative of each organization and the Academic Senate.

Recommended by: Adriana D. Barrera, Deputy Chancellor

Approved by: Daniel J. LaVista, Chancellor

By: ________________________ Date: ________________________
Subject: RECEIPT OF GENERAL OBLIGATION BOND FINANCIAL AUDIT

Accept the following:

1. The annual General Obligation Bond Financial Audit completed by the firm of KPMG L.L.P. for the 2011-2012 fiscal year.

Background: An annual General Obligation bond financial audit of the District's Proposition A, Proposition AA, and Measure J bond program is conducted every fiscal year by independent contract auditors as required by California Constitutional Article 13A and Education Code 15278 and reported to the Board of Trustees.

The audit report received an “unqualified” opinion which means that the general purpose financial statements referred to in the audit present fairly, in all material respects, the financial position of the District as of June 30, 2012, and the results of its operations for the year then ended in conformity with generally accepted accounting principles.
Subject: Amend Chapter VII, Article V, Board Rule 7503.10—Mileage Reimbursement Rates

Authorize the following change in Board Rule 7503.10, Chapter VII, Article V, Mileage Reimbursement, effective January 1, 2013.

7503.10 Standard Mileage Rates. For use of employee automobiles in conducting authorized District business. Fifty Five and one half cents (55 ½) per mile for all miles. Fifty-Six and one half cents (56.5) per mile for all miles.

10711. Transportation Cost. When transportation is by public conveyance, allowance for air or train travel shall be at the coach rate. First class travel accommodations shall be permitted only when coach accommodations would be impractical. Reimbursement for travel by private automobile to destinations beyond a 100 mile radius of the Los Angeles City Hall shall be at a rate of fifty five and one half cents (55 ½) cents per mile fifty-six and one-half cents (56.5) per mile. All such travel shall not exceed the cost of the appropriate available common carrier to the destination. Priority of availability for determination of payment shall be: (1) Air, (2) Rail, (3) Bus.

Background: This change increases the reimbursement rate by one cent per mile, bringing the Los Angeles Community College District mileage rate in line with the Internal Revenue Service Guidelines for miles. The Internal Revenue Service has increased their rate due to the gasoline price increases. The last District rate adjustment was authorized August 10, 2011.
Subject: STUDENT DISCIPLINE – EXPULSION

Expel Los Angeles City College student, SID# - - 8302, from all colleges in the Los Angeles Community College District, without reconsideration.

The student has violated the following Standards of Student Conduct:

**Board Rule 9803.12** Dishonesty: knowingly furnishing false information

**Board Rule 9803.14** College documents: forgery, alteration or misuse of college documents

Background: Education Code 72122 requires that the final action of the Board shall be taken in a public meeting. The above recommendations are made in accordance with Board Rule 91101.17.

Recommended by: Yasmin Delahoussaye, Vice Chancellor

Recommended by: Adriana D. Barrera, Deputy Chancellor

Approved by: Daniel J. LaVista, Chancellor

Chancellor and Secretary of the Board of Trustees

By __________________________ Date __________________________
Subject: AMEND CHAPTER II, ARTICLE I OF THE BOARD RULES

Amend Chapter II, Article I of the Board Rules as follows:

2100. LEGISLATIVE AUTHORIZATION. The 1967 Legislature authorized a Board of Trustees for the Los Angeles Community College District separate from the board of the city school district, with authority as defined by Education Code sections 70902 and 72000.

2101. ELECTION. The Board of Trustees shall consist of seven members elected by the qualified voters of the school districts composing the Los Angeles Community College District. Primary elections shall be held the first Tuesday in April of every odd-numbered year. General elections shall be held the last Tuesday in May of every odd year. If either Tuesday falls on a holiday, elections shall be the following day. Elections shall be consolidated with the City of Los Angeles unless a resolution calling for a different process is adopted by the Board of Trustees pursuant to Education Code section 72031.

2102. TERM OF OFFICE. Members hold office for four years. Elections shall be held every two years, falling in the odd numbered years beginning in 1969, and alternating between office Nos. 1, 3, 5, and 7 and office Nos. 2, 4, and 6. Newly elected members shall take office on July 1st following their election period. The terms of office of outgoing members shall expire on the day before such newly elected members take office.

2103. VACANCIES BETWEEN ELECTIONS. In the event of a vacancy in office between elections for any reason, the Board of Trustees shall determine whether to appoint a replacement, hold a special election or leave the position vacant as may be allowed or required by law.

A. Timeline. In the event that the Board determines to make an appointment, in consultation with the Board President, the Chancellor shall develop a timeline for the process that includes the following, at a minimum:
1. Advertising of the availability of the position to a diverse group of publications;
2. A deadline for submission of materials with a maximum amount of material;
3. The means by which a member of the public may access the submitted materials for review;

Chancellor and Secretary of the Board of Trustees

By: ___________________________ Date: ___________________________
4. The date for consideration of the applications by the Board, and the date for the appointed applicant to take office at a subsequent Board meeting, in order to allow for an appropriate orientation for the new Trustee.

B. Consideration of Applications
1. The Board's consideration of applications shall occur in public session.
2. Each person who submitted timely and complete materials in accordance with the Board's previous resolution will be given up to five (5) minutes to make a presentation. The Trustees may ask questions of each applicant at the conclusion of each applicant's presentation.
3. The Trustees may ask additional questions of applicants at the conclusion of all applicant presentations.
4. Members of the public who wish to address the Board regarding this matter may address the Board for up to three (3) minutes. Members of the public who wish to address the Board regarding other agenda items later in the meeting will have a total of five (5) minutes for the day, including the time used for this matter.

C. Voting Procedure
1. The Chair will recognize a Trustee, who will make a motion to appoint an applicant as named in the motion. That motion will require a second. The Trustees may then engage in discussion as appropriate regarding the motion.
2. The motion will require four (4) affirmative votes to pass. If the motion fails, the Chair will recognize a Trustee, who may move the appointment of a different applicant. That motion will require a second. The Trustees may then engage in discussion as appropriate regarding the motion. This procedure will be repeated until someone receives four (4) affirmative votes.
3. A motion to appoint an applicant previously voted upon will be treated as a motion for reconsideration. Such a motion may be made only by someone on the prevailing side.

2104. COMPENSATION. Each member of the Board of Trustees of the Los Angeles Community College District shall receive as compensation the sum of two thousand dollars ($2,000) per month if the Board member attends all meetings. Except as provided under Board Rules 2104.11, 2104.12, 2104.13, and 2104.14, a member who does not attend all meetings held in any month may receive, as compensation, an amount not greater than two thousand dollars ($2,000) divided by the number of meetings and multiplied by the number of meetings actually attended.

2104.10 Student Board Member Compensation. The student member of the Board of Trustees of the Los Angeles Community College District shall receive as compensation the sum of five hundred dollars ($500) per month if the student member attends all
meetings. Except as provided under Board Rules 2104.11, 2104.12, 2104.13 and 2104.14, a student member who does not attend all meetings held in any month may receive, as compensation, an amount not greater than five hundred dollars ($500) divided by the number of meetings held and multiplied by the number of meetings actually attended.

2104.11 Absence - District Business. Any member, including the Student Board member, will be paid for any meeting when absent if the Board, by resolution, duly adopted and spread upon its minutes, finds that at the time of the meeting he/she is performing services outside the meeting for the Los Angeles Community College District.

2104.12 Absence - Illness. A member, including the Student Board member, may be paid in any calendar year for the first two meetings from which he or she is absent if the Board, by resolution, duly adopted and included in its minutes, finds that at the time of the meeting from which the member is absent he/she is ill.

2104.13 Absence - Jury Duty Service. A member, including the Student Board member, may be paid for any meeting from which he/she is absent if the Board, by resolution, duly adopted and included in its minutes, finds that at the time of the meeting from which the member is absent he/she was serving on jury duty.

2104.14 Absence - Hardship. A member, including the Student Board member, may be paid for any meeting from which he/she is absent if the Board, by resolution, duly adopted and included in its minutes, finds that the absence was due to a hardship deemed acceptable by the Board.

2105. ORIENTATION. The Chancellor and his or her designee(s) are responsible for ensuring that an appropriate orientation is provided to all new Trustees.

2105.10 The orientation shall include, but is not limited to, an overview of District operations, a review of ethical rules and responsibilities for Trustees, a briefing on compliance with the Ralph M. Brown Act and the Fair Political Practices Act, a review of the roles of auxiliary organizations and employee organizations, and a discussion regarding preparation for and conduct of Board meetings.

2105.11 Within budgetary limits, Trustees shall be encouraged to attend conferences and other educational sessions regarding their responsibilities as Trustees.
2105.12 In consultation with the President of the Board, the Chancellor shall be responsible for ensuring the Board has a retreat at least annually, and the Chancellor or his or her designees shall make appropriate educational presentations to the Board.

