Standard IV.C. Governing Board

Background

On July 8, 2013, immediately after ACCJC announced its intent to terminate CCSF's accreditation on July 31, 2014, the Board of Governors of the California Community Colleges System, acting under authority granted by the California Education Code section 84040 and California Codes of Regulations section 58310 et seq., suspended the governing board of CCSF. The Board appointed a Special Trustee with the authority to assume management and control of the District due to the District's potential loss of accreditation.[1] Upon receiving authority fro10 (s)v1.48 576(3 (

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(Powers and Duties of the Board).[6] The Board of Trustees maintains a comprehensive manual of policies governing all district operations, and Board Policy 1.02 provides that it is the Board's responsibility to evaluate, correct, and revise its policies as needed.[7] [8]

maintain services and programs, the Board has reviewed multiple enrollment and budget projections that ensure fiscal stability while the College's enrollment stabilizes and returns to a growth pattern.[27] Board Policy 8.05 (Budget Management) provides that "The budget shall be managed in accordance with Title 5 and the California Community College Budget and Accounting Manual."[28]

IV.C.1. Analysis and Evaluation

The Board has established policies that ensure the Board has authority for student learning programs and services and the financial stability of the institution. Per Board Policy 6.01, the Governing Board Code of Ethics requires that the Board "assure the opportunity for high quality education for every student within the fiscal limitations of the District." To assure quality in academic and professional matters, the Board of Trustees relies primarily on the Academic Senate. The Board promotes integrity in student learning programs and services through a number of policies that require the District to comply with applicable laws and regulation. Board Policy 6.01 assures effectiveness of student learning programs and services by promoting continuous quality improvement of those programs and services. Board Policy 1.02 states that a key Board function is to focus on "maintaining fiscal stability" and assigns responsibility to the Board for "developing a balanced annual budget.

Conclusion. The College meets Standard IV.C.1.

IV.C.2. *The Governing Board acts as a collective entity. Once the board reaches a decision, all board members act in support of the decision.*

The Board demonstrated its ability to act as a collective entity, for example, when the football stadium was proposed to be renamed in honor of the College's former coach. Board members disagreed initially: some believed that the College should only allow for such naming if there is a financial benefit to the College. However, after significant public comment and discussion, when the Board voted to approve the change, all members acted collectively to support the outcome.[31]

The Special Trustee assigned to the College has carefully observed the Board since its return in January 2015. He has determined that the Board has consistently acted as a collective entity and in support of its decisions thereafter, as demonstrated by, but not exclusive to, the football stadium example above.[32]

IV.C.2. Analysis and Evaluation

The Board demonstrates support for its policies and decisions by respecting actions taken. Board Policy 1.17A mandates that the Board of Trustees supports all collective decisions regardless of their individual votes. In addition, Board Policy 1.29 provides that individual board members have no authns29 pr1(i)-2 (a)4 g ( )-100 (B)7 (o)-1 ( )-10 (B)7 -10 (B)7 th5 exi (B)7 te yies. ste (29 pr1(i)-1 ( )-1

evaluation. Board Policy 1.24 details the evaluation process that the governing must utilize in evaluating the Chancellor. Prior to the conclusion of the Interim Chancellor's two-year interim appointment, the Board will conduct a chancellor search pursuant to its policy in order to have a permanent Chancellor in place no later than July 1, 2017, when the current Chancellor's interim appointment terminates.

Conclusion. The College meets Standard IV.C.3**.**

IV.C.4. *The Governing Board is an independent policy-making body that reflects the public interest in the institution's educational quality. It advocates for and defends the institution and protects it from undue influence or political pressure.*

IV.C.4. Evidence of Meeting the Standard

The Governing Board of CCSF acts as an independent policy-making body that reflects the public interest in the educational quality of the institution. Furthermore, it advocates for and defends the institution and protects it from undue influence or political pressure.

The Governing Board is an Independent Policy-Making Body. The San Francisco

The Governing Board Reflects the Public Interest in the Institution's Educational Quality. Board Policy 1.17A provides that the Board shall represent all segments of the community in advocating for the best interests of the community.[48]

Members of the Board of Trustees are elected at-large rather than by individual areas/zones within the San Francisco Community College District (SFCCD or "the District"). The Board of Trustees is ethnically and racially diverse and representative of the District in general. The Board is also diverse in gender, sexual orientation, occupation, age, and areas of residence within the city. In addition, one Board member is a San Francisco State University faculty member, and the Board includes a Student Trustee. Board members also serve on other boards that promote education.

