



**San Bernardino Community College District
Board Policy
Chapter 2 – Board of Trustees**

BP 2200 BOARD DUTIES AND RESPONSIBILITIES OF THE BOARD

(Replaces current SBCCD BP 2000 and BP 2270)

NOTE: Board duties and responsibilities are also reflected throughout the Board Policy Manual and are addressed in BP 2715 titled Code of Ethics/Standards of Practice. Insert local practice; sample concepts are provided below. Additional resources may be found in Chapter 7 of the League's Trustee Handbook and other publications on trusteeship.

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

The Board is committed to fulfilling its responsibilities to:

- Represent the public interest
- Establish policies that define the institutional mission and set prudent, ethical and legal standards for college operations
- Hire and evaluate the Chancellor
- Delegate power and authority to the chief executive to effectively lead the District
- Assure fiscal health and stability
- Monitor institutional performance and educational quality
- Advocate and protect the District

NOTE: Additional duties and responsibilities may be added.

❖ **From current SBCCD BP 2270 titled Board Imperatives**

The Board is committed to excellence and effectiveness in all the operations and entities that comprise the San Bernardino Community College District. It is committed to student access, retention and success and to prudent management of all the district's resources. The Board strives for and expects informed and excellent governance and leadership from themselves and from all the key leaders of the District.

To that end, the Board has established four Board Imperatives:

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- I. Institutional Effectiveness
- II. Learning Centered Institution for Student Access, Retention, and Success
- III. Resource Management for Efficiency, Effectiveness, and Excellence
- IV. Enhanced and Informed Governance and Leadership

The Board directs the Chancellor to ensure that each entity of the ~~San Bernardino Community College~~ District develops and meets goals to ensure that the Board's Imperatives are met.

❖ **From current SBCCD BP 2000 titled Duties and Responsibilities of the Board**

In addition, the Board of Trustees is committed to fulfilling the following duties and responsibilities:

A. General

1. Select the chief administrative officer of the District.
2. Approve the college calendar and determine which holidays to observe and on what days to observe them within the framework of providing the necessary number of days of instruction to qualify for state apportionment. The calendar shall be established after consultation with the District constituencies.
3. Consider communications and requests from citizens or organizations on matters of administration and policy.
4. Provide auxiliary services necessary to achieve the purposes of the community college.
5. Approve and provide such classes, programs and facilities under the provisions of the Community Service Act and the Civic Center Act as deemed appropriate.
6. Notify the President or Secretary of the Board when a member shall be absent from a Board meeting. Such notification shall be given as far in advance of the meeting as possible.
7. Evaluate annually, in writing, the Chancellor's performance using selected evaluation instruments.

Commented [RH1]: This statement could be misinterpreted...in other words, does this statement preclude the individual college's ability to act in these areas, like with donations, scholarships, etc?

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91 8. Evaluate annually, in writing, the Board of Trustees performance using
92 selected evaluation instruments.

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94 **B. Business**

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96 1. Establish policies and approve long-range master plans for facilities, and
97 submit such plans to the Board of Governors for review and approval.
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99 2. Determine and control the District budget and present the budget to County
100 authorities.
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102 3. Consider reports of the financial condition of the District.
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104 4. Provide for periodic audit of funds of the District as provided by law, including
105 those of student organizations, food services, bookstores, and others handled
106 under the supervision of the District.
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108 5. Authorize expenditures of funds and approve payment for authorized
109 purchases.
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111 6. Manage and control District property.
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113 7. Contract for the procurement of such goods and services as authorized by
114 law.
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116 8. Receive and administer gifts, grants, and scholarships.
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118 **C. Educational**

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120 1. Establish policies for, and approve, current and long-range educational plans
121 and programs, and promote orderly growth and development of the colleges
122 within the District.
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124 2. Establish academic standards, probation and dismissal and readmission
125 policies, and graduation requirements not inconsistent with the minimum
126 standards adopted by the Board of Governors.
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128 3. Approve courses, programs of instruction, and certificate and graduation
129 requirements.
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131 4. Establish ad hoc citizen advisory committees and curricular or ~~vocational~~
132 career and technical advisory committees, and appoint, upon the
133 recommendation of the Chancellor, the members of such committees.
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135 **D. Personnel**

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1. Employ and assign all personnel.
 2. Establish employment practices, salaries, and benefits for all employees.
 3. Serve as a **B**oard of final appeal for employees and the public.
 4. Act upon the recommendations of the Chancellor pertaining to the appointment or dismissal of District employees.

146 **E. Students**

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1. Establish such student fees as authorized by law.
 2. Establish rules and regulations governing student conduct.
 3. Serve as a final appeal for complaints regarding administrative actions against students, employees, and citizens of the San Bernardino Community College District. The Board shall serve in its appellate role for students, employees, and citizens 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 to the Board. Appeals on grievances and discipline matters of bargaining unit members will be handled in accordance with the Agreements.

161 **References:** WASC/ACCJC Accreditation Standard IV.B.1.d;
162 Education Code Section 70902

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165 **NOTE:** The **red ink** signifies language that is **required** by accreditation and recommended by the Policy
166 and Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The language in **black ink** is
167 from current SBCCD BP 2000 titled Duties and Responsibilities of the Board adopted on 1/11/01 and
168 amended on 4/08/04 and current SBCCD BP 2270 titled Board Imperatives adopted on 11/6/08. The
169 language in **blue ink** is included for consideration.
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Adopted: 1/11/01 (BP 2000); 11/6/08 (BP 2270)

Revised: 4/8/04, _____

173 **Legal Citations for BP 2200**

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176 **Accreditation Standard IV.B.1d**

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178 **Standard IV: Leadership and Governance**

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180 **B. Board and Administrative Organization**

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182 **In addition to the leadership of individuals and constituencies, institutions recognize the**
183 **designated responsibilities of the governing board for setting policies and of the chief**
184 **administrator for the effective operation of the institution. Multi-college districts/systems**
185 **clearly define the organizational roles of the district/system and the colleges.⁶**

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187 1. The institution has a governing board that is responsible for establishing policies to assure
188 the quality, integrity, and effectiveness of the student learning programs and services and the
189 financial stability of the institution. The governing board adheres to a clearly defined policy for
190 selecting and evaluating the chief administrator for the college or the district/system.

