



MOORPARK COLLEGE

Making Decisions at Moorpark College

A Handbook

2017-2020

7075 Campus Road
Moorpark, CA 93021
<http://www.moorparkcollege.edu>

Moorpark College Mission and Values Statement

With a “students first” philosophy, Moorpark College empowers its diverse community of learners to complete their goals for academic transfer, basic skills, and career technical education. Moorpark College integrates instruction and student services, collaborates with industry and educational partners, and promotes a global perspective.

We value a learning environment that embraces innovative thinking, a culture of creativity, and excellence through:

- **Community:** Embrace a shared commitment to the development of relationships among internal and external constituents to foster a culture of student success
- **Integrity:** Commit to transparency, civility, collegiality, and collaboration in all relationships
- **Equity:** Recognize and respect individuals and perspectives through equitable access and participation in the campus community
- **Dialogue:** Foster open and productive communication between all campus and community constituents in evidence-based decision-making
- **Access:** Create an environment in which the institution responds to the evolving needs of all while using its constituents and technology to enhance human development and connection
- **Responsibility:** Live a commitment to the well-being of self, others and promoting a culture of service
- **Citizenship:** Promote purposeful and proactive involvement in a local and global society

Moorpark College Vision Statement

At Moorpark College, we encourage excellence and believe our strengths have been, and will continue to be, people - their flexibility, their responsiveness, and their willingness to meet the needs of our students and community. We believe that building on these strengths provides an educational experience appropriate to the students’ needs and within the College’s mission.

Specifically, our actions and decisions are based on the following beliefs:

- We will provide the best services, programs and opportunities for students.
- We encourage creativity and innovation and we will try new ideas and new things.
- All students attending Moorpark College will receive the support they need to meet their individual educational goals.
- Students who wish to transfer to four-year institutions will receive up-to-date and accurate information to facilitate transfer.
- We will increase our responsiveness to business and industry in changing economic climates.
- We are an integral part of the community.

To best implement our actions and decisions, our internal working environment is based on the following beliefs:

- Participatory governance is an accepted part of our decision-making process.
- We will strive to build greater trust, understanding, and cooperation among the other segments of the Ventura County Community College District and Moorpark College.
- We will provide all employees with support for professional development.

Introduction

Making Decisions at Moorpark College: A Handbook 2017-2020 describes the structure and operating agreements for making decisions at Moorpark College. These processes put into practice the mechanisms through which the voices of the college's constituent groups are heard.

This document describes the four primary facets of the college decision-making process:

- Chapter 1: The College Culture
- Chapter 2: Type and Structure of Groups that Develop Recommendations
- Chapter 3: Timelines and Sequences for Key College Decisions
- Chapter 4: College Planning and Assessment

The contents of this document represent the collegial consultation structure and procedures that have been agreed upon by the undersigned faculty, classified staff, student, and administrative representatives of Moorpark College:

College President

Academic Senate President

Classified Senate President

Associated Students President

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Chapter 1: The College Culture

1.1 Operating Agreements for Making Decisions

A culture of integrity informs all aspects of our college work – a commitment to transparency, civility, collegiality, and collaboration in all relationships. This college culture impacts decisions in both formal and informal ways. The following aspects that lead from this culture describe the philosophy and practices that shape the operating agreements of Moorpark College processes.

Culture of Excellence

In 2015, Moorpark College was recognized by *The Huffington Post* as the fourth best community college in the nation. In 2017, BestColleges.com cited our college as the best community college in California. Our reputation for excellence is no accident. We pride ourselves on hiring employees who strive to be the best they can be, and who will not settle for mediocrity in fulfilling our mission to foster student success. We take to heart the value of continuous improvement, and we encourage each other to excel. We embrace the challenge articulated by President John F. Kennedy in announcing our nation's race to the moon: our relentless pursuit of excellence is hard work, so we strive, persevere, and strive anew NOT because it is easy, but because it is hard.

Culture of Collegiality

The college culture is marked by collegiality and respect for the role of others. This is demonstrated by the practice in which committees are co-chaired by a faculty and/or staff member and an administrator. The faculty or staff co-chairs are elected by the Senate Councils. Administrative co-chairs are appointed by the Vice Presidents of Academic Affairs, Student Support, or Business Services.

Culture of Dialogue

Sharing ideas is valued. Meetings often begin with committee co-chairs presenting the issues to be resolved. Whether or not a solution is proposed, the second step in committee work is brainstorming. Committee members ask questions and suggest ideas with the expectation that other group members will withhold criticism until the final stages of developing a recommendation. Divergent views are fully explored in keeping with the belief that the best decisions are reached once the group has explored options. Final recommendations are typically reached by consensus rather than voting.

Culture of Inclusiveness

At Moorpark College everyone who will be impacted by a decision is encouraged to be involved in shaping the recommendation.

The schedule for committee meetings is distributed college-wide at the beginning of each academic year and committee meetings are open to all members of the campus community. In addition, Standing Committee minutes are posted on the college webpage. Frequent all-users emails, postings on the Portal, and open discussion meetings are vehicles to keep the college community involved and updated on issues and decisions. Town Hall meetings are convened as needed during the semester, typically at least once, as a venue for general updates and discussions

of current topics of interest. *Y'all Come* meetings are open invitation meetings to brainstorm about specific topics.

Complementing its culture of inclusiveness the college strives for transparency and a *no-secrets* approach to decision making, operations, and communication.

Culture of Evidence

The college relies on metrics to make decisions. This operating agreement to rely on evidence is institutionalized through two key mechanisms:

1. Standardized data for decision-making: Recommending groups use foundational data in making recommendations. Since college groups rely on the same data, there is ease in transfer of information from one group to another and greater accuracy in the interpretation of the data. Some examples of data used are:
 - The Annual Institutional Effectiveness Report
 - The Program Planning Data Report
 - The Scorecard
 - The Launchboard and Salary Surfer
 - The dashboards at the program, college, and district level
2. Planning cycle of Standing Committees: Each committee establishes goals at the beginning of the year and documents progress toward those goals in an end-of-year report. The annual reports are sent to the College President each Spring and are archived on the College Webpage to facilitate communication and to provide the history of how/when/where decisions are recommended.

Culture of Innovation

The college community is proud of its reputation as an institution that supports innovation in instructional programs and student services. This support is evident in:

- An acceptance of change with an attitude of “Let’s try”; and
- A no-fault approach to the analysis of results produced by the innovations, articulated by reassuring those who experiment with, “It’s OK.”

Culture of Student Learning and Success

The organizational structure of Moorpark College is based on a goal of serving students more effectively by integrating instruction and student services. This student learning and success philosophy is drawn from several concepts in educational theory, research, and organizational theory:

- The student is the center of the learning enterprise.
- Institutions unwittingly create barriers for students by dividing a college into separate houses: academic affairs, student support, and business services.
- The emphasis in education shifts from strategies to improve *teaching* to those that improve *learning and completion*.

- The responsibility for learning shifts to students while the institution remains accountable to document that the enriching activities and assignments truly result in student learning.
- To be maximally effective, colleges must be learning institutions both horizontally and vertically:
 - As administrators, instructional and student services faculty, and staff become aware of many ways that students need to connect with the college for success, the college community is more likely to view students holistically;
 - As administrators assume new responsibilities they learn about previously unfamiliar aspects of the college; and
 - As colleagues interact they learn about previously unfamiliar aspects of the college.

1.2 Roles of Faculty, Staff, Students, and Administrators in Making Decisions

Decisions at Moorpark College are shaped in an open structure that puts into practice the spirit and principles of participatory governance and a student-focused approach. Members of the college community have the authority and responsibility to make recommendations in matters appropriate in scope to their roles in the college. The scope for each constituent group as outlined below is derived from the California Code of Regulations (CCR), Ventura County Community College District (VCCCD) Board Policy, senate constitutions, college/district practices, procedures, and job descriptions. The governance bodies created to fulfill this section of CCR Title 5 are summarized on the following pages. The relevant sections of the CCR are included in Appendix 2 of this document.

Role of Faculty

Full- and part-time faculty members are provided with opportunities to participate in the formulation and development of college recommendations. This includes developing processes by which recommendations are given, carrying out these processes, and finally assessing the results for future improvements. To achieve this role all faculty members are members of the **Academic Senate**.

For purposes of college and district governance, the Academic Senate elects representatives, “Senators,” to the **Academic Senate Council**, which represents the full faculty in making recommendations to the college administration and the Board of Trustees on academic and professional matters. These academic and professional matters are commonly referred to as the “10+1” and include:

1. Curriculum, including establishing prerequisites and placing courses within disciplines
2. Degree and certificate requirements
3. Grading policies
4. Educational program development
5. Standards or policies regarding student preparation and success;
6. District and college governance structures, as related to faculty roles
7. Faculty roles and involvement in accreditation processes, including self-study and annual

reports

8. Policies for faculty professional development activities
9. Processes for program review
10. Processes for institutional planning and budget development
11. Other academic/professional matters, mutually agreed upon between the governing board and the academic senate

The constitution and by-laws of the Moorpark College Academic Senate, most recently reviewed and revised April 2015 and April 2017 respectively, are available on the college website and in Appendix 3.1 of this document.

According to the stipulations in Title V the Academic Senate shall consult collegially with the administration and the Board of Trustees on the matters under its authority. The VCCCD Board of Trustees agrees in Board Policy 2510 to “consult collegially” with the colleges’ Academic Senates on academic and professional matters by “**mutual agreement**” through written resolutions, regulations, or policies. This means that faculty and administrators will work in good faith to reach agreement on academic and professional matters. In instances in which mutual agreement with the Academic Senate is not reached, the administration and Board commits that its decision will be based on a clear and substantive rationale that puts the explanation for the decision in an accurate, appropriate, and relevant context. The Academic Senate shall have a reasonable expectation of receiving a written explanation when mutual agreement is not reached.

For purposes of collective bargaining, faculty members are represented in collective bargaining by a chapter of the **American Federation of Teachers (AFT)**, which operates under a contract negotiated and approved by its members. The two bodies that represent college faculty are compatible; the Academic Senate is responsible for professional and academic matters, while the chapter of the AFT responds to matters of salary, benefits, and working conditions.

Role of Classified Staff

Classified staff members are provided with opportunities to participate in the formulation and development of district and college recommendations. This includes developing processes by which recommendations are given, carrying out these processes, and finally assessing the results for future improvements. To achieve this role classified staff members have formed a **Classified Senate** to provide classified staff with an opportunity to participate effectively in district and college governance in the areas that are outside the scope of collective bargaining and that have or will have a significant effect on staff.

The VCCCD Governing Board agrees in Board Policy 2510 that recommendations and positions developed by classified staff be given every reasonable consideration prior to the Board’s taking action on a matter having a significant effect on classified staff.

Classified staff members are represented in collective bargaining by the **Service Employees International Union (SEIU)** which operates under a contract negotiated and approved by its members.

Role of Students

Moorpark College's Associated Students is recognized by the college as the representative body of the students. In its role representing all students, it offers opinions and makes recommendations to the administration of the college and to the governing board with regard to district and college policies and procedures that have or will have a significant effect on students. The specific areas of their purview are:

- grading policies;
- codes of student conduct;
- academic disciplinary policies;
- curriculum development;
- courses or programs which should be initiated or discontinued;
- processes for institutional planning and budget development;
- standards and policies regarding student preparation and success;
- student services planning and development;
- student fees within the authority of the district to adopt; and
- any other district and college policy, procedure, or related matter that the district governing board determines will have a significant effect on students.

The VCCCD Governing Board agrees in Board Policy 2510 to provide students with an opportunity to formulate recommendations through council/committee participation and to give the recommendations and positions developed by students every reasonable consideration.

Role of Administrators

Moorpark College's administrative staff includes vice-presidents, deans, and directors (classified managers). The organizational charts in the appendices outline the scope of responsibility for each position; specific job responsibilities of each position are available in the job descriptions housed in the District Human Resources Department.

Drawing from job descriptions approved by the Board of Trustees for each administrative position, and in addition to the supervision of budgets, personnel, and related operational responsibilities, college administrators are responsible to:

- provide leadership and expertise in assessing, identifying, formulating, and aiding in implementing the overall academic direction for the college in conjunction with the Chancellor;
- plan, organize, direct and evaluate the activities of the college pursuant to district and college mission and goals as set forth by the Board of Trustees; report on college achievement of district and college goals;
- plan and recommend the instructional and student services programs, college budget, and organizational structure of the college;
- prepare and maintain an educational master plan and support institutional research related to student learning, development, and outcomes;
- remain current on emerging services, methodologies, and technologies relevant to the college's educational programs and student services;
- establish and maintain liaisons with business and community representatives as participants in the planning, development and modification of division curriculum and

programs;

- serve as a resource to and collaborate with faculty and staff in developing, coordinating, and evaluating the college's programs and services;
- ensure that the college's educational programs and student services comply with the Education Code, state and federal regulations, accreditation standards, district policies, contractual agreements, and articulation agreements;
- serve as a resource to the Chancellor, the Board of Trustees, and college faculty and staff for the college's educational and student service programs; and
- promote the appropriate inclusion of students, faculty, and staff in participatory decision-making processes.

Chapter 2: Type and Structure of Groups that Develop Recommendations

The decision-making process at Moorpark College is grounded in respect for the roles and scope of authority of each of the college's constituencies. This is most clearly demonstrated by the understanding and acceptance of committee members that their work product is a recommendation to a specific person or group.

At Moorpark College, groups that contribute recommendations to the decision-making processes are organized into four categories based on the group's responsibilities and its source of authority. These categories are:

- Governance Groups
- Organizational Groups
- Advisory Committees
- Project Groups

The groups in all four categories are essential to the involvement of the college community in making decisions and being informed about issues of college-wide importance.

2.1 Governance Groups and Membership

Governance groups are those whose authority is derived from law and regulation, either as written expressly in the law/regulation or as delegated by another group that possesses such authority.

AB 1725 (Education Code 53200 and Assembly Bill 1725) mandates a participatory governance process for California Community Colleges. It authorizes the formation of governance groups and appropriate venues to host governance conversations in a participatory manner. To actualize the mandate of AB 1725, the College has formed three senates and eight College standing committees to carry on its participatory governance work.

2.1.1 Senates

All members of the faculty, staff, and student body are members of their respective senates. The larger constituent group elects the officers of their respective senates. The voices of the faculty, staff, and students are heard in College/District conversations through their councils and the executive officers. The constitutions and bylaws of the senates are included in Appendix 3 of this document.

Further, AB 1725 identifies the primacy of faculty in academic matters. It identifies ten points of academic matters, and additional professional matters as agreed to between the Academic Senate and the Board of Trustees. Commonly known as the "ten plus one," this mandate is actualized at our college through the charge and the composition of the College Standing Committees, where academic and professional matters are discussed and faculty expertise is given voice.

2.1.2 College Standing Committees

To carry out the mandate of participatory governance in AB 1725, the college formed eight College Standing Committees, where matters concerning the work of the college are planned, monitored, and evaluated. Each constituent group of the College, i.e., Academic Senate, Classified Senate, Student Senate (Associated Students), Management, and individuals in the best position to understand the issues, is represented in membership on the College Standing Committees. This ensures the participatory nature of the college governance structure.

The **Academic Senate** recognizes and authorizes the eight College Standing Committees as appropriate venues to conduct discussions regarding academic and professional matters. As such, these College Standing Committees carry out their work in matters of the “ten plus one.” The primacy of faculty in these discussions is ensured through the composition of committee membership, where faculty holds the majority.

It is the responsibility of the faculty co-chairs of the Standing Committees to ensure that their committee’s delegated authority from the Academic Senate is accountable, and the committee’s recommendations communicated. The Academic Senate Council ensures the integrity of these delegated activities in the College Standing Committees through the following procedures:

- Inclusion of the College Standing Committee faculty co-chairs as ex-officio members of the Academic Senate Council and Academic Senate Executive Council.
- Regular reporting and presentation of College Standing Committee recommendations by the faculty co-chairs at meetings of the Academic Senate Council or co-chair meetings with the Academic Senate President.
- Participation of the Academic Senate President in the Consultation Conference and the President’s Council to present concerns or endorsements regarding the recommendations of the College Standing Committees.

It is the responsibility of the classified co-chairs of the Standing Committees to ensure that their committee’s delegated authority is accountable, and the committee’s recommendations communicated to the Classified Senate.

All Standing Committee faculty co-chairs should be appointed by the end of the Fall semester to enable them to shadow over the Spring and move into their chairships the following Fall semester.

The membership of each College Standing Committee is outlined in the next section. Members are selected as follows:

- Faculty members are elected by their department or division (depending on criteria established for the governance group) and recommended to Academic Senate for appointment.
- Administrators are appointed by the Vice Presidents of Academic Affairs, Student Support, or Business Services as stated.
- Staff members are selected by the position they hold in the college, when stated as such under the committee membership; otherwise they are elected by the Classified Senate, or SEIU if within the scope of the collective bargaining, and

approved by the President.

All members of Standing Committees should be appointed by the end of the Spring semester in order for them to take their seats at the start of the academic year.

College Standing Committees may form a task force to perform particular organizational or data-gathering tasks as needed. Membership of a task force is drawn from current members of its parent committee and may include non-committee members as appropriate. No authority for recommendations is delegated to the task group by its parent committee except, through its findings, to inform discussions and the crafting of recommendations in the main forum of the College Standing Committee.

The primary functions of the College Standing Committees are to plan, monitor, and assess initiatives under their stated purview. All meetings of the College Standing Committees are conducted under the Brown Act.

Recommendations developed by governance groups must flow through on-campus processes in the prescribed sequence as delineated in the timeline/sequence for key college decisions referenced in Chapter 3. The College Standing Committees make recommendations to the College President only after following the on-campus process in the prescribed sequence before being forwarded to the College President.

The College President reviews the process and the recommendations, and either returns the recommendation for further consideration by the governance group or directs implementation of the recommendation. If the College President's decision differs from the formal recommendation the President's final decision is communicated in writing, and includes the rationale for the final decision. When a recommendation has District-wide impact, the College President forwards the recommendation for review by the Chancellor.

2.1.2.1 Committee on Accreditation and Planning – Education (EdCAP)

Charter: EdCAP makes recommendations on college-wide planning and accreditation issues related to educational programs and student services.

The planning component under the purview of the EdCAP includes:

- Program Plans: evaluating the program planning process and recommend modifications as needed;
- Strategic Plan: defining the strategic directions and goals of the Strategic Plan, establishing and monitoring the timeline, and recommending approval of the final document.
- Educational Master Plan: defining the format for the Educational Master Plan, establishing and monitoring the timeline, and recommending approval of the final document.

The accreditation component under the purview of the EdCAP includes:

- Monitoring and reviewing the preparation of Self-Evaluation Reports required by the

- Accrediting Commission for Community and Junior Colleges (ACCJC),
- Monitoring/evaluating/documenting progress on self-evaluation plans developed by the college as well as recommendations from the ACCJC, and
- Institutional Effectiveness Goals: reviewing and recommending the ACCJC and Institutional Effectiveness Partnership Initiative (IEPI) Institutional Effectiveness Goals.

Co-chairs: Dean appointed by the Vice Presidents of Academic Affairs and Student Support
Faculty member appointed by the Academic Senate Council who is, therefore,
an ex-officio, non-voting member of the Academic Senate Council

Members: Department Chair, Coordinator, Supervisor, or designee from each department
All Deans
One student appointed by Associated Students who serves in an advisory role
Vice President of Academic Affairs (ex-officio, non-voting)
Vice President of Student Support (ex-officio, non-voting)
Vice President of Business Services (ex-officio, non-voting)
Academic Senate President (ex-officio, non-voting)

2.1.2.2 Committee on Accreditation and Planning – Facilities and Technology (Fac/TechCAP)

Charter: The Fac/TechCAP makes recommendations on college-wide planning and accreditation issues related to facilities for educational programs and student service and those related to campus instructional and administrative digital technology.

The planning component under the purview of the Fac/TechCAP includes:

- Developing and monitoring the Facilities Master Plan
- Developing and annually updating the Technology Operations Plan
- Reviewing the District Technology Master Plan every three years
- Monitoring the annual technology inventory for the purposes of technology refresh
- Prioritizing technology-review and prioritize technology-related issues and resources identified in annual program plans, make recommendations, and report results to programs and the general campus
- Prioritizing facilities – review and prioritize facilities-related issues and resources identified in annual program plans, make recommendations, and report results to programs and the general campus
- Prioritizing secondary effect and space allocation issues identified by the Facilities and Technology Workgroups

The accreditation component under the purview of the Fac/TechCAP is the development of plans to address any self-study advisement or visiting team recommendations that refer to facilities and/or the needs of digital technology for students, faculty, and staff.

Co-chairs: Vice President of Business Services
Faculty member appointed by the Academic Senate Council and who is,
therefore, an ex-officio, non-voting member of the Academic Senate
Council

Members: Three faculty members from each Student Learning Division appointed by the Academic Senate Council
 Three Classified representatives appointed by the Classified Senate
 Two Deans appointed by the Vice Presidents of Academic Affairs and Student Support
 Three Business Services representatives selected by the Vice President of Business Services
 One representative from Student Services Council appointed by the Vice President of Student Support
 One representative from the Accessibility Coordination Center and Education Support Services
 One representative from Instructional Technology
 One student appointed by Associated Students who serves in an advisory role
 Vice President of Academic Affairs (ex-officio, non-voting)
 Vice President of Student Support (ex-officio, non-voting)
 Academic Senate President (ex-officio, non-voting)

2.1.2.3 Curriculum Committee

Charter: The Curriculum Committee reviews and recommends new courses, new programs, modifications to existing courses and programs, and graduation requirements, in support of the college mission. Curricular recommendations follow the prescribed on-campus processes in addition to being submitted and ushered through the District Technical Review Group for Instruction.

Curriculum matters are presented as recommendations to the Board of Trustees. The Curriculum Committee's charge includes these academic and professional matters as identified in Education Code 53200(c):

- Curriculum, including establishing prerequisites and placing courses within disciplines;
- Degree, certificate requirements, proficiency awards; and
- Educational program development.

Participants make a minimum 2-year commitment to serve on the Curriculum Committee. Members are identified in the spring of each year and must satisfy training requirements on regulations and practices regarding course approval.

Co-chairs: Vice President of Academic Affairs or designee
 Faculty member appointed by the Academic Senate Council and who is, therefore, an ex-officio, non-voting member of the Academic Senate Council

Members: One faculty member from each Academic Department appointed by the Academic Senate Council
 Three Deans, appointed by the Vice President of Academic Affairs
 One faculty Librarian

Articulation Officer

One representative from the Accessibility Coordination Center and Educational Support Services

One faculty member appointed by AFT (non-voting)

CTE Faculty Liaison (non-voting)

One student appointed by Associated Students who serves in an advisory role

Academic Senate President (ex-officio, non-voting)

2.1.2.4 Professional Development Committee

Charter: The Professional Development Committee makes recommendations on the direction of professional development activities for full-time and part-time faculty and staff, including:

- Planning, implementing, and assessing Fall and Spring faculty Professional Development (FLEX) Program activities
- Planning, implementing, and assessing Classified Staff Professional Development opportunities
- Coordinating, promoting, and assessing College-wide Professional Development activities
- Evaluating applications and awarding professional development funds to full-time faculty; funds to be considered are limited to those monies identified in the AFT Collective Bargaining Agreement
- Evaluating applications and awarding other funds provided to the professional development committee

Co-chairs: Dean appointed by the Vice Presidents of Academic Affairs and Student Support
Faculty member appointed by the Academic Senate Council and who is, therefore, an ex-officio non-voting member of the Academic Senate Council
Classified Senate Vice-President or designee

Members: One Dean appointed by the Vice President of Academic Affairs
Two faculty members from each Student Learning Division appointed by the Academic Senate Council
Two classified staff members recommended by the Classified Senate and appointed by the College President
One representative from Instructional Technology
One faculty member appointed by AFT
One classified staff representative appointed by SEIU and approved by the President
One student appointed by Associated Students who serves in an advisory role
Professional Development Coordinator (ex-officio, non-voting)
(Note: These organizational coordinators are to be differentiated from department Coordinators, who are included within the AFT contract)
Academic Senate President (ex-officio, non-voting)

2.1.2.5 Fiscal Planning Committee

Charter: The Fiscal Planning Committee makes recommendations on college-wide fiscal processes. The specific tasks of this committee are:

- Annually reviewing the District Budget Allocation Model and making recommendations for changes as necessary
- Receiving reports on the development of the college General Fund budget in alignment with District processes
- Reviewing emergent budget needs and constraints, and
- Implementing the annual Classified Hiring Prioritization process.

Co-chairs: Vice President of Business Services
Academic Senate President or designee
Classified Senate President or designee

Members: All Department Chairs and Coordinators or designees
Director of Facilities, Maintenance, and Operations
Three Deans appointed by the Vice Presidents Academic Affairs and Student Support
Three classified staff representatives recommended by the Classified Senate and appointed by the President
One faculty member appointed by AFT
One classified staff representative recommended by SEIU and appointed by the President
Two Classified Supervisor representatives recommended by the Vice President of Business Services and appointed by the President
One student appointed by Associated Students who serves in an advisory role
Vice President of Academic Affairs (ex-officio, non-voting)
Vice President of Student Support (ex-officio, non-voting)

2.1.2.6 Student Learning Outcomes (SLOs) Committee

Charter: The SLO Committee promotes campus-wide understanding and integration of outcomes, at all levels and across all programs. The SLO Committee is charged with facilitating campus dialogue to enhance institutional effectiveness and the continuous improvement of student learning. The specific tasks of this committee are:

- Refining the plan and timeline, as needed, for the ongoing development and assessment of SLOs, which include: Institution-Level Outcomes (ILOs), Program-Level Outcomes (PLOs), Student Support Outcomes (SSOs), General Education Learning Outcomes (GLOs), and Course-Level Outcomes (CLOs);
- Guiding the college through the continual process of developing, implementing, assessing, and evaluating outcomes;
- Monitoring and supporting the process of assessing outcomes for courses, programs, and services; and
- Using results for accreditation.

