

College Council: Policy and Procedure Review

4-10-2025

BP 2110 Vacancies on the Board – The Board Policy Review Committee (BPRC) discussed appointments with provisional terms and election cycles. The committee added language to reflect that any trustee vacancy is “by area”.

BP 2200 Board Duties and Responsibilities - The BPRC added language to reflect the duty to complete mandated training required of trustees.

BP 2220 Committees of the Board - The BPRC recommends removing the Sustainability Committee from the list of standing committees within the policy if the trustees agree to terminate the standing committee. If the board agrees to discontinue the Sustainability Committee during the first read of the policy at the April board meeting, trustees will be asked to act on the item formally and to separately approve the second read action item for the revised policy.

BP 2315 Closed Sessions - The BPRC added “or anticipated” litigation language to the policy. General Counsel verified this is appropriate and referenced in the Brown Act.

BP 2330 Decorum/Conduct - The BPRC recommended adding language that allows the Board chair to adjourn a meeting if the order of the meeting cannot be restored and/or an individual or individuals cause a disturbance that creates an unsafe environment for the meeting members and/or attendees. The policy should reflect the process where the actions to recess or adjourn a board meeting align with the escalation of misconduct at such a meeting.

BP 2365 Recording - The BPRC recommends adding language about the destruction of the recording to state that recordings will be deleted after 60 days and once board meeting minutes are approved and that the meeting minutes shall be the official record of the meeting. Reference to *BP 2360 Minutes* was added to this policy.

BP 2745 Board-Self Evaluation - The BPRC added “sustainability” to its performance goals and objectives list.

AP 5020 Non-Resident Tuition - CCLC 45 updated this procedure to align with changes to the Education Code and revised Title 5 regulations. Additional substantive changes by staff as noted.

AP 6570 Integrated Pest Management - Added the UC IPM project reference so that it aligns with the board policy *BP 6570 Integrated Pest Management* citation at the request of a trustee.

The below-listed Chapter 2 Board Policies were reviewed and revised with minor non-substantive changes, if any, and will be updated online without going through the participatory review process as part of the 6-year cycle of review:

- BP 2000 Board Title and Authority
- BP 2010 Board Membership
- BP 2100 Board Elections
- BP 2105 Election of Student Trustee
- BP 2210 Officers

- BP 2305 Annual Organizational Meeting
- BP 2310 Regular Meetings of the Board
- BP 2320 Special and Emergency Meetings
- BP 2330 Quorum and Voting
- BP 2340 Agendas
- BP 2345 Public Participation At Board Meetings
- BP 2350 Speakers
- BP 2360 Minutes
- BP 2430 Delegation of Authority to President
- BP 2431 Superintendent-President Selection
- BP 2435 Evaluation of the Superintendent-President
- BP 2610 Presentation of Initial Collective Bargaining Proposals
- BP 2710 Conflict of Interest
- BP 2716 Political Activity
- BP 2717 Personal Use of Public Resources
- BP 2720 Communications Among Board Members
- BP 2725 Bd Member Compensation
- BP 2730 Bd Member Health Benefits
- BP 2735 Board Member Travel
- BP 2750 Board Member Absence from the State
- BP 2800 Naming of Buildings and Facilities

For current Board Policies and Administrative Procedures that are posted online please see [Policies & Procedures](#).

Board of Trustees

Due for review as regular cycle of review, no legal updates. The Board Policy Review Committee recommends adding “by area” election language for clarity. 3-19-2025

BP 2110 VACANCIES ON THE BOARD**References:**

Education Code Sections 5090 et seq.;
Government Code Section 1770

Vacancies on the Board of Trustees may be caused by any of the events specified in Government Code Section 1770, or any applicable provision in the Elections Code, or by a failure to elect. Resignations from the Board of Trustees shall be governed by Education Code Section 5090.

Within 60 days of the vacancy or filing of a deferred resignation, the Board of Trustees shall either order an election or make a provisional appointment to fill the vacancy of that area.

If an election is ordered, it shall be held on the next regular election date not less than 130 days after the occurrence of the area vacancy.

If a provisional appointment is made, it shall be subject to the conditions in Education Code Section 5091. The person appointed to the position of the area vacancy shall hold office only until the next regularly scheduled election for Board of Trustee members, when the election shall be held to fill the vacancy for the remainder of the unexpired term.

The provisional appointment for the election area vacancy will be made by a majority public vote of the Board members at a public meeting.

