

CHAPTER I

BOARD POLICIES

1.01 Legal Authorization of the Board

The Board derives its authority from and is subject to the Constitution and the Statutes of the State of California, the regulations of the Board of Governors of the California Community Colleges, its own policies, and the expressed will of the electorate of the District.

1.02 Organization of the Board

A. Membership

The Board consists of six members: five voting members elected at large and one non-voting student member elected by the students.

B. Public Election of Board Members and Election of Student Board Member

1. Method and Time

- a. Five Board members are elected at large by qualified electors of the District. Regular Board member elections are held on the first Tuesday after the first Monday in November of each odd-numbered year. Special elections are held as required by and in accordance with provisions of the *Education Code*. The terms of trustees shall be staggered so that as nearly as practicable one-half of the trustees shall be elected in each odd-numbered year.
- b. The student Board member shall meet the eligibility requirements of section 1.02 D. below and shall be elected by the students in a general election of all students held during the Spring Quarter of each year.

2. Determination of Winner in Case of Tie Vote

In the event of a tie in a Governing Board member election, the winner of the election shall be determined by lot. The procedures shall be as follows:

The President of the Board shall notify each candidate who has received the tie vote to appear before the Board either personally or by a representative at a time and place as determined by the Board.

The Board shall, at that time and place, determine the winner by lot in the following manner:

- a. Each candidate's name will be printed on an identical 3" by 5" card and placed in a container by the Board Clerk (or another member of the Board designated by the President if the Clerk is one of the tie candidates).
- b. The President of the Board (or another member designated by the President if the President is one of the tie candidates) shall draw a card from the container. The candidate listed on the first card drawn shall be declared the winner of the election and the Clerk of the Board shall certify the results.

3. Payment of Costs

It shall be the responsibility of each candidate to pay the total pro rata costs incurred for the preparation or distribution of all campaign materials including, but not limited to, written statements which may accompany the voters' sample ballots and all other supplementary campaign materials which may be distributed to voters.

C. Term of Office

Except as specified in the initial election and as provided in the *Education Code* to replace vacancies, elected Board members shall serve four-year terms (December to December). The student Board member shall serve a one-year term commencing on June 1.

D. Eligibility

Eligibility to serve on the Board is established in the *Education Code*. In general, the provisions are:

- Elected Board members:
- resident of the District
 - at least 18 years of age
 - registered to vote

- Student Board members:
- resident of California
 - a student enrolled for a minimum of eight (8) units per quarter, summer session excluded
 - 2.0 GPA both quarterly and cumulatively

- any additional requirements for serving as a member of the Associated Student Council as required by the Constitution of the Associated Students of Lake Tahoe Community College

E. Vacancy

Vacancies on the Board are filled in accordance with the *Education Code*. (In general, by appointment for short-term vacancies and by election for longer vacancies.) Vacancies for the student Board member are filled for the unexpired term by the Student Council. A vacancy exists in the student Board member position when the student Board member resigns from the Board, misses three (3) consecutive meetings of the Board without authorization of the Board, registration drops below the required eight (8) units, or GPA drops below 2.0 either quarterly or cumulatively.

F. Remuneration, Payment of Expenses and Benefits

1. Board members' actual expenses incurred in carrying out the duties and responsibilities of the Board are paid by the District. Prior approval by the Board is necessary for all such expenditures.
2. Board members will not receive compensation for attending Board meetings.
3. As provided by law, publicly elected Board members may receive benefits as furnished to District employees upon approval by the Board and upon application by individual members.
4. Health Benefits, Continuation After Term on Board
 - a. Individuals who have completed at least one complete four-year elected term on the Lake Tahoe Community College District Board of Trustees may utilize the medical and major medical insurance benefits provided regular classified employees by reimbursing the District for all costs associated with such insurance, as per *Government Code 53210*.
 - b. The Board member must request this insurance from the District prior to the completion of his/her term on the Board.
 - c. Any former Board member more than 60 days in arrears in reimbursing the District for his/her medical insurance will be dropped from the plan and will not be eligible to participate in the District's health insurance program.
 - d. Provisions of policy 1.02 F.4. are available contingent upon availability from the insurance carrier.