Background: The changes to Board Rule 2103 are to document and adopt procedures for appointments consistent with the processes adopted by the Board in its most recent appointments to fill vacancies. Other changes are to amend the Board Rules to reflect standing practices and expectations, as well as changes in law.
Subject: **AMEND CHAPTER II, ARTICLE II OF THE BOARD RULES**

Amend Chapter II, Article II of the Board Rules as follows:

2200. **PRESIDENT.** The Board of Trustees shall elect by voice vote a President and one or two Vice Presidents from among its members at its annual meeting.

A. **Election of President.** The President from the previous term shall call the annual meeting to order. At the time specified in the agenda for the officer election, the President from the previous term shall open nominations for President.

B. **Election of First Vice President.** After the succeeding President has been elected, the succeeding President shall assume the chairing of the meeting and open the nominations for First Vice President.

C. **Election of Second Vice President.** After the election has been completed for First Vice President, the President shall entertain a motion to open nominations for the position of Second Vice President. If such a motion is not made, seconded and passed, or if upon the opening of nominations no one is nominated, or if no one accepts a nomination for the position, then there shall be no position of Second Vice President for the year unless the Board takes an action to establish it. However, the procedure for nominations shall be followed at each annual organizational meeting of the Board.

2200.10 **Duties of the President.** The President of the Board of Trustees is empowered to preside at all meetings, to call special meetings as provided by law, to sign documents approved by the Board of Trustees, and to represent the Board of Trustees in its relations with other boards of trustees, and to confer with the Chancellor and/or his or her designees regarding the preparation of the agendas and conduct of business.

2200.11 **Duties of the Vice President.** In the absence of the President, the First Vice President shall preside at board meetings and perform the duties of the President in his/her absence. In the absence of the First Vice President, if there is a Second Vice President, he or she shall preside at board meetings and perform the duties of the President in his or her absence.
Board of Trustees
Los Angeles Community College District

2201. **PRESIDENT PRO TEMPORE.** If the President, the First Vice President and the Second Vice President are absent from a regular or special meeting, the Chancellor shall call the meeting to order, and the Board shall elect a President Pro Tempore who shall possess the powers and perform the duties of the President until the return of the President.

2202. **SECRETARY.** The Chancellor of the District shall be the Secretary of the Board of Trustees.

**Background:** This change is to amend the Board Rules to reflect standing practices and expectations.
Subject: AMEND CHAPTER II, ARTICLE III OF THE BOARD RULES

Amend Chapter II, Article III of the Board Rules as follows:

2300. POWERS AND DUTIES GENERALLY.
The Board of Trustees may execute any powers delegated by law to it or the District of which it is the governing board, and shall discharge any duty imposed by law upon it or upon the District of which it is the governing board. The Board is an independent policy-making body that reflects the public interest in Board activities and decisions.

2300.10 Statement of Ethical Values and Code of Ethical Conduct.

The Board of Trustees of the Los Angeles Community College District consists of seven members elected at large and one Student Representative selected by the associated student organizations. In the performance of their governance responsibilities, individual members of the Board shall adhere to the following principles:

Statement of Ethical Values

The Board of Trustees of the Los Angeles Community College District endorses the following statement of ethical values, and asks each member of the Board to commit to adhering to these values:

Trustworthiness. As a Trustee, I will strive to earn the trust of others. Being trustworthy requires honesty, integrity, reliability, and loyalty.

- Honesty: I will be sincere, truthful, and straightforward.
- Integrity: I will be consistent in decision-making and behavior and base decisions on a core set of values.
- Reliability: I will keep my promises.
- Loyalty: I will promote and protect the interests of the District and its colleges.

Respect. As a Trustee I will treat others with respect, even in disagreement, and do my best to earn the respect of others. Being respectful requires civility and courtesy, as well as tolerance for legitimate differences and a willingness to acknowledge that reasonable people can hold divergent views without becoming adversarial, confrontational or hostile.
Board of Trustees
Los Angeles Community College District

Responsibility. As a Trustee I am willing to make decisions and choices and I will be accountable for them. I will do the best I can by being careful, prepared, and informed. I will finish tasks that I have promised to do. I will lead by example.

Fairness. As a Trustee, I will use open and impartial processes for gathering and evaluating information so that those who disagree with a decision can understand how it was made. I will avoid favoritism or prejudice.

Caring. As a Trustee, I am genuinely concerned about the welfare of others. As public officials, we care about the common good and welfare of the communities and constituencies we serve.

Citizenship. As a Trustee, I will obey the Law, contribute to the community through service and leadership, advocate for the common good and the welfare of the communities we serve, and act in ways that manifest concern for the environment.

Integrity. As a Trustee, in keeping with the provisions of Education Code section 72530, I will not promote the award of contracts or employment on the basis of campaign contributions or in exchange for other things of value.

Code of Ethical Conduct
As a Trustee:

- I recognize that governing authority rests with the entire Board, not with me as an individual. I will give appropriate support to all policies and actions taken by the Board at official meetings.

- I recognize that I do not have the authority as an individual Trustee to direct staff or to seek information privately from staff and that all such requests should go through the Chancellor.

- I will consider all relevant facts and perspectives in making decisions.

- I will participate in the development of policy and the approval of strategy for the District and respect the delegation of authority to the Chancellor and Presidents to administer the institution. I will avoid involvement in day-to-day operations.

- I will maintain confidentiality about issues discussed in Closed Session.

Trustee Sanctions

2300.11 Sanctions

A. Bases for Sanctions – Any Trustee of the Los Angeles Community College District may be sanctioned on the following bases:

1. Violation of District rules and regulations, including but not limited to the Statement of Ethics and the Standards of Conduct on Campus articulated in Chapter 9 of the Board Rules;
2. Violation of state or federal law;
3. Conduct likely to create liability for the District; or,
4. Any other conduct incompatible or inconsistent with the position of Trustee.

B. Forms of Sanction – Sanctions of a Trustee may be imposed in the following forms:
5. Reprimand;
6. Censure;
7. Requirement for the repayment of District funds;
8. Bar from reimbursement for expenses with District funds;
9. Removal from an officer position; or,
10. Withholding of pay.

C. Votes required:
1. Five affirmative votes shall be required for the imposition of a sanction on a Trustee;
2. Notwithstanding any annual confirmation regarding the authority of the Student Trustee, the Student Trustee is not eligible to move, second or vote upon the imposition of a sanction on a Trustee. However the Student Trustee maintains the right to participate in the discussion of a potential sanction;

D. Procedure:
1. Presentation of Initiating Motion
   a. Prior to the consideration of a motion for the imposition of a sanction on a Trustee, a motion must be presented and adopted that articulates the charges upon which the sanction will be based and the proposed sanction, called an Initiating Motion.
   b. The adoption by the Board of an Initiating Motion is not the imposition of a sanction. The adoption is a determination that the charges, if proven to be true, would warrant the imposition of the proposed sanction.
   c. In preparing an Initiating Motion, any regular Trustee shall be entitled to the reasonable assistance of staff for the ministerial function of preparing the motion, and the reasonable assistance
of staff for information in support of that motion. Information in support of the motion shall be requested and supplied through the Chancellor.

d. In keeping with Board Rule 2409.11, any such information will be provided to all Trustees, and it shall be provided no later than the time the Trustees are presented with the posted agenda that includes the proposed motion. Inasmuch as the consideration of a sanction is a matter of public record, such information will also be treated as a public record, except that the materials made available to the public may be redacted to protect the rights of privacy of students or employees, or to protect the privileges for attorney-client communications or attorney work-product.

e. Witnesses or other evidence shall not be presented in support of or in opposition to the Initiating Motion.

2. Presentation of Sanctions Motion

a. If a majority of the Board adopts the Initiating Motion, the moving Trustee may then place a motion on the agenda for consideration of the charges and proposed sanction, called a Sanctions Motion.

b. A Sanctions Motion shall be heard only upon a minimum of ten calendar days' written notice, served by regular first class mail, upon all the Trustees. The responding Trustee shall be entitled to a postponement to the next Board meeting following the Board meeting in which the Sanctions Motion was first posted.

c. In the preparation of the Sanctions Motion, the moving Trustee shall be entitled to the assistance of staff for the ministerial function of preparing the motion, and the reasonable assistance of staff for information in support of that motion. Information in support of the motion shall be requested and supplied through the Chancellor.

d. In the preparation of a response to the Sanctions Motion, the responding Trustee shall be entitled to the reasonable assistance of staff for the ministerial function of preparing any written response to the motion, and the reasonable assistance of staff for information in support of that response. Information in support of the motion shall be requested and supplied through the Chancellor.

e. In keeping with Board Rule 2409.11, any such information will be provided to all Trustees, and it will be provided no later than the time the Trustees are presented with the posted agenda that includes the proposed motion. Inasmuch as the consideration of a sanction is a matter of public record, such information will also be treated as a public record, except that the materials made available to the public may be redacted to protect the rights of privacy of students or employees, or to protect the privileges for attorney-client communications or attorney work-product.
privacy of students or employees, or to protect the privileges for attorney-client communications or attorney work-product.

f. If the moving Trustee or responding Trustee seeks to present witnesses on the hearing of the sanctions motion, the applicable Trustee shall submit a request to the Chancellor no later than four business days prior to the hearing date of the motion. The Chancellor may direct employees or invite other witnesses as the Chancellor deems reasonable and appropriate.