The Superintendent/President shall establish administrative procedures to solicit applications that assure ample publicity to and information for prospective candidates. The Board of Trustees will determine the schedule and appointment process, which may include interviews at a public meeting.

Date Adopted: July 21, 2009 (*Replaced College of Marin Policy 1.2040*)

Date Reviewed: May 16, 2017; May 16, 2023

Date Reviewed:

Board of Trustees

Due for review as regular cycle of review, no legal updates. This policy is **suggested as good practice**. Board duties and responsibilities are also reflected throughout the Board Policy templates and are addressed in BP 2715 Code of Ethics/Standards of Practice.

The Board Policy Review Committee recommends adding mandated training as part of the duties and responsibilities listed. 3-19-2025

BP 2200 BOARD DUTIES AND RESPONSIBILITIES**References:**

Education Code Section 70902;
ACCJC Accreditation Standard 4

The Board of Trustees governs on behalf of the citizens of the Marin Community College District in accordance with the authority granted and duties defined in Education Code Section 70902.

The Board is committed to fulfilling its responsibilities to:

- Represent the public interest, including but not limited to:
 - Establishing policies that define the institutional mission and ensure the District operates in an anti-racist manner;
 - Setting prudent, ethical, and legal standards for District operations; and
 - Assuring the Board is open, accessible, and welcoming.
- Hire and evaluate the Superintendent/President;
- Delegate power and authority to the Superintendent/President to effectively lead the District;
- Assure fiscal health and stability;
- Monitor institutional performance and institutional quality; **and**
- Advocate for and protect the District; **and**
- Mandated training within the period required by law including but not limited to sexual harassment prevention training, equal employment opportunity training, and ethics training.

See also BP 2740 Board Education

Date Adopted: July 21, 2009 *(Replaced current College of Marin Policy 1.2080)*

Date Revised/Reviewed: May 16, 2017; November 9, 2021

Date Revised:

Board of Trustees

Due for review as regular cycle of review, no legal updates. The Board Policy Review Committee recommends that the Board formally acts to sunset the Sustainability Committee, and remove it from this policy as a standing committee. 3-19-2025

BP 2220 COMMITTEES OF THE BOARD**Reference:**

Government Code Section 54952

The Board of Trustees may by action establish committees that it determines are necessary to assist the Board in its responsibilities. Any standing committee established by Board action shall comply with the requirements of the Brown Act and with these policies regarding open meetings.

Board committees that are composed solely of less than a quorum of members of the Board of Trustees that are advisory are not required to comply with the Brown Act, or with these policies regarding open meetings, unless they are standing committees.

Board committees that are only advisory have no authority or power to act on behalf of the Board of Trustees. Findings or recommendations shall be reported to the Board of Trustees for consideration.

The Board of Trustees has established the following standing committees:

- **Board of Trustees Self-Evaluation Committee:** This standing committee is charged with conducting the annual Board Evaluation Survey and develops recommendations for the Board to become more efficient and effective. (Also see BP 2745 titled Board Self-Evaluation)
- **Superintendent/President Evaluation Committee:** This standing committee is charged with conducting the annual evaluation of the Superintendent/President. (Also see BP 2435 titled Evaluation of the Superintendent/President)
- **Policy Review Committee:** This standing committee is charged with reviewing and revising Board Policies and Administrative Procedures relating to the operation of the Board of Trustees as a whole.
- ~~**Sustainability Committee:** This standing committee is charged with the development and monitoring of the sustainability initiatives.~~

Date Adopted: September 21, 2010 *(Replaced College of Marin Policies 1.4010, 1.4020, and 1.4030)*

Date Revised: November 17, 2020; November 9, 2021

Date Reviewed:

Board of Trustees

Recently reviewed as regular cycle of review, but aligning with Chapter 2 review cycle.
The Board Policy Review Committee added “or anticipated” litigation as a permissible category to closed session items, pursuant to the Brown Act. 3-19-2025

BP 2315 CLOSED SESSIONS**References:**

Education Code Section 72122;

Government Code Sections 54956.8, 54956.9, 54957, 54957.1, 54957.6, and 11125.4

Closed sessions of the Board of Trustees shall only be held as permitted by applicable legal provisions including but not limited to the Brown Act, California Government Code, and California Education Code. Matters discussed in closed session may include:

- the appointment, employment, evaluation of performance, discipline or dismissal of a public employee;
- charges or complaints brought against a public employee by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. The employee shall be given at least twenty-four (24) hours written notice of the closed session;
- advice of counsel on pending or anticipated litigation, as defined by law;
- consideration of tort liability claims as part of the District’s membership in any joint powers agency formed for purposes of insurance pooling;
- real property transactions;
- threats to public security;
- review of the District’s position regarding labor negotiations and giving instructions to the District’s designated negotiator;
- discussion of student disciplinary action, with final action taken in public;
- conferring of honorary degrees;
- consideration of gifts from a donor who wishes to remain anonymous; and/or
- to consider its response to a confidential final draft audit report from the Bureau of State Audits.