G. Conflict of Interest (Board Resolution No. 19--1980/81)

The terms of 2 *Cal. Adm. Code* Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission along with the attached appendices in which officials and employees are designated and disclosure categories are set forth, are incorporated by reference and constitute the Conflict of Interest Codes for the Lake Tahoe Community College District.

Persons holding designated positions shall file statements of economic interest (Form 730) pursuant to section 4 (B) of the Conflict of Interest Code with the Office of the Superintendent/President of the Lake Tahoe Community College District with copies transmitted by that office to the El Dorado County Elections Department.

1.03 Officers of the Board

A. The elected officers from members of the Board are as follows:

President
Clerk

B. The Superintendent/President will serve as Secretary.

1.04 Duties of Officers

§ A. President

1. To preside at meetings of the Board
2. To appoint or provide for the election of all committees
3. To call special meetings as required
4. To appoint (at the annual organizational meeting) a member of the Board other than the President or Clerk to act as the presiding officer during the succeeding year in the event both the President and Clerk are absent
5. To perform such other duties as may be prescribed by law or by action of the Board

The President has the right to vote on all issues and to participate in the discussions. The President is authorized to sign all contracts, agreements, deeds, leases, plans and specifications for new building construction, remodeling and rehabilitation, and all other legal documents to be signed by an officer, agent or employee of the District.

B. Clerk

In the absence of the President, the Clerk shall perform all the duties of the President. The Clerk is authorized to attest the signature of the President or other members of the Board on all contracts, agreements, deeds, leases, plans and specifications for new building construction, remodeling, and rehabilitation, and on all other documents of the District where an attest is a legal requirement. The Clerk shall certify copies of records of the District as required.

C. Secretary

The major duties and responsibilities of the Secretary for the Board are:

1. To notify members of the Board of all regular, special, and adjourned meetings
2. To attend all Board meetings
3. To furnish Board members, the Academic Senate, Faculty Association and Classified Employees Association with an agenda of principal items of business, including back-up material, and to furnish an agenda which may include back-up material to others as determined by the Superintendent/President, at least 72 hours in advance of regular meetings and 24 hours in advance of special meetings
4. To cause to be recorded the minutes of the meetings of the Board and transmit a copy of the minutes of the previous meeting to each member of the Board before each ensuing meeting
5. To have charge of all records, proceedings and documents of the Board
6. To file and post copies of financial and other reports as required by law
7. To conduct under the direction of the Board the official correspondence of the Board
8. To sign and execute all employee contracts, inter-district agreements, and any other official documents authorized by the Board (see *Board Policy Manual* section 1.15)

1.05 Duties and Responsibilities of the Board

A. Publicly Elected Board Member

The duties of the publicly elected Board members will be as follows:

- § 1. To select and appoint the Superintendent/President of the District

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2. To evaluate the performance of the Superintendent/President annually and to set objectives to be achieved based on the needs of the College
 3. To determine the policies which will govern the operation of the District and to review them periodically
 4. To consider and act upon the curricular offerings of the College upon the recommendation of the Superintendent/President
 5. To require and consider reports from the Superintendent/President concerning the program and condition of the College
 6. To act upon the recommendations of the Superintendent/President pertaining to the appointment or dismissal of District employees
 7. To fix the rate of compensation of all employees and to review all salary schedules annually
 8. To review and adopt the annual budget
 9. To approve the expenditure of all funds
 10. To provide for and approve current and long-term academic plans and programs
 11. To provide for the establishment of the necessary procedures to assure proper accounting of receipts and disbursement of District funds and those of student organizations, and other funds under the supervision of the District
 12. To provide for the annual audit of all funds of the District, student organizations, and other funds under the supervision of the District
 13. To consider and act upon the annual calendar
 14. To act upon the recommendation of the Superintendent/President on site and plant development, major capital outlay items and maintenance of buildings, grounds and equipment
 15. To consider communications and requests from citizens or organizations on matters of policy and administration
 16. To establish *ad hoc* citizen advisory committees and curricular or vocational advisory committees and to appoint the members of such committees
 17. To serve as a final appeal for students, employees and citizens of the Lake Tahoe Community College District. The Board will serve in its appellate role for students and employees of the College only after a decision on the matter in contention has been made by administrative action and then upon the basis of a

request for reconsideration of the matter by the Board. Appeals by citizens of the District may be made to the Board

18. To notify the President or Secretary of the Board when a member will be absent from a Board meeting. Such notification shall be given as far in advance of the meeting as is possible
19. To assure that equal employment opportunities policies are implemented and resources allocated to implement College procedures
20. To assure that no discrimination occurs in all employment practices
21. To review equal employment opportunities results as they relate to the College's Staff Diversity/Affirmative Action Plan
22. To evaluate the performance and effectiveness of the Board of Trustees annually and to set objectives to be achieved based on the needs of the College.

