

**BOARD OF EDUCATION
UMPQUA COMMUNITY COLLEGE
DOUGLAS COUNTY, OREGON**

 X Information Item

 Action Item

Subject: First Reading of Board Procedures

Date: April 20, 2022

The following Board Procedures are coming to the Board for a first reading as a part of the annual Policy and Procedure Review Schedule:

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See 1st Reading Procedures addendum packet

Recommendation by:

Approved for Consideration:





BOARD PROCEDURE

TITLE: Vacancies on the Board of Education

BOARD PROCEDURE # 2110 *(was 100.05)*

RELATED TO POLICY # 2110 VACANCIES ON THE BOARD OF EDUCATION

When the Board of Education determines to fill the vacancy by appointment, the President shall assure that there is ample publicity to and information for prospective candidates.

The posted notice of vacancy shall include directions regarding applications or nominations of legally qualified candidates. Persons applying or nominated must meet the qualifications required by law for members of the Board of Education.

Persons applying for appointment to the Board of Education shall receive a letter from the President containing information about the Umpqua Community College and the Board of Education, including a candidate information sheet to be completed and returned by a specific date.

The Board of Education may request personal interviews with candidates. Interviews shall be conducted in a public hearing scheduled for that purpose.

Each Board of Education member shall review all candidate information sheets, with final selection made by a majority vote of the Board of Education members at a public meeting called for that purpose.

Reference: ORS 341.335

RESPONSIBILITY:

The Board Chair is responsible for implementing and updating this procedure.

NEXT REVIEW DATE:

DATE OF ADOPTION: 3/11/2020

DATE(S) OF REVISION:

DATE(S) OF PRIOR REVIEW:



BOARD PROCEDURE

TITLE: Regular Meetings

BOARD PROCEDURE # 2310 *(was 103.01)*

RELATED TO POLICY # 2310 REGULAR MEETINGS

The Board of Education shall use the most recent edition of *Robert’s Rules of Order* as a guide with the following exceptions and clarifications:

- A. Motions shall be seconded following the general requirements set forth in the rules, contrary to requirement for small boards that “motions need not be seconded”.
- B. Although there is no limit to the number of times a member may speak to a debatable motion, all members shall have the opportunity to speak before any member speaks twice.
- C. In accordance with the rules, “When a motion is perfectly clear to all present a vote can be taken without a motion’s having been introduced”; however, prior to voting someone shall state in unambiguous terms the motion to be considered.

RESPONSIBILITY:

The Board Chair is responsible for implementing and updating this procedure.

NEXT REVIEW DATE:

DATE OF ADOPTION: 3/11/2020

DATE(S) OF REVISION:

DATE(S) OF PRIOR REVIEW:



BOARD PROCEDURE

TITLE: Special and Emergency Meetings
BOARD PROCEDURE # 2320 *(was 103.03, .04)*
RELATED TO POLICY # 2320 SPECIAL MEETINGS

Special Meetings

Whenever a special meeting of the Board of Education is called, the President shall cause the call and notice to be posted at least 24 hours prior to the meeting in a location freely accessible to the public and in a manner that provides notice to the members of the Board of Education, the news media which have requested notice, and the general public.

Emergency Meetings

Whenever an emergency meeting of the Board of Education is called, the President or Board Chair shall notify each member of the Board of Education. The notice must be given in advance as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

References:
ORS 192.640, ORS 341.283(2)

RESPONSIBILITY:
The Board Chair is responsible for implementing and updating this procedure.

NEXT REVIEW DATE:
DATE OF ADOPTION: 3/11/2020
DATE(S) OF REVISION:
DATE(S) OF PRIOR REVIEW:



ADMINISTRATIVE PROCEDURE

TITLE: College Governance

ADMINISTRATIVE PROCEDURE # 2510

RELATED TO POLICY # 2510 COLLEGE GOVERNANCE

A. Definitions.

Governance and Administration are distinguished in the following manner:

1. **Governance:** Governance is concerned with planning and policy development and includes representative voices from all constituent groups on campus. Governance groups develop plans and policies designed to fulfill the college's mission and make recommendations to the Board of Education through the College President. Governance includes the Board of Education, College President, College Council, and councils/committees that report to the Council; the Senior Leadership Team is included in governance through its membership on governance councils and committees.)
2. **Administration:** Administration is not the same as those individuals on campus who have administrative titles. Instead, administration is made up of those groups who put plans and policies into action; i.e., they administer/manage/direct/oversee plans and policies. The administrative groups set goals and objectives, implement plans and policies, assess progress, and report progress to the board through the president. (These groups include members of the Senior Leadership Team; and administrative/operational committees and councils report to the Senior Leadership Team, either as a collective team or to individual team members.)

B. Shared Governance Principles. Shared governance is the means by which employees and students participate equitably and collegially in the decision-making process of the College. UCC's shared governance is guided by the following principles:

1. Shared governance is a central value that requires open communication, reciprocal respect, implicit trust, and diligent effort.

