

## Board Policy and Administrative Procedure Review

### Background

The district has long held a contract with the Community College League of California (CCLC) for its Policy and Procedure Service. CCLC's service provides template language, vetted by legal counsel, for policies and procedures that are required by state and/or federal statute or regulation or that are legally advised to protect the district. A few additional templates are suggested as good practice/optional. The templates are updated twice per year to reflect changes in laws and regulations. Policies and procedures that have been adopted by the district are available online at the following link: <http://www.boarddocs.com/ca/fhda/Board.nsf/goto?open&id=9U5PUR6583E5>

The district began a systematic review of policies and procedures several years ago. Chapters 1, 2, and half of Chapter 3 have been reviewed to date. In addition to systematic review, policies and procedures in other chapters have been adopted or revised based on CCLC recommendations included in the twice yearly updates or at the suggestion of administrators or faculty. The district's intent is to implement a cyclical review process, starting again with review of Chapter 1 upon completion of the Chapter 7 review, while continuing to consider recommended updates as received by CCLC. As policies and procedures are revised, they are renumbered to align with CCLC's Policy and Procedure Service numbering system, which should help facilitate updates and research in the future.

### Chancellor's Advisory Council Role

The Chancellor's Advisory Council plays a key role in the policy development process by providing input from all the district's constituent groups to the Chancellor, who is charged with recommending policy changes to the Board of Trustees as well as developing and implementing administrative procedures. Administrative procedures are considered final after approval by the Chancellor's Advisory Council, while board policies require adoption by the Board of Trustees. [Board policy 2410 Policy and Administrative Procedure](#) and [administrative procedure 2410 Policy and Administrative Procedure](#) delineate the district's process for adopting and changing policies and procedures.

### Review of Draft Policies and Procedures

Language that is proposed for elimination in draft policies and procedures is indicated by ~~strike through~~, and new language is reflected by **bold, underlined type**. Unmodified type represents language that has previously been approved and is not being changed. Notes in the drafts are deleted after adoption.

The following definitions and explanations, which appear in the CCLC's Policy & Procedure Subscription Service Implementation Handbook, are helpful to keep in mind when reviewing the district's policies and procedures:

***Board Policy*** is the voice of the board of trustees and defines the general goals and acceptable practices for the operations of the district. It implements federal and state statutes and regulations. The board, through policy, delegates authority to and through the chief executive to administer the district. The CEO and district employees are responsible to reasonably interpret board policy as well as other relevant statutes and regulations that govern the district. Policy is best expressed in broad statements. It legally binds the district. Therefore, policy statements should be clear, succinct, and current.

***Administrative procedures*** implement board policy, statutes, and regulations. They address how the general goals of the district are achieved and define the operations of the district. They include details of policy implementation, responsibility, accountability and

standards of practice. They are developed and implemented by the CEO, administration, faculty, and staff members; they are not intended to require board action.

***Legally Required (LR):*** Legal counsel has determined that the policy/procedure is required based on state or federal statute or regulation. The templates contain the essential elements to assure compliance with state or federal law. Except as specifically noted at the beginning or in the body of a template, the text may be locally enlarged or modified, as long as no required elements are omitted. It is *strongly recommended* that any substantive modifications to the template language be carefully reviewed by local district legal counsel. The service includes policies and procedures with specific accreditation standard section references in the category of “legally required” due to the importance of complying with the related accreditation standard or accreditation eligibility requirement.

***Legally Advised (LA):*** These policies and procedures are not specifically required by state or federal statute or regulation; however, legal counsel has identified them as essential to protect the district from potential liability. The templates or samples contain the key elements. Text may be locally enlarged or modified, so long as no required elements are omitted. Substantive modifications to the language should be reviewed by local district legal counsel.

***Suggested as Good Practice/Optional (SUG):*** The service includes a few sample policies and procedures that are suggested as good practice or optional and are not required by statutes, regulations, or court cases. These documents may be commonly found in district manuals, promote effective operations, and/or have been requested by a number of subscribers. There is often a high degree of variation from district to district.