The Board is highly accountable to the people of the city of San Francisco. The diversity and intensity of interests along with Board members' passionate advocacy and activism—and the complexity of the District—is reflected in the high level of public participation in CCSF Board meetings and in the high level of the Board of Trustees' participation in other public venues within the City of San Francisco.[49] These factors ensure that the Board properly considers the public interest.[50]

Board Policy 1.02 requires the Board of Trustees to conduct all business in open and public meetings except those matters authorized to be held in closed session.[51]

The Governing Board Advocates for and Defends the Institution and Protects It from Undue Influence or Political Pressure. Board Policies 1.18 (Institutional Code of Ethics) and 1.19 (Conflict of Interest) assure that the Board conducts itself free of conflicts of interest.[52] [53]

Since the Board of Trustees has returned to full power, it has addressed numerous challenges and has handled them with great care and attention to public input while keeping the interests of the College paramount. For example, in 2015-16, the Board considered leasing the land occupied by administrative offices to a residential housing developer. The Board held a series of open and closed session meetings before deciding to move ahead with the project.[54] The project was opposed by some community members, but the Board focused on the financial benefit to the District.

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IV.C.4. Analysis and Evaluation

As illustrated by the examples and evidence presented above, the Board acts independently and in the public interest. The Board of Trustees is an independent policy-making body composed of seven members elected pursuant to regular elections on a staggered basis every two years. After a period in which the District was governed by the Special Trustee, the Board of Trustees returned to full power on July 1, 2015. The Special Trustee continued to have stay and rescind power through December 31, 2015. Board Policy 1.17A provides that the Board shall represent all segments of the community in advocating for the best interests of the community. Board Policy 1.02 requires the Board of Trustees to conduct all business in open and public meetings exsche4(oa)4 (r)3 (1B0u)-2h.4hed b

components, with a focus on institutional effectiveness and continuous quality improvement through evaluation of units, programs, and services, primarily through Program Review.[60] Because the Mission and Vision Statements guide College planning, BP and AP 2.18 are consistent with the mission and vision.[61] [62]

Moreover, “academic excellence and integrity” is one of four overarching Board values that, along with the College mission and vision, give direction to the Board Goals and College Priorities. These in turn drive annual planning, assessment, and Program Reviews that inform the need for improvement.[63] [64]

The Board Ensures the Resources to Support Learning Programs and Services. Board Policy 8.01 (Budget Preparation and Fiscal Accountability) requires that “The annual budget shall support the District’s master and educational plans.”[65] To meet this mandate, the College prioritizes Program

- Board Policy 8.05 (Budget Management) speaks to how the College will manage its reserves and budget transfers to adhere to Title 5 restrictions but also to provide assurance that budgets are being maintained appropriately.
- Board Policy 8.12 and Administrative Procedure 8.12 (Fiscal Management and Accounting) assure that the College's fiscal management is in accordance with principles contained in Title 5 Section 58311 of the California Code of Regulations

The Board Has Ultimate Responsibility for Legal Matters. The Board relies on an in-house General Counsel responsible for the District's legal affairs.[77] [78] The General Counsel regularly informs the Board on litigation and other legal matters. As appropriate, in closed session, the Board provides direction to the General Counsel on litigation strategy. In addition, the Board employs a Chancellor and approves the hiring of other highly qualified administrative staff who are experts in their fields and who are knowledgeable regarding legal requirements and prohibitions. Through these appointments and communications, the Board has met its obligation to maintain ultimate responsibility for legal matters.

The Board Has Ultimate Responsibility for Financial Integrity and Stability. The College has established Board Policies and Administrative Procedures to ensure the fiscal integrity and the appropriate use and control of financial resources and investments. Board Policy 8.05 (Budget Management) speaks to how the College will manage its reserves and budget transfers to adhere to Title 5 restrictions but also to provide assurance that budgets are being maintained appropriately. To ensure that the Board can carry out its responsibility for financial integrity and

extensive training, the California Community College Chancellor's Office determined that the Board is capable and responsible for educational quality, legal matters, and financial integrity and stability.

The College prioritizes Program Review requests according to several criteria, including linkage to approved College plans and College Priorities, all of which integrate with each other and support the mission and vision of the College. Educational quality is determined by a series of Board policies, with the Board of Trustees relying primarily on the Academic Senate in areas of quality, integrity, and improvement of student learning programs, see Standard IV.C.1.

The Governing Board relies on an in-house General Counsel responsible for the District's legal affairs. The General Counsel regularly informs the Governing Board on litigation and other legal matters.

The College has established Board policies and administrative procedures to ensure the fiscal integrity and the appropriate use and control of financial resources and investments.

Conclusion. The College meets Standard IV.C.5.

IV.C.6. *The institution or the governing board publishes the board bylaws and policies specifying the board's size, duties, responsibilities, structure, and operating procedures.*

IV.C.6. Evidence of Meeting the Standard

The San Francisco Community College District Board of Trustees publishes the Board bylaws and policies specifying the Board's size, duties, responsibilities, structure, and operating procedures.

