



Board Meetings

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## **1.10 BOARD MEETINGS**

The Governing Board shall operate in an open, consistent and legal manner, and adhere to these operational proceedings:

1.10.1 Regular Meetings [Education Code Section 72000(d), Government Code 54952.2, 54953 et seq.; 54961]

- A. The Governing Board shall meet monthly, unless otherwise determined by Governing Board action. The Board shall adopt an annual calendar of Board meetings.
- B. All regular and special meetings of the Board shall be open to the public, be accessible to persons with disabilities, and otherwise comply with Brown Act provisions, except as required or permitted by law.

1.10.2 Organizational Meetings [Education Code Section 72000(c)(2)(A)]

Annual organizational meetings are to be held within fifteen days commencing with and including the first Friday in December. Unless otherwise provided by rule of the Governing Board, the day and time of the annual meeting shall be selected by the Governing Board at its regular meeting held immediately prior to the last Friday in November, and the secretary shall notify the San Bernardino County Superintendent of Schools of the day and time selected. The secretary of the Governing Board shall, within fifteen days prior to the date of the annual meeting, notify in writing all members and members-elect of the date and time selected for the meeting.

1.10.3 Special and Emergency Meetings [Government Code Sections 54956, 54956.5, 54957; Education Code Sections 72023.5, 72129]

- A. Special meetings may be held at the call and notice of the Board president, which must be posted at least 24 hours before the special meeting in a location freely accessible to members of the Governing Board. The date set shall be at least 24 hours subsequent to completion of the call and notice. No business shall be transacted other than that specified in the call and notice.
- B. Special meetings may, from time-to-time, be called by the president of the Board or by a majority of the members of the Board. Notice of such meetings shall be posted at least 24 hours before the time of the meeting, and shall be noticed in



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accordance with Brown Act requirements. No business other than that included in the notice may be transacted or discussed.

- C. Emergency meetings may be called by the president of the Board when prompt action is needed because of actual or threatened disruption of public facilities under such circumstance as are permitted by the Brown Act, including work stoppage, crippling disasters, and other activity that severely impairs public health or safety. No closed session shall be conducted during an emergency meeting, except as provided for in the Brown Act to discuss a dire emergency.
- D. The superintendent/president shall be responsible to ensure that notice of such meetings is provided to the local news media as required by law.

#### 1.10.4 Closed Sessions [Government Code Sections 54956.8, 54956.9, 54957, 54957.6; 11125.4, Education Code Section 72122]

Closed meetings are reserved for personnel matters, including student disciplinary action, consideration of matters related to collective bargaining, consideration of pending litigation, threats to public security, consideration of the conferring of honorary degrees, consideration of gifts from a donor who wants to remain anonymous, and to consider its response to a confidential final draft audit report from the Bureau of State Audits.

#### 1.10.5 Adjourned Meetings

The Governing Board may adjourn any meeting to a later fixed date to complete any unfinished business. At such adjourned session it shall have all the powers of the preceding regular meeting.

#### 1.10.6 Meeting Location

The Governing Board, with appropriate posted notice, shall meet in a public building which is owned or leased by the Chaffey Community College District; or, if in the judgment of the Governing Board the interests of the Chaffey Community College District may be better served by holding its meeting elsewhere, it may meet at such other place in the Chaffey Community College district, with appropriate notice.



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1.10.7 Open Meetings/Public Participation [Government Code Section 54954.3 et seq.; Education Code 72121.5]

- A. All meetings of the Governing Board shall be open to the public except as provided in Government Code. All actions authorized or required by law of the Governing Board shall be taken at such meetings and shall be subject to the requirements described in administrative regulations.
- B. There will be a time at each regularly scheduled board meeting for the general public to discuss items not on the agenda.
- C. Members wishing to present such items shall submit a written request at the beginning of the meeting to the superintendent/president that summarizes the item and provides his or her name and organization affiliation, if any. No action may be taken by the Board on such items.
- D. Members of the public may place items on the prepared agenda in accordance with Board Policy 1.10.15, Agendas and Rules of Order.
- E. A written summary of the item must be submitted to the superintendent/president prior to the Board meeting. The summary must be signed by the initiator, contain his or her residence or business address and organizational affiliation, if any.

1.10.8 Study Sessions

On occasion, the Governing Board may meet informally to discuss various college or educational issues with the superintendent/president and staff members. These meetings shall be known as study sessions. These meetings are open to any individual who wishes to attend, subject to the Brown Act.

1.10.9 Minutes [Education Code Section 72121(a), Government Code Section 54957.5]

The superintendent/president shall cause minutes to be taken of all meetings of the Board. The minutes shall record all actions taken by the Board. The minutes shall be public records and shall be available to the public. If requested, the minutes shall be made available in appropriate alternative formats so as to be accessible to persons with disabilities.