B. Duties and Limitations of the Student Board Member

1. The student Board member is prohibited by law from voting.
2. The student Board member may make and second motions.
3. The student Board member is prohibited from attending closed session.

1.06 Code of Ethics

A. Introduction

The Board of Trustees is elected by and accountable to the voters of the Lake Tahoe Community College District to determine the direction and policies of the District in pursuit of its mission. To promote a healthy academic environment for the students, faculty and staff which inspires and challenges the College's community to greater service and achievements, and in the spirit of mutual trust and support, the Board of Trustees adopts this Code of Ethics.

1. Remember that Board members have authority only when acting as a Board legally in session, or when acting in pursuance of specific instructions of the Board. Accept the concept that each Board member is only one member of an educational team.
2. Hold the educational welfare of students as the primary concern in all decisions and assure the opportunity for high quality education for all students regardless of sex, race, color, religion, ancestry, national origin, or disability.

3. As a Board member, avoid situations, which have or appear to have potential for personal gain and act honestly and openly at all times.
4. Recognize that the primary duty of the Board is to represent the entire community while maintaining an independent judgment unbiased by special interests or other politically active, narrowly focused groups.
5. Confine Board action to policy determination, planning, evaluation, and maintaining the fiscal stability of the District. Delegate authority for the execution of these items on a day-to-day basis to the Superintendent/President as the chief executive officer of the District.
6. Insure a model atmosphere in which controversial issues can be presented fairly demonstrating respect and consideration for Board members, citizens, students, and College staff.
7. Conduct all District business in open public meetings, unless, in the judgment of the Board and only for those purposes permitted by law, it is appropriate to discuss District business in closed session. Maintain the confidentiality of privileged information.
8. Devote time, thought, energy, effort, and ability to the duties of the Board of Trustees in order to render effective service for the betterment of the College.
9. Be an advocate of the College in the community by encouraging support for and interest in Lake Tahoe Community College.

B. Violations

1. If a trustee violates the Board's Code of Ethics, it may harm the Board and the College in a number of ways. Violating ethics laws may subject the Board and College to legal action, which can involve penalties and significant costs. Not addressing ethical and legal violations may cause the public and College employees to lose respect for and trust in the Board. The strategy a Board uses to address ethical breaches depends on whether the behavior violates related laws or the Board's own Code of Ethics.
2. Anyone claiming or expressing the possibility that a Board member has violated the Board's Code of Ethics shall make such violation known to the Board of Trustees.
 - a. In the event that the alleged violation constitutes a violation of the laws of the State of California, such violation shall be referred to the District Attorney or the Attorney General.
 - b. Other alleged violations shall be put on the Board's agenda for response by the accused Board member. This will be an opportunity for the trustee to

explain his/her perspective and motives. If in fact it is the conclusion of the majority of the trustees that there has been a violation of this policy, the Board of Trustees may act in one of the following manners depending on the severity and intent of the violation.

- (1) The Board President talks to the person about the implications of the perceived violation, including the negative impact the behavior will have on the College, the Board, and the individual trustee.
 - (2) An *ad hoc* committee may be appointed to look into the allegations and make a recommendation to the Board President or the Board as a whole.
 - (3) The Board may hold a workshop or retreat on codes of ethics and the importance of upholding them. All trustees discuss interpretations of the code and reinforce expected behavior.
 - (4) The Board may, in a meeting, make a public statement of expected Board behavior, adopt a Board resolution about what expected behavior is, and/or publicly reaffirm the ethics policy. This course of action alerts the public that individual violations are not condoned by the Board.
 - (5) The Board may issue a public statement in which it expresses concern with an individual trustee's behavior. The statement would be made at a Board meeting.
 - (6) A last resort is a Board vote to censure the trustee's behavior. Censure distances the Board from the unethical behavior of one of its members and is a clear, public statement that unethical behavior is not condoned or tolerated.
3. If illegal or unethical behavior occurs during a Board meeting (such as remaining at the Board table when the trustee has a conflict of interest, engaging in debate or discussion with audience members on topics not on the agenda, attacking a speaker or not following the Board's meeting procedures), the chair can state what the expectations and standards are of Board behavior and/or state that the behavior or violation does not meet Board policy.