3. Legal counsel – Any opinions or advice of legal counsel regarding the Initiating Motion or the Sanctions Motion must be provided to all regular Trustees. Therefore, any individual Trustee who seeks advice confidential from other Trustees, or representation before the remainder of the Board regarding the motions, must obtain it at his or her personal expense.

4. Time allocation – A Trustee who is the subject of an Initiating Motion or a Sanctions Motion shall be given a reasonable amount of time to respond to the motion, but in no event less than fifteen (15) minutes. In the event witnesses will be presented by either the moving Trustee or responding Trustee, five minutes will be allocated to each witness. The remaining Trustees will be given an opportunity to ask questions of each witness. The time allocation enumerated for this procedure is a discrete allocation from a public speaker’s exercise of his or her rights to address the Board.

2301. GOVERNANCE. The Board of Trustees shall establish rules and regulations not inconsistent with the regulations of the Board of Governors and the laws of this State for the government and operation of the community colleges in the District and delegate appropriate authority to officers, employees, or committees of the District, the college, or the governing board.

2301.10 Board Self-Evaluation. Each Fall, the Board of Trustees will perform a self-evaluation. The Board’s self-evaluation process may include a formal survey of stakeholders and constituents such as senior District management, College Presidents, the District Academic Senate President, representatives of collective bargaining units, and others. The Board will conduct its annual self-evaluation during a public session during which the Board will review the results of any data collection or survey process, assess its performance during the preceding year, and establish new annual goals.

2302. GROWTH. The Board of Trustees is responsible for growth in both academic and physical areas.

2302.10 Plans for Growth and Development. The Board shall establish policies for and approve current and long-range educational plans and programs and promote orderly growth and development of the community colleges within the District.

2302.11 Master Plans. The Board shall establish policies for and approve academic master plans and long-range master plans for facilities. The Board of Trustees
shall submit such master plans to the Board of Governors for review and approval.

2303. **EDUCATIONAL PROGRAMS.** The Board of Trustees shall establish policies for educational programs.

2303.10 **Total Educational Program.** The Board shall establish policies for and approve the total educational program of the community college or colleges in the District.

2303.11 **Submission to Board of Governors.** The Board shall establish policies for and approve all educational programs and submit such programs to the Board of Governors for approval. For purposes of this subsection, "educational program" is defined as a series of courses leading to a degree, a certificate, a diploma, or transfer to another institution of higher education.

2303.12 **Individual Courses.** The Board shall establish policies for and approve individual courses without referral to the Board of Governors.

2303.13 **Classes for Adults-Noncredit Education.** The Board shall approve all classes for *adults noncredit education* and shall submit such classes as are eligible for state apportionments to the Board of Governors for approval.

2303.14 **Programs Under Various Acts.** The Board shall approve and provide such classes, programs, and facilities under the provisions of the *Community Services Act 6321*, the *Civic Center Act*, and the *Recreation Act special acts* as deemed appropriate.

2303.15 **All Other Programs and Services.** The Board shall establish policies for and approve all other programs and services of the community college except as provided by the Education Code.

2303.16 **Adoption of Instructional Materials.** The Board shall establish policies for and approve procedures for the adoption of instructional materials *after appropriate consultation with the Academic Senates*.

2304. **COLLEGE CALENDAR.** The Board of Trustees shall determine which holidays it will observe and on what days it will observe them within the framework of providing the necessary number of days of instruction to qualify for state apportionments.

2304.10 **School Holidays.** Colleges and offices of the Los Angeles Community College District shall be closed on the following holidays:

- New Year's Eve Day
- New Year's Day
- Martin Luther King Day
- Lincoln Day
- Washington Day
- Cesar Chavez Day
- Memorial Day
- Independence Day
Labor Day
Veterans Day
Thanksgiving Day
Day after Thanksgiving Day
Christmas Eve Day
Christmas Day

Veterans Day shall be observed on November 11, unless an action of the Board of Trustees provides for a different day as provided in Education Code Section 79020 (f), (g) and (i).

Lincoln Day shall be observed on the Friday immediately preceding Washington Day, unless an action of the Board of Trustees provides for a different day as provided by Education Code Section 79020 (f) and (j).

If a holiday falls on Saturday, colleges and offices will be closed on the preceding Friday.

If a holiday falls on Sunday, colleges and offices will be closed on the Monday immediately following.

However, as to the Christmas and New Year's Days consecutive holidays, if Christmas Day and New Year's Day fall on Saturdays, those holidays will be celebrated on the following Mondays.

If Christmas Eve Day and New Year's Eve Day fall on Sundays, those holidays will be celebrated on the preceding Fridays.

2304.11 Other Holidays. The Board of Trustees may declare other days school holidays and close the colleges and offices thereon when good reason exists.

Under provisions of this rule, Admission Day is declared a school holiday and all District colleges and offices shall be closed. Admission Day shall be observed the Tuesday after Labor Day or another date so specifically declared by the Board of Trustees.

The afternoon of the Friday of Spring break, as determined by the academic calendar, shall be considered a holiday and all District colleges and offices shall be closed.

2304.12 Closing of Colleges by Chancellor or College President. The Chancellor or College President may direct the closing of any college whenever, in the Chancellor's or College President's discretion, such a closure appears necessary to insure the health and safety of the students or when the Governor of the State or the President of the United States declares a legal holiday. Any such action by the Chancellor shall be submitted to the Board for confirmation at its next regular meeting. The reopening of any school so closed shall be authorized when the Chancellor determines that the conditions that necessitated the closing have ceased to exist.
ACADEMIC STANDARDS. The Board of Trustees shall establish academic standards, probation and dismissal and readmission policies, and graduation requirements not inconsistent with the minimum standards adopted by the Board of Governors after appropriate consultation with the Academic Senate.

BUDGET. The Board of Trustees shall determine and control the District's operational and capital outlay budgets and shall submit the budgets to such agencies as required by law present the budgets to county authorities for the purposes of establishing the District tax rates. The Board of Trustees shall determine the need for elections for override tax levies and bond measures and request that such elections are called.

DISTRICT PROPERTY. The Board of Trustees shall manage and control District property. The Board may contract for the procurement of such goods and services as authorized by law.

GIFTS, GRANTS, SCHOLARSHIPS. The Board of Trustees may receive and administer gifts, grants, and scholarships.

FEES. The Board of Trustees may establish such student fees as it is authorized to establish by law.

Reduction of Fees for Senior Citizens. All fees, except nonresident fees, associated with any college activities are to be reduced by fifty percent for senior citizens or retired persons who have purchased a senior citizens' discount card from any District College at $5.00 per card. (A senior citizen is defined as a person who is 60 years of age or older and retired.)

International Student Application Processing Fee. The Board of Trustees authorizes collection of a Foreign Student Application Processing Fee pursuant to Education Code Section 76142. This section allows the District to charge an application fee not to exceed the lesser of the actual cost of processing application documents or one hundred dollars ($100).

No processing fee shall be charged to an applicant who is eligible for an exemption from non-resident tuition pursuant to California Education Code Section 76140, or who can demonstrate economic hardship.

Fees collected will not be refundable and will be used to support the operating budgets of college foreign student offices.

International Student Medical Insurance Fee.

Effective for beginning with the Fall 2007 semester, International students attending a college in the Los Angeles Community College District under an F or M visa shall be charged a medical insurance fee equal to the cost of medical insurance purchased by the District on the student’s behalf.

In exchange for the International Student Medical Insurance fee, international students will be provided with a medical insurance policy with the following minimum coverage:

1. medical benefits of at least $50,000 per accident or illness;
2. repatriation of remains in the amount of $7,500;
3. expenses associated with the medical evacuation of the student to his or her home country in the amount of $10,000, and;
4. a deductible not to exceed $500 per accident or illness.

Effective only for the Spring and Summer 2007 terms, international students attending a college in the Los Angeles Community College District under an F or M visa shall be required to demonstrate that they have medical insurance equal to or better than the above coverage, or be required to purchase medical insurance from a the vendor selected by the Los Angeles Community College District. All international students with F or M visas will be charged the international student medical insurance fee starting the Fall 2007 semester.

2310. PERSONNEL. The Board of Trustees shall employ and assign all personnel consistent with the minimum standards adopted by the Board of Governors. The Board of Trustees shall establish employment practices, salaries and benefits for all employees consistent with the laws of this state.

2311. AUXILIARY SERVICES. The Board of Trustees shall provide such auxiliary services as deemed necessary to achieve the purpose of the community college.

2312. STUDENT CONDUCT. The Board of Trustees shall establish rules and regulations governing student conduct.

2313. FEDERAL FUNDS. The Board of Trustees is authorized to apply directly to federal agencies or state agencies operating federal programs in order to obtain federal funds in accordance with general policies established by the Board of Governors.

