



**Kern Community College District
Board Policy
Chapter 2 – Board of Trustees**

BP 2310 REGULAR MEETINGS OF THE BOARD

References:

Education Code Section 72000(d);
Government Code Sections 54952.2, 54953 et seq., and 54961

Note: This policy is **legally required**.

Unless there is Board action to the contrary, regular meetings of the Board of Trustees shall be held once each month. Regular meetings of the Board of Trustees shall be held the second Thursday of each month unless otherwise stated. Regular meetings of the Board shall normally be held at, 2100 Chester Avenue, Bakersfield, CA93301.

Dates, time, and place shall be determined at the annual organization meeting (see BP 2305 titled **Annual Organizational Meeting**).

A notice identifying the location, date, and time of each regular meeting of the Board shall be posted at least ten days prior to the meeting and shall remain posted until the day and time of the meeting. All regular meetings of the Board shall be held within the boundaries of the District except in cases where the Board is meeting with another local agency or is meeting with its attorney to discuss pending litigation if the attorney's office is outside the District.

Special meetings may be called as provided by law (see BP 2320 titled **Special and Emergency Meetings**).

All regular and special meetings of the Board shall be open to the public, be accessible to persons with disabilities, and otherwise comply with Brown Act provisions, except as required or permitted by law.

See the District's website for a schedule of meetings of the Board of

Trustees. **Order of Business at Regular Meetings**

The order of business at all regular meetings shall be as follows:

- 1) Preliminary Items,
- 2) Public Comments,

- 3) Work Study Session (if, any),
- 4) Business Services,
- 5) Educational Services,
- 6) Human Resources,
- 7) Reports,
- 8) Board Committee/Ad-Hoc Reports, and
- 9) Adjournment.

Closed Sessions may be called in accordance with provisions of the California Education Code. The order of business may be changed by consent of the Board.

Also see BP/AP 2340 titled Agendas.



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BP 2315 CLOSED SESSIONS

References:

Education Code Section 72122;

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

Note: This policy is **legally required**.

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 72 hours written notice of the closed session.
- advice of counsel on pending 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;
- 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 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 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 Chancellor. If any person requests an opportunity to present complaints to the Board about the District Chancellor, such complaints shall first be presented to the Board 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. The employee shall be given at least 72 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.



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BP 2320 SPECIAL AND EMERGENCY MEETINGS

References:

Education Code Section 72129;

Government Code Sections 54956, 54956.5, and 54957

Note: This policy is **legally required**.

Special meetings may from time to time be called by the President of the Board or by a majority of the members of the Board. Notice of such meetings shall be posted at least 24 hours before the time of the meeting and shall be noticed in accordance with Brown Act. No business other than that included in the notice may be transacted or discussed.

Emergency meetings may be called by the President of the Board when prompt action is needed because of actual or threatened disruption of public facilities under such circumstances as are permitted by the Brown Act, including work stoppage, crippling disasters, and other activity that severely impairs public health or safety.

No closed session shall be conducted during an emergency meeting, except as provided for in the Brown Act to discuss a dire emergency.

The District Chancellor shall be responsible to ensure that notice of such meetings is provided to the local news media as required by law.



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BP 2330 QUORUM AND VOTING

References:

Education Code Sections 72000(d)(3), 81310 et seq., 81365, 81511, and 81432;
Government Code Sections 53094 and 54950 et seq.;
Code of Civil Procedure Section 1245.240

Note: This policy is **legally required**.

A quorum of the Board of Trustees shall consist of four members.

The Board shall act by majority vote of all of the membership of the Board, except as noted below.

No action shall be taken by secret ballot. The Board will publicly report any action taken in open session and the vote or abstention of each individual member present.

The following actions require a two-thirds (2/3) majority of all members of the Board:

- Resolution of intention to sell or lease real property (except where a unanimous vote is required);
- Resolution of intention to dedicate or convey an easement;
- Resolution authorizing and directing the execution and delivery of a deed;
- Action to declare the District exempt from the approval requirements of a planning commission or other local land use body;
- Appropriation of funds from an undistributed reserve;
- Resolution to condemn real property.
- Resolution to pursue the authorization and issuance of bonds pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution and subdivision (b) of Section 18 of Article XVI of the California Constitution.

The following actions require a unanimous vote of all members of the Board:

- Resolution authorizing a sale or lease of District real property to the

state, any county, city, or to any other school or community college district;

- Resolution authorizing lease of District property under a lease for the production of gas.