§ 1.07 Orientation for New Board Members

A. Publicly Elected Board Members

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

B. Student Board Member

1. The Superintendent/President shall provide an overall orientation to the student Board member upon assumption of office to include providing written materials; an overall review of the institution's history and development, the structure of public higher education at the state level; an explanation of the concept of consultation; and an invitation to schedule additional meetings with the Superintendent/President. The Superintendent/President will encourage the student trustee to attend the new student trustee orientation sponsored by the California Community College Trustees (CCCT) association.
2. In June of each year the President of the Board of Trustees shall appoint a member of the Board of Trustees to act as mentor to the student trustee.

1.08 Meetings of the Board

A. Annual Organizational Meeting

Between December 1 and December 15 of each year an annual organizational meeting shall be held at which time the Board shall elect its officers (the President and the Clerk) and the Board President shall appoint representatives as necessary. They shall serve as such for a one-year term or until their successors are qualified.

B. Regular Meetings

The regular meetings of the Board will be held at 6:00 p.m. on the second and fourth Tuesdays of each month except in December when one meeting will be held on the second Tuesday. The date and time of a regular meeting may be changed by action of the Board at any previous meeting provided that every member is notified either by letter or by distribution of the minutes carrying a record of the change. In case the date, time and/or place of any regular meeting is changed, the Secretary will take appropriate steps to inform the public of the change in time or place.

C. Place of Meetings

The meetings of the Board will be held at the Lake Tahoe Community College except as specifically approved by Board action. In case any meeting is held in a different place, the Secretary will notify each member and the public of the change.

D. Special Meetings

Special meetings of the Board may be called by the President of the Board or upon request of two members of the Board or by the Superintendent/President of the District upon approval of the President of the Board. Twenty-four (24) hours written notice of special meetings will be given by the Secretary but waivers of the notice may be signed by the members pursuant to the provisions of the *Government Code*.

No business may be transacted in special meetings other than that specified in the call (*Gov. Code* section 5956). The agenda for a special meeting at which action is proposed to be taken on an item must provide an opportunity for members of the public to directly address the governing board concerning that item prior to action on the item.

E. Recessed Meetings

Meetings may be recessed by the President with the consent of the majority of members present.

F. Adjourned Meetings

Adjourned meetings may be held as the business of the Board requires.

G. Closed Sessions

1. Closed sessions are authorized in the *Government Code* only for the following:

- a. License/Permit Determination
- b. Conference with real property negotiator
- c. Conference with legal counsel on pending litigation
 - 1) Litigation is "pending" if:
 - (a) A proceeding has already been initiated in a court, administrative action or arbitration, if the agency is a party.
 - (b) On counsel's advice, the agency decides that a point has been reached where there is "significant exposure" to litigation, or the Board is meeting solely to determine whether a closed session is authorized under the significant exposure provision. The "significant exposure" determination must be based on "existing facts and circumstances." These are limited to:
 - (1) Those existing facts and circumstances which might result in litigation against the agency but which the agency believes are not yet known to potential plaintiffs. Such facts and circumstances need not be publicly specified.
 - (2) Those existing facts and circumstances (such as accidents, disasters, incidents or "transactional occurrences") which might result in litigation and which are already known to potential

plaintiffs. Such facts and circumstances must be publicly disclosed before the closed session or specified on the agenda.

- (3) Receipt of tort claim or written threat of litigation. The claim or written communication must be available for public inspection in the same manner as other public agenda material.
- (4) A threat of litigation regarding a matter in the agency's jurisdiction, made by a person in an open or public board meeting.
- (5) A threat of litigation regarding a matter in the agency's jurisdiction, made by a person outside an open and public board meeting. The threat could be made directly to an agency official or employee or could be communicated to the official or employee by someone else. In either event the agency official or employee receiving knowledge of the threat must have made a contemporaneous or other record of the threat prior to the board meeting. The record must be available for public inspection in the same manner as other public agenda material. The record need not identify the person making the threat or identify the employee who is the alleged perpetrator unless the identity of the person has already been publicly disclosed.