Co-chairs: Dean appointed by Vice President of Academic Affairs

Faculty member appointed by the Academic Senate Council, who is, therefore, an ex-officio, non-voting member of the Academic Senate Council

Members: Department Chair, Coordinator, Supervisor or designee from each department
Dean appointed by the Vice Presidents of Academic Affairs and Student Support
Academic Senate President (ex-officio, non-voting)
SLO Coordinator (ex-officio non-voting)
(Note: These organizational coordinators are to be differentiated from department Coordinators, who are included within the AFT contract)

2.1.2.7 Student Success and Equity Committee

Charter: The Student Success and Equity Committee makes recommendations on college-wide planning related to student success activities. The specific tasks of this committee are:

- Reviewing and evaluating campus-wide student success and equity data
- Developing and monitoring the College Integrated Plan: Basic Skills Initiative, Student Equity, and Student Success Program in coordination with the Basic Skills Advisory Committee
- Recommending, coordinating, and initiating strategies which enhance student success at Moorpark College
- Recommending, coordinating, and supporting programs and services that support diverse groups of students in order to promote student equity
- Fostering communication and collaboration among campus student services and instructional programs in support of campus student success activities

Co-chairs: Vice President of Student Support or designee
Faculty member appointed by the Academic Senate Council and who is, therefore, a non-voting member of the Academic Senate Council

Members: Three Deans appointed by the Vice Presidents of Academic Affairs and Student Support
Two faculty members from each Student Learning Division appointed by the Academic Senate Council
Four Student Service representatives appointed by the Vice President of Student Support
One Institutional Researcher
One student appointed by Associated Students who serves in an advisory role
Academic Senate President (ex-officio, non-voting)

It is expected that the committee will draw upon additional resources from the pool of knowledge, experience, and technical expertise as necessary.

2.1.2.8 Distance Education Committee

Charter: The Distance Education Committee makes recommendations on college-wide planning and accreditation issues related to distance education activities. The specific tasks of this

committee are:

- Reviewing and evaluating campus-wide student success and equity data related to distance education;
- Developing and promoting best practices that contribute to the quality and growth of distance education at Moorpark College;
- Providing guidance on professional development activities related to distance education; and
- Monitoring and documenting compliance with accreditation standards and state and national regulations.

Co-chairs: Dean appointed by the Vice President of Academic Affairs
 Faculty member appointed by the Academic Senate Council and who is,
 therefore, a non-voting member of the Academic Senate Council

Members: Two faculty members from each Student Learning Division appointed by the
 Academic Senate Council
 One Dean appointed by the Vice Presidents of Academic Affairs and Student
 Support
 One representative from Technology Support Services
 One representative from the Accessibility Coordination Center and Educational
 Support Services
 One representative from Student Services Council appointed by the Vice
 President of Student Support
 One student appointed by Associated Students who serves in an advisory role
 Distance Education Coordinator (ex-officio, non-voting)
 (Note: These organizational coordinators are to be differentiated from
 department Coordinators, who are included within the AFT contract)
 Academic Senate President (ex-officio, non-voting)

2.1.3 Route of a Proposal in Model Consultation

| Places and People | Actions |
|------------------------------|---|
| Initiator | Issue/Proposal generated by individuals through the venue of a Standing Committee. |
| Standing Committee Agenda | Issue/Proposal placed on the Standing Committee agenda and discussion is initiated. |
| Councils and Senate Councils | <p>Issue/Proposal enters consultation.</p> <p>Presentation/Information dissemination to councils and senate councils whose scope of responsibility covers the Issue/Proposal</p> <p>Comments and concerns gathered</p> <p>Consensus or majority/minority opinions clarified.</p> |
| Standing Committee Agenda | <p>Consultation results made part of the Standing Committee's deliberation. Representatives consult with respective constituent groups. Faculty co-chairs consult with Academic Senate.</p> <p>Standing Committee makes final recommendation to President after consultation with the Academic Senate.</p> <p>In case of consensus, a single recommendation is forwarded. Should substantial divergent opinions emerge during the consultation process, the Standing Committee may choose to present its recommendation with minority opinions.</p> |
| President's Council | Concerns or endorsements regarding the recommendations of the College Standing Committees are presented to the College President to inform final decision-making. |

2.2 Organizational Groups

Six councils have been developed to coordinate and fulfill operational, procedural, and policy implementation at Moorpark College. The purpose of the groups is to assist the College President in implementing the Strategic Objectives of the College and the policies of the Chancellor and the Board of Trustees. The authority for the members of each group is derived from appointment to positions within the college.

2.2.1 President's Council

The College President meets with the Vice President of Academic Affairs, Vice President of Student Support, Vice President of Business Services, the Academic Senate President, the Classified Senate President, and the Associated Students President at least bi-annually to receive comments, concerns, and endorsements regarding the recommendations of the College Standing Committees. The Council provides the College President with varied perspectives by which to evaluate recommendations and make final decisions.

2.2.2 Executive Council

The College President, Vice President of Academic Affairs, Vice President of Student Support, and Vice President of Business Services meet weekly to prepare Board of Trustees' actions, discuss issues of college-wide impact, and coordinate activities from various areas of responsibility. Others are invited to join the discussion and to provide information on particular items as appropriate.

2.2.3 Consultation Conference

The Executive Council membership is joined by the Academic Senate President weekly to consult on all academic and professional matters (the 10+1), and to discuss any other matters for the good of the college.

2.2.4 Administrative Council

All College managers (College President, Vice President of Academic Affairs, Vice President of Student Support, Vice President of Business Services, Deans, and Directors) meet monthly to review Board actions, discuss management issues of college-wide impact, and share news from various areas of responsibility.

2.2.5 Deans Council

The Vice Presidents of Academic Affairs and Student Support and Deans meet weekly to review operational issues and share news from various areas of responsibility.

2.2.6 Student Services Council

The Vice President of Student Support, lead faculty/staff in each student service program, Deans

of Student Learning who supervise student service programs, and a representative of Associated Students meet bi-monthly to coordinate events, synchronize Program Plans as appropriate, and coordinate processes for program improvement.

2.3 Advisory Committees

Advisory committees are a venue for college-wide conversations on topics chosen by the college as important and worthy of concentrated college-wide energy. These groups are not required by law or regulation. The groups are charged by the College President with performing specific functions that benefit the college community, and are dissolved upon completion of purpose. Membership is voluntary. These committees are generally representative of the college constituencies most appropriate to the charge of the group. Committees make recommendations to the appropriate Vice President. *(Note: These Advisory Committees are to be differentiated from CTE Advisory Program Committees, which are connected to career-technical programs at the College, and are mandated by CCR Title 5.)*

The current Advisory Committee groups are:

2.3.1 Campus Environment

This group monitors campus-wide issues relating to campus use, development, and environment. It makes recommendations to the Vice President of Business Services. Recommendations from this group are dedicated to:

- Campus aesthetics
- Operations and maintenance of facilities
- Best uses of the Campus Improvement Fund
- Responsible environmental practices

2.3.2 Honors

This group monitors campus-wide issues relating to the Honors program standards and curriculum. It makes recommendations to the Curriculum Committee in matters concerning curriculum, to the Academic Senate in matters concerning academic standards, and to the Vice President of Academic Affairs in matters concerning program implementation, program effectiveness, assessment, and external approvals and accreditations by outside agencies and institutions.

Recommendations from this group are related to:

- The Review and recommendation of new and revised honors curriculum as proposed by faculty
- The Review and recommendation of academic standards as related to Honors Program eligibility and completion

- Participation in the compilation and review of self-study processes for the Honors Program as required by the approval or accreditation processes of external agencies and institutions
- Assisting the lead faculty of the Honors Program in developing processes to assess program effectiveness

2.3.3 Wellness and Safety

This group monitors campus-wide issues relating to health, wellness, and safety issues affecting college faculty, staff, and students. It makes recommendations to the Vice President of Business Services in areas concerning health, wellness, and safety. Concerns regarding instructional and student services areas will be presented by the Vice President of Business Services to the Vice President of Academic Affairs and the Vice President of Student Support at Executive Council. Recommendations from this group are related to:

- Health, wellness, and safety issues identified by the college community
- Emergency preparedness issues relating to the college community
- Education of campus community regarding health, wellness, and safety issues

2.3.4 Basic Skills

This group monitors campus-wide issues related to basic skills. It makes recommendations to the Vice President of Academic Affairs. Recommendations from this group are related to:

- The Planning, implementing, and assessing strategies to help Moorpark College students successfully acquire the basic skills necessary to succeed in college-level coursework
- Serving as a central forum for campus dialog on topics related to basic skills
- Promoting basic skills best practices throughout the institution

2.3.5 Career Technical Education

This group monitors campus-wide issues related to Career Technical Education initiatives. It makes recommendations to the Vice President of Academic Affairs. Recommendations from this group are related to:

- Providing labor market information and data resources to CTE faculty and administration
- Tracking CTE program student success data and promoting best practices
- Providing guidance to the college on potential CTE growth areas, career pathways, and trends in the regional economy
- Providing recommendations regarding CTE related funding including Perkins Grant

2.3.6 Study Abroad

This group monitors campus-wide issues relating to study abroad. It makes recommendations to the Vice President of Academic Affairs relating to:

- Consideration of Study Abroad proposals

- Analysis of balance of offerings over time
- Proposals of assessment process for the Study Abroad program
- Consideration of the creation of a standardized process for study abroad proposals

2.4 Project Groups

Project groups are formed to complete a specific task that has college-wide impact and benefits the college community. They are established by the College President according to need, and are dissolved upon the completion of purpose. Membership is voluntary. Project Groups make recommendations to the College President or appropriate Vice President. The current project groups are:

2.4.1 Multi-Cultural Day

This group plans and implements an alternative learning day that is presented in mid-April to expand multi-cultural awareness and education. It makes recommendations to the Vice President of Academic Affairs.

2.4.2 Year of ... (college theme) and One Campus, One Book

This group coordinates college projects and speakers focused on the annual college theme. In keeping with the theme it also coordinates campus involvement in selecting a 'One Campus One Book' for use across the curriculum as well as activities related to the selected book. It makes recommendations to the President.

Chapter 3: Timeline and Sequences in Key College Decisions

The charts in this section present the sequences in key college decisions and a timeline for the processes.

Definitions

- **Current Year** is the current fiscal year, running from July 1 to June 30.
- **Coming Year** is the next fiscal year in planning.

3.1 Development and Review of Program Plans and Assessment

| Months | Current Year Activities | Coming Year Activities |
|----------------------------------|--|---|
| August/ September/ October | <u>Assessment Cycle:</u> Deans and program leaders with support of the Office of Institutional Research: <ol style="list-style-type: none">1. Review the status of <u>Current Year</u> plans on program improvement2. Review program data and prepare Program Plan document; Review SLO Assessment and report progress for Program Plans3. Document the analysis of program data, SLO assessment results, and other relevant program data that support resource requests and program plans. | Program Plans due September 15. Update Program Plans in Tracdat. Begin extraction of requests from Final Program Plans for prioritization of resources in Standing Committees. In turn, these extracts are used in prioritizing faculty hiring, classified staff hiring, technology equipment, and facilities projects. |
| October/ January | Ongoing Program data analysis and documentation, including (but not an exhaustive list): <ul style="list-style-type: none">• SLOs (ILO, GEO, PLO, CLO)• Success and Equity data• Labor Market data (CTE programs)• Institution-level data• Other | The appropriate Vice Presidents, joined by the Academic Senate President, area Dean or Manager, and faculty or staff, conducts a Program Evaluation and a budget request review. Elements of the evaluation include: <ol style="list-style-type: none">1. Provide feedback on the Program Plan2. Determine a status for each program per AP 4021:<ol style="list-style-type: none">1) No action needed2) Strengthen the program |

| | | |
|--------------------|---|--|
| | | <p>3) Reduce the program 4) Review for discontinuance 3. Discuss fiscal impacts of the program plan.</p> <p>Should a program receive an evaluation status of “Strengthen the Program,” “Reduce the Program” or “Review for Discontinuance,” the College President shall review the findings, the accompanying Program Plan, and the recommendations emerging from the Program Plan Evaluation. If the College President recommends a program for discontinuance based on this review, the process for AP 4021 Program Discontinuance will be initiated.</p> <p>A summary report on the Program Evaluation process, including the status of the programs reviewed, is prepared by the VP of Academic Affairs. The VP of Academic Affairs presents the document to the EdCAP Co-chairs. The Co-chairs of EdCAP agendaize the document for review and acceptance.</p> |
| February/ April | Ongoing Program data analysis and documentation | <p>EdCAP completes the process by reporting the findings to the Academic Senate and Administrative Council.</p> <p>The President distributes the summary college-wide and then forwards the report to the Chancellor.</p> <p>EdCAP reviews and revises as necessary the template and process for the coming year Program Plans.</p> <p>EdCAP presents template and process changes, if any, to Academic Senate for review. Final recommendations for changes, if any, are made to the President for next implementation cycle.</p> |

3.2 College Budget Development Timeline

| Month | District-wide Activity | College Budget Activity |
|----------|---|--|
| January | Governor's state budget proposal made public. | Monitors state budget forecast. Begin Budget Updates for Programs. |
| February | Monitors state budget forecast and continues district planning for Tentative Budget. | Conduct Town Hall meeting to apprise College of current forecast and implications. Update Fiscal Planning Committee on the current forecast and implications. Discuss College priorities and College objectives. Begin planning for Tentative Budget. Continue Budget Updates for Programs. |
| March | Work on Tentative Budget continues. | Work on Tentative Budget continues. Review Program Resource and Budget Requests made during Update meetings at Executive Council. |
| April | Work on Tentative Budget continues. | Work on Tentative Budget continues. College budget planning synchronized with District budget planning operationally through the VP of Business Services and consultatively through DCAS. |
| May | Governor's May Budget Revise The Tentative Budget is reviewed at various levels at the College and the District, including a review by the College President, Executive Council, Administrative Council, the District Council on Administrative Services, and the Chancellor's Cabinet prior to being submitted for Board subcommittee, and full Board approval. | VP of Business Services balances and finalizes the Tentative Budget. Fiscal Planning Committee receives updates of Tentative Budget discussions as affected by the May Revise. Conduct Town Hall meeting to apprise College of changes in forecast and implications if needed. |
| June | Tentative Budget approved by the Board of Trustees. State law requires the Tentative Budget be in place by | |

| | | |
|-----------|---|---|
| | the beginning of the new fiscal year on July 1. | |
| July | Preparation for the District Adoption Budget begins. | VP of Business Services begins preparation of the Adoption Budget. |
| August | Preparation for the District Adoption Budget continues. | |
| September | DCAS reviews final drafts of the Adoption Budget. Board Committee for Administrative Services reviews Adoption Budget. | Conduct Town Hall meeting to apprise College of final changes to the current budget, and forecast implications if needed. |
| October | Adoption Budget approved by the Board of Trustees. | College receives Adoption Budget from District and Board of Trustees. |
| November | Begins to monitor state budget forecast for coming year. | Begins to monitor state budget forecast for coming year. |
| December | Continues to monitor state budget for the coming year. | Continues to monitor state budget for the coming year. |

3.3 Development of the Annual Full-time Faculty Priority List

| Month | Activities |
|-------------------|---|
| September | Compile requests for full-time faculty positions from Program Plans. |
| September/October | <p>In late September, copies of all Program Plans that include requests for full-time faculty positions are distributed to the Academic Senate Council and the Deans Council.</p> <p>The requests for full-time faculty positions are reviewed by the members of the Academic Senate Council and the Deans Council within the context of that program's overall plan and college-wide needs.</p> <p>In early/mid October, the <i>Joint Committee of the Academic Senate Council and the Deans Council</i> prepares a recommended priority list of full-time faculty positions to be hired.</p> |
| October | <p>The joint recommendation is presented to the College President by the Academic Senate President and the Vice President of Academic Affairs for review and approval. The joint recommendation memorandum includes a documentation and review of the process that engendered the priority list.</p> <p>If the College President's ranking of full-time faculty positions differs from that of the Joint Committee, the College President reviews and discusses the differences with the Academic Senate Council and Deans Council prior to making a final decision. The President's final decision is communicated in writing, and includes the rationale for the final prioritization. Upon request, and at any point after the receipt of the Joint Committee's recommendation, the President meets with the Academic Senate Council to review relevant data points for decision-making.</p> |

| | |
|--|--|
| | The College President determines the number and timing of positions in compliance with the Full-time Faculty Obligation Number (FON) required by the State. The final list is announced and released for recruitment as soon as possible for Fall hires in the next academic year. |
|--|--|

3.4 Development of the Annual Classified Staff Priority List

| Month | Activities |
|------------------|--|
| September | Requested new classified staff positions (positions that are permanent and ongoing, and may be full-time, part-time, or seasonal) are identified collaboratively by Student Learning Division deans, managers, faculty, and staff and documented in the Program Plans. |
| October/November | <p>Complete compilation of classified staff requests in a list for use in prioritization, divided into those financed through General funds and those from categorical/grant funds.</p> <p>Members of the Fiscal Planning Committee receive copies of requests and justifications as presented in the Program Plans.</p> |
| January/February | <p>The requests for classified position are reviewed within the context of each program's overall plan and college-wide needs.</p> <p>Deans, Directors, and representatives of faculty and staff present justifications to the Fiscal Planning Committee.</p> <p>The Fiscal Planning Committee reviews requests and prepares prioritized list of classified positions.</p> <p>To ensure campus-wide communication, the prioritized list is distributed to Division/Departments/Programs campus wide.</p> |
| February/March | <p>The priority list is presented by the VP of Business Services to the College President for review and approval.</p> <p>The College President will consult with the Fiscal Planning Committee and other appropriate groups if the President's final decision differs from the Fiscal Planning committee recommendations.</p> <p>The College President will determine the number and timing of positions to be announced.</p> |

3.5 Development of Annual Budget for Priorities Other Than Staffing

| Months | Current Year Activities | Coming Year Activities |
|-----------|--|--|
| September | Implement approved initiatives identified and funded through the process. | College Programs submit Annual Program Plans. Deans, Directors, faculty, and staff in their respective areas participate in developing and reviewing plan elements. |
| October | Implement approved initiatives identified and funded through the process. | The process of Program Planning and budget planning begins. |
| November | Implement approved initiatives identified and funded through the process. | |
| December | Implement approved initiatives identified and funded through the process. | |
| January | Implement approved initiatives identified and funded through the process. | Evaluation of current budget allocations reviewed: documented through budget changes. In all programs Deans, Directors, faculty, and staff collaboratively verify that the fiscal needs identified in the Annual Program Plans still reflect programmatic needs and are in line with expected budget appropriations. Begin developing Budget Updates. |
| February | Implement approved initiatives identified and funded through the process. | |
| March | Implement approved initiatives identified and funded through the process. | |
| April | Implement approved initiatives identified and funded through the process. College spending for the fiscal year concludes on April 15. | VP of Business Services prepares tentative operating budgets based on District-wide budget discussions and local needs as validated in the Program Plans and Budget Updates. |
| May | VP of Business Services posts list of completed initiatives. | VP of Business Services distributes Operating budgets to Deans/Department Chairs and Directors/Supervisors. Budgets are discussed, and changes are made in areas of agreement. Operating budgets are then distributed to Divisions/Departments/Programs. |

3.6 Development of Annual priorities for Facilities and Technology Resources

| Months | Current Year Activities | Coming Year Activities |
|-----------|---|---|
| September | Implement or purchase approved items for current year. | Programs submit Annual Program Plans. |
| October | Implement or purchase approved items for current year. | Requests for facilities and technology resources are extracted from Annual Program Plans, and forwarded to Fac/TechCAP for review and prioritization in accordance with program needs and correlation to the College's Strategic Objectives. |
| November | Implement or purchase approved items for current year. | Review and prioritization process from October is continued until completed. |
| December | Implement or purchase approved items for current year. | Review and prioritization process from October is continued until completed. |
| January | Implement or purchase approved items for current year. | Review and prioritization process from October is continued until completed. |
| February | Implement or purchase approved items for current year. | <p>Upon completion of review and prioritization, Fac/TechCAP recommendations for funding prioritization are forwarded to the President for review and final approval. Recommendations communicated to campus and departments.</p> <p>President approves final list for implementation and purchase for the coming fiscal year.</p> <p>The Office of Business Services sets up tentative spending budgets as part of College Tentative Budget.</p> |
| March | Implement or purchase approved items for current year. | <p>Planning and allocation work of the Standing Committees are completed.</p> <p>Facilities and Technology priority lists are posted/documentated.</p> |
| April | Spending from the Current Year budget is completed by April 15. | |
| July | | Spending begins for this fiscal year. |
| August | | Spending continues for this fiscal year. |

3.7 Development and Approval of Curriculum

| Responsible Party | Process |
|---|---|
| Faculty Member | Initiates new course, course revision, new program, program revision. Curriculum reviewed on a five-year cycle with CTE programs reviewed on a two year cycle. |
| Department and Division Review | All members of the department/discipline, the Division Dean, and an area counseling faculty are given an opportunity to review the proposed new course, course revision, new program, or program revision. |
| Specific Review Groups | Specific reviews are done in the following areas as appropriate: <ul style="list-style-type: none"> • General Education • Honors • Distance Education |
| Technical Review Task Force | A Task Group of the Curriculum Committee meets semi-monthly to conduct a technical review of all proposals prior to the revisions being made available to the Curriculum Committee. The Technical Review Task Group includes the following individuals: <ul style="list-style-type: none"> • Faculty Co-Chair • VP of Academic Affairs or designee • Articulation Officer • Learning Resources Representative • Curriculum Technician • Instructional Data Specialist • Additional instructional faculty |
| Curriculum Committee | The Curriculum Committee meets semi-monthly to review new course proposals, course revisions, new program proposals, program revisions, and graduation requirements. The committee is co-chaired by a faculty member appointed by the Academic Senate and by the VP of Academic Affairs or administrative designee. |
| Academic Senate President/ Designee and College President/ Designee | Verify curriculum is ready to be presented at the District level for compliance. |
| District Technical Review Workgroup (DTRW-I) | District-wide Technical Review for regulations compliance. Membership includes: <ul style="list-style-type: none"> • Chancellor's Representative • One of the following from each college: <ul style="list-style-type: none"> ○ Faculty Curriculum Chair ○ Academic Senate President or designee ○ VP of Academic Affairs ○ Articulation Officer |
| Chancellor's Cabinet | Verification of curriculum and placement on Board of Trustees Meeting Agenda. |
| Consultation Council | District-wide review of the Board of Trustees Agenda, in which curriculum to be presented to the Trustees is reviewed. |
| Board of Trustees | Curriculum is reviewed and approved at the monthly meetings. |

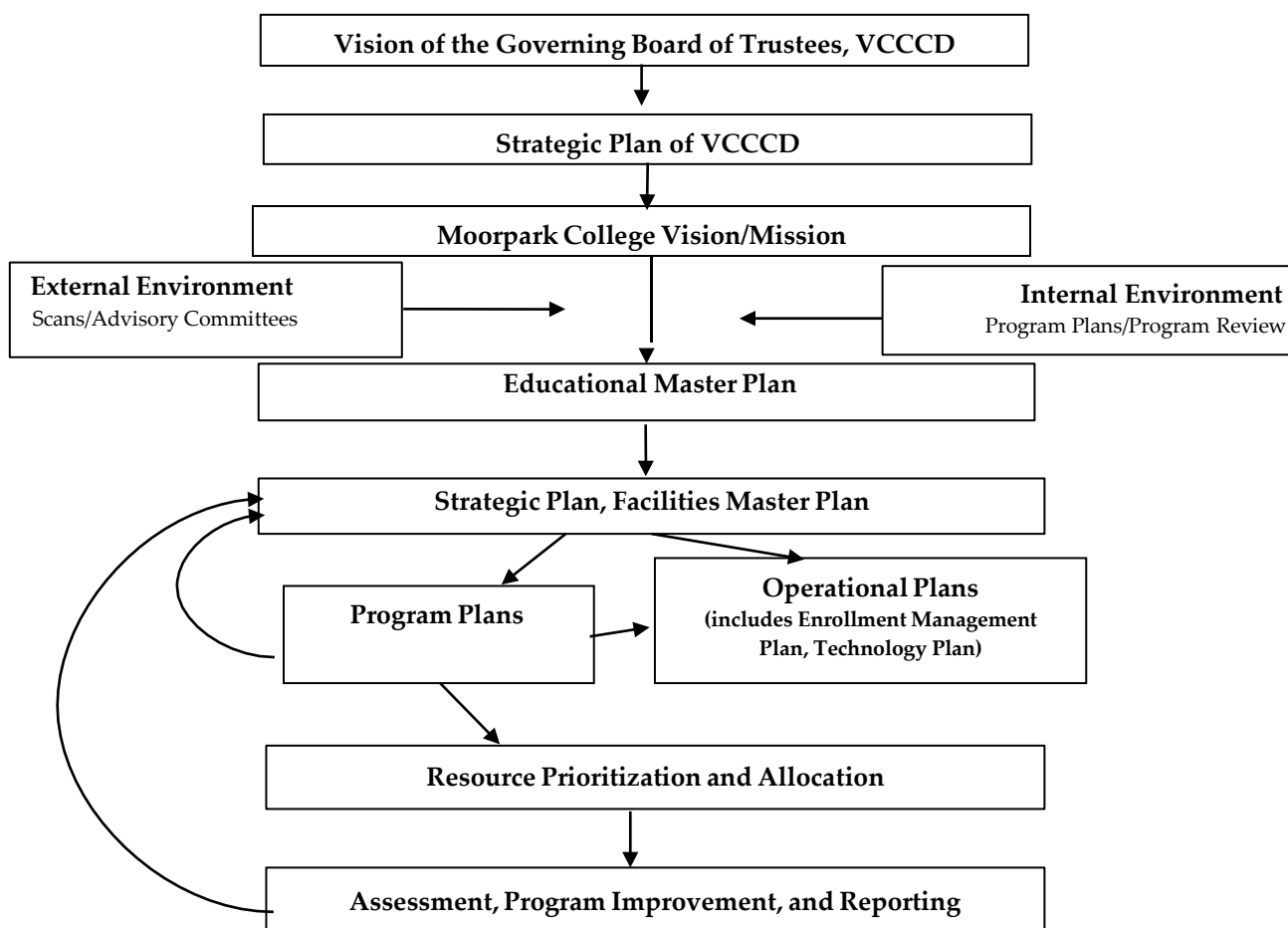
| | |
|---------------------------|--|
| State Chancellor's Office | Items for which authority is not delegated locally to the Board of Trustees are submitted to the State Chancellor's Office for approval. |
|---------------------------|--|

Chapter 4: College Planning and Assessment

The College Planning Model and the College Assessment Model were developed and approved college-wide in Spring 2004 and continued to evolve through Spring 2007. In Fall 2012, the Planning and Assessment Models were further enhanced by the creation of the Strategic Plan, which addressed mid-term planning and assessment in the overall planning process. The Strategic Plan was updated for the three-year period from 2016 to 2019 and was comprehensively reviewed during the 2016-2017 year.