2. The president, faculty, staff, administrators, students, and Board of Education work together as shared governance partners to support and achieve the College vision, mission, strategic direction, values, and core themes.
3. The governance system is efficient and effective, balancing the need for timely, informed decisions with the need to provide adequate time for meaningful participation in the decision-making processes.

C. Shared Governance Features.

1. Authority
 - i. All campus governance groups are advisory.
 - ii. Recommendations advanced by governance groups require the approval of the Senior Leadership Team.
 - iii. Recommendations are moved from the Senior Leadership Team to the College Council, which seeks feedback from constituent groups before advising the College President.
 - iv. Final authority lies with the College President and/or the Board of Education.
2. Structure
 - i. In addition to the Board of Education, College President, and Senior Leadership Team, the governance system includes groups (councils and committees) that have defined responsibilities for major functional areas of the college, including but not limited to institutional effectiveness, academic planning and policies, student services planning and policies, facilities, technology, communications, and diversity/inclusion/equity. All governance groups report to the College Council.
 - ii. Each governance body creates, and modifies as necessary, a charter that defines its membership.
 1. Typically, membership requires representation from each of the four constituent groups: faculty, classified staff, administrators, and students. Exceptions to this representation must be justified and approved by the College Council.
 2. Charters and any modifications are presented to the College Council for endorsement.

3. Timelines for policy and planning work will be established by the responsible administrators. College Council may assign tasks to governance bodies that are appropriate for their scope of work.
 - v. Administration monitors governance body membership to assure that the needs and interest of all campus constituents are adequately represented.
 - vi. Meetings are open to any campus member.
3. Responsibilities
 - i. As part of its charter, each governance body creates, and modifies as necessary, a statement of purpose, list of duties/responsibilities, and procedures for conducting the business of the governance body.
 - ii. Each governance body may deem it necessary at times to form sub-committee work groups to accomplish specialized tasks or focused work.
 - iii. Governance body members are responsible for full participation in council work.
 - iv. Governance body members are responsible for ensuring council charters are followed.
 - v. Governance body members are responsible for contributing to the annual assessment of the governance system and, based upon the findings of the assessment, taking action to improve the system.
4. Communication
 - i. Each governance body develops appropriate methods for listening, dialogue, and communication with the College community prior to, during, and following its deliberative process.
 - ii. Each governance body is responsible for coordinating with the other governance councils and committees, keeping in mind the best interests of the College as a whole.
5. Documentation
 - i. Each governance body maintains notes or minutes of its meetings, documenting discussions, decisions, and recommendations.
 - ii. Each governance body posts meeting minutes/notes in a timely manner on the UCC Intranet.

- iii. Each governance body prepares a report to present to the College Council, showcasing the work of its committees. The College Council will determine the frequency and timing of the reports.
6. Assessment
- i. The governance system is assessed annually by the College Council in concert with governance groups. Assessment must address:
 - 1. Clarity of roles, responsibilities, and processes
 - 2. Wide and explicit communication with campus constituencies
 - 3. Participation of employees and students in problem-solving and decision-making
 - 4. Decision-making at the appropriate level by the appropriate group with the requisite expertise
 - 5. Efficiency and timeliness
 - 6. Contribution to the effective guidance of the campus
 - ii. The annual assessment report is shared with the College and with the Board of Education.
 - iii. Results of the assessment are used to refine and improve governance policy, procedures, and processes.

REFERENCES:

NWCCU Standards 2.A.4 (*updated 3/18/2021*)

RESPONSIBILITY:

The President, in concert with the College Council and Senior Leadership Team, is responsible for implementing these procedures and updating this procedure.

NEXT REVIEW DATE:

DATE OF ADOPTION: 01/29/2019 by CC

DATE(S) OF REVISION:

DATE(S) OF PRIOR REVIEW:



BOARD PROCEDURE

TITLE: Presentation of Initial Collective Bargaining Proposals

BOARD PROCEDURE # 2610

RELATED TO POLICY # 2610 PRESENTATION OF INITIAL COLLECTIVE BARGAINING PROPOSALS

Prior to the College engaging in any contract negotiations, the President shall meet with the Board of Education. The President shall inform the Board fully on all matters concerning the forthcoming negotiation. Topics of interest to the Board may include but are not limited to the following: anticipated difficulties and obstacles, negotiating strategy, initial proposals, key objectives and outcomes, anticipated outcomes, anticipated budget considerations, and any other matters that the Board deems of interest. The Board of Education shall be given the opportunity to provide direction and guidance on all matters related to the upcoming negotiation.

References:

ORS 243 – Oregon Public Employee Collective Bargaining Act (PECBA)
 ORS 192.660(2)(d) (Executive session – labor negotiators)

RESPONSIBILITY:

The Board Chair is responsible for implementing and updating this procedure.

NEXT REVIEW DATE:

DATE OF ADOPTION: 3/11/2020

DATE(S) OF REVISION:

DATE(S) OF PRIOR REVIEW:



BOARD PROCEDURE

TITLE: Conflict of Interest

BOARD PROCEDURE # 2710 *(was 104)*

RELATED TO POLICY # 2710 CONFLICT OF INTEREST

Board of Education members shall publicly announce the nature of a financial conflict of interest on the record prior to taking action on the issue before the Board as required by Oregon law. The type and nature of the conflict shall be recorded in the official minutes of the meeting.