The Board's policies are published on the College website, easily accessible by the public.[82] They include policies related to the following:

- **Board Size.** Board Policy 1.01 (Election and Membership) addresses the size of the Board.[83]
- **Board Duties and Responsibilities.** Board Policy 1.02 (Powers and Duties) describes the Board's duties and responsibilities, such as determining broad general policies, plans, and procedures to guide its officers and employees.[84] Board Policy 1.04 (Officers-Duties) describes the duties of officers of the Board, specifically the President, Vice President, and Secretary.[85]
- **Board Structure.** The Board's structure is covered by Board Policy 1.01 (Election and Membership) which describes the electoral process and Board Policy 1.03 (Organization

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of the Board) calling for an annual organizational meeting.[86]

- **Board Operating Procedures.** The Board's operating procedures, including agenda requirements, are described in Board Policy 1.05 (Regular Meetings of the Board), 1.06 (Closed Sessions), 1.07 (Special and Emergency Meetings), 1.08 (Quorum and Voting), and 1.10 (Public Participation at Board Meetings).[87] Board agendas and minutes are on file and posted on the College website for public access. The College video records all regular Board meetings and makes those recordings available to the public.[88]

IV.C.6. Analysis and Evaluation

As demonstrated above, the College maintains the necessary policies that specifically describes the size of the Board, their incumbent duties, their responsibilities, the organizational structure, and its operating procedures. The Board's policies are published on the College website and are easily accessible by the public.

has delegated to the General Counsel the responsibility for facilitating the review and updating of policies.

The Board revises its policies regularly as required by Board Policy 1.02. Board Policy 1.15 provides for the review of policies on a five-year rotating basis:

- Chapter 1, concerning the Board of Trustees, was reviewed during 2012-13. The College

- Board Policy 1.20 - Protected Disclosure of Improper Government Activity
- Board Policy 1.21 - Committees of the Board
- Board Policy 1.22 - Audit Committee Guiding Principles
- Board Policy 1.23 - Board Self-Evaluation
- Board Policy 1.24 - Evaluation of the Chancellor
- Board Policy 1.25 - Chief Administrator: Authority, Selection, and Term of Office
- Board Policy 1.26 - Changes in Administrator Title, Salary and Benefits
- Board Policy 1.27 - Practices and Procedures Governing Conduct Related To Elections and Ballot Measure Elections
- Board Policy 1.28 - Control and Direction
- Board Policy 1.29 - The Community and the Board
- Board Policy 1.30 - Unlawful Discrimination
- Board Policy 1.31 - Access to Faculty and Staff Mailboxes
- Board Policy 1.32 - Prohibiting Workplace Violence
- Board Policy 1.33 - Accreditation Eligibility Requirement 21, Standard IV.B.1.i
- Board Policy 1.34 - Board Member Travel
- Board Policy 1.35 - Board Professional Development
- Board Policy 1.36 - Sexual Harassment Policy
- Board Policy 2.07 - City College of San Francisco on Participatory Governance
- Board Policy 2.08 - City College of San Francisco on Collegial Governance: Academic Senate
- Board Policy 2.11 - Parcel Tax Oversight Committee
- Board Policy 2.12 - Reporting of Crimes
- Board Policy 2.13 - Timely Warning and Emergency Notification
- Board Policy 2.14 - Drug and Alcohol-Free Workplace and College Environment
- Board Policy 3.04 - Policy Governing the Employment of Academic and Classified Administrators
- Board Policy 3.18 - Evaluation of Academic and Classified Administrators
- Board Policy 5.07 - Financial Aid
- Board Policy 6.17 - City College of San Francisco Program Revitalization, Suspension, and/or Discontinuance
- Board Policy 7.17 - Civic Center and Other Facility Use
- Board Policy 7.40 - Parking
- Board Policy 8.01 - Budget Preparation and Fiscal Accountability
- Board Policy 8.03 - Audits
- Board Policy 8.05 - Budget Management
- Board Policy 8.06A - Procurement of Supplies, Equipment, and Services
- Board Policy 8.07 - Insurance
- Board Policy 8.09 - Disposal of Property
- Board Policy 8.11 - Delegation of Authority for Business

- Board Policy 8.12 - Fiscal Management and Accounting
- Board Policy 8.13 - Authorizations to Encumber the District
- Board Policy 8.15 - Cellular Telephone Use

IV.C.7. Analysis and Evaluation

The Board acts in compliance with its policies and bylaws. The College has been actively reviewing and updating its policies. The Special Trustee concluded that the governing board acts in a manner consistent with its policies. The Board delegates to the Chancellor the authority to determine the process for revising existing policies and developing new policies. The Board revises its policies regularly as required by Board Policy 1.02. Board Policy 1.15 provides for the review of policies on a five-year rotating basis. In addition to the scheduled, rotating review, the Board of Trustees and Special Trustees have been actively engaged in ensuring the College has a current and complete set of policies.