The Planning Model and the Assessment Model contain products from a decade of work by members of the college community. That work included faculty, staff, and administrators attending workshops and conferences, discussing the issues on campus, and fostering a culture of evidence by encouraging a shift toward data-driven decision-making in program plans. Over time, this work culminated in the creation of structures and processes for planning and assessment that are comprehensive enough to meet college needs, yet flexible enough to fit the college culture. A schematic of the Planning Model is as follows:

4.1 The College Planning Model: A Schematic



College Planning Model: A Glossary

The schematic summarizes the College Planning Model. The following glossary explains each element in the model.

Vision of the Governing Board of Trustees, VCCCD

The Board of Trustees of VCCCD communicates its Mission and Vision through Board Imperatives and Objectives that provide guidance to the district-wide planning.

Strategic Plan of VCCCD

Through a district-wide planning process, the Chancellor of VCCCD translates Board Planning Goals and Objectives into a District Strategic Plan that provides guidance to the constituent colleges in their campus planning process.

Moorpark College Mission/Vision

The College Mission/Vision, which flows from the Vision of the Governing Board, guides dialogue and decision-making in the planning process.

External Environment

External scans include feedback from economic forecast reports, community reports, and advisory committees. This information is summarized for the college in the *Institutional Effectiveness Report* and incorporated into the planning dialogue at the Annual Strategic Planning Retreat.

Internal Environment

Each program at the College completes a Program Plan that includes the following elements:

- 1) Program health and productivity data analysis,
- 2) Environmental scans, advisory committee reports, and future projections,
- 3) Resource needs in connection with future projections, and
- 4) Program assessment and program improvement.

The Program Plans provide information on the College's internal environment and receive external feedback through external advisory groups. The Program Plans provide the primary link to the budget allocation process. They also guide the formation of Action Plans (college and program level) for the College.

Moorpark College Educational Master Plan

Ten-year plan which charts the college long-term course based on internal scans, external scans of the community, and enrollment projections. This educational master plan defines the academic direction of the college and makes general recommendations to address current and foreseeable challenges. These recommendations create a framework for organizational growth and change.

The Educational Master Plan:

- focuses on change and improvement to address identified challenges
- serves as the umbrella for district short-term planning
- serves as the foundational document for the Technology Plan and the Facilities Plan
- is brief, balanced in perspective, and broad in scope

- provides a snapshot of the college's instruction, student services, and support systems
- may be updated if warranted by a major change of conditions or when its term expires.

This master plan and its companion plans – the Strategic, Technology and Facility Master Plans – provide the strategic planning framework for the college. This integration of the three master plans keeps the college on a consistent course guided by the needs of the college's future students.

The Moorpark College Educational Master Plan 2009-2019 has been developed to:

- guide planning and long term program and service development
- provide a direction for the college under changing conditions
- inform the public
- demonstrate compliance with accreditation standards

The Educational Master Plan includes four sections:

- Background and Introduction
- Internal and External Environmental Scans
- Summary and Projections for Programs
- Challenges and Recommendations for Strategic Planning

The Facilities Master Plan links projections for the growth of each college program to the college's physical plan. Additionally, the Technology Operational Plan links projections for growth of each college program to needs for supporting technology.

Strategic Plan

- Sets three-year goals derived from/based on the Educational Master Plan recommendations
- Goals are stated as strategic directions, which
 - define a process for implementing the Educational Master Plan recommendations, and identify specific measurable outcomes (quantitative and qualitative)
- Each strategic direction is further operationalized by action steps, which
 - describe the specific steps that will be taken to achieve the strategic objectives;
 - identify indicators of success, timelines, and responsible parties;
 - are reflected in the governance structure of the college, and infuse all levels of Action Plans.
 - guide the development of programs as evidenced in the Program Plans.
 - provide information about the goal-setting and the writing of college-level plans such as the Enrollment Management Plan
- Promotes continual improvement over time through
 - the prioritization of a reasonable number of strategic objectives for college-wide concentration each year, and
 - the production and distribution of an annual report of progress on the strategic objectives to EdCAP
- The college will call for the next three-year strategic plan when the term of the strategic plan expires or all strategic directions have been achieved.

Example

Educational Plan Recommendation

Identify long-term and medium-term goals for the continuing work of the Basic Skills Committee.

Strategic Plan and Strategic Objectives

Align Basic Skills with student success and campus community needs.

Strategic Plan/Action Steps

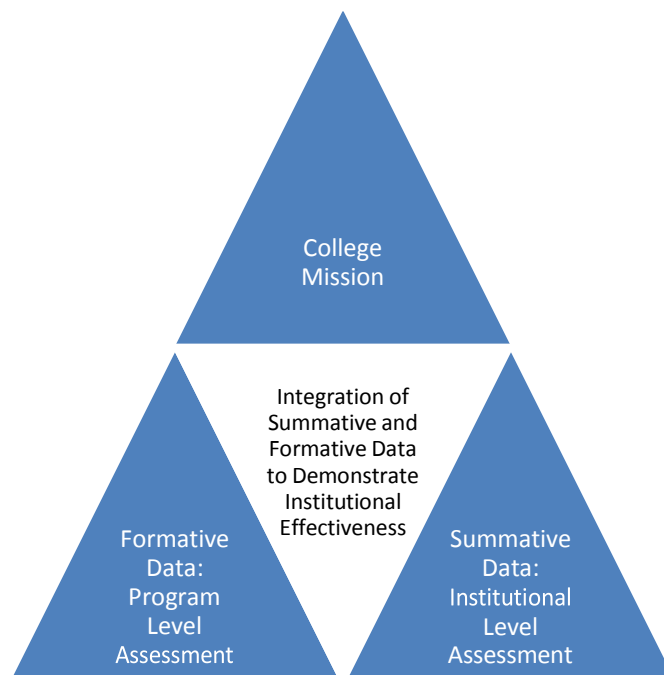
1. integrate Basic Skills “best practices” into the full campus community
2. pilot accelerated program for Basic Skills

4.2 Assessment Model: Assessment and Program Improvement

A major goal of all planning is program effectiveness and program improvement. The Assessment Model established by the College closes the circle of planning, assessment, and program improvement.

There are three primary components of the Assessment Model: the college mission, the assessment of institutional effectiveness, and the assessment of program effectiveness. The Assessment Model includes quantitative and qualitative summative measures of institutional effectiveness, as well as formative measures of student learning outcomes.

The College Assessment Model



The triangle-schematic represents the college Assessment Model. The narrative that follows explains each element within the model. The primary components of the Assessment Model are:

- The College Mission
- The Formative Measures for Program-Level Effectiveness
- The Summative Measures for Institutional-Level Effectiveness
- The Integration of Formative and Summative Assessment Results

The College Mission

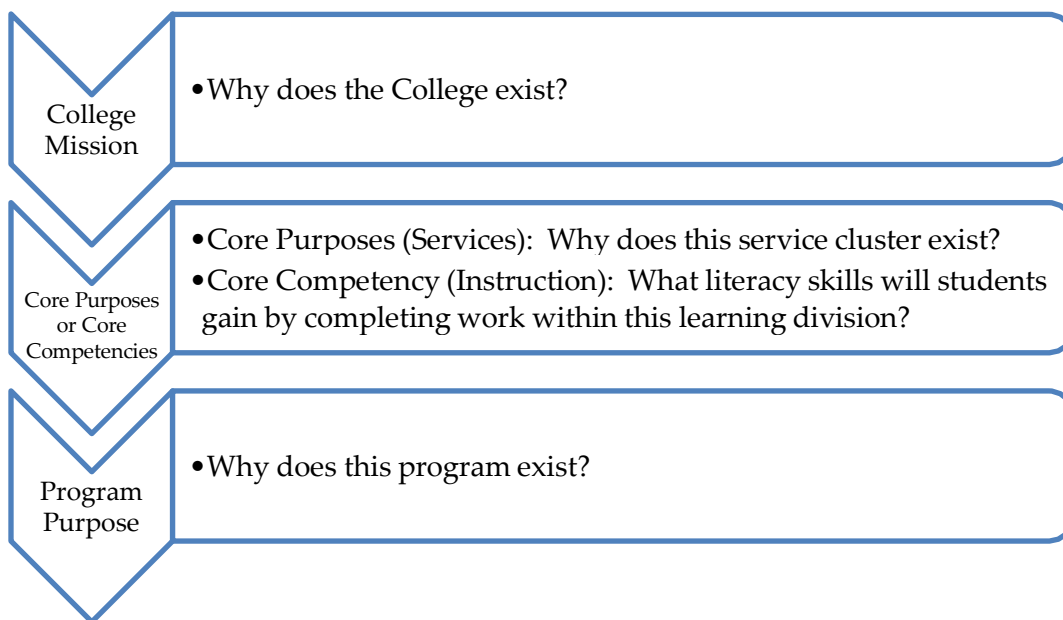
Most recently reviewed in Fall 2016, the college mission is the guide for all assessments.

The Formative Data: Program-Level Effectiveness

The formative measures and resulting data assess program and unit-level effectiveness. This includes the formative measures of student learning outcomes. These assessments are conducted to determine if students are learning specifically what departments intend to teach. The assessment results are used to guide program improvement.

Moorpark College uses an outcome assessment model that:

- Establishes a program purpose derived from the college mission and the appropriate core purpose or competency.



- Identifies measurable outcomes in terms of the knowledge, skills, or attitudes students must evidence to document that the outcome has been achieved.

How do students demonstrate that they are achieving the purpose of the program?

- States the exact means of assessment, including the audience, behavior, assessment tool, and desired degree of success.

How do we know that students are moving toward or achieving the program's purpose?

- Summarizes the data.
- Applies the results from the assessment to improve student learning in the next cycle of planning and assessment.

How will this information be used to improve the courses/programs/services?

The assessment of program effectiveness is on-going, with the results of one assessment serving as a starting point for another series of assessments, all with the goal of providing quantifiable bases for guiding program improvement.

Annual Program Plans

Program Plans, instituted in 1999, incorporate program review and the program improvement process. Annual Program Planning is the key event that links planning to resource allocations.

The College makes two key assumptions in the Program Planning process:

- “Program” refers to all college instructional disciplines and programs and support services. Support services include services to students (e.g., Admission and Records, Student Business Office), services to faculty (e.g., copy center), and facilities (e.g., maintenance and grounds).
- Each college program reviews its services, strengths, and needs annually in order to accurately assess the college and create plans that link resources to areas that need support to maintain or improve excellence or that have potential to grow.

The five components of the Program Plan are:

1. Program Productivity

Provides a summary report of 3-year trends in productivity data for instructional programs and requires various measures for student services.

2. Environmental Scans

Calls for a summary of relevant data from external scan sources, including feedback from industry advisory committee for career technical programs.

3. Program Review

Analyzes the prior two sections with the goal of identifying program strengths and weaknesses. Discusses the development of the program in view of Strategic Objectives and the environment in the field.

4. Assessment of Program Effectiveness

Identifies, assesses, and uses research on student learning outcomes to improve programs.

5. Resource Requests

Lists the human, material, and facilities resources needed based on program plans to improve quality of instruction, expand program, or correct weaknesses identified in the Program Review and Assessment sections.

The Program Planning Data Report provides standardized program review data for instructional programs. This resource provides consistent information across disciplines, such as census enrollments, retention, faculty load information (full-time to part-time ratios), and program efficiency. Student and administrative services gather and report data on effectiveness tailored to their unique role in the college.

4.3 Links between Planning, Program Plans, and College Decisions

Program Plans integrate program review and planning, and therefore serve as the foundational documents for allocating college resources. See Chapter 3 of this document for the timelines and sequences for budget development, material resource allocations, and establishing hiring priorities for faculty and classified staff.

In addition, Program Plans are used to determine each program's status. The appropriate Vice Presidents, Academic Senate President, the Dean, the Department Chair, and interested faculty/staff meet to:

- validate the budget requests in the Program Plan, and
- determine each program's status

The program status is categorized as no action needed, strengthen the program, reduce the program, or review for discontinuance based on analysis of these factors:

- Three-year trends in program review data elements:
 - student enrollment - number of sections offered
 - productivity (WSCH/FTEF)
 - full-time/part-time faculty ratio
- Environmental scans of data relevant to the specific program
- Need for facilities rated as
 - impacted facilities with plans to accommodate, or
 - impacted facilities with no plans to accommodate
- Need for equipment rated as
 - major needs with plans to meet
 - major needs with no plans to meet
 - minor needs

For example, using this rubric, a program categorized as strengthen the program would demonstrate an upward or downward trend in program review data elements with wide margins. Such a program may have growth potential, and the college may consider allocating additional resources and/or facilities to support that growth.

The Vice Presidents prepare a summary of the college program evaluations which is then presented to key college committees and councils, the Academic Senate, the College President, the Chancellor, and the Board of Trustees.

This program evaluation process was piloted in 2006-2007, and institutionalized in 2007-2008. Since 2007-2008, the evaluation rubric has been refined several times to reflect greater nuance in the understanding of elements impacting program performance, and to include service-area productivity data for student services, business services, and administrative services.

The Summative Data: Institutional-Level Effectiveness

The Summative measures and resulting data assess institutional level effectiveness.

The Assessment at the institutional-level effectiveness includes quantitative and qualitative summative measures that create snapshots of the college at specific points in time. These are useful benchmarks for comparisons across time within the institution as well as the national and state trends.

The following describe the six categories of these institutional measures:

1. Data on Student Access

Quantitative evidence that the college is serving all students in the service area.

Sample question: Do the demographics of the Moorpark College student population match the demographics of our surrounding community?

Documentation found in Institutional Effectiveness Report.

2. Data on Student Achievement

Quantitative evidence that students move through and complete college programs, e.g., rates of course completion, retention, persistence, transfer, jobs, degrees, and certificates.

Sample question: Do most first-time Moorpark College students who enroll in the fall return to the college in the spring?

Documentation found in Score Card, IEPI Institutional Effectiveness Indicators, ACCJC Institutional Effectiveness Indicators, and Integrated Plan.

3. Program Review Data

Quantitative evidence on program productivity and student enrollment.

Sample question: How do our college programs compare to standard indices for instructional and student service programs?

Documentation found in Program Evaluation Report to the President.

4. Data on Strategic Objectives

Quantitative evidence at the college level and program levels of progress on addressing the Strategic Objectives as outlined in the 3-year *Strategic Plan*.

Sample question: Has the Strategic Objective to increase student completion of certificates and degrees been achieved and to what degree?

Documentation found in Score Card, IEPI Institutional Effectiveness Indicators, ACCJC Institutional Effectiveness Indicators, and Integrated Plan.

5. Surveys of Perceptions

Qualitative evidence from primary stakeholders on the college's effectiveness.

***Sample question:** Does this college encourage critical thinking in required assignments?*

Documentation of primary stake holder Perception of Institutional Effectiveness found in CCSSE, Student Services Perception Survey, and Business Survey.

In spring 2008 the college administered the national Community College Survey of Student Engagement (CCSSE) for the first time. The Institutional Effectiveness 2008 Report compares the results with national norms as well as with local surveys on student perceptions and employee perceptions administered in 2003. CCSSE, along with local surveys, will be administered on a planned and periodic basis for trend data.

6. Evaluation of Process Effectiveness

Qualitative and quantitative evidence that college processes are effective in directing and maintaining the college's efforts to produce and support student learning.

***Sample question:** If you served on a college committee or made a presentation to a college committee this year, how would you rate that committee's work product in terms of being productive and a valuable use of your time?*

Documentation found in surveys administered by standing committees to their members.

Integration of Summative and Formative Data to Demonstrate Institutional Effectiveness

The Summative and Formative data provides a view of continuous unit/program assessment against an annual evaluation of institutional progress. The Summative and Formative processes are iterative within themselves, and mutually informing and reinforcing.

The Institutional Effectiveness Report, which captures and analyzes the Summative Data, provides an annual view of institutional performance, and a framework for further unit planning and improvement.

The Program Planning process, which anchors Formative assessment, depends upon the Summative data to provide the wide perspective, and receives its planning framework from the objectives of the Strategic Plan. The field data from the Program Planning process, in rounding the cycle, feed back into the Summative analysis, and continuously informs the revision and implementation of the Strategic Plan.

Appendices

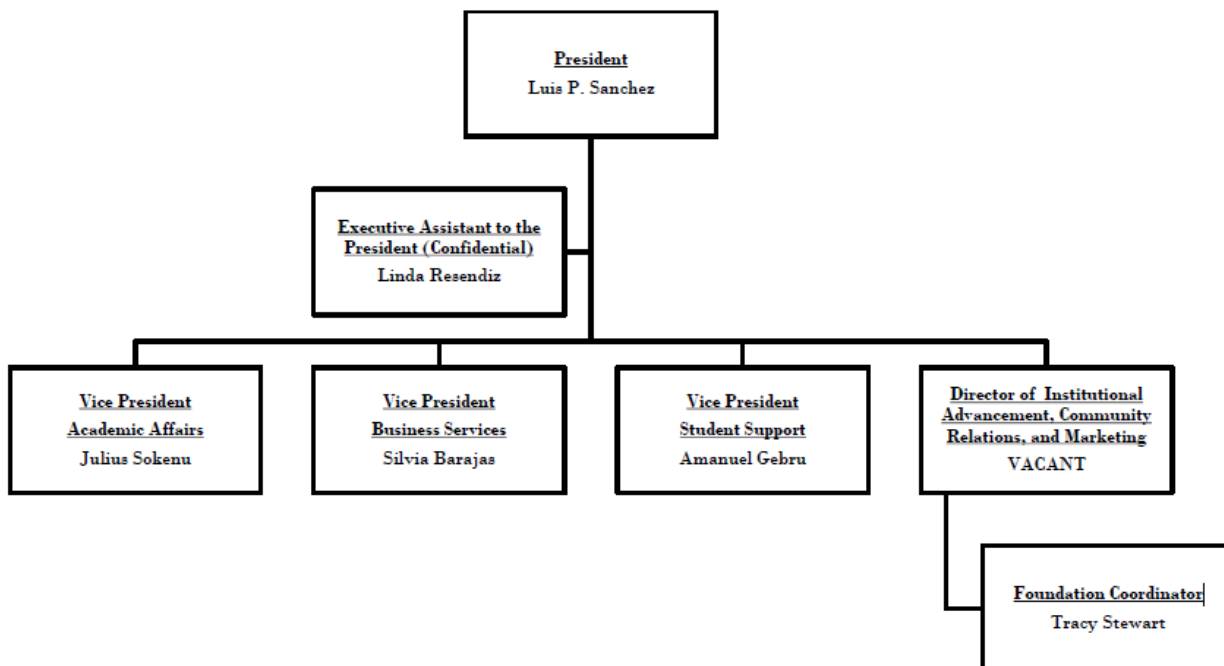
1. College Organization Charts
 - 1.1. Office of the President
 - 1.2. Office of Academic Affairs
 - 1.3. Office of Student Support
 - 1.4. Office of Business Services
 - 1.5. Deans Org. Chart
2. California Code of Regulations for Collegial Consultation
3. Senate Constitutions
 - 3.1. Academic Senate
 - 3.2. Classified Senate
 - 3.3. Associated Students

APPENDICES 1: COLLEGE ORGANIZATIONAL CHARTS

1.1. Office of the President

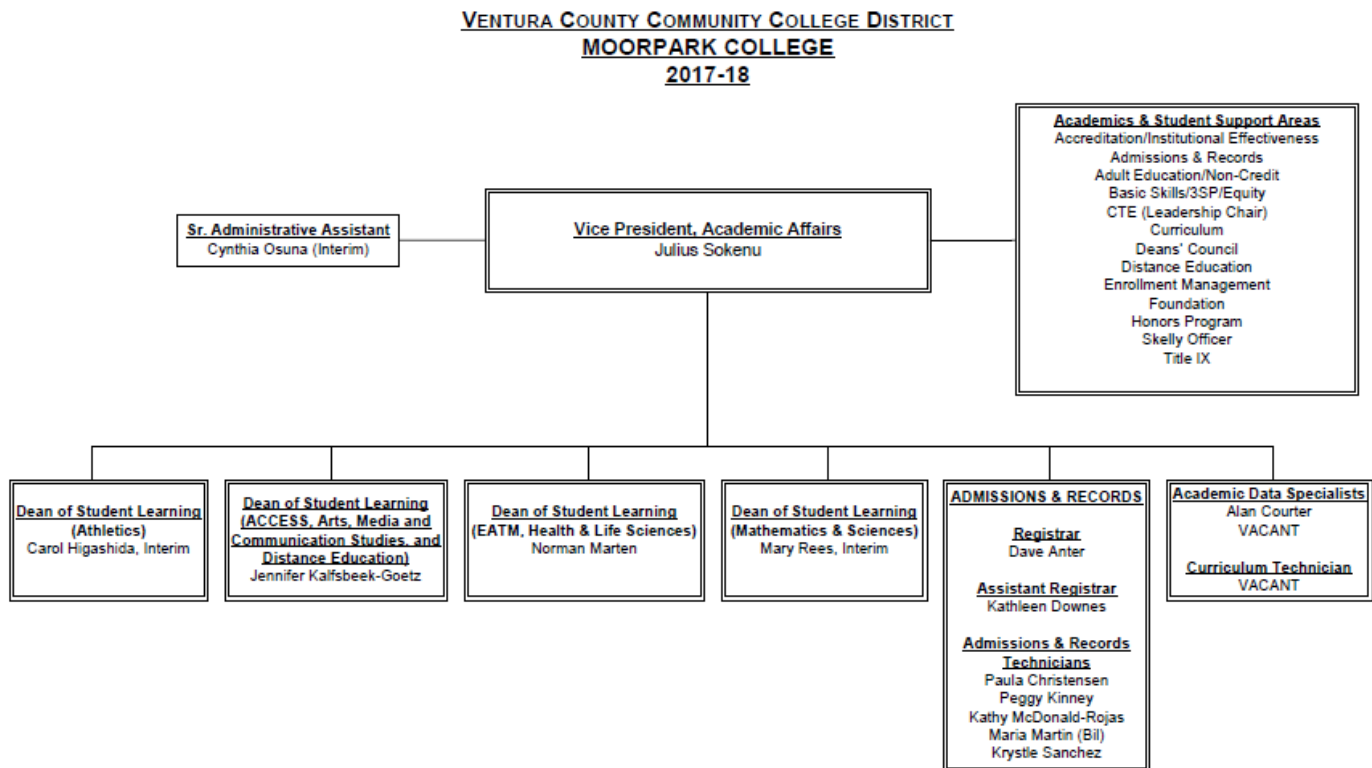
Ventura County Community College District

