

**REVISIONS TO THE PROCEDURES
AND STANDING ORDERS OF THE
BOARD OF GOVERNORS**

5.1

FIRST READING

Presentation: Steven Bruckman
Executive Vice Chancellor for Operations/General Counsel

Issue

This item presents a set of minor amendments to various sections of the *Procedures and Standing Orders of the Board of Governors*.

Background

The *Standing Orders* of the Board of Governors are adopted and revised from time-to-time and published in the document entitled *Procedures and Standing Orders of the Board of Governors*. Part one includes the *Operating Procedures* of the Board and focuses on how the Board conducts its business. Part One also includes the *Procedures for Adopting Regulations of the Board*, which concerns how the Board adopts, amends and repeals its regulations, including notice to the public and the field. Part Two of the *Standing Orders* includes aspects of systemwide administration that the Board delegates to the Chancellor, or other parties, under the authority of Education Code sections 70901(d) and 71090(b). Some portions of chapter 3 of part two concern District Employment Matters, Educational Programs, and Special Programs.

Over the last several months, the Board has discussed changes to the Board's committees. The revisions to the Procedures reflect the Board's changes.

Analysis

Education Code section 70901.5 requires the Board of Governors to establish its own procedures for the adoption, amendment or repeal of its regulations. These procedures were approved by the Board of Governors at its March 8-9, 1990, meeting and added to chapter 2 (commencing with section 200) of the *Procedures and Standing Orders*. Section 70901.5(b) exempts the Board

from the provisions of the Administrative Procedures Act (APA; Gov. Code, section 11340 et seq.), under which regulations are approved by the Office of Administrative Law (OAL). Although the Board is not required to follow the APA or seek OAL approval of its regulations, the Board's policy has been to follow the APA where possible and chapter 2 closely mirrors its requirements in most respects.

The specific changes being proposed are as follows:

1. Section 50 has been amended to remove unnecessary committees.
2. Section 50.5 has been deleted.
3. Section 52 has been amended.
4. Section 60 has been amended to address the change in committee structure.

Recommendation

That the Board review the changes presented in this item. It is anticipated that the Board will vote on this item at its January 2010 meeting. At that time, we will publish a complete, updated 2010 edition of the Procedures and Standing Orders.

ATTACHMENT

Proposed Revisions to the *Procedures and Standing Orders of the Board of Governors*

1. Section 50 of chapter 1 of part one of the *Procedures and Standing Orders of the Board of Governors* is amended to read:

50. Standing Committees.

The following are standing committees of the Board:

Committee on Budget and Finance

Committee on Legislation

Joint Advisory Committee on Career Technical Education

CSU Doctoral Program Joint Standing Committee

Foundation for California Community Colleges

Veterans Committee

Economic and Workforce Development Program Advisory Committee

Each standing committee shall be subject to and shall conduct its business in accordance with the provisions of this chapter.

2. Section 52 of chapter 1 of part one of the *Procedures and Standing Orders of the Board of Governors* is amended to read:

52. Authority to Act.

Any Board member can request an item be assigned to a Board committee for its review and recommendation to the full Board of Governors. The request shall be made to the President of the Board, who in turn shall assign it to the appropriate Board committee.

The Chancellor can request that an item be assigned to a Board committee for its review and recommendation. The request shall be made to the President, who in turn shall assign it to the appropriate Board committee. A member of the Chancellor's staff who is assigned as the lead staff person to support a committee can recommend to the committee chairperson that an item be assigned to that particular committee. The committee chairperson shall inform the President, who shall assign a time for reporting the item to the Board of Governors. All other staff recommendations regarding matters to be assigned to Board committees shall be made to the Chancellor.

Unless otherwise specifically delegated, the authority and duty of each committee shall be only to consider and to make recommendations to the Board on matters assigned to the committee.

A majority of the whole committee shall constitute a quorum. The act of the majority of the members present at the meeting at which a quorum is present shall be the act of the committee. If no quorum exists, those present may make recommendations to the Board, noting the number of people in attendance.