Conclusion. The College meets Standard IV.C.7.

IV.C.8. *To ensure the institution is accomplishing its goals for student success, the governing board regularly reviews key indicators of student learning and achievement and institutional plans for improving academic quality.*

IV.C.8. Evidence of Meeting the Standard

The Board of Trustees regularly reviews key indicators of student learning and achievement and institutional plans for improving academic qualitye26 (a)6v t f06 (au)5 (o)2 (mic)6 thmicstitutiona (n)118 fdmlai

- Education Master Plan progress update, including reports on various educational initiatives that had been completed or were in process such as the Basic Skills Initiative, Student Equity Plan, and the Student Success Support Program (May 2015, June 2016)[100]

As previously explained, the Board of Trustees returned to power in 2015 pursuant to a transition plan developed by the State Chancellor. That plan included the following language:

> **Phase I – Board In-service, Training and Orientation:** All of the local board members agree to participate in a multi-year series of ongoing professional development activities designed to orient them to the curre

- Employee Relations and Labor Negotiations[115]

May 11, 2015

- Enrollment Management[116]

June 14, 2015

- Board Goals and Evaluation[117]

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voting on matters that may create a conflict of interest or an appearance of a conflict of interest. In a recent example, Trustee Ngo recused himself from voting on hiring a communications expert because the consultant being hired worked for a firm that competed against his own firm.[139]

IV.C.11. Analysis and Evaluation

The Board has an established code of ethics and a conflict of interest policy. Board Policy 1.17A provides a Code of Ethics by which the Board abides. Board members have scrupulously complied with both. Board Policy 1.19 explicitly prohibits and defines conflicts of interest to assure that Board member interests are disclosed and that they do not interfere with the impartiality of governing body members or outweigh the greater duty to secure and ensure the academic and fiscal integrity of the institution. To ensure adherence to Board policy regarding conflicts of interest, Board members—including the Special Trustee—must annually disclose whether they have any financial interest (i.e., employment, family, ownership or personal) in the College or the District. Members of the Board recuse themselves from voting on matters that may create a conflict of interest or an appearance of a conflict of interest.

Conclusion. The College meets Standard IV.C.11.

IV.C.12. *The governing board delegates full responsibility and authority to the CEO to implement and administer board policies without board interference and holds the CEO accountable for the operation of the district/system or college, respectively.*

IV.C.12. Evidence of Meeting the Standard

The Board Delegates Authority to the Chancellor to Implement and Administer Board Policies without Board Interference. Per Board Policy 1.25 (Chief Administrator: Authority, Selection, and Term of Office), Board Policy 1.37 (Delegation of Authority to the Chancellor), and as specified in the Chancellor's contract, the Chancellor has administrative authority to implement and administer Board policies.[140] [141]

The Board Holds the Chancellor Accountable for the Operation of the District. The Board holds the Chancellor accountable through the evaluation procedure described in Standard IV.C.3.[142]

IV.C.12. Analysis and Evaluation

The Special Trustee was empowered to intervene if the Board failed to focus on policy-level matters. The Special Trustee did not feel it necessary to intervene indicating that the Board was

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properly carrying out its role. The Chancellor has administrative authority to implement and administer Board policy. The Chancellor is held accountable to the Board, through an evaluation process, for the operation of the District.

Conclusion. The College meets Standard IV.C.12.

IV.C.13. *The governing board is informed about the Eligibility Requirements, the Accreditation Standards, Commission policies, accreditation processes, and the college's accredited status, and supports through policy the college's efforts to improve and excel. The board participates in evaluation of governing board roles and functions in the accreditation process.*

IV.C.13. Evidence of Meeting the Standard

The Chancellor ensures the Board is informed about the Eligibility Requirements, the Accreditation Standards, Commission policies, accreditation processes, and the College's accredited status. In addition, the Chancellor ensures that the Board is involved in any accreditation process in which Board participation is required.

The Board is Informed about Accreditation. As described above, the Board has attended several training sessions that included a focus on accreditation, including one on April 9, 2015, specifically dedicated to accreditation and the trustee roles and responsibilities regarding accreditation.[143]

In addition, on an ongoing basis, the Board is reminded of how their actions relate to the Accreditation Standards through the College's Board resolution format, which explicitly links the item under consideration to the relevant Standards.[144]

The Board is Informed about the College's Accredited Status. The Board receives monthly written updates on accreditation.[145] On October 8, 2015, the Board received a comprehensive report from the Accreditation Liaison Officer on the status of the College's compliance with accreditation standards.[146] During the January 2016 Board retreat, and again during the March 24, 2016, Board meeting, the Accreditation Liaison Officer provided an update on progress made to date.[147] [148]

The Board Is Involved in the Evaluation of Governing Board Roles and Functions in the Accreditation Process.

These same Board members, along with an additional member, served on the committee charged