MOORPARK COLLEGE 2017-2018



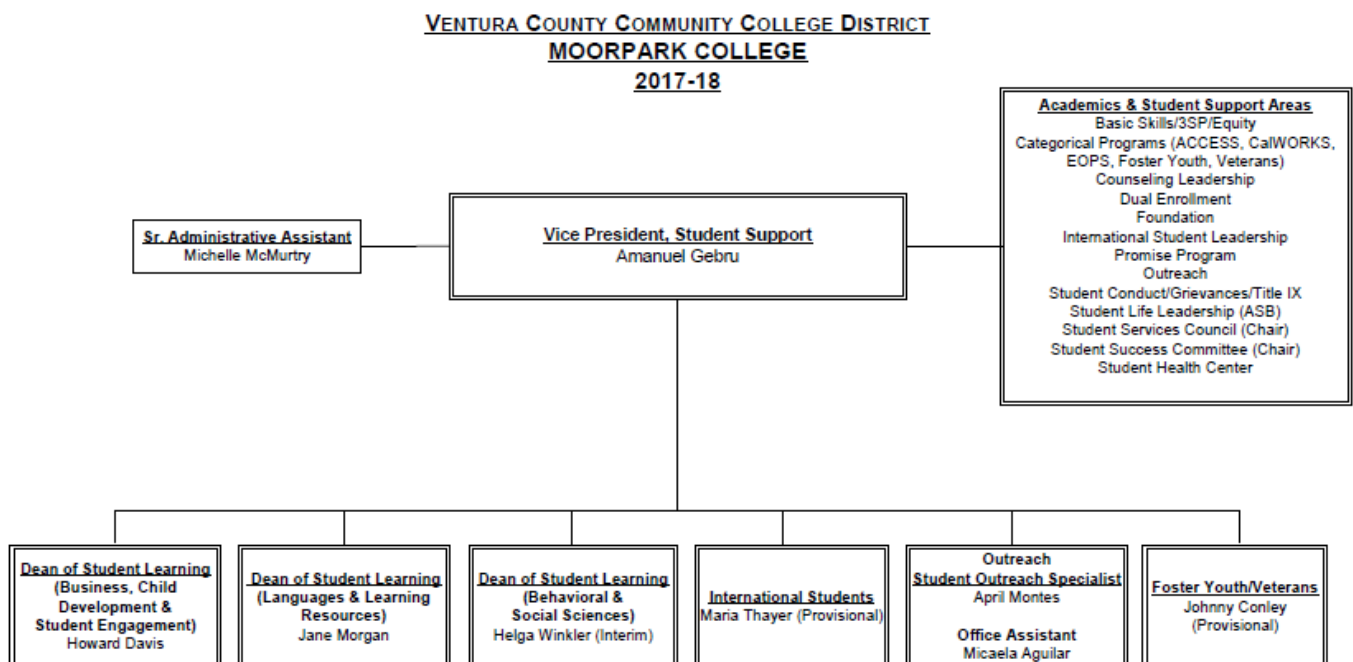
As of 10/23/2017

1.2. Office of Academic Affairs



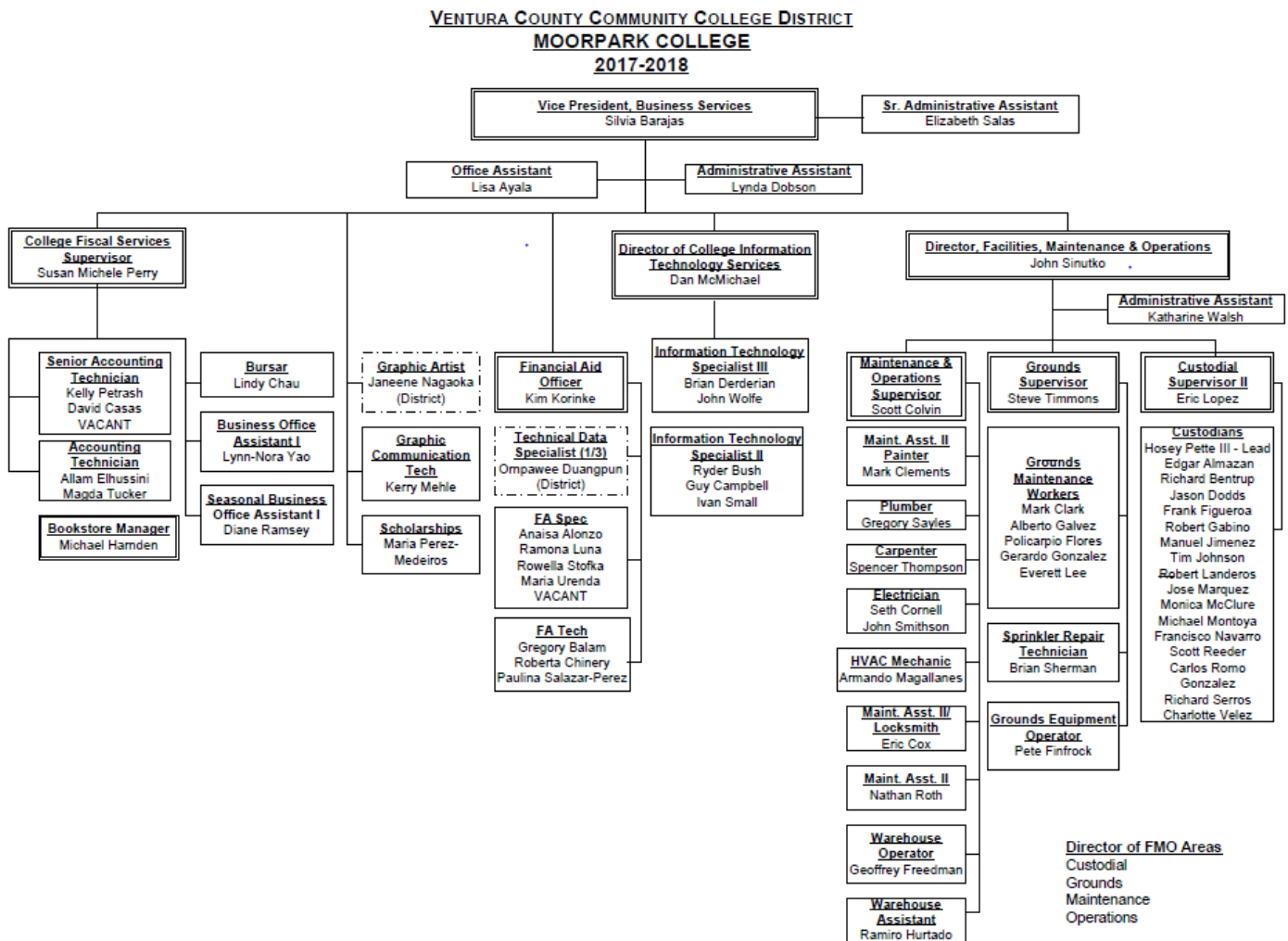
As of 10/23/17

1.3. Office of Student Support



As of 10/23/17

1.4. Office of Business Services



As of 10/23/17

1.5. Deans Org. Chart

[illegible]

| Dean Assigned | Jane Morgan | Mary Rees | Norman Marten | Carol Higashida | Howard Davis | Helga Winkler | Jennifer Goetz |
|---|--|--|---|--|---|---|---|
| | Learning Resources & Student Success | Learning Resources & CTE | America's Teaching Zoo/College Planning | Institutional Effectiveness & Student Equity | Student Life & Student Success | Multiculturalism & Professional Development | Distance Education & Title IX |
| Student Services & Extra Assignments | Library Learning Center/Writing Center Tutoring Program Evening & Weekend Services One Campus, One Book Year of... Learning Communities Teaching & Learning Center | Math Center CTE Lead CTE Grant Oversight Curriculum Lead Dean HS @ MC Center of Excellence Teaching & Learning Center | America's Teaching Zoo Faculty Handbook Update B/T/Student Conduct Facilitator | Institutional Effectiveness Accreditation Site Visit R&D Student Equity Plan/Grant Student Learning Outcomes Athletics College Catalog Enrollment Data Analysis Schedule Development | SSSP Plan and Implementation Student Ambassador Program CourseLink CTC/Intermediary EDPS/CARE/CalWORKS Associated Students Child Development Center | Professional Dev/Flex Week Honors Multicultural Day | Distance Education Instructional Technology Online Services Title IX Facilitator / Clery / VAWA Student Voice |
| Buildings | Library | Academic Center PS | EATM HSC LMC | Gym/Track/Fields PE Annex | Fountain Hall Comm Building CDC | HSS Technology | AA Forum PAC Music |
| Committee Assignments | Deans' Council Ed CAP Student Services Council Emergency Operations Basic Skills Co-Chair FRAWG Co-Chair Learning Communities Co-Chair F/T-Cap Curriculum/GE Workgroup Student Success & Equity | Deans' Council Ed CAP Student Services Council Emergency Operations CTE Workgroup - Co-Chair Curriculum Committee Student Success & Equity Regional CTE Grant team Fiscal Planning | Deans' Council Ed CAP Student Services Council Emergency Operations Sabbatical - Co-Chair Fiscal Planning Facilities & Tech CAP - TRAWG-Co-chair | Deans' Council Ed CAP Student Services Council Emergency Operations SLO committee - Co-Chair Curriculum/Tech Review IRAC - District Portal Group - District Banner Group - District Enrollment Mgmt workgroup | Student Success and Equity OTRW-SS - District DOHR - District DegreeWorks - District Banner Group - District Grades First - District Fiscal Calibration Student Success Budget | Deans' Council Ed CAP Student Services Council Emergency Operations Prof Dev Co-Chair/Flex Week Distance Education Fiscal Planning Honors SLO Committee | Deans' Council Ed CAP Student Services Council Emergency Operations Distance Ed Adv Comm - Co-Chair EdCAP Co-Chair Professional Development ITAC-District Title IX - District DE Workshop - District |
| Grants, Major Fundraisers & Catalogs | Basic Skills Grant (BSG) CSUCI Grant (ALAS) Adult Education (SB88) Basic Skills Trans. (BSOT) | CTSA Transitions (formerly Tech Prep) VC Innovates (Pathways) Strong Workforce AIMS TAP | ADN Enrollment EATM annual fundraiser | Student Equity Athletics budget/Fundraiser | EDPS/CARE CalWORKS Yosemite Mentor CDC Budget | | DISPS |
| Division Admins | Christie Ross | Mary Anne Beck/Elizabeth Nielsen/Gabby Chacon | Stephanie Kostezak | Imelda Luna | Ann Marie McCarthy | Alicia Freeman | Linda Sanders |
| Additional Classified Staff in the Division | LLR—Carolyn Gray LLR—Gilbert Downs LLR—Penny Hahn LLR—Paula Spencer LLR—John Dobbins EA—Paul Matsson TLC—Debra Brackley | PSG—Jim Artero PSG—Myhanh Tu Pac—Bryan Burland CTE Admin—Elizabeth Nielsen CDE Director—VACANT LMI Research Analyst—VACANT LMI Admin—VACANT | HS—Carol Fox LLR—Marcela Hernandez HS—Crystal Wise CTE Admin—Elizabeth Nielsen EATM—Michelyn Hines EATM—Lory Palmer EATM—Kris Romero EATM—Cindy Wilson EATM—Mara Rodriguez EATM—Alisa Behar LSC—Stephan Etter LSC—Lan Nguyen LSC—Mary Swenson | ATH—Leann Colvin ATH—VACANT ATH—Cherise Sherman ATH—Torrny Ariellano RA—Lisa Branton AOS—Alan Courter AOS—Vacant TDS—Rocio Avila TDS—Kimberly Watters CurTech—Michael Trainor | COUN—DeAnna Grove COUN—Valerie Nicoll COUN—Alex Gonzalez COUN—Jennifer Lawler EDPS—Ivonne Ackerman OW—Linda Corrigan CTC/Wk exp—Shannon Johnson CTC—Brandi Rieger SSSP Supervisor—Jesus Vega SSSP Admin—Cynthia Osuna SSSP—Angeline Gonzales SSC—Stephanie Caranica SSC—VACANT SSC—Kathy Little SSC—VACANT SSC—Rochelle Goetz SSC—VACANT CDC—Tori Hancock CDC—Cynthia Ramirez CDC—Melanie Sena CDC—Johanna Pimentel CDC—Debbie Biggle CDC—Angelina Gomez CDC—Amy Ito-Herrera CDC—Kimberly Cluffardi ASB—VACANT | DE—Tracie Bosket PHOT—Karl Johansson ART—Donna Scott PAC—Brian Koehler PAC—Mickey Howell PAC—Krista Lederer FTVM—Michael Grimes ACCESS—Bonnie Lara ACCESS—Holly Ramsey ACCESS—Tiffany Sims ACCESS—Matthew Spinnenberg | |
| Hierarchy/Org | 128/1/2019 | 122 / 1/2018 | 124/1/2021 | 127/1/2024 | 129/1/2025 | 126/1/2023 | 125/1/2026 |
| Division Office and Phone | LLR 314 Ext: 1443 | AC 232 Ext: 1572 | EATM 212 Ext: 1459 | A 136 Ext: 1448 | HS 114 Ext: 4133 | HS 118 Ext: 1445 | AA 101 Ext 4121 |

APPENDICES 2: CALIFORNIA CODE OF REGULATIONS FOR COLLEGIAL CONSULTATION

CCR Title 5

§ 53200. Definitions

For the purpose of this Sub chapter:

- (a) “Faculty” means those employees of a community college district who are employed in positions that are not designated as supervisory or management for the purposes of Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code, and for which minimum qualifications for hire are specified by the Board of Governors.
- (b) “Academic senate,” “faculty council,” and “faculty senate” means an organization formed in accordance with the provisions of this Sub chapter whose primary function, as the representative of the faculty, is to make recommendations to the administration of a college and to the governing board of a district with respect to academic and professional matters. For purposes of this Sub chapter, reference to the term “academic senate” also constitutes reference to “faculty council” or “faculty senate.”
- (c) “Academic and professional matters” means the following policy development and implementation matters:
 - i. curriculum, including establishing prerequisites and placing courses within disciplines;
 - ii. degree and certificate requirements;
 - iii. grading policies;
 - iv. educational program development;
 - v. standards or policies regarding student preparation and success;
 - vi. district and college governance structures, as related to faculty roles;
 - vii. faculty roles and involvement in accreditation processes, including self-study and annual reports;
 - viii. policies for faculty professional development activities;
 - ix. processes for program review;
 - x. processes for institutional planning and budget development; and
 - xi. other academic and professional matters as are mutually agreed upon between the governing board and the academic senate.
- (d) “Consult collegially” means that the district governing board shall develop policies on academic and professional matters through either or both of the following methods, according to its own discretion:
 - i. relying primarily upon the advice and judgment of the academic senate; or
 - ii. agreeing that the district governing board, or such representatives as it may designate, and the representatives of the academic senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

§ 51023.5. Staff

- (a) The governing board of a community college district shall adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and

college governance. At minimum, these policies and procedures shall include the following:

- i. Definitions or categories of positions or groups of positions other than faculty that compose the staff of the district and its college(s) that, for the purposes of this section, the governing board is required by law to recognize or chooses to recognize pursuant to legal authority. In addition, for the purposes of this section, management and non-management positions or groups of positions shall be separately defined or categorized.
- ii. Participation structures and procedures for the staff positions defined or categorized.
- iii. In performing the requirements of subsections (a)(1) and (2), the governing board or its designees shall consult with the representatives of existing staff councils, committees, employee organizations, and other such bodies. Where no groups or structures for participation exist that provide representation for the purposes of this section for particular groups of staff, the governing board or its designees, shall broadly inform all staff of the policies and procedures being developed, invite the participation of staff, and provide opportunities for staff to express their views.
- iv. Staff shall be provided with opportunities to participate in the formulation and development of district and college policies and procedures, and in those processes for jointly developing recommendations for action by the governing board, that the governing board reasonably determines, in consultation with staff, have or will have a significant effect on staff.
- v. Except in unforeseeable, emergency situations, the governing board shall not take action on matters significantly affecting staff until it has provided staff an opportunity to participate in the formulation and development of those matters through appropriate structures and procedures as determined by the governing board in accordance with the provisions of this Section.
- vi. The policies and procedures of the governing board shall ensure that the recommendations and opinions of staff are given every reasonable consideration.
- vii. When a college or district task force, committee, or other governance group, is used to consult with staff regarding implementation of this section or to deal with other issues which have been determined to significantly affect staff pursuant to subdivision (a)(4), the appointment of staff representatives shall be made as follows:
 - a. The exclusive representative shall appoint representatives for the respective bargaining unit employees, unless the exclusive representative and the governing board mutually agree in a memorandum of understanding to an alternative appointment process.
 - b. Where a group of employees is not represented by an exclusive agent, the appointment of a representative of such employees on any task force, committee or governance group shall be made by, or in consultation with, any other councils, committees, employee organizations, or other staff groups that the governing board has officially recognized in its policies and procedures for staff participation.
 - c. When the task force, committee or governance group will deal with issues outside the scope of collective bargaining, any other council, committee or staff group, other than an exclusive agent, that the

governing board has officially recognized in its policies and procedures for staff participation may be allowed to designate an additional representative. These organizations shall not receive release time, rights, or representation on such task forces, committees, or other governance groups exceeding that offered to the exclusive representative of classified employees.

- d. In all cases, representatives shall be selected from the category that they represent.
- (b) In developing and carrying out policies and procedures pursuant to subsection (a), the district governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee organization, or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another. In addition, in order to comply with Government Code sections 3540, et seq., such procedures for staff participation shall not intrude on matters within the scope of representation under section 3543.2 of the Government Code. Governing boards shall not interfere with the exercise of employee rights to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards. It is the intent of the Board of Governors to respect lawful agreements between staff and exclusive representatives as to how they will consult, collaborate, share, or delegate among themselves the responsibilities that are or may be delegated to staff pursuant to these regulations.
- (c) Nothing in this section shall be construed to impinge upon the policies and procedures governing the participation rights of faculty and students pursuant to sections 53200-53204, and section 51023.7, respectively.
- (d) The governing board of a community college district shall comply substantially with the provisions of this section.

CCR Title 5 §51023.7 requires the governing board to “adopt policies and procedures that provide students the opportunity to participate effectively in district and college governance.” Students are to participate in “formulation and development” of policies and procedures that have a “significant effect” on them. The regulation lists ten areas of such significant effect, most of which are quite similar to the senate’s academic and professional matters. Boards are not to act unless students have had the opportunity to participate, with the exception of “unforeseeable, emergency situations” and shall give positions of the students “reasonable consideration.” The regulation states the intent that boards are to respect the agreements with senates and unions while working with students.

CCR Title 5 §51023.5 requires the governing board to “adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance,” However, areas that affect staff are not defined in the regulation but remain matters “that the governing board reasonably determines, in consultation with staff, have or will have a significant effect on staff.”

APPENDICES 3: SENATE CONSTITUTIONS AND BYLAWS

A.3.1 ACADEMIC SENATE

CONSTITUTION OF THE MOORPARK COLLEGE ACADEMIC SENATE

Passed by Academic Senate Council and adopted by general membership April/May, 2015

As authorized under Title V of the California Administrative Code, sections 53200-53205, we, the members of the faculty of Moorpark College, have united to form an Academic Senate in order to promote academic excellence at Moorpark College.

ARTICLE I – NAME

The name of this organization shall be the Moorpark College Academic Senate.

ARTICLE II – PURPOSE

The purpose of this organization is to implement Title V of the California Administrative Code that states that members of the Academic Senate have the right and responsibility to participate in the formation and implementation of college and district policies on academic and professional matters. These are defined in Section 53200 as follows:

- (1) curriculum, including establishing prerequisites and placing courses within disciplines;
- (2) degree and certificate requirements;
- (3) grading policies;
- (4) educational program development;
- (5) standards or policies regarding student preparation and success;
- (6) district and college governance structures, as related to faculty roles;
- (7) faculty roles and involvement in accreditation processes, including self-study and annual reports;

- (8) policies for faculty professional development activities;
- (9) processes for program review;
- (10) processes for institutional planning and budget development; and
- (11) other academic and professional matters as are mutually agreed upon between the governing board and the Academic Senate.

ARTICLE III – PROCEDURES

The Academic Senate, according to the stipulations stated in Title V, shall consult collegially with the administration and the governing board on the matters under its authority.

The Academic Senate, according to the policy of the Ventura County Community College District, shall interpret “consult collegially” to mean by mutual agreement. This is defined by Title V as “the obligation to reach mutual agreement by written resolution, regulation, or policy” (Section 53200). If mutual consent is not achieved, “existing policy shall remain in effect unless continuing with such policy exposes the district to legal liability or substantial fiscal hardship” (Section 53203).

If mutual agreement is not achieved between the administration of Moorpark College or the District and the Academic Senate, the Senate shall have a reasonable expectation of receiving a written explanation.

ARTICLE IV – THE ACADEMIC SENATE MEMBERSHIP

“The Academic Senate” refers to the members of the organization. All full-time and part-time faculty of Moorpark College are voting members of the Moorpark College Academic Senate.

Dues may be levied annually by the Academic Senate Council, but shall not be a condition of membership.

Final authority within the organization lies with the general membership of the Academic Senate which retains the rights of initiative, recall, and petition, and may, by a majority of votes cast, overturn action taken by the Academic Senate Council and the Executive Officers, provided that one-third or more of the general membership participate in the voting. (By-Laws, Article IV.) All members of the Moorpark College Academic Senate have the rights afforded to them in Article IV of the By-Laws and the Brown Act.

ARTICLE V – ACADEMIC SENATE GENERAL MEETINGS

“A General Meeting of the Academic Senate” refers to a meeting open to all members of the Senate as voting participants.

The Academic Senate general membership shall meet at least once a year in a General Meeting as specified in Article V of the By-Laws.

Additional General Meetings shall be called upon petition of at least one-tenth of the membership, or upon majority vote of the Academic Senate Council.

ARTICLE VI – THE ACADEMIC SENATE COUNCIL

The affairs of the Academic Senate as herein specified shall be conducted by the Academic Senate Council, the Senate’s governing body composed of the faculty’s elected representatives, along with its Standing Committees.

Section A: Membership of the Academic Senate Council

The voting membership of the Academic Senate Council shall include one elected representative from each Moorpark College department (By-Laws, Article VI), along with the Executive Officers, elected by the general membership of the Academic Senate (By-Laws,

Article VII).

The faculty chairpersons of all Standing Committees shall be non-voting members of the Academic Senate Council.

Section B: Duties of Department Representatives

The duties of the elected department representatives shall be those detailed in the By-Laws, Article VI, and outlined in *Robert's Rules of Order*.

Section C: Terms of Department Representatives

The term of office for each department representative shall be one year, beginning the first day of June. Department representatives shall have no term limits.

Section D: Vacancies of Departmental Representatives

Resignation of a department representative shall be presented in writing to the Academic Senate President. If an alternate representative has already been elected by the department, this person shall take on the position; if not, the department shall hold new elections according to the By-Laws, Article VI.

ARTICLE VII: THE ACADEMIC SENATE EXECUTIVE OFFICERS

“The Academic Senate Executive Officers” refers to the officers of the Academic Senate elected by the general membership.

Section A: Executive Officer Positions

The Academic Senate shall have elected Executive Officers as determined in the By-Laws, Article VII.

Section B: Duties of Executive Officers

The duties of the elected Executive Officers shall be those detailed in the By-Laws, Article VII, and outlined in *Robert's Rules of Order*.

Section C: Terms of Executive Officers

The term of office for each Senate Executive Officer shall be two years, beginning the first day of June of odd-numbered years.

Elections for the Executive Officers shall be held in the fall semester of even years. Members elected to office shall shadow the current officers during the Spring semester before their term of office commences.

Executive Officers may serve for three terms consecutively and then shall stand down for at least one term before being able to stand again for election.

Section D: Vacancies of Executive Officers

Resignation from any Executive Officer position of the Academic Senate shall be presented in writing to the Academic Senate President (or, in the case of the resignation of the President, to the next Executive Officer in order of precedence). Vacancies caused by resignation shall be filled by a two-thirds vote of the Academic Senate Council (By-Laws, Article VII).

A recall election for the removal of any Senate Executive Officer shall take place when the Academic Senate Council is presented with a petition so requesting, and that petition has been signed by at least half of the number of those Academic Senate members voting in the most recent election. A two-thirds majority of those voting in the Senate Council on the removal of an officer shall be required to recall.

The terms of recalled officers shall end at the end of the semester during which the recall election takes place. Vacancies caused by recall shall be filled by a special election of the Academic Senate general membership (By-Laws, Article VII).

ARTICLE VIII – THE ACADEMIC SENATE STANDING AND OTHER COMMITTEES

The Academic Senate Standing Committees are the participatory governance committees of Moorpark College as stipulated by Title V.

The Academic Senate shall participate fully in the drawing up and revising of the Moorpark College master document outlining Standing Committee jurisdiction, membership, and responsibilities. This participation shall occur according to shared governance procedures as laid out by Title V.

ARTICLE IX – AMENDMENTS

The Academic Senate Council shall re-examine the Constitution at least once every six years and the By-Laws at least once every two years. Any recommendation for an amendment shall be considered and may be adopted as stated below.

Section A: Amendments to the Constitution.

An amendment to the Academic Senate Constitution may be proposed to the Academic Senate Council for its consideration, requiring a majority vote of the Council for placement on its agenda. Alternatively, an amendment may be proposed to the Senate President by a written petition signed by at least one-tenth of the Academic Senate membership.

Adoption of an amendment to the Constitution shall require a two-thirds majority of those voting in a secret paper or electronic ballot, either in a General Meeting or in a vote open to all members of the Senate.

Any proposed amendment shall be made available to all faculty, both in paper and electronic form, at least two weeks prior to a general meeting at which it will appear on the agenda, or one month prior to a ballot of the Academic Senate membership.

Section B: Amendments to the By-Laws.

An amendment to the By-Laws may be proposed to the Academic Senate Council for its consideration, requiring a majority vote of the Council for placement on its agenda.

Alternatively an amendment may be proposed to the Senate President by a written petition signed by at least one-tenth of the Academic Senate membership.

Adoption of an amendment to the By-Laws shall require either a two-thirds majority vote of the Academic Senate Council or a majority of those voting in a General Meeting or a majority of those voting in a secret paper or electronic ballot open to all members of the Academic Senate.

Any proposed amendment to the By-Laws shall be made available to all faculty, both in paper and electronic form, at least two weeks prior to an Academic Senate Council meeting or a General Meeting at which it will appear on the agenda, or two weeks prior to a ballot of the Academic Senate membership.

Any amendment to the Constitution or By-Laws that is passed shall be in immediate effect.

ARTICLE X – RATIFICATION

Adoption of this Constitution shall be effected by a majority of those Academic Senate members voting to ratify it, by a secret, written ballot.

BY-LAWS OF THE MOORPARK COLLEGE ACADEMIC SENATE

Passed by Academic Senate Council and adopted by general membership April/May, 2015

Amended by Academic Senate Council April, 2017

ARTICLE I – NAME

See Constitution.

ARTICLE II – PURPOSE

See Constitution.

ARTICLE III – PROCEDURES

The Academic Senate must abide by the Brown Act in all of its business.

The Academic Senate *Faculty Statement of Ethics* shall provide the guiding principles for its deliberations, decisions, and actions.

The most recent edition of *Robert's Rules of Order* shall govern the Academic Senate on all matters not specifically covered by this Constitution and its By-laws.