Board of Education members may participate in discussion and may vote on an issue after announcing a **potential** conflict of interest publicly prior to taking action. If a Board of Education member announces an **actual** conflict of interest, the Board of Education member must refrain from any discussion or debate on the issue out of which the actual conflict arises and may not vote on the issue.

A. "Potential Conflict of Interest" – means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which **could** be to the private financial benefit or detriment of the person or the person’s relative, or a business with which the person or the person’s relative is associated, unless the financial benefit or detriment arises out of the following:

1. An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
2. Any action in the person’s official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person’s relative or business with which the person or the person’s relative is associated, is a member or is engaged.
3. Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

- B. “Actual Conflict of Interest”** – means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which *would* be to the private financial benefit or detriment of the person or the person’s relative or any business with which the person or a relative of the person is associated unless the financial benefit or detriment arises out of circumstances described above.
- C. “Relative”** – means spouse, parents, step-parents, children, siblings, step-siblings, sons-in-laws, daughters-in-laws, individuals for whom the board member has a legal support obligation, or anyone for whom the board member provides benefits arising from their service.
- D. “Business”** – means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a non-remunerative capacity.

E. Gifts

Board of Education members and their relatives are prohibited from accepting gifts of a value greater than \$50 from a single source during a calendar year from any person that can reasonably be known to have a legislative or administrative interest in a decision before the Board of Education. Meals (food and beverage) and entertainment are considered gifts and are subject to the annual limitation.

The following are not considered gifts:

1. Campaign contributions.
2. Gifts from relatives or members of the public official’s household.
3. Unsolicited tokens or awards of appreciation if value is less than \$25.
4. Admission and meals provided to a public official when they are invited to attend a reception, meal or meeting held by an organization when the public official is attending as representative of the college. This exception does not apply to “private meals with small numbers of participants.”
5. Informational material, publications or subscriptions related to the public official’s position.
6. Expenses paid by a government entity, membership organization to which the college pays dues, or a non-profit corporation for attendance at a convention, fact-finding trip, or other meeting if the public official is delivering a speech, making a presentation, participating in a panel, or representing the college.

- a. "Representing" the college means that the public official is participating in an event on behalf of the college in their capacity as a public official.
 7. Food, travel or lodging expenses paid to a public official, a relative, member of the household, or staff when the public official is representing the college on an "officially sanctioned" trade-promotion or fact-finding mission, or in official negotiations or economic development activities.
 - a. "Officially sanctioned" means written approval given by a person authorized by the public body to give approval such as a supervisor or the college's Board of Education.
 8. Expenses provided by a public official to another public official for travel in state to and from an event that is related to the person's official office and in which that person participates in their official capacity.
 9. Food and beverage provided at a reception (e.g. social gathering) where the food and beverage are an incidental part of the reception.
 10. Entertainment that is an incidental part of another event or in which the public official has been invited to participate in their official capacity (i.e., throwing out the first ball at a baseball game).
 11. Gifts offered as part of the usual and customary practice of a person's private business, employment or volunteer position that bears no relationship to the public official's official position.
- F. "Gift"** means something of economic value that is offered to a public official or to relatives or members of the household of a public official or candidate without cost or at a discount or as forgiven debt and the same offer is not made or available to the general public who are not public officials.
- G. "Legislative or administrative interest"** means an economic interest, distinct from that of the general public, in any matter subject to the decision or vote of the public official acting in the public official's capacity as a public official.

H. Nepotism

A Board of Education member is prohibited from participating in any personnel action taken by Umpqua Community College that would impact the employment of a relative or member of the public official's household, and must follow the conflict of interest requirements above. A Board of Education member may not participate in the following personnel actions: appointing, employing or promoting; discharging, firing or demoting; interviewing; discussing or debating the appointment, employment, promotion, discharge, firing or demotion of a relative or member of the household. This prohibition does not apply to relatives or members of the household who serve Umpqua Community College as an unpaid volunteer.

- I. Contracts Supported by Federal Funds** (2 Code of Federal Regulations Part 200.318(c)(1))
- J.** No Board of Education member or agent of Umpqua Community College may participate in the selection, award, or administration of a contract supported by a federal award if they have a real or apparent conflict of interest. Such a conflict of interest would arise when the Board member, or agent, any member of their immediate family, their partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The Board members and agents of Umpqua Community College may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Disciplinary action will be taken for violations of such standards by Board members or agents of Umpqua Community College.

References:

NWCCU Standards 2.D.3 (*updated 3/18/2021*)
ORS 244.010 to 244.047; ORS 244.120 to 244.130; ORS 244.175 to 244.179
ORS 244.050 to 244.115
OAR 199, Division 5 (Gifts)
Oregon Government Ethics Commission "Guide for Public Officials"

RESPONSIBILITY:

The Board Chair is responsible for implementing and updating this procedure.

NEXT REVIEW DATE:

DATE OF ADOPTION: 3/11/2020

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