The agenda for each regular or special meeting shall contain information regarding whether a closed session will be held and shall identify the topics to be discussed in any closed session in the manner required by law.

After any closed session, the Board of Trustees shall reconvene in open session before adjourning and shall announce any actions taken in closed session and the vote or abstention of every member present.

All matters discussed or disclosed during a lawfully held closed session and all notes, minutes, records or recordings made of such a closed session are confidential and shall remain confidential unless and until required to be disclosed by action of the Board of Trustees or by law.

If any person requests an opportunity to present complaints to the Board about a specific employee, such complaints shall first be presented to the Superintendent/President. Notice shall be given to the

employee against whom the charges or complaints are directed. If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Board of Trustees. The employee shall be given at least twenty-four (24) hours written notice of the closed session, and shall be given the opportunity to request that the complaints be heard in an open meeting of the Board.

Also see BP 2715 Code of Ethics/Standards of Practice

Date Adopted: June 9, 2009 (*Replaced College of Marin Policies 1.5060 and 1.2050*)

Dates Reviewed/Revised: November 18, 2014; December 11, 2018; November 19, 2024

Date Reviewed:

Board of Trustees

Due for review as regular cycle of review, no language updates. References updated. The Board Policy Review Committee recommends language to allow the Board Chair to adjourn any meeting where a disruption causes a security issue or a physical threat. 3-19-2025

BP 2355 DECORUM/CONDUCT

References:

Education Code Section 72121.5;
Government Code Section 54954.3(b), 54957.9, and 54957.95

The following will be ruled out of order by the presiding officer:

- Disrupting, disturbing, or otherwise impeding the orderly conduct of the meeting.
- Physical violence or threats of physical violence directed toward-any person or property.

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person may be removed from the meeting room.

A warning and a request that the person curtail the disruptive activity will be made by the presiding officer. If the behavior continues, the person may be removed by a vote of the Board of Trustees, based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

Speakers who engage in such conduct may be removed from the podium and denied the opportunity to speak to the Board of Trustees for the duration of the meeting.

If order cannot be restored by the removal in accordance with these rules of individuals who are willfully interrupting the meeting, the presiding officer may order the meeting room cleared and may continue in 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 rule.

The Board Chair may adjourn a meeting before the full agenda is complete if a disruption is severe enough to cause a reasonable concern for the safety or the security of the board members, staff, and/or meeting participants and attendees.

In all matters of procedure not otherwise indicated, Robert's Rules of Order, Revised, governs.

Also see BP 2350 Speakers

Date Adopted: July 21, 2009

Reviewed/Revised: June 20, 2017; December 15, 2020

Reviewed/Revised:

Board of Trustees

Recently revised as the regular cycle of review, but aligning with Chapter 2 review cycle. The Board Policy Review Committee included language about the permissible destruction of any recordings made of a meeting. Recordings of meetings are not required by law. 3-19-2025

BP 2365 RECORDING**References:**

Education Code Section 72121(a);
Government Code Sections 7920.000 et. seq., 54953.5 and 54953.6

Any audio or video recording of an open and public Board meeting made by or at the direction of the Board, shall be subject to inspection by members of the public in accordance with the California Public Records Act, Government Code Sections 7920.000 et seq. The Superintendent/ President shall ensure that any such recordings are maintained for at least sixty (60) days following the taping or recording.

Once the Board of Trustees formally acts to approve meeting minutes, and sixty (60) days have passed, that Board meeting recording may be destroyed.

Persons attending an open and public meeting of the Board of Trustees may, at their own expense, record the proceedings with an audio or video tape recording or a still or motion picture camera or may broadcast the proceedings. However, if the Board of Trustees finds by a majority vote that the recording or broadcast cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a persistent disruption of the proceedings, any such person shall be directed by the President of the Board to stop.