ARTICLE IV – THE ACADEMIC SENATE MEMBERSHIP

Any member of the Academic Senate may:

1. Attend any meeting of the Academic Senate Council, its Standing Committees, or a General Meeting of its membership (other than an “executive session” as defined by the Brown Act).
2. Vote on all matters of concern to him/her as stated in the Constitution and By-Laws.
3. Readily access all information relevant to the business of the Senate, both as mandated by the Brown Act as well as on other matters pertaining to its work, such as its budget and its

policies and procedures on different aspects of its charge.

4. Bring matters of concern to the attention of the Academic Senate Council, any of its Standing Committees, or a general meeting of its membership, either through their representatives, or to the Executive Officers or faculty co-chairs of its Standing Committees, or during public comments at the start of a meeting.
5. Initiate action or policies, when the Academic Senate Council has not responded to regularly channeled requests. They may do this through a petition signed by at least one-tenth of the Senate membership stating the action to be considered and requesting either a special Senate General Meeting or a place on the agenda of an Academic Senate Council meeting. If taken to a General Meeting such an initiated action shall require a majority vote of those voting to be approved, provided that a number equivalent to over one half of the full-time faculty membership at the time of the meeting participates in the voting. If taken to the Academic Senate Council such an initiated action requires a majority vote to be approved. Any proposed initiative action shall be made available to all members either in paper or electronic form at least two weeks prior to the Academic Senate Council meeting or General Meeting at which it will appear on the agenda.

ARTICLE V – ACADEMIC SENATE GENERAL MEETINGS

The Academic Senate shall hold a General Meeting of the membership at least once a year. It shall be planned for maximum opportunity for attendance by all members.

A quorum for the General Meetings of the Academic Senate shall be a number equivalent to over one half of the full-time faculty membership at the time of the meeting.

ARTICLE VI – THE ACADEMIC SENATE COUNCIL

Section A: Function and Responsibilities of the Academic Senate Council

It shall be the function of the Academic Senate Council to transact the business of the Academic Senate, to develop and implement the policies of the faculty, and to serve as the voice of the faculty on all academic and professional matters.

Specifically it shall be the responsibility of the Academic Senate Council to:

1. Be the official representative of the Moorpark College faculty in relationships with the professional matters.
2. Establish procedures for determining and implementing faculty policies related to all academic and professional matters.
3. Establish processes to expedite the transaction of Academic Senate business.
4. Consider, discuss, and move on recommendations presented to it by the Standing Committees, a General Meeting, or the Executive Officers.
5. Elect the faculty co-chairs of the Standing Committees.
6. Ratify the members of the Standing Committees.
7. Establish work groups of the Senate Council when necessary, appointing the members and naming the chairperson of each group.
8. Advise the Academic Senate President and the other officers of the Senate; assist the Academic Senate President in preparing agendas; and perform those duties requested by the Academic Senate President, the other officers, or the Academic Senate general membership.

Section B: Academic Senate Council Meetings

The Academic Senate Council shall meet at least once a month during the regular academic year.

A quorum for the Academic Senate Council shall be a simple majority. In the case of a vacancy in a representative or Executive Officer position, the Council quorum shall be considered reduced by one until such vacancy is filled.

Section C: Academic Senate Council Department Representatives

1. Basis of representation

Representation shall be based upon academic “departments” as administratively organized. Each “department” is defined as that portion of the full- and part-time faculty administered by a department chair or coordinator (as those terms are defined in the current VCCCD/AFT bargaining agreement). Faculty members assigned to more than one department shall be represented within the department to which the greater amount of their assignment is allocated.

2. Duties of department representatives

It shall be the duty of each representative to:

- a) Represent the viewpoints of their department to the Academic Senate Council, including providing input for Senate Council agendas when appropriate.
- b) Report Academic Senate Council business and activities to all members of their department.

3. Election of department representatives

The faculty representative to the Academic Senate Council must have the majority of his/her load allocated within the department he/she represents, and may be either a full- or part-time member of the faculty.

The method of electing a departmental representative shall be determined by the members

of each department and shall include open nominations and elections in a process that allows any within the department to serve. A department may also elect an alternate representative to serve in the case of the absence of the primary representative.

Departmental representatives shall be elected and ready to serve no later than the 1st day of June.

4. Vacancies of department representatives

The President of the Academic Senate shall notify the department of the vacancy. If no Alternate exists, the department shall elect a new representative as determined above.

ARTICLE VII – THE ACADEMIC SENATE EXECUTIVE OFFICERS

The Academic Senate shall have four Executive Officers: President, Vice-President, Secretary, and Treasurer.

Section A: Duties of Executive Officers.

1. President- It shall be the duty of the President to:

- a) Preside at all meetings of the Academic Senate Council and General Meetings.
- b) Serve on the Moorpark College and District administrative councils and committees in accordance with Title V and upon invitation by the administration.
- c) Represent the faculty at meetings of the Board of Trustees and keep the Academic Senate informed of pertinent decisions and topics of discussion.
- d) Communicate General Meeting and/or Academic Senate Council recommendations and proposals to the President of the college.
- e) Communicate General Meeting and/or Academic Senate Council recommendations and proposals to the District Board of Trustees.

- f) Prepare, with input from the other Executive Officers and the Senate Council, the agenda for Senate Council and General meetings.
- g) Be an ex-officio member of all Standing Committees except as otherwise provided in these By-Laws.
- h) Attend the program plan meetings with the Executive Vice President and the Fiscal Officer of the College as they discuss the needs laid out in the departments' program plans.
- i) Represent the faculty at both regular and annual budget meetings on campus and the District.
- j) Perform other duties as assigned by the Senate Council or the membership of the Senate through a General Meeting.

2. Vice-President- It shall be the duty of the Vice-President to:

- a) Serve for the President of the Academic Senate during any temporary absence of the President.
- b) Be an ex-officio member of such committees as are designated by the President and the Senate Council.
- c) Be a member of Moorpark College and District administrative councils and committees in accordance with Title V and upon invitation of the administration.
- d) Represent the President of the Academic Senate as the President, Senate Council, or a General Meeting may direct.
- e) Perform other duties as assigned by the President, Senate Council or a General Meeting.

3. Secretary- It shall be the duty of the Secretary to:

- a) Issue notices of meetings, publish agendas and policy statements, and record and distribute minutes of all Senate Council and General meetings in /or electronic formats.
- b) Conduct all correspondence appropriate to this office.
- c) Publish an annual summary of major actions, proposals, and accomplishments for distribution to the members of the Senate.
- d) Perform other duties as assigned by the President, Senate Council, or a General Meeting.

4. Treasurer- It shall be the duty of the Treasurer to:

- a) Develop an annual Academic Senate budget to present to the Senate Council.
- b) Collect all assessments of the Senate when directed by the Senate Council.
- c) Receive and deposit funds as necessary in the name of the Senate.
- d) Issue requisitions, as needed, co-signed by the President of the Senate and/or another Senate Executive Officer.
- e) Bring financial statements of all transactions of the Senate to the Senate Council monthly as well as present a budget summary to Council at the end of each year.
- f) Perform other duties as assigned by the President, Senate Council, or a General Meeting.

5. Order of Precedence of Executive Officers

Order of precedence for officers shall be as follows: President, Vice-President, Secretary, Treasurer. In the event of the temporary absence of any officer, the next in the above order shall perform any necessary function of the absent officer. A further order of precedence may be established by the Senate Council.

Section B: Election of Executive Officers

1. Elections Committee

The election of the offices of President, Vice-President, Secretary, and Treasurer shall be run by an Elections Committee comprised of three members of the Academic Senate Council. Its duties shall include calling for and receiving nominations, collating and distributing the position statements of all candidates running in the election, holding the election, declaring the results, and adjudicating any disputes that may arise.

Volunteers for the Elections Committee shall be called for and its membership confirmed during a meeting of the Academic Senate Council early in the Fall semester during Academic Senate election years. Any voting member of the Academic Senate Council may volunteer, unless running for election, and if necessary the Senate Council shall determine by vote the committee's final membership.

Upon first meeting the Election Committee shall appoint a chair. Any disputes before or during the election shall be resolved by the Committee, following the spirit of the Academic Senate *Faculty Statement of Ethics*. All decisions of the Committee shall be final subject to approval by the Academic Senate Council.

2. Elections procedures

The Elections Committee shall call for nominations for the Executive Officers in October of election years, ensuring all nominations are submitted to the Committee no later than the first meeting in November, when the Committee will announce the list of candidates to the Academic Senate Council.

The Committee shall ensure that elections are held before the last meeting in November. Voting

shall be by secret, paper or electronic ballot of the general membership. A simple majority of those Academic Senate members voting shall be sufficient for election. If no candidate receives a majority on the first ballot, a run-off election shall be held between the two candidates receiving the most votes on the first ballot.

The Elections Committee shall announce the results of the election before or at the last meeting of the Fall semester, upon acceptance of which by the Academic Senate Council the Committee shall disband.

Section C: Vacancies in the Executive Officer positions

Vacancies in the Executive Officer positions shall be filled as follows.

- 1 . In the case of a resignation, the President of the Academic Senate shall notify the Senate general membership of the vacancy and call for nominations. These must be filed with the President (or the Vice President, in the case of a Presidential vacancy) within two weeks after the announcement of the vacancy.
- 2 . The Academic Senate Council shall vote on the nominations received, and upon a two-thirds majority a candidate shall be appointed to fill the vacancy. The vacancy shall be filled for the remainder of the term of office.
3. In the case of the recall of an Executive Officer, the procedures shall be followed for a regular officer election. The Senate Council shall form an Elections Committee to run the election and the general membership shall vote on the nominations received, following Article VII, Section B above.

ARTICLE VIII: ACADEMIC SENATE STANDING AND OTHER COMMITTEES

Section A: Standing Committees.

1. Faculty Co-Chairs

The term of office for faculty co-chairpersons of Standing Committees shall be two years, beginning the first day of June of odd-numbered years.

Elections for the faculty co-chairpersons shall be held by the Academic Senate Council in the Fall semester of even years. The Senate President shall put out a call for nominations at least four weeks before the election and distribute any nominations at least two weeks before the election in Council. A simple majority of votes in the Academic Senate Council is required for election of faculty co-chairs. Members elected to office shall shadow the current officers during the Spring semester before their term of office commences.

In the case of a resignation, a replacement faculty co-chair shall be elected by the Academic Senate Council for the remainder of the term of office.

Faculty co-chairs may serve for three terms consecutively and then shall stand down for at least one term before being able to stand again for election.

2. Standing Committee Members

The Senate membership of Standing Committees shall be ratified by the Academic Senate Council annually and as needed.

The terms of office for faculty co-chairs and Senate members of the Standing Committees shall begin the first day of June.

3. Duties of the Standing Committees

It shall be the duty of the Standing Committees to:

- a) Work under the authority of the Academic Senate on all academic and professional matters.
- b) Consider, study, and make recommendations on all matters submitted to them by the Academic Senate President, the Senate Council, or Standing Committee co-chairs, or through resolutions passed at a General Meeting of the Academic Senate.
- c) Bring their recommendations back to the Academic Senate Council.

In the event that the Academic Senate Council disapproves the recommendation of a Standing Committee on an academic or professional matter, the committee may appeal the decision of the Senate Council to the Academic Senate membership in a General Meeting, as stated in Article IV of the By-Laws.

4. Duties of the Standing Committee Faculty Co-Chairs

It shall be the duty of the Standing Committee faculty co-chairs to:

- a) Meet as an executive group with the Executive Officers of the Senate at least twice a semester to ensure communication between the Academic Senate and the Standing Committees.
- b) Co-chair the meetings of the Standing Committees on behalf of the Academic Senate.
- c) With their co-chairs, call regular meetings of the committee and publish notice of committee meetings in sufficient time to inform all Academic Senate members.
- d) With their co-chairs, prepare agendas for committee meetings, maintain all committee minutes and records, and report committee actions to the Academic Senate Council and to the Academic Senate general membership.

- e) Maintain communication with other committees, as appropriate, and with the Academic Senate Council.
- f) Ensure that Standing Committees abide by the Brown Act.

Section B: Sub-Committees

Sub-committees may be appointed by the Academic Senate Council and its Standing Committees with defined membership and outcomes in the furtherance of the business of the Senate. The chairperson and members of a sub-committee shall be named by or given to the Academic Senate Council, and its membership shall be drawn from the forming committee. Subcommittees make recommendations to the committee that formed them, and must follow the Brown Act in their proceedings.

Section C: Work Groups

Ad hoc committees may be appointed by the Academic Senate Council and its Standing Committees to complete a specific task that is under the authority of the relevant committee in accordance with the Brown Act. The chairperson of each work group shall be named by or given to the Academic Senate Council, and its membership shall be drawn from the forming committee. Work groups make recommendations to the committee that formed them, and are dissolved upon completion of purpose.

ARTICLE IX – AMENDMENTS

See Constitution.

ARTICLE X – RATIFICATION

See Constitution.

A.3.2 CLASSIFIED SENATE

Classified Senate Bylaws

BYLAW I. SENATE MEMBERSHIP

Section 1. The general membership of the Classified Senate shall include all regular, permanent, probationary full-time and part-time, merit system and confidential classified employees whose work assignment is attached to the Moorpark College campus.

BYLAW II. EXECUTIVE BOARD

Section 1. *Members of the Executive Board*

The Executive Board shall be thirteen members to be comprised of four (4) Officers: President, Vice President, Treasurer, Secretary; eight (8) Senators; and the Exiting President.

Section 2. *Duties and Responsibilities*

- A. Duties of President (shall include but not be limited to the following):
 - a. Serve as an official representative of the Classified Senate in all venues.
 - b. Be responsible for all required reports and recommendations.
 - c. Chair and facilitate all regular Senate meetings.
 - d. Administer and maintain the affairs of the Classified Senate between meetings.
 - e. Serve as ex-officio member of all Senate committees.
 - f. Chair of Executive Board.
 - g. Serve on college and district committees requiring the Classified Senate President and other committees as time allows.
 - h. Meet regularly with the College President.
 - i. Prepare the agenda for the regular meetings.
- B. Duties of the Vice President
 - a. Assume duties of President during the President's absence, at the request of the President or for the unexpired term in the event the President cannot serve. This shall include attending college or district committee meetings in the absence of the President.
 - b. Serve as the coordinator of committee chairs and ex-officio member of all committees. Report on current status of committees activities to Executive Board and Senate.
 - c. Chair of the Elections Committee and Chief Election Officer for all Senate elections.
 - d. Perform other duties as necessary as delegated by the President or assigned by the Executive Board.

C. Duties of the Treasurer

- a. Assume duties of the President in absence of the President and Vice President in regards to facilitating or attending college/district committee meetings.
- b. Shall be responsible for finances of the Classified Senate and all reports pertaining thereto.
- c. Monitor legislative information pertaining to college finances in general and Classified staff in particular and report on same to the Senate.
- d. Perform other duties as necessary as delegated by the President or assigned by the Executive Board.

D. Duties of the Secretary

- a. Assume duties of the President in absence of the President, Vice President, and Treasurer in regards to facilitating or attending college/district committee meetings.
- b. Assume responsibility of recording all meeting notes of Classified Senate and Executive Board meetings and the distribution of such; including the distribution of the agendas.
- c. Serve as official documentarian/historian of the Classified Senate.
- d. Be responsible for Senate correspondence and the dissemination of information to all Executive Board members and the Classified Senate.
- e. Be responsible for attendance roll and all records of the Classified Senate.
- f. Perform other duties as necessary as delegated by the President or assigned by the Executive Board.

E. Duties of the Senators

- a. Gather, disseminate, and communicate information to and from the Executive Board at the monthly Classified Senate meeting with regards to their geographical area.
- b. Participate on committees, events, and activities sponsored by the Classified Senate.
- c. Perform other duties as necessary as delegated by the President or assigned by the Executive Board.

F. Duties of the Exiting President

- a. Assist and inform the President Elect with the fundamentals and history of the Classified Senate office.
- b. Assume duties of the President in absence of the President, Vice President, Treasurer, and Secretary in regards to facilitating or attending college/district committee meetings.
- c. Perform other duties as necessary as delegated by the President or assigned by the Executive Board.

BYLAW III. ELECTIONS

Section I. Elections and Term of Office

The current Vice President will serve as Chair, form an Elections Committee with two other Executive Board members, and will conduct the general election every year beginning on or before September 15 and complete it prior to November 1. Prospective Members of the Executive Board will be nominated by the Classified Senate through the issuance of nomination forms. Nominations must be returned within one week of distribution. Only those persons who have signified their consent to serve shall be nominated for or elected to office.

Elections shall be held by secret ballot by which the Elections Committee shall submit to each member of the Classified Senate. Such ballots shall be returned on or before October 7. Ballots shall be counted in the presence of the Elections Committee. The candidate receiving the most votes (plurality) of those Classified Senate members voting shall be declared the winner.

Officers will be elected for two-year terms, with a limit of two consecutive terms. Elections for Officers (non-Senators) will be held on every odd year. Term shall be defined as November 1 of elected year through October 31 of the second year of the two-year term.

The eight Senators shall be elected from geographically balanced areas. The geographical areas shall be reviewed and adjusted, if need be, prior to the election. Senators will be elected for two-year terms, with a limit of two consecutive terms. Elections for new Senators will be held on every even year. Term shall be defined as November 1 of elected year through October 31 of the second year of the two-year term.

Section 2. Officer Qualification Criteria

Persons interested in running for a position on the Classified Senate Executive Board shall be considered by the Elections Committee if the individual meets all of the following criteria:

- i. Shall be a Classified Senate member as defined in Bylaw 1. Section 1. Senate Membership; and
- ii. Shall be a permanent employee at the time of the election.

Section 3. Removal from Office, Vacancies, and Reassignments

A. Removal from Office

- a. Any elected member of the Executive Board may be removed from office by a 2/3 majority vote of the Executive Board.
- b. Reasons for Removal from Office may consist of:
 - i. Gross Neglect of Duties; and/or
 - ii. Malfeasance (the performance by a public official of an act that is legally unjustified, harmful, or contrary to law; wrongdoing (used especially of an act in violation of a public trust)); and/or

- iii. Misfeasance (improper and unlawful execution of an act that in itself is lawful and proper).

B. Vacancies

- a. The President may declare a vacancy when an Executive Board member has been absent (unexcused) for more than three consecutive meetings or by which a formal written resignation has been tendered to the President;
- b. In the event of a vacancy of the Executive Board, the Executive Board may, at their option:
 - i. Choose to elect a replacement according to the regular election procedure with confirmation by a simple majority of the Elections Committee;
 - ii. Authorize the President to appoint a Classified Staff member to fill the vacant Executive Board position; or
 - iii. Decide to leave the seat vacant until the next regular election.

C. Reassignments

In the event that a Senator must move from one geographical area to another, he/she will continue to represent his/her original constituency for the remainder of that term of office.

BYLAW IV. MEETINGS

Section 1. Meetings shall be open to the public and governed by Robert's Rules of Order – Newly Revised as stated in Article VIII of the Constitution.

Section 2. Meetings shall take place once a month per calendar year for at least one hour pursuant to Article VI of the Constitution. Meetings shall be set on a yearly calendar in conjunction with the Board of Trustees meetings to optimize flow of information, i.e., report of previous Board meeting and report from pre-Board meetings regarding agenda for the next Board session.

Section 3. A quorum shall be established as 50% plus 1 of the Executive Board. A lack of quorum shall constitute discussion without action.

Section 4. *Agenda*

The Classified Senate agenda may consist of but not be limited to:

- A. Agenda Approval
- B. Approval of Minutes
- C. Public Comments
- D. Communications
- E. Executive Board Reports
- F. Committee Reports
- G. Old Business
- H. New Business

I. Other

Section 5. *Standing Committees of the Senate*

- A. Standing Committees shall be permanent and established or dissolved by the Executive Board.
- B. The charge of each Standing Committee shall be established by the Executive Board and clearly stated in the meeting notes.
- C. Standing Committee Chairs must be members of the Senate and shall be appointed by the Senate President. Committee members shall not be limited to members of the Senate.
- D. Committee membership shall not exceed the duration of the President's term. Any appointee can be removed by a simple majority vote of the Executive Board.
- E. The Chair shall report committee activity to the Executive Board at its regularly scheduled meeting and to the Vice President of the Senate upon request by the same.

Section 6. *Ad Hoc Committees (Task Force Committees)*

Ad Hoc Committees shall be established by the President for special purposes and be of short duration. The President shall be an ex-officio member of all committees, except the Elections Committee.

Section 7. *Campus-Wide College Committees*

- A. Requests and recommendations for Classified Staff appointments on campus-wide college governance committees must be forwarded to the Service Employees International Union, Local 99 (SEIU) or to the Classified Senate President who will submit the request to the SEIU for approval.
- B. Committee member appointments shall be made by the SEIU unless otherwise directed by the SEIU.

BYLAW VI. AMENDMENTS

Section 1. *Recommendations*

Suggestions for amendment to these Bylaws can be made by submitting a written request to the Executive Board a minimum of 10 days prior to the next Senate meeting. The Executive Board shall place all amendment recommendations on the next Senate agenda for discussion. Amendments to the Bylaws shall be made with a simple majority vote of the Executive Board.

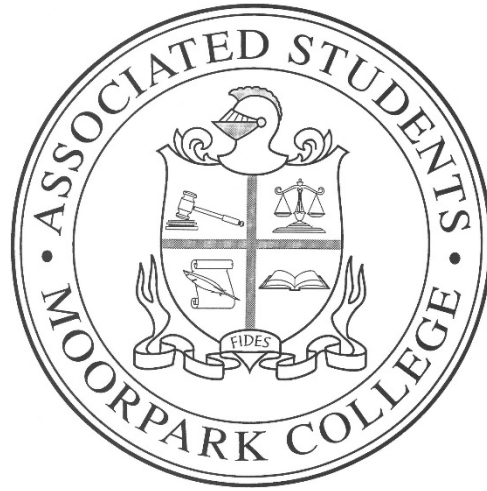
Section 2. *Action*

Upon no action by the Executive Board on a suggested Bylaw amendment, the amendment may be resubmitted as an agenda item upon receipt by the President of a petition with 15 classified staff signatures.

BYLAW VII. LEGAL CONFLICTS

Section 1. Should any local, state or federal law, regulation, or code be found to be in conflict with this document, and then the portion in this document which is in question may be considered to be null and void; however the remainder of the document will remain full force. The law, regulation, or code from highest-ranking authority shall take precedence over all others and will be obeyed by the Classified Senate.

Moorpark College Associated Students



Constitution & Standing Rules

Last Amended May 3, 2016

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Associated Students of Moorpark College Constitution

We, the students of Moorpark College, in order to provide a better learning environment for all the students and to establish a legislative body, dedicated towards the improvement of every students' academic career, and dedicated to create a more positive learning environment for all students, hereby establish this constitution of self-governance as provided for by the State Legislature through the California Education Code and Title 5 of California's State Code, and as delegated by the Board of Trustees of the Ventura County Community College District.

Article I

Title of Organization

SECTION A. Title

This organization shall be known as the Associated Students of Moorpark College.

SECTION B. Abbreviation

ASMC shall be the legal abbreviation of said organization.

SECTION C. Rights to Title

This organization shall be the only entity entitled to utilize the above designations.

SECTION D. Paraphrase

The Associated Students of Moorpark College may be referred to as the Associated Students within this document.

Article II

Purpose

The ASMC shall exist to serve the individual and collective needs of the students of Moorpark College.

Article III

Membership

SECTION A. Members

All Students enrolled at Moorpark College shall be members of the ASMC.

SECTION B. Privileges

All members of the ASMC shall be granted the following privileges:

1. The right to seek and hold office if all other qualifications are met as set forth in this document, in the VCCCD Election Code, and as set forth by the standing rules of the ASMC Board.

2. The right to vote in all elections held under the authority of the ASMC.
3. The right to seek an appointment from the ASMC Board of Directors to serve on Participatory Governance Committees and Task Forces.
4. The right to purchase a college photo ID card.
5. Any other rights and privileges as determined by the ASMC Board of Directors.

Article IV

Board of Directors

SECTION A. Paraphrase

The ASMC Board of Directors may be referred to as the Board of Directors within this document.

SECTION B. Composition

The ASMC Board of Directors shall consist of all elected and appointed officers.

SECTION C. Appointments

Only those individuals approved by the Board of Directors to fill a vacant elected position, as provided for in this document, shall be considered appointed officers.

SECTION D. Voting

All officers of the ASMC, in both elected and appointed positions, shall have only one vote each on the Board of Directors.

SECTION E. Responsibilities

The Board of Directors shall be responsible for conducting the day-to-day business of the ASMC.

SECTION F. Distribution of Powers

All legislative, financial, judicial, and executive powers of the ASMC shall be vested in the Board of Directors, with the guidance of the Board's Advisor.

SECTION G. Representation

The Board of Directors shall be the sole representative unit of the students enrolled at Moorpark College to all on and off campus entities.

Article V

Officers (Board of Directors)

SECTION A. Composition

The elected officers of this organization shall consist of a President, a Vice President, a Director of Academic Affairs, a Director of Budget and Finance, a Director of Campus Events, a Director of Constitution and Standing Rules, a Director of External Affairs, a Director of Public Relations, a Director of Student Organizations, and a Director of Student Services & Sustainability. These ten (10) officers are hereby named the Board of Directors.

SECTION B. New Officers

No other positions on the Board of Directors shall be created without an amendment to this document.

SECTION C. Creation of Staff

The Board of Directors may create staff positions to help the Board carry out the day-to-day business of the ASMC.

SECTION D.

A list of the jobs and responsibilities for all elected officers shall be kept in the Standing Rules of the Board of Directors, and may only be changed or revised with a three-fourths ($\frac{3}{4}$) vote of all members of the Board of Directors.

SECTION E.

A list of all staff positions will be included in the Standing Rules of the Board of Directors, and shall only be revised by a majority vote of the Board of Directors.

SECTION F.

