



PRESENTED TO THE BOARD OF TRUSTEES

DATE: August 6, 2018

SUBJECT: Establishment of the Executive Committee of the Board of Trustees		Item Number: 7	
		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 2018-06, establishing an Executive Committee of the Board of Trustees, and designating its membership.

**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).) The legislation also provides broad authority to the Board to delegate its authority to members of the Board. (Ed. Code, §§ 70901, subd. (d); 75005, subd. (d).)

Under the proposed Resolution 2018-06, the Board of Trustees would delegate significant statutory authority over the governance of the District to an Executive Committee of seven members. The Resolution would also designate those members. Apart from the areas delegated to the Executive Committee, as described below, the proposed Resolution would reserve to the Board of Trustees the following statutory jurisdiction:

- Policies governing current and long-range academic and facilities plans and programs and the promotion of orderly growth and development of the California Online Community College. (Ed. Code, § 75003, subd. (b)(1).)
- The chief executive officer’s employment. (Ed. Code, § 75003, subd. (b)(4).)
- Control over the college’s operational and capital outlay budgets. (Ed. Code, § 75003, subd. (b)(5).)
- Real property for the use and benefit of the college. (Ed. Code, § 75003, subd. (b)(13).)

**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:

- An Executive Committee of the Board of Trustees shall be formed of the following members: Hildegard B. Aguinaldo; Geoffrey L. Baum; Tom Epstein; Cecilia V. Estolano; Jolena M. Grande; Pamela Haynes; and Bill Rawlings.
- Consistent with the Policies and Procedures adopted by Resolution 2018-01, the President and Vice-President of the Board of Trustees shall be the Chair and Vice-Chair respectively of the Executive Committee.
- The Executive Committee shall exercise jurisdiction over the following matters:
  - a. Policies for and approval of courses of instruction and educational programs. (Ed. Code, § 75003, subd. (b)(2).)
  - b. Academic standards, probation, dismissal, and readmission policies, and graduation requirements consistent with the minimum standards adopted by the Board of Governors. (Ed. Code, § 75003, subd. (b)(3).)
  - c. The employment and assignment of personnel, not inconsistent with the minimum standards adopted by the chief executive officer appointed pursuant to subdivision (d) of Section 75005, and the establishment of employment practices, salaries, and benefits for employees not inconsistent with the laws of this state. The Board of Trustees retains jurisdiction over the chief executive officer's employment. (Ed. Code, § 75003, subd. (b)(4).)
  - d. Management and control of the college's property, including contracts for the procurement of goods and services as authorized by law and the Board of Trustees Policies and Procedures. (Ed. Code, § 75003, subd. (b)(6).)
  - e. Procedures that are consistent with minimum standards otherwise established by the Board of Governors to ensure faculty, staff, and students have the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration, to ensure the right to participate effectively in college governance, and to ensure the right of the college's academic senate to make recommendations in the areas of curriculum and academic standards. The Executive Committee may also establish procedures enabling the use of a digital format, or formats. (Ed. Code, § 75003, subd. (b)(7).)
  - f. Rules and regulations governing student conduct. (Ed. Code, § 75003, subd. (b)(8).)
  - g. Student fees, whether as required by law or as allowed by law. (Ed. Code, § 75003, subd. (b)(9).)
  - h. The receipt and administration of gifts, grants, and scholarships. (Ed. Code, § 75003, subd. (b)(10).)

- i. Auxiliary services as deemed necessary to achieve the purposes of the community college. (Ed. Code, § 75003, subd. (b)(11).)
  - j. The college's academic calendar, including a flexible calendar, the definition of "academic year," and any holidays the college will observe. (Ed. Code, § 75003, subd. (b)(12).)
  - k. Participation in the consultation process established by the Board of Governors for the development and review of system-wide policy proposals. (Ed. Code, § 75003, subd. (b)(14).)
  - l. Compliance with statutory provisions regarding access for individuals with disabilities including the creation of a Disabled Students Programs and Services program within the California Online Community College, as required by law. (Ed. Code, § 75003.1, subd. (b)(1).)
  - m. Compliance with the accessibility requirements of state and federal electronic and information technology policies and statutes, including ensuring that electronic technology used by the California Online Community College has undergone user testing by persons with disabilities for the purpose of assessing compliance with legal requirements. (Ed. Code, § 75003.1, subd. (b)(2) and (b)(3).)
  - n. Procedures for disabled California Online Community College employees, students, and members of the public to register, resolve, and track complaints about accessibility services, as required by law. (Ed. Code, § 75003.1, subd. (b)(4).)
- Jurisdiction not expressly delegated to the Executive Committee is retained by the Board of Trustees. The Board of Trustees may, by later resolution, reassert jurisdiction over matters granted to the Executive Committee.
  - The Executive Committee shall hold regular meetings to consider matters under its jurisdiction.
  - The Executive Committee may refer any matter under its jurisdiction to the Board of Trustees for consideration or ratification.
  - The Chancellor and the Chief Executive Officer of the California Online Community College District shall take any and all appropriate actions to facilitate the functions of the Executive Committee.

**ANALYSIS:** The proposed Resolution 2018-06 is necessary to provide the members of the Executive Committee the authority to govern the District. The Resolution reserves to the Board of Trustees matters of long-range or strategic importance.

**ATTACHMENTS:** Resolution 2018-06 (Attachment 1).