Also see BP 2360 Minutes

Date Adopted: January 19, 2010 (*Replaced College of Marin Policy 1.5330*)

Date Reviewed/Revised: March 19, 2013; November 13, 2018; October 17, 2023

Date Revised:

Board of Trustees

Due for review as regular cycle of review, no legal updates. The Board Policy Review Committee recommends adding “sustainability” to its performance goals and objectives. 3-19-2025

BP 2745 BOARD SELF-EVALUATION**References:**

ACCJC Accreditation Standard 4

The Board of Trustees is committed to annually assessing its own performance as a Board in order to identify its strengths and areas in which it may improve its functioning.

To that end, the Board of Trustees has established the following processes:

A committee of the Board shall be appointed at the annual organizational meeting in December to determine the instrument or process to be used in Board self-evaluation. Any evaluation instrument shall incorporate criteria contained in these Board policies regarding Board operations, as well as criteria defining Board effectiveness promulgated by recognized practitioners in the field.

The criteria for the Board’s self-evaluation also shall include performance goals and objectives related to the District’s and the Board’s commitment to sustainability, anti-racism, diversity, equity, and inclusion.

The process and the instrument for evaluation shall be recommended to and approved by the Board of Trustees.

All Board members will be asked to complete the evaluation instrument and submit them to the Board Committee on Self-Evaluation.

A summary of the evaluations will be presented and discussed at a regular meeting of the Board. The results will be used to identify accomplishments in the past year, areas of improvement, and goals and objectives for the following year.

Date Adopted: April 20, 2010

Date Reviewed/Revised: November 14, 2017; November 9, 2021; October 1, 2024 (cite only)

Date Revised:

Student Services

CCLC 45 updated this procedure to align with changes to the Education Code and revised Title 5 regulations. **This is a 10+1.** Mici 10-30-2024

No revisions. Tony/Fiscal 10-30-2024

Copy to Eresa/Administrative Services 10-30-2024

Changes as noted. Mia/General Counsel 3-10-2025

Approved without changes. Academic Senate 3-27-2025

AP 5020 NON-RESIDENT TUITION**References:**

Education Code Sections 68044, 68075.65, 68130, 68130.5 and 76140 et seq.;
Title 5 Section 54045.5

Exemptions to the non-resident tuition fee requirements include any students, other ~~than non-immigrant aliens persons excluded from the term "immigrant" for purposes of the federal Immigration and Nationality Act under~~ (8 U.S. Code Section 1101(a)(15)), who meet the following requirements:

- either high school attendance in California for three or more years **OR** attainment of credits earned in California from a California high school equivalent to three or more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or combination of those schools;
- graduation from a California high school or attainment of the equivalent thereof;
- registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
- filing a California Nonresident Tuition Exemption Request form with the District or in the case of students applying for state-based financial aid, by filing a California Dream Act Application (CADAA) with the California Student Aid Commission ~~completion of a questionnaire form prescribed by the State Chancellor's Office~~ verifying eligibility for this non-resident tuition exemption; and
- in the case of ~~a student without lawful immigration status~~ undocumented persons, the filing of an affidavit that the student has filed an application to legalize his/her/their immigration status, or will file an application as soon as he/she/they is eligible to do so.

Exemptions to the non-resident tuition fee requirements include any students who meet the following requirements:

- demonstrates financial need;
- has a parent who has been deported or was permitted to depart voluntarily;
- moved abroad as a result of that deportation or voluntary departure;
- lived in California immediately before moving abroad;
- attended a public or private secondary school in the state for three or more years; and
- upon enrollment, will be in his/her/their first academic year as a matriculated student in California, and will file an affidavit with the District stating that he/she/they intend(s) to establish residency in California as soon as possible.

Exemptions to the non-resident tuition fee requirements include any ~~nonimmigrant aliens~~ persons granted “T” or “U” visa status under title 8. U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)(U)(i) or (ii) respectively, who meet the following requirements:

- high school attendance in California for three or more years;
- graduation from a California high school or attainment of the equivalent thereof;
- registration or enrollment in a course offered for any term or commencing on or after January 1, 2002; and
- filing a California Nonresident Tuition Exemption Request form with the District or in the case of students applying for state-based financial aid, by filing a California Dream Act Application (CADAA) with the California Student Aid Commission ~~completion of a questionnaire form prescribed by the State Chancellor’s Office~~ verifying eligibility for this nonresident tuition exemption.