If any elected position is not filled in a general election, or if it is left vacated by resignation or dismissal of the office holder, then it will be deemed an appointed position and shall be filled by a two-thirds ($\frac{2}{3}$) vote of the remaining members of the Board of Directors.

SECTION G.

The term of office for all ASMC Board of Directors shall be one academic year, unless replaced, terminated from their position, or in the case of resignation. Terms shall begin and end on June first (1) of the academic year in which the election was held.

SECTION H.

The only exception to Article V, Section G, is a student appointed to fill a Board member vacancy. In this case, the term of office will begin immediately after the appointment by the Board of Directors and shall end on June first (1) of the current term of office of all other Directors.

SECTION I.

At no time may the same individual hold the same elected position for more than two consecutive terms, nor shall any individual be allowed to hold office for more than five (5) terms during any ten (10)-year period of time.

SECTION J.

If the office of the President becomes vacant, the Vice President shall assume the office of the President, and a Vice President will be appointed from and by the existing Board of Directors, as provided for in Article V, Section F.

SECTION K.

Appointments for all Board of Director positions shall be made by the President with a two-thirds ($\frac{2}{3}$) vote of the Board of Directors required to confirm the appointment.

Article VI

Legislative Powers of the Board of Directors

SECTION A.

The ASMC Board of Directors shall have legislative authority in all matters related to the ASMC. These powers shall include, but not be limited to:

1. The power to create and act upon motions, proposals, resolutions, and ordinances.
2. The power to fix and collect membership fees.
3. The power to sponsor, plan, and or implement activities on behalf of the ASMC.
4. The power to determine the annual budget for the coming year. The budget shall be established no later than the fourth week of the fall semester.
5. The power to authorize expenditures as specified in the Financial Code and to develop new sources of income.
6. The power to make policies and procedures that are not delegated or otherwise prohibited by this document or the current laws, and to change these policies and procedures as determined necessary by the Board of Directors.
7. The power to take a position on pending local, state, and federal legislation on behalf of the students enrolled at Moorpark College.

SECTION B.

The following limitations of legislative power shall apply to the ASMC Board of Directors:

1. No proxy voting shall be permitted.
2. The Board of Directors shall impose no ex-post-facto laws, rules, policies, regulation, or fees.
3. The ASMC is created with the approval of, and is subject to the control and regulation of, the VCCCD Board of Trustees and the California Education Code. The Board of Directors shall not violate any rules or regulations of these entities/ documents or any other laws of the State of California and/or the laws of the United States of America. All laws, regulations, codes, policies, and procedures shall be followed from the highest to the lowest level of authority.

Article VII

General Duties and Responsibilities of All Elected and Appointed Board Members

SECTION A.

All members of the Board of Directors shall assume the duties of the office he/she was elected or appointed to as defined in the Standing Rules of the ASMC Board of Directors. In addition, each officer shall:

1. Attend all regularly scheduled ASMC Board of Directors meetings and shall attend all other meetings required by the position.
2. Make an honest attempt to make all other meeting/activities at which his/her presence/ participation is required.
3. Take on individual commitments for projects, activities, special events, committees, and/or other work necessary to fulfill the goals and objectives set by the Board of Directors for the current year.

Article VIII

Elections

SECTION A.

The General Election shall be held in the spring semester for the purpose of electing the officers for the following term of office. The General Election will follow the Ventura County Community College District (VCCCD) Student Election Standing Operating Practices.

SECTION B.

The ASMC Advisor shall issue the oath of office to all newly elected and appointed board members prior to taking office.

SECTION C.

Special Elections may be called at the discretion of the Board of Directors for any purpose provided for in this document; the Standing Rules, or the VCCCD Student Election Procedures.

SECTION D.

A two-thirds ($\frac{2}{3}$) vote of the Board of Directors is required to authorize a Special Election, and a majority vote is required to set the dates for the Special Election.

Article IX

Amendments

SECTION A.

Amendments to this document may only be made during the General Election, held in the spring semester.

SECTION B.

The Board of Directors may place an amendment on the ballot with a two-thirds ($\frac{2}{3}$) vote of the members of the Board.

SECTION C.

Board members may bring forward measure or propositions to be placed on the ballot during a General Election, following the same procedures as for amendments, unless the Board of Directors approves a Special Election.

SECTION D.

Any enrolled Moorpark College student may bring forth/present an amendment for consideration by the Board of Directors, during Public Forum at a regularly scheduled Board of Directors meeting.

Article X

Parliamentary Authority/Rules

SECTION A. Governing Authority

In cases not provided for in this document, the governing authority for the determination of all procedural matters shall be Robert's Rules of Order, Newly Revised Edition.

SECTION B.

No motion, either oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Board of Directors by the presiding officer. The minutes shall identify the maker and second of each motion.

SECTION C.

All other rules and policies shall be contained in the Standing Rules of this organization.

Article XI

Legal Conflicts

SECTION A.

Should any portion of this document be found to be in conflict with any Moorpark College and/or VCCCD policies, regulations or codes; then the section in this document which is in conflict shall be considered null and void with the remainder of this document in full force. The highest ranking authority shall take precedence over all others and will be recognized by the ASMC. ASMC will automatically amend this document to come into compliance and not conflict with Moorpark College and/or VCCCD policies, regulations or codes.

Associated Students of Moorpark College

Standing Rules

ARTICLE I

Composition

SECTION A. Membership Privileges

Every enrolled student at Moorpark College is a member of the Associated Students and is entitled to participate in Associated Students sponsored activities.

SECTION B. Associated Students Board of Directors Meetings

1. The Associated Students Board of Directors (ASBOD) hereinafter referred to as the Board of Directors (BOD), shall hold regular meetings at least once a week during the fall and spring semesters, excluding spring break, summer sessions, and semester breaks.
2. The first regular meeting of the newly elected Board of Directors shall be convened prior to July first (1) in the year that the elections were held.
3. A quorum shall be necessary to conduct general business of the Associated Students. A quorum is defined as more than half the filled positions in any meeting of the Board of Directors.
4. The Pledge of Allegiance to the United States of America may be recited at the beginning of all ASBOD meetings.
5. There shall be no use of direct communication, personal intermediaries, or technological devices between individuals during any ASBOD meeting that fall under the parameters of the Brown Act.
 - a. This includes, but is not be limited to, instant messaging, text messaging, emailing, and note passing.
 - b. This does not apply if specifically indicated by a chair or agenda topic.

SECTION C. Qualifications of Directors (VCCCD Student Election Standard Operating Practices)

1. Shall be at least eighteen (18) years of age prior to assuming office (June 1st).
2. Shall be a currently registered student at Moorpark College
3. Shall be continuously enrolled in 5 or more units at Moorpark College when declaring candidacy and during term of office (excluding summer sessions)
4. Shall have at the time of application, and hold and maintain, during term of office, a semester and cumulative grade point average (GPA) of 2.0 or higher.
5. Shall be in good standing academically, not currently on academic probation, nor have any disciplinary warning letters or other disciplinary actions from the college, or have been expelled from a college-based associated students' position. This shall be maintained throughout the term of office.
6. The presidential candidate and vice presidential candidate of the Associated Students shall have completed a minimum of 12 semester units at Moorpark College, completed by the end of

the current spring semester.

7. Shall not hold the position of Student Trustee concurrently with that of an Associated Students' position at any of the colleges within the VCCCD.
8. Shall not hold the position of President or Vice President in any other student organization besides Associated Students.

SECTION D. Appointment Process

1. The Board of Directors shall approve the seating of its own members in order to fill any available board positions after the spring election or in the event of a board member vacating their position.
2. The President, with a two-thirds ($\frac{2}{3}$) vote of the Board of Directors, shall make appointments for all vacant offices.
3. The term of office will begin immediately after the appointment is certified by the Board of Directors and shall end on June first (1) of the current term of office of all other Directors.
4. Appointed board members shall be installed at the Board of Directors meeting in which they are confirmed for appointment.

SECTION E. Discrimination

1. The Associated Students of Moorpark College and the Board of Directors shall not support or affiliate with any organization which illegally discriminates on the basis of: race, creed, sex, national origin, religion, physical handicap, or sexual orientation.

SECTION F. Student Employees of the Board of Directors

1. The minimum recommended student employees of the Associated Students Board of Directors are:
 - Recording Secretary
 - Office Manager

ARTICLE II

Board of Directors

The Board of Directors shall be responsible for the safeguarding of the rights of the students to vote and to participate in all Moorpark College sponsored activities. The Board of Directors shall oversee the promotion of close cooperation between the Associated Students, administration, faculty, and staff of the college. The official representation of the Associated Students of Moorpark College shall be entrusted to the Board of Directors. The Board of Directors will ensure that good relations are maintained with student body governments at other colleges and universities.

The Board of Directors shall be in charge of approving the annual budget of the Associated Students. The Board of Directors will be entrusted to sponsor programming for the students of Moorpark College, as it deems appropriate. Current members of the Board of Directors shall be eligible for positions on the Student Senate for California Community Colleges (hereby referred to

as SSCCC).

The Associated Students President shall be the presiding officer of the Board of Directors. In his/her temporary absence, the Vice President shall serve as the presiding officer of the Board of Directors. In the case of both the President and the Vice President being absent, the Board shall elect from among themselves an acting presiding officer. If acting as a chair for a committee, the Director must report all committee business to the Board of Directors at all Associated Students Board of Directors meetings. Neither attendance by proxy nor vote by proxy shall be recognized at any meetings of the Associated Students, its subsidiary agencies, committees, or commissions.

All members on the Associated Students Board of Directors have the right to attend any Associated Students Board of Directors committee meetings and speak only during public comment, unless acknowledged by the chair. Directors attending said meetings are not entitled to a vote.

All members on the Associated Students Board of Directors shall serve on Associated Students standing or ad hoc committees as needed.

Elected Officers of the Associated Students

- President
- Vice President
- Director of Academic Affairs
- Director of Budget and Finance
- Director of Campus Events
- Director of Constitution and Standing Rules
- Director of External Affairs
- Director of Public Relations
- Director of Student Organizations
- Director of Student Services and Sustainability

SECTION A. President of the Associated Students

1. Shall preside at all meetings of the Associated Students Board of Directors (hereby referred to as AS BOD).
2. Shall be responsible for all executive functions of the AS BOD, and shall be responsible for carrying out all orders, sanctions, and resolutions as effectively as possible, while serving as the official spokesperson of the Associated Students Board of Directors and representing only those positions endorsed by the AS BOD.
3. Shall serve as a liaison between the college administration and the Associated Students.
4. Shall report to the AS BOD any action or occurrence taken or witnessed at a meeting or function attended on behalf of the Associated Students as it pertains to the purpose of the Associated Students.
5. Shall prepare and post an agenda for the Board of Directors meeting in consultation with the Vice President and the AS Advisor and distribute the agenda and related documents to each officer seventy-two (72) hours in advance of each meeting, in accordance with the Brown Act.
6. Shall have the power to call for special Board of Directors meetings, giving notice to all

members of the AS BOD and AS advisor and posting an agenda twenty-four (24) hours in advance, in accordance with the Brown Act.

7. The President shall reserve his/her vote only in the event of a tie, or where his/her vote will affect a constitutionally required two-thirds ($\frac{2}{3}$) or three-fourths ($\frac{3}{4}$) vote.
8. Shall be an authorized signatory on all accounts of the Associated Students.
9. Shall make all appointments to vacant positions of the AS BOD with two-thirds ($\frac{2}{3}$) approval of the existing AS BOD.
10. Shall meet with the AS Advisor on a weekly basis during the term of office (fall and spring semesters, excluding breaks and summer sessions).

SECTION B. The Vice President of the Associated Students

1. Shall, in the temporary absence of the President, assume all the responsibilities and powers of the President's office. When acting as presiding officer of the Board of Directors, the Vice President shall retain his/her vote.
2. In the temporary absence of the President, shall be an ex-officio member of all Associated Students committees in which the President holds membership.
3. Shall appoint each Board member to at least one participatory governance committee, and may make appointments to non-academic committees, boards, and task forces at the college as needed.
4. Shall review letters of intent for vacant positions open to appointment and make recommendations for said appointments to the President of the Associated Students.
5. Shall be responsible for the administrative duties of the Board of Directors.
6. Shall be the Vice Chair of the Inter Club Council.
7. Shall oversee the appointments of student representatives to participatory governance committees.
8. Shall be an authorized signatory on all accounts of the Associated Students.

SECTION C. The Director of Academic Affairs

1. Shall be responsible for representation of the Associated Students on matters of academic and educational policy, serving as a member on the college Curriculum Committee.
2. Shall attend all meetings of the Moorpark College Academic Senate and present the concerns of the Associated Students as endorsed by the AS BOD.
3. Shall oversee the Associated Students Scholarship program.

SECTION D. The Director of Budget and Finance

1. Shall have general supervision in cooperation with the AS Advisor of all Associated Students finances.
2. Shall have primary responsibility for the preparation and development of the budget of the Associated Students.
3. Shall notify the Board of Directors and the AS Advisor in writing, when an account or budget line item has become or is in danger of becoming overdrawn.
4. Shall be an authorized signatory on all accounts of the Associated Students.
5. Shall prepare requisitions for expenditures of the Associated Students funds.

6. Shall maintain an accurate record of all Associated Students Trust Accounts.
7. Shall be responsible for representation of the Associated Students on matters of fiscal planning as a student member of the Moorpark College Fiscal Planning Committee.
8. Shall prepare a financial statement to be presented to the Board of Directors at least once a month during the regular academic year.
9. Shall serve as chairperson of the Associated Students ad hoc Finance Committee if established.
10. Shall serve as chairperson of the Associated Students Programming Committee and assist the AS BOD in facilitating the use of the Associated Students Programming fund and the Inter Club Council fund.

SECTION E. The Director of Campus Events

1. Shall serve as a voting member on the Associated Students Programming Committee.
2. Shall be responsible for the representation of the Associated Students on matters of non-academic administrative policy concerning the use of campus facilities for student programming.
3. Shall serve as the chair of the ad hoc Campus Events Committee if established.
4. Shall oversee and facilitate all Associated Students events and activities.

SECTION F. The Director of Constitution and Standing Rules

1. Shall be familiar with the content of the Constitution, Standing Rules, and any other subsidiary rules of the Associated Students and provide parliamentary commentary and/or consultation at the Board of Directors meetings.
2. Shall serve as chairperson of the ad hoc Elections Committee.
 - a. In the event that the Director of Constitution and Standing Rules is to become a candidate for another VCCCD elected position, the ASBOD shall appoint a new chair with a majority vote.
3. Shall examine all legislative matters as it is brought forth to the Board of Directors and verify that the items being considered and their implementation thereof do not violate the Constitution and/or the Standing Rules.
4. Shall make an effort to be familiar with all local, state, and federal governing documents pertaining to the Associated Students and its subsidiary councils, committees, and chartered student organizations. These documents include, but are not limited to: the Associated Students Constitution and Standing Rules, Moorpark College Policies & Procedures, Ventura County Community College District (hereby referred to as VCCCD) Governing Board Policy Manual, California Education Code, and California Community Colleges Title V regulations.
5. Shall keep a record of all late arrivals and absences for AS BOD meetings.

SECTION G. The Director of External Affairs

1. Shall assist the President and Board of Directors in coordinating advocacy efforts on behalf of student interests and shall represent the Associated Students to off-campus entities as delegated by the President or the Board.
2. Shall ensure that the Board of Directors understand the issues being advocated by the

Associated Students and Associated Students sponsored groups, and shall provide all necessary documentation and presentations to that end.

3. Shall be responsible for representation of the Associated Students at all of SSCCC Region VI meetings and functions and comply with the Constitution and Standing Rules of the Student Senate for California Community Colleges as they apply to the Associated Students of Moorpark College.
4. Shall be responsible for Associated Students representation at all monthly VCCCD Board of Trustees meetings as they apply to the Associated Students of Moorpark College.

SECTION H. The Director of Public Relations

1. Shall oversee the preparation and distribution of press releases with consultation of AS Advisor.
2. Shall coordinate publicity for all Associated Students and Inter Club Council (hereby referred to as ICC) functions and sponsored activities.
3. Shall be responsible for the maintenance of all Associated Students publicity materials, including, but not limited to: banner paper, helium tank, balloons, signboards, and bulletin boards.
4. Shall generate appropriate publicity materials and distribute them as requested by the Director or ICC sponsored event.
5. May generate appropriate publicity materials and distribute them as requested by the Moorpark College Student Activities office or any Associated Students recognized student organization, for events not officially sponsored by the Associated Students or ICC.
6. Must approve all advertising materials pertaining to AS BOD sponsored/co-sponsored events/activities.
 - a. This does not include events/activities in which funds were provided by the AS Programming Committee.
7. Shall maintain copies of all newspaper articles concerning the Associated Students and Moorpark College.
8. Shall serve as the chairperson of the Associated Students ad hoc Public Relations Committee if established.
9. Shall serve as voting member of the Inter Club Council.

SECTION I. The Director of Student Organizations

1. Shall represent to the AS BOD, within their respective capacity, all recognized student organizations in good standing.
2. Shall serve as the liaison between the AS BOD and the Inter Club Council (hereby referred to as ICC).
3. Shall chair ICC meetings, and prepare, distribute and post an agenda and related materials to all members of the ICC.
4. Shall process and manage student organization renewals during the end of the spring semester in accordance with the renewal process along with the AS advisor
5. Shall review new student organization applications and present recommendations for AS BOD approval.
6. Shall notify the Board of Directors of any action to place a student organization on probation or

suspension within twenty-four (24) hours of the time such action is recommended. The AS BOD may take such action as appropriate upon notification.

7. Shall serve as a voting member on the Associated Students Programming Committee.

SECTION J. The Director of Student Services and Sustainability

1. Shall be responsible for organizing and promoting in cooperation with the Director of Campus Events, those activities which promote the health, welfare, and safety of the student body, and events which address environmental issues and Sustainability at Moorpark College through awareness and education.
2. Shall be responsible for the representation of the Associated Students to the administration and faculty on matters of student services as a student member of the Moorpark College Student Services Council.
3. Shall be responsible for the representation of the Associated Students to the administration and faculty on matters of health and safety as a student member of the Moorpark College Safety Advisory Committee.
4. Shall be responsible for the representation of the Associated Students to the Administration and faculty on matters of campus environment and Sustainability as a student member of the Moorpark College environment Committee.
5. Shall oversee the Associated Students college photo ID cardholder benefits and discounts, including the Associated Students Reusable Water Bottle Program.
6. Shall serve as chairperson of the Sustainability ad hoc committee, developing new campus policies and overseeing environmental projects.
7. Shall oversee in -office Sustainability efforts regarding daily operations of the Associated Students where paper and plastic consumption can be effectively minimized or eliminated.
8. Shall oversee the Associated Students Commissioned Arts Program.

SECTION K. Limitation

The above duties, except those outlined for the Associated Students President, shall in no way be construed as authorization for members of the Board to endorse positions on behalf of the Associated Students for which a formal position has not yet been stated by the Associated Students Board of Directors.

SECTION L. Attendance Policy

1. The Associated Students Board of Directors shall have the power to excuse absences and late arrivals of its Board Members.
2. An excused absence is one that is approved by the President and or Vice President prior to a regular or special meeting of the AS Board of Directors. Without appropriate approval, the absence of the Board member will be un-excused. This can be reviewed and changed following the AS BOD meeting for an excused absence with a two-thirds ($\frac{2}{3}$) vote.
3. Any member of the AS BOD, who has two (2) un-excused absences in a semester, shall be given a written warning notice from the Associated Students Vice President. One additional un-excused absence shall result in a vacancy of office if declared by a two-thirds ($\frac{2}{3}$) vote of the AS BOD.
 - a. In the case that the Vice President is the absentee, the President shall assume the

responsibilities as listed above.

4. The term "meeting" shall be defined as any and all commitments that Board members are assigned (i.e. Board meetings, Participatory Governance Committee meetings, Associated Students Committee meetings, SSCCC meetings, or VCCCD meetings).
5. In the case of tardiness of an AS BOD member to a regular or special meeting of the AS BOD – two unexcused tardies in one semester will be the equivalent to one absence.

SECTION M. Business Office Hours and Availability

1. AS BOD members are recommended to serve a minimum number of hours by working in the Associated Students Office.
2. The recommended minimum number is three (3) office hours per week, excluding the required weekly ASBOD meetings.
3. While serving office hours, AS BOD members shall be charged with the responsibility of answering the Associated Students telephones, making college photo ID cards, answering questions, and providing general assistance in areas that are in keeping with the purpose of the Associated Students.
4. While serving office hours, AS BOD members have priority use of all Associated Students equipment and facilities, in compliance with the office guideline and procedures.

ARTICLE III

Expectations and Accountability

SECTION A. Oath of Office

1. Each Board member of the Associated Students shall read the Constitution and Standing Rules of the Associated Students in their entirety.
2. Each AS BOD member must take the following oath prior to installation: "I (name), do hereby affirm that I will, to the best of my ability, support the Constitution and the Standing Rules of the Associated Students of Moorpark College, and that I will, to the best of my ability, promote, maintain, and extend the worth, value, and name of the Associated Students of Moorpark College."

SECTION B. Associated Students Board of Directors Code of Conduct

In joining the Associated Students Board of Directors, the student enjoys the right and shares the responsibility in exercising their role as a member of the Board of Directors. Board members are expected to conduct themselves in accordance with this document, the Associated Students Board of Directors Oath of Office as stated in Article III, Section A, and the standards of Board member conduct established within this section. Board members are subject to charges of misconduct for any of the following acts with respect to actions on campus, at a college sponsored activity, or while conducting business as a Board member of the Associated Students Board of Directors:

1. Willful disobedience of college and VCCCD code, policy, and procedure, including the Moorpark College Student Conduct Code.

2. Dishonesty, such as knowingly furnishing false information to the Associated Students Board of Directors or the Associated Students Advisor.
3. Willful obstruction or disruption of Associated Students business or property.
4. Theft of, or damage to, Associated Students property or possession of stolen property belonging to the Associated Students.
5. Acts or statements of malicious intent towards the Associated Students, other Board Members, or the Associated Students Advisor.
6. Deliberate disregard of established guidelines of the Associated Students, including all financial guidelines.
7. Deliberate attempt of misrepresentation of the Associated Students Board of Directors.

SECTION C. Accountability and Removal from Office

1. The Board, for proven misconduct, may impose disciplinary action upon an individual Board member for violation of specified rules, regulations, and/or procedures held within this document.
2. In the event of malfeasance, misfeasance, or nonfeasance on the part of any of the Board Members, the Board of Directors may reprimand the offending Board member with a two-thirds vote. The term "reprimand" shall be defined here as a formal written statement approved by the Board of Directors, and presented to the offending Board member.
3. In cases of gross neglect of duty, violation of oath of office, or misconduct, any Board member may be removed from the office only by three-fourths ($\frac{3}{4}$) of the Board members present, which shall be the sole judge of cause and which shall represent the final decision of the Associated Students.
4. In the event that any Board member of the Associated Students Board of Directors has violated the Moorpark College Student Conduct Code or is placed on Academic Probation, that Board member will be automatically removed from office, deemed ineligible to hold office, and the position will be declared vacant.

ARTICLE IV *Committees*

SECTION A. Standing Committee:

The Associated Students standing committee is a perpetual committee that meets continuously throughout the year and must hold meetings in accordance with the Brown Act.

1. Programming Committee
 - a. Shall be chaired by the Director of Budget and Finance.
 - b. The Director of Budget and Finance or acting chair shall post an agenda seventy-two (72) hours in advance, in accordance with the Brown Act.
 - c. Shall allocate Associated Students Programming funds for campus activities in accordance with Associated Students Programming guidelines.
 - d. Shall allocate Inter Club Council funds for student organizations and campus activities in accordance with VCCCD accounting policy and procedures.

- e. All student organizations or campus departments seeking funds from the Associated Students Programming Committee must submit an Associated Students Programming Committee Application for Funding, before the funds are needed, in accordance with VCCCD accounting policy and procedures. (VCCCD policy does not allow reimbursements.)
- f. The Director of Campus Events and the Director of Student Organizations shall be voting members of this committee.

SECTION B. Ad Hoc Committees:

Ad hoc committees shall be formed at the discretion of the Board of Directors by a simple majority vote and shall have a set ending date. An ad hoc committee is defined as a committee activated for a specific purpose. The decision to implement an ad hoc committee may be voted upon in a Board of Directors meeting during its first agenda appearance.

1. Inter Club Council

- a. Shall be chaired by the Director of Student Organizations. In the event that the Director of Student Organizations position is vacant, the Associated Students Vice President shall serve as chair of the committee.
- b. Shall be responsible for establishing coordination, communication, and cooperation of recognized student organizations of Moorpark College.
- c. Shall serve as an advisory group to the Board of Directors on matters which have, or may have, a significant effect on student organizations.
- d. Shall comply with the policies and procedures adopted by the Board of Directors for the administration and operation of the Inter Club Council, as described in Article V of this document.

2. Elections Committee

- a. Shall be chaired by the Director of Constitution and Standing Rules.
 - i. In the event that the Director of Constitution and Standing Rules is to become a candidate for another VCCCD elected position, the ASBOD shall appoint a new chair with a majority vote.
- b. The Elections Committee Chair shall appoint at least two (2) Board members to serve on this committee in accordance with the VCCCD Student Election Standard Operating Practices.
- c. Shall be responsible for the impartial administration of all elections of the Associated Students in accordance with the provisions VCCCD Student Election Standard Operating Practices.
- d. The Elections Committee Chair shall confirm the election results from the "Statement of Accuracy" with the rest of the Board at the first Board of Directors meeting following the election.

Board members may activate ad hoc committees as needed to assist in fulfilling their duties or to complete a specific project or event.