2314. STUDENT EQUITY PLANS

In order to promote student success for all students, a Student Equity Plan shall be immediately adopted by each of the colleges in the Los Angeles Community College District as required by law. Each plan shall be adopted in consultation with the various college constituencies in keeping with the college’s shared governance policy. Each college’s Student Equity Plan must contain the following information:

1. Campus-based research as to the extent of student equity in goals for access, retention, degree and certificate of completion, English as a Second Language (ESL) and basic skills completion and transfer and the determination of what activities are most likely to be effective;

2. Goals for access, retention, degree and certificate of completion, English as a Second Language (ESL) and basic skills completion, and transfer; for the overall student population and for each group of students, as appropriate. Where significant underrepresentation is found to exist as defined by Title 5 of the California Code of Regulations, the college president will be responsible for making an appropriate recommendation to the Chancellor who will make an appropriate recommendation to the Board for addressing the disparity;

3. Implementation activities designed to attain the sources of funds for the activities in the plan;
4. Schedule and process for evaluation;

5. Sources of funds for the activities in the plan;

6. An executive summary that includes, at a minimum, the groups for whom goals have been set, the goals, the initiatives that the college will undertake to achieve these goals, the resources that have been budgeted for that purpose, and the college official to contact for further information.

2314.10 The college plans should be developed with the active involvement of all groups on campus as required by law, and with the involvement of appropriate people from the community.

2314.20 The college plans should be submitted to Chancellor or designee for approval. The Chancellor or designee will be responsible for forwarding copies to the State Chancellor's Office.

2314.30 For purposes of this Board Rule, the following definition applies:

"Each group of students" means American Indians or Alaskan natives, Asians or Pacific Islanders, Blacks, Hispanics, Whites, men, women and persons with disabilities. A person shall be included in the group with which he or she identifies as his or her group.

2315. ASSOCIATE IN ARTS AND ASSOCIATE IN SCIENCE DEGREES.

The Board of Trustees of the Los Angeles Community College District shall confer degrees of associate in arts or associate in science upon one who has satisfactorily completed prescribed courses.

The Board of Trustees may also grant honorary associate in arts and associate in science degrees from a District community college to honor an individual who has made a contribution to society that is generally recognized and esteemed.

Background: This change is to amend the Board Rules to reflect standing practices and expectations, as well as changes in law.
Subject: **AMEND CHAPTER II, ARTICLE IV OF THE BOARD RULES**

Amend Chapter II, Article IV of the Board Rules as follows:

2400. **GENERAL.** Meetings of the Board of Trustees of the Los Angeles Community Colleges and of its committees or other bodies created by the Board shall be in compliance with the Ralph M. Brown Act, as required by law.

2400.10 **Regular Meetings.** Regular meetings are held at 4:30 p.m. on the second and fourth Wednesdays except as otherwise scheduled by action of the Board of Trustees and within District territory at a location designated by the President of the Board of Trustees, unless otherwise allowed by law. Pursuant to Board Rule 2408 (Order of Business) the Board may recess to closed session at that time and reconvene the public session at 3:30 p.m. or at an appropriate time as notified on the agenda. Board meetings shall adjourn by 10:00 p.m.

2400.11 A notice identifying the location, date and time of a regular meeting shall be posted at each college of the District at least ten (10) days prior to the meeting and shall remain posted up to and including the meeting time.

2400.12 **Mailed Notice of Meetings.** Notice of meetings must be mailed to any person who has made a written request at the time as the posting of the notice and agenda for the meeting. Failure of any person to receive notice given by the agency does not invalidate the actions taken at the meeting.

2400.13 Anyone who requests written notices as described in Rule 2400.11 shall provide the request, together with the recipient's name and address in writing to the Chancellor as Secretary of the Board of Trustees or designee, together with payment in the amount of $10 as an annual fee, or $50 as an annual fee in order to receive both the notice and back-up material. Notice by email may be given.
without charge. Back-up material will be posted on the District’s website at or near the same time as the posting of the agenda. Such requests shall be valid for one (1) year from the date it was received, unless renewed. Renewal requests must be received, together with the annual fee, no later than 90 days after January 1 of each year.

2402. SPECIAL MEETINGS. A special meeting may be called at any time by the President of the Board, or upon a call issued in writing and signed by a majority of the members of the Board. Notice must be given to each member of the Board and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail or email at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and business to be transacted. No other business shall be considered at such meetings by the Board. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Secretary of the Board a waiver of notice. Such a waiver may be given by telegram. Such written notice may also be dispensed with shall be deemed waived as to any member who is actually present at the meeting at the time it convenes, unless the member articulates an objection for the record, which shall be noted in the official minutes. Continued participation after making such an objection shall not constitute a waiver to the objection. Notice shall be required pursuant to this section regardless of whether any action is taken at the special meeting. Such notice shall be posted at least 24 hours prior to the special meeting in a location freely accessible to members of the public.

2402.10 Emergency Meetings. In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of District facilities, the Board may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement or both requirements as allowed by law. However, each local newspaper of general circulation and radio or television which has requested a notice of special meetings shall be notified by the President of the Board Chancellor or designee one hour prior to the emergency meeting shall be given notice by email or by telephone. The Board shall not meet in closed session at an emergency meeting except as provided allowed by law. All special meeting requirements shall be applicable to a meeting called pursuant to this section except the 24-hour notice requirement.
2402.11 Minutes of any emergency meeting must be posted as soon as possible after the meeting, along with a list of persons who the Board Chancellor or his or her designee notified or attempted to notify about the emergency meeting.

2403. CLOSED SESSIONS. Closed sessions are restricted to consideration of matters as described in the Education Code and Government Code and to other matters in accordance with the law.

A. To the extent required by law, at the conclusion of any closed session, the Board shall announce in open session any action taken and the vote or abstention of each member on each action.

B. Prior to holding any closed session, the Board of Trustees shall post or state the reasons for closed session, and shall cite statutory authority or legal authority under which the closed session is being held. To the extent required by law, agenda descriptions of closed session items shall be made available to the public with the public session agenda.

1. Potential litigation matters must be defined in the agenda by presentation of existing facts and circumstances to the extent required by law.

2. At least 24 hours before the session, if specific complaints or charges will be considered about an employee, that employee shall be given written notice of his or her right to have the complaints or charges heard in an open session rather than a closed session. The employee must notify the Chancellor as the Secretary of the Board or designee by 9:00 a.m. on the day of the Board meeting if he or she seeks to address the Board prior to the Board’s consideration of the item wants to have the complaints or charges heard in an open session. The notice given to the employee shall include the name, address and telephone number of the Chancellor or designee. The notice shall also include a statement advising the employee that he or she must notify the Chancellor or designee by 9:00 a.m. on the day of the Board meeting.

3. The Board may meet in closed session to determine whether there is a basis for considering a non-agenda item which would be considered in closed session. The Board may not meet in closed session to determine whether to consider a non-agenda time which must be considered in open session.
2403.11  Motion for Closed Sessions.

a. To recess to Closed Session to consider matters on the posted closed session agenda, the Chair shall entertain an appropriate motion. Once adopted by a majority of the Board, the Board will recess to closed session.

b. As required by law, on all other matters proposed for discussion in closed session, the proponent of the motion must publicly identify the items proposed for discussion as required by the Brown Act and indicate the basis for considering an item not on the posted agenda. To the extent allowed by law, any discussion and vote on the need to consider the item in closed session may take place in closed session and be reported publicly afterward.

2404. ANNUAL MEETING. An organizational meeting of the Board of Trustees will be scheduled and held annually between July 1 and 15, inclusive. The Chancellor as Secretary of the Board shall, within at least 15 days prior to the date of the annual meeting, notify in writing all Trustees and Trustees-elect of the date and time selected for the meeting. During this annual meeting the Board shall elect one of its members to serve as President and one as First Vice President, for a one-year term. The Board may determine on an annual basis whether to elect one of its members to serve as Second Vice President.

2405. QUORUM. Four members shall constitute a quorum for transacting business for the seven-member Board. Three members constitute a quorum in the event there are two vacancies contemporaneously.

2406. MEETINGS AND RECORDS OPEN TO THE PUBLIC - EXCEPTIONS.

Except as provided in the Government Code and Education Code, all meetings of the Board of Trustees and of its committees shall be open and public, and its records shall be open to public inspection subject to the exemptions of the Public Records Act.

Writings distributed during a public meeting which are not exempted from disclosure by the Public Records Act shall be made available contemporaneously to the public if prepared by a Board member, or by someone acting on behalf of the District. Writings prepared by others shall be available within a reasonable time after the meeting.
2407. **AGENDA.** An agenda for the meetings shall be provided by the Chancellor in cooperation with the President of the Board of Trustees. The agenda shall be posted in a place adjacent to the place of meeting which is freely accessible to the public at least 72 hours prior to the meeting time for regular meetings. The Agenda shall specify the time, date and location of the regular meeting. No action shall be taken on any item not appearing on the posted agenda except: (1) upon a determination by a two-thirds vote of the members, or if less than two-thirds members present, a unanimous vote of those members present and it is shown that the need to take action arose and came to the attention of the Board members subsequent to the posting of the agenda; (2) when a majority of the Board determines there is an “emergency situation” as defined in emergency meetings by law; or (3) when an item appeared on an agenda posted no less than five (5) days before the meeting and was continued from a previous meeting; or (4) as may otherwise be allowed by law. Each item must contain a brief general description sufficient to put the public on reasonable notice regarding the item to be discussed and any proposed course of action.