~~Pursuant to the District’s authority under Education Code Section 76140(a)(1) and other applicable law, exemptions to the non-resident tuition fee requirements include any students with no immigration legal status in the United States, either because they entered the U.S. without legal status or because they have fallen out of a legal status since their arrival in the U.S., who meet the following requirements:~~

- ~~• enroll in six (6) or fewer units per term;~~
- ~~• have a permanent address in California;~~
- ~~• do not claim residency in another state; and~~
- ~~• complete the required exemption form prior to enrollment.~~

Exemptions to the non-resident tuition fee requirements include a special part-time student, other than a person excluded from the term “immigrant” for purposes of the federal Immigration and Nationality Act ~~non-immigrant alien~~ under 8. U.S. Code Section 1101(15)(a), participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term.

Exemptions to the non-resident tuition fee requirements include any nonresident student who enrolls in a credit English as a Second Language course at the District and who is any of the following:

- A recent immigrant, as defined in 8 U.S. Code Section 1101(a)(15);
- A recent refugee, as defined in 8 U.S. Code Section 1101(a)(42); or
- A person who has been granted asylum by the United States, as defined in 8 U.S. Code Section 1158.
- This exemption applies only to individuals who, upon entering the United States, settled in California and who have resided in California for less than one year. This exemption applies only to the tuition fee for credit ESL courses.

~~Pursuant to the District’s authority under Education Code Section 76140(a)(1) and other applicable law, exemptions to the non-resident tuition fee requirements include any students with no immigration legal status in the United States, either because they entered the U.S. without legal status or because they have fallen out of a legal status since their arrival in the U.S., who meet the following requirements:~~

- ~~• enroll in six (6) or fewer units per term;~~
- ~~• have a permanent address in California;~~
- ~~• do not claim residency in another state; and~~
- ~~• complete the required exemption form prior to enrollment.~~

Pursuant to the District's authority under Education Code Section 76140(a)(2) and other applicable law, exemptions to the non-resident tuition fee requirements include any student who: 1) is both a citizen and a resident of a foreign country; and 2) has demonstrated financial need. This exemption may be made on an individual basis and applies to no more than 10% of the nonresident foreign students attending the District.

Non-resident tuition fees will be approved by the Board of Trustees no later than March 1 of each year.

Education Code Section 76140 specifies seven options for a district to choose in setting its nonresident tuition fee.

Pursuant to Education Code Section 76141, a district may also charge a capital outlay fee to nonresident students, other than those with exemptions pursuant to Assembly Bill 540.

Full refunds of non-resident tuition fees will be granted through 14 calendar days of a full semester and ten percent of the length of the course for short-term classes and summer term classes.

The District shall post on its website a notice listing criteria for exemptions from paying nonresident tuition.

Office of Primary Responsibility: Administrative Services Finance and Operations; Enrollment Services

Date Approved: September 3, 2009

Reviewed/Revised: January 15, 2013; November 17, 2020; May 17, 2022; November 14, 2023

Revised:

Business and Fiscal Affairs

AP 6570 INTEGRATED PEST MANAGEMENT**References:**

US Green Building Council, Leadership in Energy and Environmental Design (LEED) Rating System for Existing Buildings (EB), Credit EQ-10.4/10.5

[University of California Agriculture & Natural Resources Statewide Integrated Pest Management Program \(UC IPM\)](#)

Pests and weeds will be controlled to protect the health and safety of faculty, students and staff and to maintain the integrity of college buildings and grounds. Control procedures will focus on long-term pest prevention and give non-chemical methods first consideration when selecting appropriate control techniques. The full range of alternatives will be considered, giving preference to non-chemical use, and then chemicals that pose the least possible hazard to people and the environment.

Maintenance practices for integrated pest management will contain at least the following elements:

- A. Monitoring to determine pest population levels and identify decisions and practices that could affect pest populations.
- B. Setting of injury and action levels to determine when vegetation or a pest population at a specific site cause(s) unacceptable economic or medical damage wherein corrective action should be taken.
- C. Modification of pest habitats to deter pest populations and minimize pest infestations.
- D. Consideration of a range of potential treatments for the pest problem, including physical, horticultural and biological methods of pest control, using synthetic chemical controls only as a last resort and only those chemicals that pose the least possible hazard to people and the environment.

Office of Primary Responsibility: [Finance and Operations](#)

Date Approved: December 9, 2008

Date Reviewed: