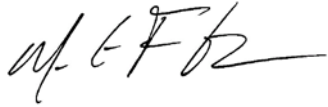





PRESENTED TO THE BOARD OF TRUSTEES

DATE: August 6, 2018

SUBJECT: Delegation to Conduct CEO Search		Item Number: 4	
		Attachment: Yes (1)	
CATEGORY:	Office of General Counsel	TYPE OF BOARD CONSIDERATION:	
Recommended By:	 Marc LeForestier, General Counsel	Consent/Routine	
		First Reading	
Approved for Consideration:	 Eloy Ortiz Oakley, Chancellor	Action	X
		Information	

ISSUE: This item seeks adoption of Resolution 2018-03, delegating certain authority from the Board of Trustees to the Chancellor of the California Community Colleges (“Chancellor”) “to guide the formation” of the California Online Community College District. In this case, specifically to conduct a search for the Chief Executive Officer of the District.

BACKGROUND: The California Online Community College Act requires the Board of Trustees to administer the California Online Community College as its governing board. (Ed. Code, § 75003, subd. (a).) It also provides that the Board may authorize “the chancellor, or the designees of the board of governors,” to appoint a chief executive officer to manage the California Online Community College.

The legislation also provides broad authority to the Board to delegate its authority to members of the Board, to the Chancellor, and to others, under appropriate circumstances. (Ed. Code, §§ 70901, subd. (d); 75005, subd. (d).) **(Background cont.)**

RECOMMENDED ACTION: The Board of Governors is asked to adopt the following resolution:

Be it Resolved,

that the California Online Community College District Board of Trustees directs the following actions:

- Consistent with California Education Code section 75005, subdivision (d)(2), the Board of Trustees authorizes the Chancellor to take official actions to identify, and recommend for appointment, a permanent Chief Executive Officer of the District. The Chancellor shall work with the Executive Committee to design a process for selecting a Chief Executive Officer, and

shall present to the Board of Trustees the candidate recommended by the Executive Committee.

- A contract with an executive search firm related to the hiring of the chief executive office shall be at or below market rates for such services. Any contract entered by the Chancellor under the authority of this Resolution shall be effective upon execution, and shall not require subsequent ratification by the Board of Trustees or the Executive Committee.

(Background cont.)

Under the proposed Resolution 2018-03, the California Online Community College Board of Trustees would delegate to the Chancellor the authority to take official actions to identify, and recommend for appointment, a permanent Chief Executive Officer of the District. The Chancellor is required by the Resolution to work with the Executive Committee to design the process for selecting the Chief Executive Officer, and shall present to the Board of Trustees the candidate recommended by the Executive Committee.

The Resolution would also authorize the Chancellor to enter a contract with an executive search firm at or below market rates for such services. To allow the Chancellor to move swiftly on this contract, it will be effective upon execution, and shall not require subsequent ratification by the Board of Trustees or the Executive Committee.

ANALYSIS: The proposed Resolution 2018-03 is necessary to allow the Chancellor and his designees to commence the work on behalf of the Board of Trustees to guide the formation of the District, as contemplated by the Legislature.

ATTACHMENTS: Resolution 2018-03 (Attachment 1).