3. Section 60 of chapter 1 of part one of the *Procedures and Standing Orders of the Board of Governors* is amended to read:

60. Officers.

Officers of the Board of Governors shall be the President, the Vice President, the immediate Past President (if still a member of the Board of Governors), and the representative and alternate to the California Postsecondary Education Commission.

Officers shall be elected as prescribed in section 62 and take office as the last order of business of the last regular meeting of the calendar year. They shall serve one-year terms.

The President and Vice President may be elected for no more than two consecutive terms.

The Chancellor shall serve as the Chief Executive Officer of the Board of Governors.

Article 6. Committees

50. Standing Committees.

The following are standing committees of the Board:

~~Executive Committee~~

Committee on Budget and Finance

~~Committee on the California Community Colleges Foundation~~

~~Committee on Economic Development and Vocational Education~~

~~Committee on Educational Policy~~

~~Committee on Equity, Diversity, and Human Resources~~

Committee on Legislation

~~Committee on Student Services and Special Programs~~

Joint Advisory Committee on Career Technical Education

CSU Doctoral Program Joint Standing Committee

Veterans Committee

Economic and Workforce Development Program Advisory Committee

~~The members of the Executive Committee shall be the President, Vice President, Past President (if still a member of the Board of Governors), the CPEC representative and the Chair of the Committee on Budget and Finance.~~

~~The voting membership of all other standing committees shall be designated by the President, in conjunction with the Chancellor. All other Board members may attend and contribute to all meetings of the standing committees.~~

~~One member of each committee shall be designated Chairperson by the President. The President may appoint a Vice Chairperson to a committee. The Vice Chairperson shall assume all functions of the Chairperson in the absence of the Chairperson.~~

Each standing committee shall be subject to and shall conduct its business in accordance with the provisions of this chapter.

50.5. Committee Process.

~~The committee process shall be the standard methodology for handling all business of the Board of Governors except when the President determines that an emergency exists. When the President makes such a determination, the Board shall act as “a committee of the whole” and take whatever action as may be deemed necessary.~~

~~All Board committees shall be required to make regular progress reports to the full Board of Governors, to keep the members properly informed of the activities and progress of their respective committees.~~

52. Authority to Act.

~~The President shall assign all goals and objectives to the appropriate Board committee for the committee’s review and recommendation to the full Board of Governors. The President shall also assign all oversight duties to committees. When making assignments, the President shall establish timelines for the committee to report back to the Board of Governors as a whole.~~

Any Board member can request an item be assigned to a Board committee for its review and recommendation to the full Board of Governors. The request shall be made to the President of the Board, who in turn shall assign it to the appropriate Board committee.

The Chancellor can request that an item be assigned to a Board committee for its review and recommendation. The request shall be made to the President, who in turn shall assign it to the appropriate Board committee. A member of the Chancellor’s staff who is assigned as the lead staff person to support a committee can recommend to the committee chairperson that an item be assigned to that particular committee. The committee chairperson shall inform the President, who shall assign a time for reporting the item to the Board of Governors. All other staff recommendations regarding matters to be assigned to Board committees shall be made to the Chancellor.

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A majority of the whole committee shall constitute a quorum. The act of the majority of the members present at the meeting at which a quorum is present shall be the act of the committee. If no quorum exists, those present may make recommendations to the Board, noting the number of people in attendance.

Article 7. Officers

60. Officers.

Officers of the Board of Governors shall be the President, the Vice President, the immediate Past President (if still a member of the Board of Governors), and the representative and alternate to the California Postsecondary Education Commission.

Officers shall be elected as prescribed in section 62 and take office as the last order of business of the last regular meeting of the calendar year. They shall serve one-year terms.

The President and Vice President may be elected for no more than two consecutive terms.

~~The President and Vice President of the Board shall serve as ex officio members of all Board committees. In the event the President or Vice President, or both, are present at a committee~~

~~meeting, they shall be counted towards the regular committee quorum and their votes shall be counted for purposes of committee action.~~

The Chancellor shall serve as the Chief Executive Officer of the Board of Governors.