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192 c. The governing board has ultimate responsibility for educational quality, legal matters, and
193 financial integrity.

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195 d. The institution or the governing board publishes the board bylaws and policies specifying the
196 board's size, duties, responsibilities, structure, and operating procedures.

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200 **EDUCATION CODE - EDC**

201 **TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]**

202 (*Title 3 enacted by Stats. 1976, Ch. 1010.*)

203 **DIVISION 7. COMMUNITY COLLEGES [70900 - 88651]**

204 (*Division 7 enacted by Stats. 1976, Ch. 1010.*)

205 **PART 43. THE CALIFORNIA COMMUNITY COLLEGES [70900 - 70902]**

206 (*Heading of Part 43 renumbered from Part 43.5 by Stats. 1995, Ch. 758, Sec. 78.*)

207 **70902.**

208 (a) (1) Every community college district shall be under the control of a board of
209 trustees, which is referred to herein as the "governing board." The governing
210 board of each community college district shall establish, maintain, operate, and
211 govern one or more community colleges in accordance with law. In so doing,
212 the governing board may initiate and carry on any program, activity, or may
213 otherwise act in any manner that is not in conflict with or inconsistent with, or
214 preempted by, any law and that is not in conflict with the purposes for which
215 community college districts are established.

216 (2) The governing board of each community college district shall establish rules
217 and regulations not inconsistent with the regulations of the board of governors

218 and the laws of this state for the government and operation of one or more
219 community colleges in the district.

220 (b) In furtherance of subdivision (a), the governing board of each community
221 college district shall do all of the following:

222 (1) Establish policies for, and approve, current and long-range academic and
223 facilities plans and programs and promote orderly growth and development of
224 the community colleges within the district. In so doing, the governing board
225 shall, as required by law, establish policies for, develop, and approve,
226 comprehensive plans. The governing board shall submit the comprehensive
227 plans to the board of governors for review and approval.

228 (2) Establish policies for and approve courses of instruction and educational
229 programs. The educational programs shall be submitted to the board of
230 governors for approval. Courses of instruction that are not offered in approved
231 educational programs shall be submitted to the board of governors for approval.
232 The governing board shall establish policies for, and approve, individual courses
233 that are offered in approved educational programs, without referral to the board
234 of governors.

235 (3) Establish academic standards, probation and dismissal and readmission
236 policies, and graduation requirements not inconsistent with the minimum
237 standards adopted by the board of governors.

238 (4) Employ and assign all personnel not inconsistent with the minimum
239 standards adopted by the board of governors and establish employment
240 practices, salaries, and benefits for all employees not inconsistent with the laws
241 of this state.

242 (5) To the extent authorized by law, determine and control the district's
243 operational and capital outlay budgets. The district governing board shall
244 determine the need for elections for override tax levies and bond measures and
245 request that those elections be called.

246 (6) Manage and control district property. The governing board may contract for
247 the procurement of goods and services as authorized by law.

248 (7) Establish procedures that are consistent with minimum standards
249 established by the board of governors to ensure faculty, staff, and students the
250 opportunity to express their opinions at the campus level, to ensure that these
251 opinions are given every reasonable consideration, to ensure the right to
252 participate effectively in district and college governance, and to ensure the right

253 of academic senates to assume primary responsibility for making
254 recommendations in the areas of curriculum and academic standards.

255 (8) Establish rules and regulations governing student conduct.

256 (9) Establish student fees as it is required to establish by law, and, in its
257 discretion, fees as it is authorized to establish by law.

258 (10) In its discretion, receive and administer gifts, grants, and scholarships.

259 (11) Provide auxiliary services as deemed necessary to achieve the purposes of
260 the community college.

261 (12) Within the framework provided by law, determine the district's academic
262 calendar, including the holidays it will observe.

263 (13) Hold and convey property for the use and benefit of the district. The
264 governing board may acquire by eminent domain any property necessary to
265 carry out the powers or functions of the district.

266 (14) Participate in the consultation process established by the board of
267 governors for the development and review of policy proposals.

268 (c) In carrying out the powers and duties specified in subdivision (b) or other
269 provisions of statute, the governing board of each community college district
270 shall have full authority to adopt rules and regulations, not inconsistent with the
271 regulations of the board of governors and the laws of this state, that are
272 necessary and proper to executing these prescribed functions.

273 (d) Wherever in this section or any other statute a power is vested in the
274 governing board, the governing board of a community college district, by
275 majority vote, may adopt a rule delegating the power to the district's chief
276 executive officer or any other employee or committee as the governing board
277 may designate. However, the governing board shall not delegate any power that
278 is expressly made nondelegable by statute. Any rule delegating authority shall
279 prescribe the limits of the delegation.

280 (e) This section shall become operative on January 1, 2014.

281 *(Amended (as added by Stats. 2006, Ch. 817, Sec. 5) by Stats. 2011, Ch. 112, Sec. 4. Effective*
282 *January 1, 2012. Section operative January 1, 2014, by its own provisions.)*
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