SECTION C. Replacement of Committee Members

1. In the event of a vacancy, the chair shall appoint a member of the AS BOD to fill the position.
2. In the event that the position of chair is or becomes vacant, the AS BOD shall appoint a director as chair with a majority vote.
3. If any member on a committee is considered to be inactive by the chair, the chair shall have the option to put forth a vote upon the AS BOD for a replacement of said member by a majority vote.
 - a. A verbal, followed by a written warning, must be given to the inactive member before said action can be taken.
4. In the event that the chair is considered inactive, the committee has the option to put forth a vote to the AS BOD for the replacement of the chair by a ($\frac{2}{3}$) vote.
 - a. A verbal, followed by a written warning, must be given to the chair, with a majority vote by the committee, before said action can be taken.

Article V

Inter Club Council

The Moorpark College Mission Statement states the college will create learning environments that blend curriculum and services in providing to students extracurricular activities that promote campus community involvement and personal development. The Associated Students of Moorpark College support student life on campus by overseeing all college student organizations. All active Moorpark College student organizations are a part of the Associated Students Inter Club Council.

The purpose of the Inter Club Council (hereby referred to as "ICC") is to provide students with opportunities to experience personal growth and apply classroom theories, concepts, and principles to real life situations. Participating students gain valuable leadership experience while developing personal and professional relationships. The ICC is composed of ICC officers, and a voting representative from each student organization, in order to represent the cultural, educational, honorary, philanthropic, and social interests of Moorpark College students.

SECTION A. ICC Officers

The Director of Student Organizations shall assume the position of ICC Chair. The Associated Students Vice President shall be the ICC Vice-Chair.

ICC Chairperson – Director of Student Organizations

1. Shall preside over all ICC meetings.
2. Shall prepare an agenda and all related materials.
3. Shall be a voting member at ICC meetings.
4. Shall serve as a liaison between the Associated Students Board of Directors and the ICC.
5. Shall process and manage student organization renewals during the spring semester in conjunction with the AS Advisor.
6. Shall review new student organization applications and present recommendations for AS BOD approval.
7. Will collect student organization data (i.e. roll sheets, officer lists, meeting dates, events, and

activities) from each organization for the Student Activities Programming Plan.

ICC Vice-Chair – Vice President of Associated Students

1. Shall assume the duties of the ICC Chair during his or her absence.
2. Shall be a voting member at ICC Meetings.
3. The Associated Students Director of Public Relations shall also have a seat as a voting member of ICC.

SECTION B. Starting a Student Organization

Student organizations are officially "recognized" by the Associated Students Board of Directors are required to use the college name in all publicity, and are entitled to use college facilities, and request funds from the Associated Students Programming Committee.

To obtain official "recognition" from the Associated Students Board of Directors, a student organization must do the following:

1. Have a minimum of four (4) members. Organization membership must be comprised solely of currently registered Moorpark College Students. Non-students may participate in student organization activities as guests, but may not vote, hold office, or pay dues.
2. Have a minimum of one (1) advisor, who will advise the organization on college rules and regulations, attend organization meetings, supervise the organization's financial transactions, and give general guidance to the organization. The advisor must be a Moorpark College faculty or staff member.
3. Must have a written Constitution and Standing Rules that has been approved by the Associated Students Board of Directors and is in accordance with the Moorpark College Associated Students Constitution and Standing Rules.
4. Must complete and have on file in the Associated Students Office a Student Organization Information Form and Advisor's Agreement.
5. Must set up and handle all financial transactions through a VCCCD Trust account, in accordance with the VCCCD accounting policy and procedures.
6. Must attend a Student Organization Orientation held by the Student Activities office or meet with the Student Activities Advisor to learn college District policies and procedures.

Student Organization Finances

1. All student organization money must be deposited in a VCCCD student organization Trust account at the college Student Business Office.
2. All student organization finances must be transacted through a VCCCD Trust account.
3. All student organization finances shall be conducted in accordance with to the VCCCD accounting policy and procedures.
4. Advisors, as well as organizations officers, are responsible for ensuring that the VCCCD accounting policy and procedures are followed.
5. A Trust account authorization card must be completed to establish a new account. No

expenditures or deposits can occur without completion of this form. The following signatures on the account authorization card are required for all organizations: student officers (two (2) officers of the organizations choice, usually the President and Treasurer), and always the student organization advisor(s).

6. A trust account signature update card is to update authorized signatures for the account (i.e. change in the student offices) and is to be completed and returned with all signatures to the Student Activities Advisor.
7. Funds must be available in the account for expenditures to be processed.

SECTION C. Suspension, Forfeiture, and Falling out of Recognition

1. The term “suspension” shall be defined as:
 - a. The removal of official “recognition” by the Associated Students Board of Directors.
 - b. The automatic freezing of a student organization’s Trust account(s).
 - c. Any student organization or club officially recognized by the AS BOD, who has two (2) un-excused ICC absences in an academic year shall be given a written warning notice from the ICC Chair. One additional un-excused absence in the same year shall result in the suspension of said organization if declared by a two-thirds ($\frac{2}{3}$) vote of the AS BOD for the remainder of the academic year through May 31st.
2. The term “forfeiture” shall be defined as:
 - a. Failure of a suspended student organization to renew their organization by the June 1st deadline.
 - b. The automatic deposit of all monies remaining in a student organization’s account to the Associated Students Inter Club Council account.
 - c. The automatic closure of the student organization’s Trust account(s).
3. Falling Out of Recognition
 - a. If at any time during the fall and spring semesters of the current academic year, after a student organization has obtained official recognition for that academic year, the student organization fails to meet any of the requirements for obtaining official recognition, then that student organization has “fallen out of recognition” and shall be placed on suspension until the student organization has proven to be back in compliance with the recognition requirements.

SECTION D. Student Organization Renewal Procedures

To renew a student organization, you must:

1. Have a current Student Organization Information form on file.
2. Have a current Advisor’s Agreement form on file.
3. All student organization finances shall adhere to the VCCCD accounting policy and procedures.
4. Must attend a Student Organization Orientation held by the Student Activities office.
5. Continuing student organizations shall complete the student organization renewal process by June first (1st).
6. Should a student organization not renew by the June first (1st) deadline, then that organization shall be placed on suspension for the following academic year. The Trust account(s) shall be

automatically frozen for the fall and spring semester of that academic year.

7. The student organization must wait until the following June 1st to renew for the next academic year or fall into forfeiture.
8. Should a suspended student organization not renew the following June 1st, after their accounts have been frozen, then that organization shall fall into forfeiture and all monies remaining in their accounts shall be deposited into the Associated Students ICC account and the student organization trust account(s) shall be dissolved.

SECTION E. ICC Representation

1. The ICC student organization representative is a Moorpark College student member from the student organization membership.
2. The ICC student organization representative shall have only one vote on the ICC.
3. The ICC student organization representative shall only represent one student organization.

SECTION F. ICC Meetings and Procedures

1. Meetings and Procedures
 - a. Student organizations are required to attend ICC Meetings.
 - b. The ICC shall hold a minimum of one meeting a month during the fall and spring semesters after September 1st.
 - c. The ICC chair shall notify the student organizations of the ICC meeting calendar dates, times, and locations.

SECTION G. Student Organization Guidelines

1. Student Organization Meetings
 - a. It is recommended that student organizations meet at least monthly during the fall and spring semesters, posting an agenda prior to their meetings.
 - b. Student organizations shall submit a current copy of their meeting schedules to the Associated Students Director of Student Organizations.
2. In accepting any funds from the AS BOD or Programming Committee, the student organization or campus department must name the Associated Students as a co-sponsor of the event, activity, or program on all advertising for that event, activity or program.
 - a. If funding was provided through the AS BOD, all advertising materials must be approved by the Director of Public Relations.
 - b. If funding was provided through the Programming Committee, all advertising materials must be approved by the chair of said committee.

SECTION H. Eligibility for Student Organization Officers, Members, and Term Limits

1. Student Organization Officers
 - a. Student organization officers are limited to holding no more than one (1) officer position within the same student organization.
 - b. A student may hold the position of President or Vice President in only one student organization.
 - c. Shall currently be registered and continuously enrolled in a minimum of five (5)

units at Moorpark College during fall and spring semesters in accordance with the Associated Students Standing Rules, Article 1, Section C.

- d. Shall achieve and maintain a semester and cumulative 2.0 minimum grade point average to assume and maintain an officer's position in accordance with the Associated Students Standing Rules, Article 1, Section C.
- e. At no time may the same individual hold the same elected position for more than two consecutive terms, nor shall any individual be allowed to hold office for more than five (5) terms during any ten (10)-year period of time in accordance with the Associated Students Constitution, Article V, Section I.
- f. The student organization advisor shall be responsible for verifying student organization officers' eligibility to hold office.

2. Student Organization Members

- a. Only currently enrolled Moorpark College students may be members of a student organization.
- b. Non-students may participate in student organization activities as guests but may not vote or hold office.

SECTION I. Student Organization Advisors

- 1. Shall be sufficiently knowledgeable of the governing documents, purpose and activities of the student organization to advise the members of their actions and the possible consequences of illegal or irresponsible behavior.
- 2. Shall have the primary responsibility for understanding, interpreting, and applying all campus rules and regulations as they apply to campus facility use, organizational programs and scheduled activities both on and off campus.
- 3. Must provide assistance for assessment and constructive review of programs and funding proposals for student programmers.
- 4. Shall have fiduciary responsibility over all of the student organization accounts and finances. Advisors are to be familiar with VCCCD accounting policy and procedures. Advisors must be signatories on all of the student organizations Trust accounts.
- 5. When sponsoring an off campus activity, advisors are to be familiar with VCCCD policy and procedures regarding student travel. An advisor must be present at all off-campus activities.
- 6. Advisors are to review, approve and sign all of the organization's Facility Use Form requests and forward them to the Student Activities office for processing.
- 7. Advisors will oversee the organization's elections to ensure open and fair elections.
- 8. Advisors are to attend all student organization meetings and events both on and off campus.

SECTION J. Use of Campus Facilities

All recognized student organizations are entitled to use Moorpark College facilities to host meetings, events, and activities. The following procedures will be adhered to when reserving a campus facility:

- 1. Complete a Moorpark College Facilities Use Form, obtaining the student organization's

advisor's signature, and submit the form to the Student Activities office for processing, in accordance with the Moorpark College Business Services policy and procedures.

SECTION K. Moorpark College Posting Policy and Advertising on Campus

1. All recognized student organizations will adhere to the Moorpark College Posting Policy when advertising (i.e. flyers, posters, and banners) on the college campus.

ARTICLE VI *Election Code*

All Student Elections will follow the VCCCD Student Election Standard Operating Practices.

ARTICLE VII *Financial Guidelines*

The fiscal year of the Associated Students shall begin on July first (1) and run through to June thirtieth (30) of the following calendar year, in accordance with the parameters adopted by the State of California. The final budget must be adopted no later than September fifteenth (15) in the fall semester of the same calendar year.

SECTION A. Source of Funds

1. Sales from College Photo IDs (optional fee)
 - a. 85% General Fund
 - b. 15% Reserve
2. Student Representation Fee (\$1 optional fee)
 - a. This optional one dollar fee provides support for students of representatives who state positions and viewpoints before city, county, district governments and before offices and agencies of the state and federal government. This fee is authorized by the California Education Code Section 7606.5. This fee may be waived for religious, political, financial, or moral reasons.
3. Moorpark College Bookstore Profits
 - a. All revenue from this source goes directly to the Associated Students Programming Fund for allocation by the Associated Students Programming Committee.
4. Student Center Fee (mandatory fee)
 - a. \$1.00 per unit, maximum \$10.00 per year per student to establish the Student Center Fee to renovate the existing Campus Center. California Education Code says that this fee cannot exceed \$10.00 per year per student. This fee will remain in place for the life of the college.
 - b. All revenue from this fee goes directly to the Associated Students Student Center Fee Account.
 - c. This fee was implemented in March of 2000. The Moorpark College Student Body

approved this mandatory Student Center Fee to build, renovate, and operate a Moorpark College student union.

5. Student Activity Fee (\$5 optional fee)

- a. This is a \$5/optional fee that is collected from every enrolled student, each term, at the time of registration to support student life at Moorpark College. This fee may be waived for religious, political, financial, or moral reasons.
- b. Each Fall and Spring semesters the revenue collected from this optional fee will be moved into other AS accounts as follows:
 1. 65% - Inter-Club Council account
 2. 20% - General Fund account
 3. 10% - Reserves account
 4. 5% - Scholarships

SECTION B. Expenditures

1. When an account or budget line item has become or is in danger of becoming overdrawn, the Director of Budget and Finance shall notify the Board of Directors and the AS Advisor in writing.
2. Authorized expenditures shall carry signature approval of the Director of Budget and Finance or the President, and the Associated Students Advisor.
3. All Associated Students Board of Directors Trust account expenditures will adhere to the VCCCD accounting policy and procedures.

ARTICLE VIII
Programming Committee
Guidelines for the Allocation of Funds

The Associated Students Programming Fund is derived in part, from a designated portion of those surplus funds generated by the operation of the Moorpark College Bookstore, which was approved in April 1994 by members of the Moorpark College Co-Curricular, Fiscal Planning, and College Council committees. The purpose of the fund is to provide extracurricular campus activities, programs, and resources for the students of Moorpark College. This objective shall be achieved by allocating said funds through the Associated Students (AS) Programming Committee.

SECTION A. Determination of Funds

1. The College Bookstore issues an annual allocation to the Associated Students to promote extracurricular campus activities.
2. The College Bookstore allocation will be disbursed through VCCCD accounting policy and procedures.
3. Said funds are to be held in a special college Trust account known as the Associated Students

Programming Fund.

4. All funds allocated from the Associated Students Programming Fund by the AS Programming Committee will be disbursed following VCCCD accounting policy and procedures.
5. Any funds remaining from a previous AS Programming Committee Fund that went unused shall remain in the AS Programming Fund account, and roll over to the next fiscal year for allocation by the next year's AS Programming Committee.
6. The AS Programming Committee shall allocate this fund through a proposal application process.
7. The AS Programming Committee may designate a portion of this fund for use in Associated Students campus programs and events.

SECTION B. Composition of the Associated Students Programming Committee

The Associated Students Programming Committee shall be composed of the following:

- The Director of Budget and Finance who shall serve as the chair of the committee.
- The Director of Campus Events
- The Director of Student Organizations
- The Advisor of the Associated Students who will be a non-voting ex-officio member of the committee.

Three members of the committee shall constitute a quorum.

The chair (Director of Budget and Finance) shall be an active voting member of the committee.

SECTION C. Responsibilities of the Associated Students Programming Committee

1. The committee shall notify all officially recognized student organizations and college departments of the available programming funds.
2. The first meeting of the AS Programming Committee shall be no later than the eighth week of the fall semester.
3. The chair shall post an agenda and distribute agenda packets to committee members at least seventy-two (72) hours in advance of a committee meeting in accordance with the Brown Act.
4. All groups who have requested programming funds shall be granted the right to attend the AS Programming Committee meeting in which their proposal will be reviewed.
5. The AS Programming Committee shall submit periodic reports to all members of the AS Board of Directors at least once a semester.
6. Shall submit a year-end report by mid-May to the AS Board of Directors.

SECTION D. Eligible Organizations

1. All officially recognized Moorpark College student organizations shall be eligible to apply for the AS Programming Fund and/or ICC Fund.
2. Any Moorpark College department that provides a direct benefit to students shall be eligible to apply for AS Programming Fund.
3. Any Moorpark College student organization or Moorpark College department may be denied AS Programming Funds by the AS Programming Committee.

SECTION E. Application Procedures

To apply for AS Programming Funds and/or ICC Funds, student organizations and campus departments must complete and submit in writing, the Associated Students Programming Committee Application for Funding. This application must be submitted to the AS Programming Committee chair or the AS Advisor for consideration.

SECTION F. Distribution of Allocated Funds

1. In accepting any AS Programming Funds and/or ICC Funds, the student organization or campus department accepts an agreement to spend the allocated money in good faith and in accordance with these guidelines, and the VCCCD accounting policy and procedures.
2. In accepting any AS Programming Funds and/or ICC Funds, the student organization or campus department must name the Associated Students as a co-sponsor of the event, activity, or program.
 - a. All advertising material and/or programs must be approved by the chair of the AS Programming Committee.
3. The Director of Budget and Finance will be responsible for all accounting for the AS Programming Fund allocations.
4. Student organizations or campus departments will be notified of AS Programming Committee allocations via written notice by the committee chair.

ARTICLE IX

Amendments

SECTION A. Amendments to the Standing Rules

1. The AS BOD may only make amendments to this document with a five (5) school day written notice for any and all proposed changes.
2. The written proposed amendments shall be reviewed under "New Business", as a first reading, at a regularly scheduled AS BOD meeting, and voted upon at the following AS BOD regularly scheduled meeting.
3. Proposed amendments shall be considered in effect immediately, upon a two-thirds ($\frac{2}{3}$) vote, in the affirmative, by the AS BOD.

SECTION B.

Should any portion of this document be found to be in conflict with any Moorpark College and/or VCCCD policies, regulations or codes; then the section in this document which is in conflict shall be considered null and void with the remainder of this document in full force. The highest ranking authority shall take precedence over all others and will be recognized by the ASMC. ASMC will automatically amend this document to come into compliance and not conflict with Moorpark College and/or VCCCD policies, regulations or codes.

APPENDICES 4: THE RALPH M. BROWN ACT

The Ralph M. Brown Act

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The Ralph M. Brown Act

54950. Policy declaration

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

54950.5. Title

This chapter shall be known as the Ralph M. Brown Act.

54951. Definition of local agency

As used in this chapter, "local agency" means a county, city, whether general law or chartered, city and county, town, school district, municipal corporation, district, political subdivision, or any board, commission or agency thereof, or other local public agency.

54952. Definition of legislative body

As used in this chapter, "legislative body" means:

- (a) The governing body of a local agency or any other local body created by state or federal statute.
 - (b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decision making or advisory, created by charter, ordinance, resolution, or formal action of a legislative body. However, advisory committees, composed solely of the members of the legislative body which are less than a quorum of the legislative body are not legislative bodies, except that standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body are legislative bodies for purposes of this chapter.
 - (c) A board, commission, committee, or other multimember body that governs a private corporation or entity that either:
 - (1) Is created by the elected legislative body in order to exercise authority that may lawfully be delegated by the elected governing body to a private corporation or entity.
 - (2) Receives funds from a local agency and the membership of whose governing body includes a member of the legislative body of the local agency appointed to that governing body by the legislative body of the local agency.
 - (d) The lessee of any hospital the whole or part of which is first leased pursuant to subdivision (p) of Section 32121 of the Health and Safety Code after January 1, 1994, where the lessee exercises any material authority of a legislative body of a local agency delegated to it by that legislative body whether the lessee is organized and operated by the local agency or by a delegated authority.
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Definition of member of a legislative body

Any person elected to serve as a member of a legislative body who has not yet assumed the duties of office shall conform his or her conduct to the requirements of this chapter and shall be treated for purposes of enforcement of this chapter as if he or she has already assumed office.

Definition of meeting

(a) As used in this chapter, "meeting" includes any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.

(b) Except as authorized pursuant to Section 54953, any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body to develop a collective concurrence as to action to be taken on an item by the members of the legislative body is prohibited.

(c) Nothing in this section shall impose the requirements of this chapter upon any of the following:

(1) Individual contacts or conversations between a member of a legislative body and any other person.

(2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow member of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.

(3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

(5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

Definition of action taken

As used in this chapter, "action taken" means a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.

Copies of Act; Distribution

A legislative body of a local agency may require that a copy of this chapter be given to each member of the legislative body and any person elected to serve as a member of the legislative body who has not assumed the duties of office. An elected legislative body of a local agency may require that a copy of this chapter be given to each member of each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body.

54953. Open meetings required; Video teleconferencing; Secret ballots

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use video teleconferencing for the benefit of the public or the legislative body of a local agency in connection with any meeting or proceeding authorized by law.

(2) The use of video teleconferencing, as authorized by this chapter, shall be limited to the receipt of public comment or testimony by the legislative body and to deliberations of the legislative body.

(3) If the legislative body of a local agency elects to use video teleconferencing, it shall post agendas at all video teleconference locations and adopt reasonable regulations to adequately protect the statutory or constitutional rights of the parties or the public appearing before the legislative body of a local agency.

(4) The term "video teleconference" shall mean a system which provides for both audio and visual participation between all members of the legislative body and the public attending a meeting or hearing at any video teleconference location.

(c) No legislative body shall take action by secret ballot, whether preliminary or final.

54953.1. Grand jury testimony by members

The provisions of this chapter shall not be construed to prohibit the members of the legislative body of a local agency from giving testimony in private before a grand jury, either as individuals or as a body.

54953.3. Conditions to attendance at meetings

A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

If an attendance list, register, questionnaire, or other similar document is posted at or near the entrance to the room where the meeting is to be held, or is circulated to the persons present during the meeting, it shall state clearly that the signing, registering, or completion of the document is voluntary, and that all persons may attend the meeting regardless of whether a person signs, registers, or completes the document.

Recording meetings

(a) Any person attending an open and public meeting of a legislative body of a local agency shall have the right to record the proceedings with an audio or video tape recorder or a still or motion picture camera in the absence of a reasonable finding by the legislative body of the local agency

that the recording cannot continue without noise, illumination, or obstruction of view that constitutes, or would constitute, a persistent disruption of the proceedings.

(b) Any tape or film record of an open and public meeting made for whatever purpose by or at the direction of the local agency shall be subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), but, notwithstanding Section 34090, may be erased or destroyed 30 days after the taping or recording. Any inspection of a video or tape recording shall be provided without charge on a tape player made available by the local agency.

Broadcasting meetings

No legislative body of a local agency shall prohibit or otherwise restrict the broadcast of its open and public meetings in the absence of a reasonable finding that the broadcast cannot be accomplished without noise, illumination, or obstruction of view that would constitute a persistent disruption of the proceedings.

Greater access to meetings permitted

Notwithstanding any other provision of law, legislative bodies of local agencies may impose requirements upon themselves which allow greater access to their meetings than prescribed by the minimal standards set forth in this chapter. In addition thereto, an elected legislative body of a local agency may impose such requirements on those appointed legislative bodies of the local agency of which all or a majority of the members are appointed by or under the authority of the elected legislative body.

54954. Notice of regular meetings; Boundary restrictions for all meetings

(a) The legislative body of a local agency shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings.

(b) Regular and special meetings of the legislative body shall be held within the boundaries of the territory over which the local agency exercises jurisdiction except to do any of the following:

(1) Comply with state or federal law or court order, or attend a judicial or administrative proceeding to which the local agency is a party.

(2) Inspect real or personal property which cannot be conveniently brought within the boundaries of the territory over which the local agency exercises jurisdiction provided that the topic of the meeting is limited to items directly related to the real or personal property.

(3) Participate in meetings or discussions of multiagency significance that are outside the boundaries of a local agency's jurisdiction. However, any meeting or discussion held pursuant to this subdivision shall take place within the jurisdiction of one of the participating local agencies and be noticed by all participating agencies as provided for in this chapter.

(4) Meet in the closest meeting facility if the local agency has no meeting facility within the boundaries of the territory over which the local agency exercise jurisdiction, or at the principal office of the local agency if that office is located outside the territory over which the agency exercise jurisdiction.

(5) Meet outside their immediate jurisdiction with elected or appointed officials of the United States or the State of California when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction.

(6) Meet outside their immediate jurisdiction if the meeting takes place in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility.

(7) Visit the office of the local agency's legal counsel for a closed session on pending litigation held pursuant to Section 54956.9, when to do so would reduce legal fees or costs.

(c) Meetings of the governing board of a school district shall be held within the district except under the circumstances enumerated in subdivision (b), or to do any of the following:

(1) Attend a conference on non-adversarial collective bargaining techniques.

(2) Interview members of the public residing in another district with reference to the trustees' potential employment of the superintendent of that district.

(3) Interview a potential employee from another district.

(d) Meetings of a joint powers authority shall occur within the territory of at least one of its member agencies, or as provided in subdivision (b). However, a joint powers authority which has members throughout the state may meet at any facility in the state which complies with the requirements of Section 54961.

(e) If, by reason of fire, flood, earthquake, or other emergency, it shall be unsafe to meet in the place designated, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer of the legislative body or his or her designee in a notice to the local media that have requested notice pursuant to Section 54956, by the most rapid means of communication available at the time.

Mailed notice of meetings

The legislative body which is subject to the provisions of this chapter shall give mailed notice of every regular meeting, and any special meeting which is called at least one week prior to the date set for the meeting, to any person who has filed a written request for that notice with the legislative body. Any mailed notice required pursuant to this section shall be mailed at least one week prior to the date set for the meeting to which it applies except that the legislative body may give the notice as it deems practical of special meetings called less than seven days prior to the date set for the meeting. Any request for notice filed pursuant to this section shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for notice shall be filed within 90 days after January 1 of each year. The failure of any person to receive the notice given pursuant to this section shall not constitute grounds for any court to invalidate the actions of the legislative body for which the notice was given.

The legislative body may establish a reasonable annual fee for sending the notice based on the estimated cost of providing the service.

Agenda requirements; Regular meetings

(a) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public.

No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In

addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item. (1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

Public's right to testify at meetings

(a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2. However, the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

(b) The legislative body of a local agency may adopt reasonable regulations to ensure that the intent of subdivision (a) is carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.

(c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

Reimbursement of costs

(a) The Legislature hereby finds and declares that Section 12 of Chapter 641 of the Statutes of 1986, authorizing reimbursement to local agencies and school districts for costs mandated by the state pursuant to that act, shall be interpreted strictly. The intent of the Legislature is to provide

reimbursement for only those costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986.