(c) The agency has decided, or is deciding, to initiate litigation.

d. Liability claims

e. Threat to public facilities

f. Certain personnel matters

- 1) To consider the appointment, employment, evaluation of performance, or dismissal of a public employee.
- 2) To hear complaints or charges against a public employee by any person, including another employee. Before such a closed session can be held for purposes of considering disciplinary action or dismissal, the employee must be given written notice of his/her right to have the complaint or charges heard by the Board in open (public) session rather than in closed session. Notice must be delivered personally or by mail at least 24 hours in advance of the time for holding the session. Failure to give the required notice makes any disciplinary or other action null and void. In this "personnel" type of closed session, the Board is prohibited from discussing the agency's funds, funding priorities, or budget.

g. Collective Bargaining Matters

2. Agendas must contain a brief general description of each item to be transacted or discussed, including items to be discussed in closed session.

H. Hearings on Budget

A public hearing of the budget will be held prior to adoption of the budget as provided by law.

1.09 Meetings Open to the Public

All meetings of the Board will be open to the public except that the Board may hold closed sessions for the purposes listed in section 1.08 G. above. The order of business of all official meetings will include an opportunity for individual members of the public to address the Board, subject to a five minute time limitation and groups to 15 minutes on any one topic or item, which may be extended by the President of the Board or by other Board action. However, no action may be taken upon any request or proposal unless the item is on the agenda or authorization exists (see *Board Policy Manual* section 1.10 B).

1.10 Order of Business and Procedure

A. Quorum

Three publicly elected members constitute a quorum for the transaction of business. An affirmative vote of the majority of all elected Board members is required for the passage of a motion except where otherwise provided by law or Board policy.

B. Agenda

1. Posting

Agendas of regular meetings must be posted 72 hours in advance, in a place freely accessible to the public. The agenda must state the time and location of the meeting.

2. Wording

- a. The agenda must contain a brief general description of each item of business to be transacted or discussed in open and closed session sufficient to inform an interested member of the public about the subject matter under consideration so that he or she can determine whether to monitor or participate in the meeting. A "brief general description" of a matter generally need not exceed 20 words.
- b. For items to be discussed in closed session, descriptions will generally follow the format below.

- 1) Conference with Real Property Negotiator: Specify (a) by street address or, if none, parcel number or other unique reference, the property under negotiation; (b) the party (not the party's agent) who, directly or through an agent, will negotiate with the agency's agent; and (c) that the Closed Session will concern the price, terms of payment, or both.
- 2) Conference with Legal Counsel and a subheading of either "Existing Litigation" or "Anticipated Litigation."
 - (a) Under "Existing Litigation," refer to the claim and claimant's name or case number and name of the adverse parties. If this identification would hinder service on an unserved party, say instead, "Disclosure will jeopardize service of process." If the identification would hinder existing settlement negotiations, say instead "Disclosure will jeopardize existing settlement negotiations."
 - (b) Under "Anticipated Litigation," if the agency expects to be sued, add "Significant Exposure to Litigation Pursuant to Subdivision (b) of Government Code section 54956.9" and also state the number of distinct cases or potential cases to be discussed. If the agency intends to initiate suit, add "Initiating of Litigation pursuant to subdivision (c) of Government Code section 54956.9" and then state the number of distinct claims or potential cases to be discussed.
- 3) Liability Claims: specify each claimant's name and claim number (if any) and the name of the agency sued. If the claimant is filing a claim alleging the agency's liability based on tortious sexual conduct or child abuse, the claimant's name need not be given unless the identity has already been publicly disclosed.
- 4) Public Employee Appointment: Identify title or position to be filled.
- 5) Public Employee Employment: Identify title or position to be filled.
- 6) Public Employee Performance Evaluation: Identify position of any employee under review.
- 7) Public Employee Discipline/Dismissal/Release: It is not necessary to give any additional information on the agenda.
- 8) Conference with Agency Labor Negotiator: Name any employee organization with whom negotiations to be discussed are being conducted; also identify the titles of unrepresented individuals with whom negotiations are being conducted. Also identify by name the agency's negotiator.