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1.10.10 Recording [Government Code Sections 54953.5, 54953.6; Education Code Section 72121(a)]

- A. If the Board causes any tape or video recording of a meeting, the recording shall be subject to inspection by members of the public in accordance with the California Public Records Act, Government Code Sections 6250, et seq. The superintendent/president is directed to enact administrative procedures to ensure that any such recordings are maintained for at least thirty days following the taping or recording.
- B. Persons attending an open and public meeting of the Board may, at their own expense, record the proceedings with an audio or video tape recording or a still or motion picture camera or may broadcast the proceedings. However, if the Board finds by a majority vote that the recording or broadcast cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a persistent disruption of the proceedings, any such person shall be directed by the president of the Board to stop.

1.10.11 Absences

Absences from Governing Board meetings shall be governed by Government Code Sections 1064 and 1770.

1.10.12 Motions

Every motion shall take a second, and the Board president shall have the right, as other members of the Governing Board, to make and second motions, to discuss questions, and to vote thereon.

1.10.13 Quorum [Education Code Section 72000(d)(3), 81310 et seq., 81365, 81511, 81432; Government Code Section 53094; Code of Civil Procedure Section 1245.240]

Three publicly elected members shall constitute a quorum. The Governing Board shall act by majority number of all the membership constituting the Governing Board for transaction of business.



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1.10.14 Voting [Education Code Section 72000(d)(3)]

Voting shall be by voice except when formal resolutions are required, in which case a roll call vote shall be used. A roll call vote may also be taken when requested by any member of the Governing Board. A member's reason for her/his vote shall be recorded in the minutes if she/he so requests at the time of voting.

A. Actions requiring a two-thirds vote:

In compliance with state statutes, approval of the following actions requires an affirmative vote of two-thirds of all members of the Governing Board (four members of a five-member Board):

1. Resolution of intent to sell or lease real property to any legal entity other than those requiring a unanimous vote.
2. Resolution of intent to enter into an oil or gas lease.
3. Resolution of intent to dedicate or convey an easement and adoption of resolution authorizing and directing the execution and delivery of deed.
4. Action of the Governing Board overruling the disapproval of a planning commission of the acquisition of real property.
5. Appropriation of funds from reserve for contingencies.
6. Resolution to condemn real property.

B. Actions requiring a three-fourths vote:

Approval of work change order on contracts for construction or rehabilitation when the change order exceeds 15 percent of the original contract price shall require an affirmative vote of three-fourths of all members of the Governing Board (four members of five-member Board).

C. Actions requiring a unanimous vote:

In compliance with state statutes, approval of the following actions requires an affirmative vote of all members of the Governing Board (five members):

1. Resolution authorizing leasing of Chaffey Community College District property under a community lease for the production of gas.



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2. Resolution authorizing a sale or lease of Chaffey Community College District property to the state, any county, city, or to any college district which is not governed by the Chaffey Community College District Governing Board.

1.10.15 Agendas and Rules of Order [Government Code Sections 54954 et seq.; 6250 et seq.; Education Code Sections 72121, 72121.5]

- A. Deliberation at meetings shall be fair, open and thorough, but also efficient, timely, orderly and kept to the point.
- B. In all matters not covered by rules of order adopted by the Governing Board, parliamentary procedures shall be governed by Roberts' Rules of Order, latest edition.
- C. The superintendent/president, in consultation with the Board president, shall provide an agenda for the regular meeting. The agenda shall be posted in a location freely accessible to members of the public at least 72 hours prior to the meeting time for regular meetings, and such agenda shall contain the following:
  1. The meeting time and location.
  2. A brief general description of each item of business to be transacted or discussed at the meeting.
  3. An opportunity for the public to address the Governing Board on items of interest to the public that are within the subject matter jurisdiction of the legislative body.
  4. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.
- D. Meeting discussion content shall primarily derive from the Board planning cycle and shall be those issues that, according to Board policy, clearly belong to the Board to decide or examine.
- E. The regular order of business may be changed by consent of the Governing Board. Items may be added to the agenda, but the action may not be taken unless one of the following exceptions is met:



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1. The item is included in the agenda published 72 hours prior to the meeting time for regular meetings.
  2. A majority of the Board determines an emergency exists which requires "prompt action due to the disruption or threatened disruption of public facilities" [Government Code Section 54956.5].
  3. The item not listed was posted for and continued from a prior meeting held not more than five calendar days before the meeting at which action is taken.
  4. Two-thirds of the members of the legislative body (four members of a five-member Board), or if fewer than two-thirds are present, all of the members present vote that the need to take action arose after the agenda was posted.
- F. The Governing Board may take action at a regular meeting to direct staff to place a matter of business on a future agenda.
- G. No action may be taken on any item if not posted on the agenda, and no discussion may take place on any item not appearing on the posted agenda, except that members of the Governing Board may briefly respond to statements made or questions posed by persons exercising their public testimony rights. In addition, on their own initiative, or in response to questions posed by the public, members may ask a question for clarification, provide a reference to staff or other resources for factual information, or request staff to report back to the body at a subsequent meeting concerning any matter.
- H. The agenda may include a "consent" agenda consisting of routine items requiring Board review and approval. Any item may be removed from consent for discussion by any Board member or member of the public.

#### 1.10.16 Suspension of Rules

The Board, when it is found to be in the best interest of the district may, by a majority vote, suspend its rules and take statutorily authorized action overriding previously adopted policy.