

CHAPTER 1: Board of Trustees
BOARD POLICY NO. 1.35 (BP 2717, 2720, and 2745)

BOARD POLICY
San Mateo County Community College District

Subject: BP 1.35 Board Member Conduct
Revision Date: 3/12; 3/15
Policy References: Government Code Sections 8314 and 54952.2; Penal Code Section 424;
ACCJC Accreditation Standard IV.C.10

1. Board members shall:
 - a. Be bound by approved Board policies.
 - b. Work and communicate through appropriate channels of authority and responsibility.
 - c. Notify the President of the Board or the Secretary for the Board of an expected absence from a Board meeting.
 - d. Not use or permit others to use public resources, except that which is incidental and minimal, for personal purposes or any other purpose not authorized by law.
2. A majority of the members of the Board shall not communicate among themselves outside a regularly scheduled meeting by using a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the Board. This policy shall not be construed as preventing an employee or official of the District or a member of the public from engaging in separate conversations or communications with members of the Board outside of a meeting in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the Board, if that person does not communicate to members of the Board the comments or position of any other member or members of the Board.
3. As provided for in the law, written or oral background information supplied to Board members on matters to be discussed in closed session shall be kept confidential.
 - a. Board members shall not reveal the identity of individuals in attendance at closed sessions nor the nature or details of discussion at closed sessions.
 - b. Board members shall not initiate or entertain charges against individual employees at a public Board meeting. As provided by law, appropriate personnel matters shall be discussed by the Board in closed session.
4. Individual Board members shall not instruct staff to conduct investigations, prepare reports, or undertake extensive analysis of information. When information is requested by Board members, the following policy shall be observed:
 - a. It is the policy of the Board that there be no restraints placed upon District employees in providing routine public information except as restricted by statutes.

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- b. If the Board member request is for public information which exists in the form requested, it will be complied with as soon as possible.
 - c. It shall be the policy of the Board that whenever an individual Board member wishes an investigation, study, research project, or analysis, it shall be directed by the majority vote of the Board through the Chancellor.
 - d. All Board member requests received will be referred to the Chancellor who will determine the appropriate disposition and may include, where indicated, the anticipated cost of completing the request, as well as an expected completion date.
5. A Board member shall not approach a District employee on personal or sensitive matters with the request that such matters be held in confidence.
 6. Data or reports prepared by individual Board members for distribution to the Board shall be the sole responsibility of the author and shall place no obligation on the part of the Chancellor or the Board to take action. Such materials should normally be distributed under "Statements from Board Members" on the regular Board meeting agenda.
 7. No member of the Board shall make, participate in making or, in any way, attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest. Each Board member shall annually file a statement disclosing those interests in investments, real property, and income designated as reportable under the District's Conflict of Interest Code.
 8. Individual Board members shall inform the Chancellor about significant complaints and criticism received from the public even though no action is requested. In turn, the Board shall be kept informed of significant complaints and criticism by the Chancellor. The intent of this section is to assure that the Board and the Chancellor have time to investigate the criticism or complaint before it is discussed in a public Board meeting. Nothing in this section would prohibit a member of the public from addressing the Board about any matter under either "Statements from the Public on Non-Agenda Items" or discussion of a regular agenda item.
 9. Board members shall maintain reasonable decorum at Board meetings.
 10. Board members, including the Student Trustee, shall participate in an annual Board evaluation process which will be conducted each calendar year. The purpose of this evaluation of the Board is to assess the Board's effectiveness in promoting and sustaining academic quality and institutional effectiveness, as well as to identify those areas of Board functioning which are working well and those which need improvement and to improve communication and understanding among Board members. Evaluation instruments with criteria based upon District Policies and Procedures shall be developed and approved by the Board, and a facilitator shall be used by the Board as necessary to assist in this process. The Board shall discuss the results of the evaluation at a public meeting.
 11. Refusal to adhere to these policies shall constitute misconduct by a Board member and shall be grounds for summary termination by the Board President of the offending Board member's privilege of address.