2407.10 **Preparation of Agenda.** Whenever a Trustee notices a motion in conformance with procedures specified in Board Rule 2409.10, staff will place the noticed motion on the regular Board agenda.

2407.11 **Establishment of Status Reports of Directives to the Chancellor by the Board of Trustees.** A status report is to be kept of directives to the Chancellor by action of the Board. This report shall include the date and nature of action and a summary statement as to the disposition of the matter. This report is to be presented at the last Board meeting of each month.

2407.12 **Agenda Items Initiated by the Members of the Public.**

a. **Summary of Item submitted to the Chancellor as Secretary of the Board.** Members of the public may place matters directly related to the business of the Los Angeles Community College District on an agenda of the Board of Trustees of the Los Angeles Community College District by submitting a summary of the item to the Chancellor as Secretary of the Board or designee at least two (2) weeks in advance of a regular meeting. The summary must contain a brief general description of the item.
b. Designation of Item - Discussion or Proposed for Action. At the time the item is submitted to the Chancellor as Secretary of the Board or designee, the member of the public shall designate the item as either for discussion or for proposed action.

c. Deadline for Submitting Agenda Items for Regular Board Meetings.

1) Proposed Action Items. Proposed actions must be submitted to the Chancellor as Secretary of the Board or designee by noon of the Wednesday two weeks before the Board meeting in question in order to permit printing and posting of the item as required by law.

2) Discussion Items. Discussion items must be submitted to the Chancellor as Secretary of the Board or designee by 10:00 a.m. of the day of the Board Meeting.

d. Addressing the Board. A member of the public who has placed an item on the Board's agenda, and others who may wish to address the Board on such an item may do so pursuant to Article V of this chapter. The Board shall not prohibit public criticism of the policies, procedures, programs or services of the Board.

e. Resubmission of Items--90 Day Rule. Any public agenda item that has been submitted for proposed action to the Board and heard at a public meeting cannot be resubmitted before the expiration of a 90-day period following the initial presentation. This prohibition does not apply to items submitted for discussion only.

f. Closed Session. The Board reserves the right to consider and take action on items in closed session as permitted or required permitted by law.

g. The Chancellor is Secretary of the Board. The Chancellor as Secretary of the Board may from time to time, adopt such other reasonable provisions as may be necessary to accommodate the application of these public agenda rules to special Board meetings or other unique circumstances and to implement Section 72121.5 of the Education Code. If the Chancellor as the Secretary of the Board does adopt any
such further provisions, the Chancellor shall report them to the Board at its next regularly scheduled meeting.

2407.13 Discussion of Non-Agenda Items. To the extent allowed by law, non-agenda items may be considered as follows: Board members may respond to public comments; Board members may ask questions for clarification, make a brief announcement, or make a brief report on their own activities, on their own initiative or in response to questions posed by the public; Board members may refer matters to staff, may require staff to report back, and may direct staff to place matter(s) on future agenda(s).

2408. ORDER OF BUSINESS.

A. During the first Board of Trustees meeting, generally held on the second Wednesday of the month, the Order of Business shall be as follows:

- Roll Call
- Requests to Address the Board of Trustees
- Closed Session Agenda Matters
- Recess to Closed Session
- Roll Call
- Flag Salute
- Minutes
- Reports from Representatives of Employee Organizations at the Resource Table
- Announcements from the College Presidents
- Public Agenda Requests (Category A)
  1. Oral Presentations
  2. Proposed Actions
- Requests to Address the Board of Trustees – Multiple Agenda Matters
- Reports and Recommendations from the Board
  1. Report on Actions Taken in Closed Session
     o 2. Reports of Standing and Special Committees
     o 3. Proposed Actions
- Reports from the Chancellor and College Presidents
- Consent Calendar
  ○ Majority Vote
  ○ Super-Majority Vote
- Recommendations from the Chancellor
- Notice Reports and Informatives
- Announcements and Indications of Future Proposed Actions by members of the Board of Trustees
Requests to Address the Board of Trustees regarding Closed Session Matters
Recess to Closed Session
Reconvene in Public Session
Report of Actions Taken in Closed Session
Adjournment

B. During the second Board of Trustees meeting each month, generally held on the fourth Wednesday of the month, the Order of Business shall be as follows:

- Call to Order
- Requests to address the Board of Trustees—Closed Session Agenda Matters
- Recess to Closed Session
- Reconvene in Public Session
- Reports from Representatives of Employee Organizations at the Resource Table
- Announcements from the College Presidents
- Public Agenda Requests
- Recess to Capital Construction Committee
  - Reports Regarding the Capital Construction Program
- Reconvene Regular Meeting
- Notice Reports and Informatives
- Announcements and Indications of Future Proposed Actions
- Requests to address the Board of Trustees—Closed Session Agenda Matters
- Recess to Closed Session
- Reconvene in Public Session
- Report of Actions Taken in Closed Session
- Adjournment

C. Adjustments to Order of Business. The Chancellor, in consultation with the President of the Board of Trustees, shall have discretion to adjust the Order of Business as may be appropriate.

D. Study Sessions

1. The Chancellor, in consultation with the President of the Board of Trustees, shall have discretion to schedule a Study Session on a date prior to the Board Meeting in order to allow Board members to ask...
questions of staff and obtain further information from staff regarding the posted agenda items for the regular Board meeting.

2. The Study Session shall be posted as an open meeting that members of the public shall be allowed to attend in accordance with the Brown Act.

3. The Study Session shall not be considered a regular Board meeting and attendance shall be optional for purposes of compensation.

4. Members of the public may address the Study Session regarding matters on the agenda.

2409. MOTIONS. A second to all motions shall be required before discussion or vote on the motion.

2409.10 Noticed Motions. Copies of noticed motions by Trustees shall be submitted to the Chancellor and Trustees in writing for review two (2) weeks prior to the Board meeting.

2409.11 Requests from Board Members. All requests from Board Members for information or research, requiring mobilization of staff, staff time, District resources and personnel shall be distributed made through the Chancellor and distributed to all Board Members.

2409.12 Motion Requirements. Noticed motions shall clearly articulate the impact and relationship of the proposed motion to the core mission and concerns of the District.

2410. RECORD OF VOTES. Votes shall be taken by alphabetical roll call, and the results recorded in the minutes of that meeting. No action shall be taken by secret ballot. A single roll call vote will be taken for all items within a designated Consent Calendar. Each Trustee shall have the right to call for any item(s) on a Consent Calendar to be separated out for a separate roll call vote on that/those items.

2411. NUMBER OF VOTERS REQUIRED FOR TRANSACTION OF BUSINESS. Four affirmative votes shall be necessary to pass any motion, resolutions, or orders, except as provided by Sections 2412 or 2413 of these Board Rules.

2412. ACTIONS REQUIRING A TWO-THIRDS VOTE. In compliance with State statutes, approval of the following actions requires an affirmative vote of five members of the Board.
2412.10 **Sale or Lease of Real Property.** Resolution of intention to sell or lease real property to any legal entity other than those requiring unanimous vote, when a two-thirds vote is required by law.

2412.11 **Action to Overrule.** Action of the Board declaring a local zoning ordinance inapplicable to classroom facilities.

2412.12 **Undistributed Reserve.** Appropriation of funds from the undistributed reserve.

2412.13 **Condemnation of Real Property.** Resolution to condemn real property.

2413. **ACTIONS REQUIRING A UNANIMOUS VOTE.** In compliance with state statutes, approval of the following actions requires an affirmative, unanimous vote of all members of the Board.

2413.10 **Community Lease for Production of Gas.** Resolution authorizing leasing of school District property under a community lease for the production of gas.

2413.11 **Sales or Lease of District Real Property.** Resolution authorizing a sale or lease of school District real property to the state, any county, city and county, city, or to any school district which is not governed by the Community College Board of Trustees when required by law.

2415. **MINUTES AND TAPE RECORDINGS OF PUBLIC SESSIONS.**

A. The minutes and tape recordings of the open session meetings of the Board of Trustees shall constitute public records and shall be available to the public. Any inspection of a tape recording shall be provided without charge and a tape recorder made available by the District. Minutes shall be produced and retained in perpetuity and tape recordings shall be made of all public sessions of the governing board.

B. Discarding the Recordings of the Meetings of the Board of Trustees. The minutes of the meetings of the Board of Trustees shall be kept in perpetuity. The audio recording of each meeting may be destroyed but not before one year from the date of the taped meeting. At the discretion of the Chancellor as Secretary of the Board of Trustees or designee,
destruction of tapes may be done once annually so long as the most recent tape being destroyed is at least one year old.

C. The minutes shall include:

(1) Date, place, time and type of meeting.
(2) Notation of members present and absent by name. (3) Time of adjournment. (4) Approval or amendment, and approval of the minutes. (5) Information as to the subject of Board's deliberations and actions, including the makers and seconders of a motion, an alphabetical roll call of the votes and results of a motion; (6) All Board resolutions; and (7) A record of all public speakers.

2415.10 Recordings by Others. Any person may record the public sessions of the Board with an audio or video tape recorder or a still or motion picture camera, unless the Board finds that the recording cannot continue without noise, illumination or obstruction of view which constitutes or would constitute a persistent disruption of the proceedings.

2415.11 Broadcast.

a. Broadcast of public sessions shall be permitted unless, or in the absence of, a finding by the Board that the broadcast cannot be accomplished without noise, illumination or obstruction of view that would constitute a persistent disruption of the proceedings.
b. The Board may direct the termination of broadcasting if it finds that the process is substantially and persistently disrupting the Board proceedings.

2416. PARLIAMENTARY PROCEDURE.

A. Robert's Rules of Order. The rules contained in Robert's Rules of Order Newly Revised, shall govern the proceedings and conduct of the meetings of the Board of Trustees and its committees in all cases that are not covered in or by the rules of Standing Orders of the Board of Trustees. However, the President and Vice-President shall vote, and Robert's Rules shall govern except as superseded by law or regulation, provided that any noncompliance by the Board with Robert's Rules of Order shall not be deemed to invalidate any otherwise lawful act of the Board.

B. Sponsorship of a Motion by the Chair. The Chair of the applicable meeting may be the maker of a motion only if it is included in the posted
agenda for the meeting, and may speak to the motion only if the Chair yields the gavel to another Board member.

C. Order of Debate

1. The maker and seconder of the motion shall be recognized first by the Chair if they wish to speak to the motion.

2. The Chair shall call upon staff for any presentation regarding a motion.

3. The Chair shall then call upon Board members successively who wish to comments or ask questions regarding the motion.

4. The Chair shall then call upon public speakers and representatives from the employee organizations for their comments.

5. The Chair shall then call upon Board members successively for any further debate, comments or questions.

6. In order to ensure the ability to record the meeting accurately and subsequent preparation of the minutes, anyone who wishes to speak, including Board members, must first be recognized by the Chair, and only one person shall be allowed to speak at a time.

2417. SUSPENSION OF BOARD RULES. Any section or sections of Board Rules may be suspended by vote of at least four members of the Board.

2418. AMENDMENT OR REPEAL OF BOARD RULES. An affirmative vote of at least four members of the Board shall be necessary to amend or repeal Board Rules, and such action shall be taken only if notice of such proposed amendment or repeal has been given at a previous regular Board meeting.

2418.10 Changes of Division Location or Job Titles. When changes in division, location or job titles occur, reference to former division, location or job classification titles in the Board Rules shall be deemed to include reference to the newly designated titles. All existing Board Rules may be reprinted to indicate the newly designated titles.

2418.11 Minor Corrections to Board Rules. The Office of General Counsel, the location responsible for maintaining and distributing adopted and amended Board Rules, is authorized to make minor corrections to Board Rules adopted or amended by the Board of Trustees, which do not alter the intended meaning of the Board Rule, prior to distribution. "Minor
corrections" includes correcting grammatical errors, punctuation errors and errors in numbering sequences. Any corrections made to Board Rules by the Office of General Counsel are subject to review by the Chancellor.

2418.12 Regular Rule Review. The Chancellor and his or her designee(s) are responsible for periodic review of Board Rules, Administrative Regulations and procedural guides. The Chancellor shall adopt a regulation specifying a schedule and the appropriate positions for conducting these reviews.

2419. SMOKING/NONSMOKING POLICY. The Chancellor shall adopt regulations to control the smoking of tobacco, plant, or processed substance in the District's buildings, offices, and any other enclosed spaces throughout the District.

Background: This change is to amend the Board Rules to reflect new practices, as well as to clarify rules.
Subject: **AMEND CHAPTER III OF THE BOARD RULES**

Amend Chapter III of the Board Rules as follows:

3001. LEGISLATIVE INFORMATION. The Chancellor shall inform the Board of Trustees of state and national legislation that affect the Los Angeles Community College District.

3002. PARTICIPATION IN LEGISLATION. It is the policy of the Board of Trustees that the Board, acting through the Chancellor, or designee, shall participate in local, state and national legislation to protect and to promote the interests of the Los Angeles Community College District. The Chancellor shall present to the Board for approval a District legislative program prior to the commencement of each session of the legislature. The Chancellor shall provide a **monthly appropriate reports** in writing to the Board summarizing and analyzing pending legislation affecting the interests of the District and specifying all positions on pending legislation taken at the Chancellor’s direction or by the Board’s Legislative Advocate. The Legislative Advocate shall be present at **Board meetings as directed by the Chancellor** the monthly meeting of the Board at which the report is presented.

3003. BILL SERVICE. The Chancellor shall subscribe to the State Bill service for the Los Angeles Community College District.

3003. DELEGATION OF AUTHORITY. The Board of Trustees delegates authority to the Chancellor to communicate positions to legislators, other community college district chief executive officers, governmental relations staffs, and other representatives and allies of public higher education. The Chancellor or his or her designee will communicate with leaders of District constituency groups to establish or strengthen shared advocacy efforts. Whenever possible, the Chancellor will seek to work in coalition with other stakeholders for the purpose of furthering the District’s legislative goals.

3003.10 The Chancellor will support legislative positions that protect and enhance the fiscal health of the District and promote its primary mission with respect to basic skills, career technical education, and transfer curricula and training. Additionally, the Chancellor will support legislative positions that
facilitate the growth and stability of the District including, but not limited to, issues related to public bond funds, land acquisition and sale, facilities renovation and capital building programs. All proffered legislative positions will be aligned with the District Strategic Plan.

3003.20 The Chancellor will be authorized to take and communicate bill positions on behalf of the District within the following parameters:

A. The District has adopted a similar legislative position in the past.

B. Time constraints preclude the Chancellor from consulting two members of the Legislative Committee. In this instance, the position taken must protect the District's fiscal health and support its overarching mission or.

C. The bill is consistent with Board policies.

3003.30 Other than the exceptions previously noted, the Chancellor or his designee shall consult two members of the Legislative Committee before legislative positions are registered. In order to comply with the Brown Act, the Chancellor shall not communicate the positions of the respective members of the Legislative Committee to each other, nor shall the two members be authorized to issue a directive regarding legislative positions.

3003.40 Subsequent to communicating District legislative positions, the Chancellor shall report significant positions to the full Board as an agenda item and list other positions in the Board Letter. In both instances, the Chancellor will provide his rationale for adopting each legislative position. The Board retains the right to direct a change or different position.

3003.50 The Board of Trustees shall evaluate this process at the end of each legislative session.

Background: In October 2011, the Board of Trustees authorized general principles for delegated authority regarding legislative positions in an effort to issue legislative positions in a timely manner and to advocate effectively on behalf of the District. These proposed changes document and establish general principles as standing District policy.

As a standing committee of the Board, the Legislative Committee is governed by the Brown Act. Therefore, the Legislative Committee may not develop a consensus outside a publicly-noticed meeting. Government Code section 54952.2 states, in relevant part:
“(a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

(b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b)…”
AMEND CHAPTER X, ARTICLE I OF THE BOARD RULES

Amend Chapter X, Article I of the Board Rules as follows:

10105.12 Performance Evaluation of Non-Faculty Bargaining Unit Certificated Academic Employees. Certificated Academic employees who are not members of the faculty a bargaining unit are to be evaluated as to their performance in their assigned duties according to uniform procedures determined by the Chancellor and described in Personnel published Human Resources Guides as authorized by the Chancellor distributed to all colleges and offices. The performance of acting, temporary, substitute and probationary employees shall be evaluated annually. Regular employees shall be evaluated as to their performance annually, with a comprehensive evaluation every three years at least once every two years.

Background: This Board Rule amendment will correct the Board Rule to conform to current practices and correct terminology.
Trustees

NOTICE

Los Angeles Community College District

DECEMBER 19, 2012

Com. No. BT/G Division Board of Trustees

Date: January 16, 2013

Subject: AMEND CHAPTER XIV OF THE BOARD RULES

Amend Chapter XIV of the Board Rules as follows:

14001. Acceptance of Tickets

14001.1 Definitions

For purposes of Board Rule 14001, and its subsections, the following definitions shall apply:

A. “Immediate Family” means one’s spouse, domestic partner, parents, adult or dependent children, and any other member of one’s household, as well as their spouses, parents and children.

B. “Public Purpose” means that the attendance by the primary user ensures the performance of an official role or duty, promotes the services or programs of the District, or furthers intergovernmental or community relations. “Public Purpose” is also limited by the particular requirements associated with special sources of funds.

C. “Ticket” means a pass or admission ticket to an event, not sponsored by the District or one of its recognized auxiliary organizations, that requires payment or would have required payment in the absence of a donation, and that can only be utilized by one user. “Ticket” shall not mean a pass or admission ticket that was generally available to the public without charge.

14001.2 Donations of Tickets to the District

A. The Chancellor or the Chancellor’s designee(s) are authorized to accept donations of Tickets to the District when there is a Public Purpose. Tickets shall not be purchased with any District funds unless there is a Public Purpose.

B. The Chancellor or the Chancellor’s designee(s) shall have the sole discretion to determine who shall receive Ticket(s). In the event of the potential use of the Ticket(s) by the Chancellor, such use shall be confirmed by the Director of Internal Audit.
14001.3 Use of Tickets Donated to the District

A. Individual employees, Trustees, Personnel Commissioners and consultants are not permitted to accept use of Tickets for themselves or Immediate Family, in exchange for a promise to influence or to exercise independent discretion, or in exchange for influencing or voting for the award of a contract, rate of pay, assignment of overtime or extra assignment(s) for the person, firm or organization donating a Ticket.

B. The Chancellor or the Chancellor's designee(s) shall have sole discretion to determine whether there is a Public Purpose, and who shall receive Tickets.

C. An individual who receives a donated Ticket may not transfer that Ticket except with the authorization of the Chancellor or the Chancellor's designee.

D. Donated Tickets may not be used by the individual or the individual's Immediate Family when that individual made the determination to accept the donation.

14001.4 Tickets or Passes to District of Foundation Events

A. Passes or tickets to events with an admission charge, sponsored by the District, may be given to employees, Trustees, Personnel Commissioners, community members and one member of their Immediate Families at the discretion of the Chancellor or the Chancellor's designee(s) when there is a Public Purpose.

B. Passes or tickets to events with an admission charge, sponsored by one of the District's recognized auxiliary organizations, may be given to employees, Trustees, Personnel Commissioners and community members at the discretion of the governing board of that organization. Approval of such tickets or passes as having a Public Purpose shall be in writing by the Chancellor or the Chancellor's designee(s).

C. In the absence of a Public Purpose, the Chancellor or the Chancellor's designee(s) may authorize free passes to District events, or to events sponsored by a recognized auxiliary organization, to be given to employees, Trustees or Personnel Commissioners, who shall be required to report the ticket(s) as income under applicable federal and state laws, including but not limited to tax laws and the regulations of the Fair Political Practices Commission.

D. The person authorizing the issuance of free tickets or passes to District events with an admission charge shall be required to report the distribution in accordance with Rule 14001.5.

E. An employee assigned to work at a District-sponsored event, including an employee who is exercising a supervisory role for a District-sponsored event, is not considered to have received a free pass or ticket.
14001.5 Reporting and Acceptance of Tickets

A. The recipient of a Ticket shall either:
   1. Complete and submit the applicable form as required by the Fair Political Practices Commission to the Office of General Counsel within twenty (20) days of receipt of the Ticket; or,
   2. Report the Ticket as income as may be required under federal and state laws.

B. The Office of General Counsel shall be responsible for posting the form on the District's website within ten (10) days after receipt, and promptly thereafter submitting an appropriate item for ratification by the Board of Trustees.

C. If the Board of Trustees does not ratify the acceptance of a Ticket donation and the applicable event has passed, the Ticket user shall report it as a gift or income on a Form 700 during the annual filing period, or upon leaving office, whichever is earlier, even if the user is not ordinarily designated to file a Form 700.

Background: The California Code of Regulations, Title 2, Section 18944.1, is a regulation of the Fair Political Practices Commission that calls for a public agency to have a policy regarding ticket acceptance and distribution, and to comply with certain public posting requirements. The policy above was made available for comments to various management councils, the bargaining units and the District Academic Senate.
Subject: AMEND CHAPTER VII, ARTICLE V OF THE BOARD RULES

Amend Chapter VII, Article V of the Board Rules as follows:

7500. MILEAGE AND CELL PHONE REIMBURSEMENT. Any employee who is required to use a personal automobile in the performance of assigned duties may, upon the approval of the Chancellor, or designated representative, be authorized to so use such automobile and, when so authorized, shall receive reimbursement for such use in accordance with procedures established by the Chancellor. Spot audits of mileage reimbursement statements may be made, from time to time. Trips requiring overnight absences from any employee's established residence involving any expenses shall be separately authorized by the Trustees in accordance with Section 1072 governing attendance at conventions and meetings. For the purposes of this Article, Trustees are considered employees of the District, and are authorized for travel necessary to attend annual, regular, and special meetings of the Board of Trustees. Employees shall receive reimbursement for parking fees that are incurred while on District business.

7500.10 Reimbursement Authorization. Any trustee or administrator of the District, previously authorized by the Chancellor or a college president, may have the use of a cellular telephone purchased by the District, or may be reimbursed for telephone calls expenses made from his or her personal cellular telephone.

Recommended by: Jeanette L. Gordon, Chief Financial Officer

Recommended by: Adriana D. Barrera, Deputy Chancellor

Approved by: Daniel J. LaVista, Chancellor

Chancellor and Secretary of the Board of Trustees

By: __________________________ Date __________________________
A. DISTRICT-OWNED.

The District will pay these for the telephone bills as received. If the District phone provides unlimited data and call plan, the employee is not required to reimburse the District for personal calls made. If the District phone comes with limited data and calls, employee will be responsible for any excess use. District will forward a copy of the telephone bill to the trustee or administrator authorized employee for identification of any personal telephone calls. Once identified, the bill and a check made payable to the Los Angeles Community College District for the total amount of all personal calls will be submitted directly to the Controller’s Chief Financial Officer’s office.

B. PERSONALLY OWNED.

Any trustee or such previously authorized employee may be reimbursed for telephone calls made from his or her cellular telephone upon presentation of an itemized telephone bill, so long as the telephone call(s) relate directly to District business.

Trustees may also be reimbursed for the pro rata cost of the monthly service charge associated with District-related calls. The procedure for determining the pro rata share shall be the monthly service charge divided by the total number of calls made multiplied by the total number of District-related calls. Reimbursement of the pro rata share monthly service charge does not apply to administrators.

C. The Chancellor shall report to the Board, not later than sixty (60) days following the end of each fiscal year, the names of those Trustees and administrators receiving reimbursement for cellular phones and the amount of such reimbursement.

7501. MILEAGE. Allowance for transportation by private automobile to and from a place or places of service located within one hundred (100) miles from the Los Angeles City Hall shall be at the existing authorized rates for college business mileage.

7502. COLLEGE BUSINESS MILEAGE-DEFINITION CALCULATION. College business mileage is defined as the mileage which accrues in any one day on college business. Such mileage shall be calculated from the regular headquarters of the employee to his various destinations, and return to such regular headquarters.

In the event an employee does not visit his regular headquarters prior to his first trip on college business in any one day, he shall deduct from his total mileage (1) the distance from his home to such first stop, or (2) the distance from his home to his regular headquarters, whichever is lesser.
In the event an employee proceeds from his last destination on college business in any one day to his home, he shall deduct from his total mileage (1) the distance from such last destination to his home, or (2) the distance from his regular headquarters to his home, whichever is the lesser.

In the event an employee is assigned to perform work outside his regular hours of employment, on an emergency of non-scheduled basis as distinguished from a scheduled overtime basis, the performance of which involved the operation of his automobile from his home, he shall be entitled to receive reimbursement for total mileage traveled in connection with such assignment. A non-scheduled basis as used in this rule includes the supervision of students at events by an employee outside his normal working hours.

7503. REIMBURSEMENT RATES. Reimbursement for college business mileage shall be made at the following rates for each month.

7503.10 Standard Mileage Rates. For use of employee automobiles in conducting authorized District business in accordance with the IRS standard mileage rate(s). Fifty-Five and one half cents (55.5¢) per mile for all miles.

7504. TRAVEL ON PUBLIC CARRIERS. Any employee who is required to travel upon public carriers in the performance of his assigned duties may be reimbursed therefore upon approval by and in accordance with procedures established by the Chancellor or his designated representative.

7505. MILEAGE OR PUBLIC CARRIER FARE REIMBURSEMENT FOR CERTAIN EMERGENCY TRIPS. College personnel shall be eligible to receive reimbursement for mileage or public carrier fare for transporting students who become ill or injured at college to their homes, hospitals, clinics, or such other places as may be properly designated.

7506. MILEAGE OR PUBLIC CARRIER FARE REIMBURSEMENT FOR ATTENDANCE AT AUTHORIZED MEETINGS AND FOR SUPERVISING STUDENTS AT CO-CURRICULAR EVENTS. College personnel shall be eligible to receive reimbursement for mileage or public carrier fare for traveling to and from authorized meetings called or approved by the Chancellor or division head for supervising students at co-curricular events.

7507. EXEMPTION FROM MILEAGE REIMBURSEMENT. Mileage reimbursement payments may be made for transportation to and from a work location other than an employee's normal place of work for jobs lasting up to and including five working days. For jobs lasting more than five (5) working days, employees may receive mileage reimbursement payments to and from work if that work location is more than 15 miles from the employee's normal place of work.