3. Preparation

The agenda of the meeting will be prepared and presented by the Secretary. Any member of the Board may have items placed on the agenda by contacting the Secretary prior to the preparation of the agenda. Requests for placing items on the agenda from the public will be made to the Secretary or any Board member.

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C. Order of Business

The order of business for regular Board meetings will be established in accordance with appropriate state codes and regulations.

D. Rules of Procedure for Conduct of Meeting

Robert's Rules of Order Newly Revised shall govern the proceedings and conduct of Board meetings except where the Board's own policies or state regulations or statutes provide otherwise.

E. Public Announcement of Purpose of Closed Session Prior to Closed Session

The President of the Board of Trustees (or his/her designee) shall announce in public session before the Board adjourns to a closed session the item or items to be considered in the closed session. This announcement may simply refer the public to the item or items as they are listed on the agenda by number or letter.

F. Public Report of Closed Session Action After the Closed Session

In accordance with the *Government Code*, actions taken in closed session shall be reported in public session at the same meeting after the closed session action.

1.11 Participation at Board Meetings

A. Public

The Board invites and encourages public participation in its deliberations. To this end, there shall be opportunity for the public to address the Board at each open meeting both on items on the published agenda and topics in general. As a general format, agenda items shall be considered as follows: presented by College staff member; questions for information or understanding by Board members; invitations to public to ask questions, offer comments, or make presentations; discussion by Board members; recommendation of Superintendent/President; action by Board (if appropriate). Individuals or groups wishing to make presentations to the Board are encouraged to contact the Superintendent/President as far in advance as possible so that adequate arrangements may be made on the agenda.

Individuals or groups addressing the Board are requested to identify themselves by name and address (street address and city) before making their presentation.

B. Employees

Employees of the District are encouraged to participate in Board deliberations as presenters, reactors or through general comments. Employee participation is in some instances determined by state regulations or statutes.

C. Students

Student participation in Board deliberations is encouraged through student organizations or as individuals.

D. Direct Requests for Board Action

Requests of the public, employees, or students delivered or made directly to the Board will be referred to the Superintendent/President for consideration and/or recommendation before Board consideration.

E. Conduct and Remarks Out of Order

Undue interruption or other interference with the orderly conduct of Board business will not be allowed. The chair may terminate a speaker's privilege of address if, after being called to order, the speaker persists in interfering with the proper conduct of the meeting.

1.12 Minutes of Meeting

A record of all transactions of the Board will be set forth in the official minutes of the Board, and the minutes will be kept by the Secretary as a permanent official record and will be open to inspection by the public.

The minutes will record the name of the person making a motion, the name of the person seconding it, and the vote. Voting will be viva voce or by roll call. A member voting for or against a proposition or abstaining from voting may state his reasons and may have them recorded in the minutes if he so requests at the time of the voting. Minutes will be recorded as indicated in *Robert's Rules of Order--Newly Revised (1990)*.

1.13 Establishment and Changes in Policies

A. Participation in Policy Determination

The Board welcomes the advice and assistance of all interested individuals and groups during consideration of both educational and financial matters. However, the Board alone will be the final policy determinant.

1. Philosophy

Consultation at Lake Tahoe Community College is a decision-making process committed to the best interests of our students and our institution based upon participation of those affected by decisions with cooperation and trust, with the understanding that the Board of Trustees has the ultimate authority and accountability.

2. College Council

A College Council will be established consisting of representatives of the students, faculty, classified staff, and administration to implement consultation at Lake Tahoe Community College. Consultation embraces the basic objectives that all parties of interest should participate in jointly developing recommendations for governing board action.

- a. The College Council will be collaborative in its format and operation. The Council will be recognized as the major decision-making body responsible for making recommendations to the Superintendent/President regarding proposed policy changes, accreditation review and implementation, comprehensive planning process, development of the budget and other issues related to decisions and policies which directly affect students, faculty, classified staff and administrators.
- b. The College Council will develop a detailed set of guidelines for its own operation specifying the membership, composition and selection, term of office, frequency of meetings, agenda procedures and recommendations, and methods of evaluating the consultation process at Lake Tahoe Community College.

B. First and Second Reading Procedure for Establishment or Changing the Policies

Proposals to establish or change Board policies will appear on the published agenda at least one time with the note "First Reading" prior to the meeting at which action is taken on the matter. Action to approve policies will be taken only after "Second Reading."