(b) In this regard, the Legislature directs all state employees and officials involved in reviewing or authorizing claims for reimbursement, or otherwise participating in the reimbursement process, to rigorously review each claim and authorize only those claims, or parts thereof, which represent costs which are clearly and unequivocally incurred as the direct and necessary result of compliance with Chapter 641 of the Statutes of 1986 and for which complete documentation exists. For purposes of Section 54954.2, costs eligible for reimbursement shall only include the actual cost to post a single agenda for any one meeting.

(c) The Legislature hereby finds and declares that complete, faithful, and uninterrupted compliance with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) is a matter of overriding public importance. Unless specifically stated, no future Budget Act, or related budget enactments, shall, in any manner, be interpreted to suspend, eliminate, or otherwise modify the legal obligation and duty of local agencies to fully comply with Chapter 641 of the Statutes of 1986 in a complete, faithful, and uninterrupted manner.

Safe harbor agenda for closed sessions

For purposes of describing closed session items pursuant to Section 54954.2, the agenda may describe closed sessions as provided below. No legislative body or elected official shall be in violation of Section 54954.2 or 54956 if the closed session items were described in substantial compliance with this section. Substantial compliance is satisfied by including the information provided below, irrespective of its format.

- (a) With respect to a closed session held pursuant to Section 54956.7: LICENSE/PERMIT DETERMINATION Applicant(s): (Specify number of applicants)
- (b) With respect to every item of business to be discussed in closed session pursuant to Section 54956.8: CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property: (Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation)
Negotiating parties: (Specify name of party (not agent))
Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)
- (c) With respect to every item of business to be discussed in closed session pursuant to Section 54956.9: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Section 54956.9) Name of case: (Specify by reference to claimant's name, names of parties, case or claim numbers) Or Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (Specify number of potential cases) (In addition to the information noticed above, the agency may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to subparagraphs (B) to (E), inclusive, of paragraph (3) of subdivision (b) of Section 54956.9.) Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (Specify number of potential cases)(d) With respect to every item of business to be discussed in closed session pursuant to Section 54956.95:

LIABILITY CLAIMS

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

(e) With respect to every item of business to be discussed in closed session pursuant to Section 54957:

THREAT TO PUBLIC SERVICES OR FACILITIES

Consultation with: (Specify name of law enforcement agency and title of officer)

PUBLIC EMPLOYEE APPOINTMENT

Title: (Specify description of position to be filled)

PUBLIC EMPLOYMENT

Title: (Specify description of position to be filled) PUBLIC

EMPLOYEE PERFORMANCE EVALUATION

Title: (Specify position title of employee being reviewed)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release of a public employee. Discipline includes potential reduction of compensation.)

(f) With respect to every item of business to be discussed in closed session pursuant to Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATOR

Agency negotiator: (Specify name)

Employee organization: (Specify name of organization representing employee or employees in question)

Or Unrepresented employee: (Specify position title of unrepresented employee who is the subject of the negotiations)

(g) With respect to closed sessions called pursuant to Section 54957.8:

CASE REVIEW/PLANNING

(No additional information is required in connection with a closed session to consider case review or planning.)

(h) With respect to every item of business to be discussed in closed session pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code:

REPORT INVOLVING TRADE SECRET

Discussion will concern: (Specify whether discussion will concern proposed new service, program, or facility)

Estimated date of public disclosure: (Specify month and year)

HEARINGS

Subject matter: (Specify whether testimony/deliberation will concern staff privileges, report of medical audit committee, or report of quality assurance committee)

54954.6 New taxes and or assessments; Procedural requirements

(a) (1) Before adopting any new or increased general tax or any new or increased assessment, the legislative body of a city, county, special district, or joint powers authority shall conduct at least one public meeting at which local officials must allow public testimony regarding the proposed new or increased general tax or new or increased assessment in addition to the noticed public hearing at which the legislative body proposes to enact or increase the general tax or assessment.

For purposes of this section, the term "new or increased assessment" does not include any of the following:

(A) A fee which does not exceed the reasonable cost of providing the services, facilities, or regulatory activity for which the fee is charged.

(B) A service charge or benefit charge, unless a special district's principal act requires service charges or benefit charges to conform to the requirements of this section.

(C) An ongoing annual assessment if it is imposed at the same or lower amount as any previous year.

(D) An assessment which does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed.

(E) Standby or immediate availability charges.

(2) The legislative body shall provide at least 45 days' public notice of the public hearing at which the legislative body proposes to enact or increase the general tax or assessment. The legislative body shall provide notice for the public meeting at the same time and in the same document as the notice for the public hearing, but the meeting shall occur prior to the hearing.

(b) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased general tax shall be accomplished by placing a display advertisement of at least one-eighth page in a newspaper of general circulation for three weeks pursuant to Section 6063 and by a first-class mailing to those interested parties who have filed a written request with the local agency for mailed notice of public meetings or hearings on new or increased general taxes. The public meeting pursuant to subdivision (a) shall take place no earlier than 10 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. Notwithstanding paragraph (2) of subdivision

(a), the joint notice need not include notice of the public meeting after the meeting has taken place. The public hearing pursuant to subdivision (a) shall take place no earlier than 45 days after the first publication of the joint notice pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. Any written request for mailed notices shall be effective for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The legislative body may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

(2) The notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following:

(A) The amount or rate of the tax. If the tax is proposed to be increased from any previous year, the joint notice shall separately state both the existing tax rate and the proposed tax rate increase.

(B) The activity to be taxed.

(C) The estimated amount of revenue to be raised by the tax annually.

(D) The method and frequency for collecting the tax.

(E) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(F) The phone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the tax.

(c) (1) The joint notice of both the public meeting and the public hearing required by subdivision (a) with respect to a proposal for a new or increased assessment on real property shall be accomplished through a mailing, postage prepaid, in the United States mail and shall be deemed given when so deposited. The public meeting pursuant to subdivision (a) shall take place no earlier

than 10 days after the joint mailing pursuant to this subdivision. The public hearing shall take place no earlier than seven days after the public meeting pursuant to this subdivision. The envelope or the cover of the mailing shall include the name of the local agency and the return address of the sender. This mailed notice shall be in at least 10-point type and be given to all property owners proposed to be subject to the new or increased assessment by a mailing by name to those persons whose names and addresses appear on the last equalized county assessment roll or the State Board of Equalization assessment roll, as the case may be.

(2) The joint notice required by paragraph (1) of this subdivision shall include, but not be limited to, the following: (A) The estimated amount of the assessment per parcel. If the assessment is proposed to be increased from any previous year, the joint notice shall separately state both the amount of the existing assessment and the proposed assessment increase.

(B) A general description of the purpose or improvements that the assessment will fund.

(C) The address to which property owners may mail a protest against the assessment.

(D) The phone number and address of an individual, office, or organization that interested persons may contact to receive additional information about the assessment.

(E) A statement that a majority protest will cause the assessment to be abandoned if the assessment act used to levy the assessment so provides. Notice must also state the percentage of protests required to trigger an election, if applicable.

(F) The dates, times, and locations of the public meeting and hearing described in subdivision (a).

(3) Notwithstanding paragraph (1), in the case of an assessment which is proposed exclusively for operation and maintenance expenses for an entire city, county, or district, or operation and maintenance assessments proposed to be levied on 50,000 parcels or more, notice may be provided pursuant to paragraph (1) of subdivision (b) and shall include the information required by paragraph (2) of subdivision (c).

(4) Notwithstanding paragraph (1), in the case of an assessment proposed to be levied pursuant to Part 2 (commencing with Section 22500) of Division 2 of the Streets and Highways Code by a regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5 of, or pursuant to Division 26 (commencing with Section 35100) of, the Public Resources Code, notice may be provided pursuant to paragraph (1) of subdivision (b).

(d) The notice requirements imposed by this section shall be construed as additional to, and not to supersede, existing provisions of law, and shall be applied concurrently with the existing provisions so as to not delay or prolong the governmental decision-making process.

(e) This section shall not apply to any new or increased general tax or any new or increased assessment that requires an election of either of the following:

(1) The property owners subject to the assessment.

(2) The voters within the city, county, special district, or joint powers authority imposing the tax or assessment.

(f) Nothing in this section shall prohibit a local agency from holding a consolidated meeting or hearing at which the legislative body discusses multiple tax or assessment proposals.

(g) The local agency may recover the reasonable costs of public meetings, public hearings, and notice required by this section from the proceeds of the tax or assessment. The costs recovered for these purposes, whether recovered pursuant to this subdivision or any other provision of law, shall not exceed the reasonable costs of the public meetings, public hearings, and notice.

54955. Adjournment

The legislative body of a local agency may adjourn any regular, adjourned regular, special or

adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting the clerk or secretary of the legislative body may declare the meeting adjourned to a stated time and place and he shall cause a written notice of the adjournment to be given in the same manner as provided in Section 54956 for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings by ordinance, resolution, by law, or other rule.

54955.1. Continuance

Any hearing being held, or noticed or ordered to be held, by a legislative body of a local agency at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the legislative body in the same manner and to the same extent set forth in Section 54955 for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

Emergency meetings In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, a legislative body may hold an emergency meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 54956 or both of the notice and posting requirements.

For purposes of this section, "emergency situation" means any of the following:

- (a) Work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.
- (b) Crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body. However, each local newspaper of general circulation and radio or television station which has requested notice of special meetings pursuant to Section 54956 shall be notified by the presiding officer of the legislative body, or designee thereof, one hour prior to the emergency meeting by telephone and all telephone numbers provided in the most recent request of such newspaper or station for notification of special meetings shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the legislative body, or designee of the legislative body, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting, and any action taken at the meeting as soon after the meeting as possible.

Notwithstanding Section 54957, the legislative body shall not meet in closed session during a meeting called pursuant to this section.

All special meeting requirements, as prescribed in Section 54956 shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

The minutes of a meeting called pursuant to this section, a list of persons who the presiding officer of the legislative body, or designee of the legislative body, notified or attempted to notify, a copy

of the roll call vote, and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

Fees

No fees may be charged by the legislative body of a local agency for carrying out any provision of this chapter, except as specifically authorized by this chapter.

Closed session; License application of rehabilitated criminal

Whenever a legislative body of a local agency determines that it is necessary to discuss and determine whether an applicant for a license or license renewal, who has a criminal record, is sufficiently rehabilitated to obtain the license, the legislative body may hold a closed session with the applicant and the applicant's attorney, if any, for the purpose of holding the discussion and making the determination. If the legislative body determines, as a result of the closed session, that the issuance or renewal of the license should be denied, the applicant shall be offered the opportunity to withdraw the application. If the applicant withdraws the application, no record shall be kept of the discussions or decisions made at the closed session and all matters relating to the closed session shall be confidential. If the applicant does not withdraw the application, the legislative body shall take action at the public meeting during which the closed session is held or at its next public meeting denying the application for the license but all matters relating to the closed session are confidential and shall not be disclosed without the consent of the applicant, except in an action by an applicant who has been denied a license challenging the denial of the license.

Closed session; Real estate negotiations

Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease. However, prior to the closed session, the legislative body of the local agency shall hold an open and public session in which it identifies the real property or real properties which the negotiations may concern and the person or persons with whom its negotiator may negotiate.

For the purpose of this section, the negotiator may be a member of the legislative body of the local agency.

For purposes of this section, "lease" includes renewal or renegotiation of a lease. Nothing in this section shall preclude a local agency from holding a closed session for discussions regarding eminent domain proceedings pursuant to Section 54956.9.

Closed session pending litigation

Nothing in this chapter shall be construed to prevent a legislative body of a local agency, based on advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation.

For purposes of this chapter, all expressions of the lawyer-client privilege other than those provided in this section are hereby abrogated. This section is the exclusive expression of the lawyer-client privilege for purposes of conducting closed-session meetings pursuant to this

chapter.

For purposes of this section, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

For purposes of this section, litigation shall be considered pending when any of the following circumstances exist:

(a) Litigation, to which the local agency is a party, has been initiated formally.

(b) (1) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

(2) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (1) of this subdivision.

(3) For purposes of paragraphs (1) and (2), "existing facts and circumstances" shall consist only of one of the following:

(A) Facts and circumstances that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed

(B) Facts and circumstances, including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs, which facts or circumstances shall be publicly stated on the agenda or announced.

(C) The receipt of a claim pursuant to the Tort Claims Act or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.

(D) A statement made by a person in an open and public meeting threatening litigation on a specific matter within the responsibility of the legislative body.

(E) A statement threatening litigation made by a person outside an open and public meeting on a specific matter within the responsibility of the legislative body so long as the official or employee of the local agency receiving knowledge of the threat makes a contemporaneous or other record of the statement prior to the meeting, which record shall be available for public inspection pursuant to Section 54957.5. The records so created need not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on their behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed.

(F) Nothing in this section shall require disclosure of written communications that are privileged and not subject to disclosure pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

(c) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

Prior to holding a closed session pursuant to this section, the legislative body of the local agency shall state on the agenda or publicly announce the subdivision of this section that authorizes the closed session. If the session is closed pursuant to subdivision (a), the body shall state the title of or otherwise specifically identify the litigation to be discussed, unless the body states that to do so would jeopardize the agency's ability to effectuate service of process upon one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

A local agency shall be considered to be a "party" or to have a "significant exposure to litigation"

if an officer or employee of the local agency is a party or has a significant exposure to litigation concerning prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation in which it is an issue whether an activity is outside the course and scope of the office or employment.

54956.95. Closed session; Insurance liability

(a) Nothing in this chapter shall be construed to prevent a joint powers agency formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, for purposes of insurance pooling, or a local agency member of the joint powers agency, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the joint powers agency or a local agency member of the joint powers agency.

(b) Nothing in this chapter shall be construed to prevent the Local Agency Self-Insurance Authority formed pursuant to Chapter 5.5 (commencing with Section 6599.01) of Division 7 of Title 1, or a local agency member of the authority, from holding a closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the authority or a local agency member of the authority.

(c) Nothing in this section shall be construed to affect Section 54956.9 with respect to any other local agency.

54957. Closed session; Personnel and threat to public security

Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding closed sessions with the Attorney General, district attorney, sheriff, or chief of police, or their respective deputies, on matters posing a threat to the security of public buildings or a threat to the public's right of access to public services or public facilities, or from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of his or her right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

The legislative body also may exclude from the public or closed meeting, during the examination of a witness, any or all other witnesses in the matter being investigated by the legislative body. For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee but shall not include any elected official, member of a legislative body or other independent contractors. Nothing in this section shall limit local officials' ability to hold closed session meetings pursuant to Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code. Closed sessions held pursuant to this section shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline.

Report at conclusion of closed session

(a) The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention of every member present thereon, as follows:

(1) Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported after the agreement is final, as specified below:

(A) If its own approval renders the agreement final, the body shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with the other party to the negotiations, the local agency shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the local agency of its approval.

(2) Approval given to its legal counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation as the result of a consultation under Section

54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify, if known, the adverse party or parties and the substance of the litigation. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the action, the defendants, and other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(3) Approval given to its legal counsel of a settlement of pending litigation, as defined in Section 54956.9, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as specified below:

(A) If the legislative body accepts a settlement offer signed by the opposing party, the body shall report its acceptance and identify the substance of the agreement in open session at the public meeting during which the closed session is held.

(B) If final approval rests with some other party to the litigation or with the court, then as soon as the settlement becomes final, and upon inquiry by any person, the local agency shall disclose the fact of that approval, and identify the substance of the agreement.

(4) Disposition reached as to claims discussed in closed session pursuant to Section 54956.95 shall be reported as soon as reached in a manner that identifies the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held. Any report required by this paragraph shall identify the title of the position. The general requirement of this paragraph notwithstanding, the report of the dismissal or of the nonrenewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

(6) Approval of an agreement concluding labor negotiations with represented employees pursuant to Section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

- (b) Reports that are required to be made pursuant to this section may be made orally or in writing. The legislative body shall provide to any person who has submitted a written request to the legislative body within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally approved or adopted in the closed session. If the action taken results in one or more substantive amendments to the related documents requiring retyping, the documents need not be released until the retyping is completed during normal business hours, provided that the presiding officer of the legislative body or his or her designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.
- (c) The documentation referred to in paragraph (b) shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete.
- (d) Nothing in this section shall be construed to require that the legislative body approve actions not otherwise subject to legislative body approval.
- (e) No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section.
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Minutes of closed session

- (a) The legislative body of a local agency may, by ordinance or resolution, designate a clerk or other officer or employee of the local agency who shall then attend each closed session of the legislative body and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), and shall be kept confidential. The minute book shall be available only to members of the legislative body or, if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction wherein the local agency lies. Such minute book may, but need not, consist of a recording of the closed session.
- (b) An elected legislative body of a local agency may require that each legislative body all or a majority of whose members are appointed by or under the authority of the elected legislative body keep a minute book as prescribed under subdivision (a).
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Agendas and other materials; Public records

- (a) Notwithstanding Section 6255 or any other provisions of law, agendas of public meetings and any other writings, when distributed to all, or a majority of all, of the members of a legislative body of a local agency by any person in connection with a matter subject to discussion or consideration at a public meeting of the body, are disclosable public records under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), and shall be made available upon request without delay. However, this section shall not include any writing exempt from public disclosure under Section 6253.5, 6254, or 6254.7.
- (b) Writings which are public records under subdivision (a) and which are distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the local agency or a member of its legislative body, or after the meeting if prepared by some other person.
- (c) Nothing in this chapter shall be construed to prevent the legislative body of a local agency from charging a fee or deposit for a copy of a public record pursuant to Section 6257.

(d) This section shall not be construed to limit or delay the public's right to inspect any record required to be disclosed under the requirements of the California Public Records Act (Chapter 3.5 (commencing with Section 6250), Division 7, Title 1). Nothing in this chapter shall be construed to require a legislative body of a local agency to place any paid advertisement or any other paid notice in any publication.

Closed session; Labor negotiations

(a) Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily-provided scope of representation. Closed sessions of a legislative body of a local agency, as permitted in this section, shall be for the purpose of reviewing its position and instructing the local agency's designated representatives. Closed sessions, as permitted in this section, may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees. Closed sessions with the local agency's designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative. Closed sessions held pursuant to this section shall not include final action on the proposed compensation of one or more unrepresented employees.

For the purposes enumerated in this section, a legislative body of a local agency may also meet with a state conciliator who has intervened in the proceedings.

(b) For the purposes of this section, the term "employee" shall include an officer or an independent contractor who functions as an officer or an employee, but shall not include any elected official, member of a legislative body, or other independent contractors.

Announcement prior to closed sessions

(a) Prior to holding any closed session, the legislative body of the local agency shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the legislative body may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.

(b) After any closed session, the legislative body shall reconvene into open session prior to adjournment and shall make any disclosures required by Section 54957.1 of action taken in the closed session.

(c) The announcements required to be made in open session pursuant to this section may be made at the location announced in the agenda for the closed session, as long as the public is allowed to be present at that location for the purpose of hearing the announcements.

Closed session; Multijurisdictional drug enforcement agency

Nothing contained in this chapter shall be construed to prevent the legislative body of a multijurisdictional drug law enforcement agency, or an advisory body of a multijurisdictional drug law enforcement agency, from holding closed sessions to discuss the case records of any ongoing criminal investigation of the multijurisdictional drug law enforcement agency or of any party to

the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases. "Multijurisdictional drug law enforcement agency," for purposes of this section, means a joint powers entity formed pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1, which provides drug law enforcement services for the parties to the joint powers agreement. The Legislature finds and declares that this section is within the public interest, in that its provisions are necessary to prevent the impairment of ongoing law enforcement investigations, to protect witnesses and informants, and to permit the discussion of effective courses of action in particular cases.

Disruption of meeting

In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

54958. Act supersedes conflicting laws

The provisions of this chapter shall apply to the legislative body of every local agency notwithstanding the conflicting provisions of any other state law.

54959. Violation of Act; Criminal penalty

Each member of a legislative body who attends a meeting of that legislative body where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor.

54960. Violation of Act; Civil remedies

(a) The district attorney or any interested person may commence an action by mandamus, injunction or declaratory relief for the purpose of stopping or preventing violations or threatened violations of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to actions or threatened future action of the legislative body, or to determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to tape record its closed sessions as hereinafter provided.

(b) The court in its discretion may, upon a judgment of a violation of Section 54956.7, 54956.8, 54956.9, 54956.95, 54957, or 54957.6, order the legislative body to tape record its closed sessions and preserve the tape recordings for the period and under the terms of security and confidentiality the court deems appropriate.

(c) (1) Each recording so kept shall be immediately labeled with the date of the closed session recorded and the title of the clerk or other officer who shall be custodian of the recording.

(2) The tapes shall be subject to the following discovery procedures:

(A) In any case in which discovery or disclosure of the tape is sought by either the district attorney or the plaintiff in a civil action pursuant to Section 54959, 54960, or 54960.1 alleging that a violation of this chapter has occurred in a closed session which has been recorded pursuant to this section, the party seeking discovery or disclosure shall file a written notice of motion with the appropriate court with notice to the governmental agency which has custody and control of the tape recording. The notice shall be given pursuant to subdivision (b) of Section 1005 of the Code of Civil Procedure.

(B) The notice shall include, in addition to the items required by Section 1010 of the Code of Civil Procedure, all of the following:

(i) Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the date and time of the meeting recorded, and the governmental agency which has custody and control of the recording.

(ii) An affidavit which contains specific facts indicating that a violation of the act occurred in the closed session.

(3) If the court, following a review of the motion, finds that there is good cause to believe that a violation has occurred, the court may review, in camera, the recording of that portion of the closed session alleged to have violated the act.

(4) If, following the in camera review, the court concludes that disclosure of a portion of the recording would be likely to materially assist in the resolution of the litigation alleging violation of this chapter, the court shall, in its discretion, make a certified transcript of the portion of the recording a public exhibit in the proceeding.

(5) Nothing in this section shall permit discovery of communications which are protected by the attorney client privilege.

54960.1. Violation of Act; Actions declared null and void

(a) The district attorney or any interested person may commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that an action taken by a legislative body of a local agency in violation of Section 54953, 54954.2, 54954.5, 54954.6, or 54956 is null and void under this section.

Nothing in this chapter shall be construed to prevent a legislative body from curing or correcting an action challenged pursuant to this section.

(b) Prior to any action being commenced pursuant to subdivision (a), the district attorney or interested person shall make a demand of the legislative body to cure or correct the action alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, or 54956. The demand shall be in writing and clearly describe the challenged action of the legislative body and nature of the alleged violation.

(c) (1) The written demand shall be made within 90 days from the date the action was taken unless the action was taken in an open session but in violation of Section 54954.2, in which case the written demand shall be made within 30 days from the date the action was taken.

(2) Within 30 days of receipt of the demand, the legislative body shall cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct or inform the demanding party in writing of its decision not to cure or correct the challenged action.

(3) If the legislative body takes no action within the 30-day period, the inaction shall be deemed a decision not to cure or correct the challenged action, and the 15-day period to commence the action described in subdivision (a) shall commence to run the day after the 30-day period to cure or correct expires.

(4) Within 15 days of receipt of the written notice of the legislative body's decision to cure or correct, or not to cure or correct, or within 15 days of the expiration of the 30-day period to cure or correct, whichever is earlier, the demanding party shall be required to commence the action pursuant to subdivision (a) or thereafter be barred from commencing the action.

(d) An action taken that is alleged to have been taken in violation of Section 54953, 54954.2, 54954.5, 54954.6, or 54956 shall not be determined to be null and void if any of the following conditions exist:

(1) The action taken was in substantial compliance with Sections 54953, 54954.2, 54954.5, 54954.6, or 54956.

(2) The action taken was in connection with the sale or issuance of notes, bonds, or other evidences of indebtedness or any contract, instrument, or agreement thereto.

(3) The action taken gave rise to a contractual obligation, including a contract let by competitive bid other than compensation for services in the form of salary or fees for professional services, upon which a party has, in good faith and without notice of a challenge to the validity of the action, detrimentally relied.

(4) The action taken was in connection with the collection of any tax.

(5) Any person, city, city and county, county, district, or any agency or subdivision of the state alleging noncompliance with subdivision (a) of Section 54954.2, Section 54956, or Section 54956.5, because of any defect, error, irregularity, or omission in the notice given pursuant to those provisions, had actual notice of the item of business at least 72 hours prior to the meeting at which the action was taken, if the meeting was noticed pursuant to Section 54954.2, or 24 hours prior to the meeting at which the action was taken if the meeting was noticed pursuant to Section 54956, or prior to the meeting at which the action was taken if the meeting is held pursuant to Section 54956.5.

(e) During any action seeking a judicial determination pursuant to subdivision (a) if the court determines, pursuant to a showing by the legislative body that an action alleged to have been taken in violation of

Section 54953, 54954.2, 54954.5, 54954.6, or 54956 has been cured or corrected by a subsequent action of the legislative body, the action filed pursuant to subdivision (a) shall be dismissed with prejudice.

(f) The fact that a legislative body takes a subsequent action to cure or correct an action taken pursuant to this section shall not be construed or admissible as evidence of a violation of this chapter

54960.5. Costs and attorney fees

A court may award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to Section 54960 or 54960.1 where it is found that a legislative body of the local agency has violated this chapter. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.

A court may award court costs and reasonable attorney fees to a defendant in any action brought pursuant to Section 54960 or 54960.1 where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit.

54961. Discrimination; Disabled access; Fees for attendance; Disclosure of victims

(a) No legislative body of a local agency shall conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of race, religious creed, color, national

origin, ancestry, or sex, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase. This section shall apply to every local agency as defined in Section 54951.

(b) No notice, agenda, announcement, or report required under this chapter need identify any victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.

54962. Closed session; Express authorization required

Except as expressly authorized by this chapter, or by Sections 1461, 32106, and 32155 of the Health and Safety Code or Sections 37606 and 37624.3 of the Government Code as they apply to hospitals, or by any provision of the Education Code pertaining to school districts and community college districts, no closed session may be held by any legislative body of any local agency.