Payment calculations under this rule shall be subject to the provisions of Rule 7502.
Subject: **AMEND BOARD RULE CHAPTER VII, ARTICLE VI OF THE BOARD RULES**

Amend Board Rule Chapter VII, Article VI of the Board Rules as follows:

7600. BUDGET POLICY. The annual Budget is the official document through which the District expresses its educational plan in terms of planned expenditures. The budget is a tool for obtaining the most efficient and effective utilization of the District’s fiscal resources. This is accomplished by compiling a complete listing of the District’s priorities to determine where funds may be used most advantageously. It should be realized that budgeting is, by necessity, a continuing process of monitoring, reviewing, evaluating, and adjusting.

7601. BUDGET CALENDAR. Annually there should be presented to the Board a Budget Calendar establishing the dates for the completion of various phases of budget preparation and a schedule of meetings to comply with provisions of law governing District budgets. Specifically, dates must be established for the following: Chancellor’s Budget, Tentative Budget, Publication Budget, and Final Budget.

7602. CHANCELLOR’S BUDGET. The Chancellor shall submit to the Board of Trustees a budget reflecting his recommendations for the District’s educational plan in terms of the planned expenditure of fiscal resources.

7603. TENTATIVE BUDGET. The Tentative Budget shall be prepared in accordance with the approved Budget Calendar, presented for adoption at a regular meeting of the Board, and filed with the County Office of Education Superintendent of Schools on or before July 1. The Tentative Budget provides budgetary authorization at the start of the fiscal year. Following adoption of the Tentative Budget, but no earlier than May 15, up to 50 percent of any appropriation in the Tentative Budget, and up to 100 percent of designated appropriations may be encumbered or expended. Upon adoption of the Final Budget, all appropriations may be encumbered or expended as authorized.

Recommended by: Jeanette L. Gordon, Chief Financial Officer

Recommended by: Adriana D. Barrera, Deputy Chancellor

Approved by: Daniel J. LaVista, Chancellor
7604. PUBLICATION BUDGET. On or before the 15th day of July the County Superintendent of Schools will return the Tentative Budget indicating his changes thereon. The Board shall make such changes in the Tentative Budget as it deems desirable. The Publication Budget shall be sent to the County Superintendent of Schools not later than the 20th of July.

7605. FINAL BUDGET. On or before the 15th of August—September, the Board shall adopt and file such Budget with the County Superintendent of Schools on the appropriate State forms.

A public hearing will be held during or prior to the adoption of the Final Budget and at which any taxpayer in the District may appear and object to the proposed Budget or any item in the Budget.

7606. BUDGET CHANGES. Changes between major objects of expenditures shall be submitted to the Board for approval. Requests for such changes are expected to be few in number and to be based on circumstances that could not reasonably have been anticipated at the time of Budget preparation. A statement of purpose of the proposed change shall accompany the request. Under no circumstances shall work be done or commitments be made before approval of the change.

However, the Chancellor or his authorized representative may make and change such appropriations and allotments as he deems necessary.

7608. INTERIM FINANCIAL REPORTS. Financial reports showing the current status of the income and expenditures of the District in relation to the Budget shall be prepared by the Business Services Division Chief Financial Officer/Treasurer and submitted to the Board of Trustees by the Chancellor as of the last day of each month, October through June, inclusive. The Chancellor shall provide the district's quarterly financial status report to the Board of Trustees.

7609. MAJOR OBJECTS OF EXPENDITURE. A major object of expenditure is the amount of money authorized by the Board for the particular use indicated by the designated classification established in accordance with Education Code Section 85200. The classifications are: 1000 Certificated Salaries; 2000 Non-Certificated Salaries; 3000 Employee Benefits; 4000 Books, Supplies, and Equipment Replacements; 5000 Contract Services and Other Expense; 6000 Sites, Buildings, and Equipment; 7000 Other Outgo.

7610. WITHHOLDING WARRANT SIGNATURE. The Chief Fiscal Officer is authorized to withhold signature from District warrants when:

A. Disbursement of the funds will result in the total amounts expended in any major account classification to exceed the amount budgeted.
B. Established procedures have not been followed to permit verification of authenticity of the expenditure.

7620. DEFINITION. "Chief Fiscal Officer," as used in this chapter is synonymous with "Chief Accounting Officer," as used in the Education Code.

7650. EXPENDITURE AUTHORIZATION OF CHIEF FISCAL OFFICER. Sections 7650.10 through 7695 indicate Board authorization of the Chief Fiscal Officer to make payments and issue warrants in specific circumstances.

7650.10 UTILITIES. The Chief Fiscal Officer is authorized to make payments for utility services, including electricity, gas, telephone and telegrams, U.S. Postage, and water, the rates for which are regulated by public regulatory bodies, after review and approval by appropriate administrator of the amounts to be paid, without further reference to the Board.

7650.11 ANNUAL SUPPLY CONTRACTS. The Chief Fiscal Officer is authorized to pay for invoices for supplies, materials and/or services ordered and received under annual supply and services contracts, without further reference to the Board, in accordance with the terms of these contracts and subject to approval of the invoices by an appropriate administrator.

7650.12 PERISHABLE MATERIALS. The Chief Fiscal Officer is authorized to pay for direct purchases 1) standard perishable materials required for use by the cafeteria, home economics, or science materials, which cannot be readily obtained through the regular ordering procedures, provided, that such direct purchases do not exceed maximum amounts therefore established by the Chancellor through the Business Manager, pursuant to the provisions of the Education Code, and determined by average daily attendance, or the needs of each particular class, or both directly to the seller, or if the purchaser pays the seller therefore, such payment shall be refunded to said purchaser; provided, that itemized bills therefore, properly certified and approved by an appropriate administrator, shall be submitted by the claimant.

7650.13 TAXES. The Chief Fiscal Officer is authorized to issue warrants to transfer the amounts to an approved depository, in accordance with the procedure established by the U.S. Treasury Department.

7650.14 FEES. The Chief Fiscal Officer is authorized to deposit with the County Treasurer in the usual manner, amounts received from the Veterans Administration as enrollment fees. Also he is authorized to refund any overpayment of enrollment fees remitted to the District.

7650.15 COMPENSATION REFUNDS. The Chief Fiscal Officer is authorized to issue warrants refunding overpayments of wage loss benefits, upon written request from the State Compensation Insurance Fund. The Chief Fiscal Officer is also authorized to issue warrants to reimburse employees for excess payments of wage loss benefits which have been remitted to the District by the State Compensation Insurance Fund.
7650.16 FEE REFUNDS. The Chief Fiscal Officer is authorized to make refunds of fees from employees participating in in-service training point projects based upon requests certified by the Division of Human Resources.

7650.17 REFUNDS. The Chief Fiscal Officer is authorized to issue warrants for payments necessary to correct deposit errors, refund deposits, or refund overpayments received by the District. It is understood that:

A. Each case will be investigated, and a recommendation made by the Chief Accountant or his/her respective principal assistant.

B. The recommendations will be reviewed by the Chief Fiscal Officer.

C. A file will be maintained of all such transactions which will be available for review by the contract auditors or any other authorized persons.

7651. SALES AND USE TAX. The Chief Fiscal Officer is authorized to remit directly to the State Board of Equalization all sales and/or use taxes, which are payable under California law and which are not collected by the vendor at time of purchase.

7655. EFFECTIVE DATE OF EMPLOYMENT. The effective date of employment for a new employee will be the date that the Request for Personnel Action is approved by the Chancellor or his designee. Employment will not commence before such approval has been granted. Payment for time worked prior to the approval of a Request for Personnel Action will not be made unless approved by an action of the Board of Trustees.

7656. PAYROLL INPUT. The Chief Fiscal Officer is responsible for procedures and systems to determine the accuracy of employee time reporting for payroll purposes.

7657. RECOVERING OVERPAYMENTS TO EMPLOYEES. Upon discovering that an overpayment was inadvertently made to an employee, the Chancellor or his/her designee shall promptly notify said employee in writing of the overpayment and seek immediate reimbursement of the District funds. Reimbursement methods may include a personal check from the employee payable to the District for the entire amount of the overpayment or the establishment of a payment plan whereby the employee reimburses the District for an agreed upon amount each pay period.

If after the third request, an employee refuses to either reimburse the District entirely or to set up an agreeable payment, the Chancellor or his/her designee is authorized to initiate legal action against the employee in the appropriate court of law.

7680. PAYROLL SAVINGS BONDS. The Business Services Division Chief Financial Officer/Treasurer is authorized to establish a Voluntary Payroll Savings Plan for the purchase of U.S. Savings Bonds, Series E, in accordance
with U.S. Treasury Department regulations, by payroll deductions authorized by employees, and that the Chief Accountant be directed to act on behalf of the District as Issuing Agent and other matters related to the administration of the Plan.

7690. REVOLVING CASH FUND. A Revolving Cash Fund, in the sum of twelve thousand five hundred dollars ($12,500) for each college and the District Office, is hereby authorized. The Chief Fiscal Officer shall use these funds for services or material, the securing or purchasing of which is a legal charge against the District.

7695. WARRANT SIGNATURE. The Controller Chief Financial Officer/Treasurer shall be designated as the Chief Fiscal Officer and the Chancellor as alternate, shall be certified in accordance with the provisions of Education Code Sections 85232 and 85233, to sign "A" and "B" warrants on behalf of the District and the Board of Trustees.