C. Effective Date of Policies

All policies established by the Board become effective immediately upon their adoption unless an effective date is specified at the time of passage.

D. Responsibilities of Academic Employees and Members of the Classified Service

The policies and procedures adopted by the Board for the District have been written to be consistent with the provisions of law, but do not encompass all laws relating to the District's activities. All academic employees and members of the classified service will be expected to know and will be held responsible for observing all provisions of law pertinent to their activities.

E. Suspension of Policy

Any policy or procedure may be suspended by a majority vote of the entire Board which vote will be taken by roll call and will be entered in the minutes of the meeting.

F. Distribution of Policies

The Superintendent/President will furnish, upon request, a copy of the policies and procedures and a copy of any amendment thereto to each employee and to any other interested person. In lieu of the distribution of the complete manual, the Superintendent/President may prepare a special edition for any specific group of employees and omit therefrom those policies which do not have a direct bearing upon the activities of that group of employees; provided, however, that a copy of the complete policies and procedures is made readily accessible to all employees and to members of the public. Copies of the policies and procedures will be on file in the Office of the Superintendent/President of the District and in the Library.

G. Policy Provisions Required by Law

Should a statute or code section of the State of California or the government of the United States be added, repealed or amended, or should a court decision or an opinion by the Attorney General of the State of California or other applicable court or official make changes in any of the policies of the Board, or in the administrative procedures of the District, the policies and procedures shall be considered to be automatically amended to comply.

1.14 Board Action on Issues Not Directly Affecting the College

Except in those cases resulting from specific action by the Board to consider a matter, positions shall only be taken on matters directly affecting the operation of the College. The procedure for such a determination is as follows: For any matter presented to the Board including a request that it take a position, and where there is any question from any Board member concerning its direct affect upon the College, the Board shall determine whether it shall consider the matter by vote. A simple majority of the total members of

the Board will cause the matter to be discussed and considered. Following such considerations, a 4/5 vote of the Board is required for the establishment of a position for or against such a matter.

1.15 Authorized Signatures

The President and Clerk of the Board, the Superintendent/President and Vice President, Business Services are authorized to sign contracts, documents and reports on behalf of the Board after approval of such items by the Board.

The President and Clerk of the Board, the Superintendent/President, Vice President, Academic Affairs and Student Services, Deans of Instruction and Dean of Student Services are authorized to sign notices of employment for academic persons employed less than 60% of a full load.

1.16 Delegation of Authority to Superintendent

A. Maintenance of Records

The Superintendent/President is delegated the authority and directed to maintain accurate and complete records required by state law, federal and state agencies or departments, or the Office of the County Superintendent of Schools, including the proper accounting of any and all funds that come under the control of the Governing Board and the proper accounting of student attendance.

B. Action in Emergency

The Superintendent/President is delegated the authority to act on behalf of the Board in an emergency for the protection of life, health, and safety of individuals and the protection of property.

C. Power to Contract

The Superintendent/President, or such persons as the Superintendent/President may designate, is delegated the power to enter into contracts for and on behalf of the District wherever the power to so contract is invested in the Board by the *Education Code*. Such contracts include, but are not limited to, purchase of supplies and equipment, personal service contracts, leases and rentals, banking agreements, vendor service agreements, and personnel matters when such contracts do not exceed the dollar or time limits established in the *Education Code* or other laws pertaining to the taking of competitive bids. The Superintendent/President, or such persons as the Superintendent/President may designate, is further delegated the power to amend the terms and conditions of any contractual arrangement provided that the total expenditure of funds and period of the contract do not exceed the limitation set forth in the *Education Code*. No contract made pursuant to any delegation of power to contract shall be valid or constitute an enforceable obligation against the District unless and until such contract has been approved and ratified by the Board, said

approval or ratification to be evidenced by a motion of the Board duly passed and adopted. All transactions herein authorized involving an expenditure by the District for the purchase of supplies, materials, apparatus and equipment shall be reviewed by the Board every 60 days.

D. Accept Resignations

The Superintendent/President is delegated the authority to accept resignations in accordance with sections 4.16 and 5.06 M. of the *Board Policy Manual*.

E. Lake Tahoe Community College Foundation Board of Directors

The Superintendent/President is delegated the authority to approve persons to serve as members of the Lake Tahoe Community College Foundation Board of Directors.