

Southwestern Oregon Community College

BP 2610 Presentation of Initial Collective Bargaining Proposals

Purpose

To define how collective bargaining proposals are presented to the Board of Education.

Statement

The Southwestern Oregon Community College Board of Education directs the college President to establish a Labor Negotiation Team. This team will report the status of all labor negotiations to the board.

Boards of Education are permitted under Oregon Public meeting law to meet in executive session to deliberate with persons designated by the college President to carry on labor negotiations (ORS 192.660(2)(d)).

The Board of Education directs the college President to enact administrative procedures that assure compliance with any legal requirements regarding the presentation to the Board of Education of initial proposals for collective bargaining.

References:

There are no Oregon statutory requirements related to the Board of Education under the Public Employee Collective Bargaining Act (PECBA). The statute uses the broader term “community colleges” when defining public employer for purposes of PECBA. Boards of Education are permitted under Oregon Public meeting law to meet in executive session to deliberate with persons designated by the Board of Education to carry on labor negotiations (ORS 192.660(2)(d)).

Adopted: 10/24/2022

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Adopted:

Southwestern Oregon Community College

BP 2710 Conflict of Interest

Purpose

To define conflict of interests

Conflicts of Interest

Board of Education members are public officials and must abide by all requirements of ORS Chapter 244, and the rules and opinions of the Oregon Government Ethics Commission. No Board member shall use his/her official position or office to obtain personal financial benefit or to avoid financial detriment for him or her, relatives, household members or for any business with which the Board member, household member, or a relative is associated. Relatives include spouse, domestic partner, children of the person, or spouse, or domestic partner, or the brothers, sisters or parents of the person, or the person's spouse or domestic partner and any individual to whom the person owes a duty of support.

Definitions

- Potential Conflict of Interest – When the Board’s action benefits a class of people – not the individual Board member or a business the Board member or their family is affiliated.
- Actual Conflict of Interest - When an individual Board member or their family could benefit financially from the Board’s action.
 1. For Potential Conflicts of Interest, the Board member may participate in discussion and is eligible to vote on the action item.
 2. For Actual Conflicts of Interest, the Board member must declare the actual conflict of interest and refrain from all discussion and voting on the action item.

References:

NWCCU Standards 2.D.3
ORS 244.010 to ORS 244.047

Adopted:

Southwestern Oregon Community College

BP 2715 Code of Ethics/Standards of Practice

Purpose

To establish and define code of ethics and standards of practice

Statement

Southwestern Oregon Community College Board of Education expects ethical conduct of its members. This includes proper use of authority, appropriate decorum, and courteous individual behavior when acting as a member of the Board.

1. Individual Board members shall maintain non-conflicting loyalty to the interests of the College district (ownership). This accountability supersedes any conflicting loyalty to any special interest groups.
2. Individual Board members shall avoid any conflict of interest with respect to their fiduciary responsibility.
 - a. There shall be no self-dealing or any conduct of private business or personal services between any Board member and the organization except as procedurally controlled to assure openness, competitive opportunity, and equal access to information.
 - b. Individual Board members shall not use their positions to obtain employment at the College for themselves, family members, or close associates.
 - c. Board members shall comply with the Oregon Government Ethics Commission laws for public officials (potential and actual conflicts of interest).
3. Board members shall exercise authority over the College, the College President, and/or personnel only as explicitly set forth in Board policies.
4. Board members are elected from a diverse population to at-large positions to represent the College district.
5. Individual Board members, when communicating with the public, shall keep in mind the vision, mission, and values of the College.
6. Board members shall not represent their individual opinions as the consensus of the entire Board.
7. During a public Board meeting, should an individual board member's behavior violate the expected model of appropriate decorum, the Board Chair reserves the right to immediately adjourn the Board meeting.

Southwestern Oregon Community College

BP 2315 Closed/Executive Sessions

NOTE: *This policy is legally advised as permitted or required by state law. Review with local legal counsel to ensure it meets the requirements of any state and local laws.*

Purpose

To define the structure of Executive Session Meetings held in compliance with Oregon Revised Statutes 192.660.

Statement

The Board of Education may meet in Executive Session to discuss subjects allowed by ORS 192.660 but will not act or make final decisions during the meeting. Matters discussed during executive session remain confidential and may not be discussed outside of the closed session.

During a regular meeting of the Board of Education, should the need arise, the chairperson may recess the regular meeting and convene an Executive Session to discuss any topic allowed by ORS 192.660.

Matters discussed in closed session may include:

- A. To consider the employment of a public officer, employee, staff member or individual agent.
- B. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.
- D. To conduct deliberations with persons designated by the governing body to execute labor negotiations.
- E. To conduct deliberations with persons designated by the governing body to negotiate real property transactions.
- F. To consider information or records that are exempt by law from public inspection.
- G. To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations.

Southwestern Oregon Community College

BP 2320 Special and Emergency Meetings

Purpose

To define common procedures used in the course and scope of Board of Education business when prompt action is needed because of actual or threatened disruption of public facilities.

Statement

Special meetings may be called when urgent issues arise that cannot wait for regularly scheduled meeting. Such meetings are subject to applicable statute related to public notice/access. Special meetings may be scheduled by the college President, the Board of Education chairperson, the vice-chairperson in the absence of the chair, or by any three (3) Board members acting together.

In the case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, and the minutes for such a meeting shall describe the emergency justifying less than 24-hour's notice.

References:

ORS 192.640, ORS 341.283

Adopted:

Southwestern Oregon Community College

BP 2340 Agendas

NOTE: This policy is *legally advised* as permitted or required by state law.

Purpose

To define agenda development and protocol utilized in the course and scope of Board business.

Statement

Public notification of a meeting of the Board of Education shall be made in accordance with state public meeting laws. An agenda shall be posted adjacent to the place of meeting at least **48**-hours prior to the meeting time for regular meetings.- The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting.

Members of the public may request a copy of the agenda at the President's office. Individuals with vision impairment shall receive an agenda, related supporting materials available to the general public, and minutes in an appropriate alternative format upon request of at least 48-hour notice prior to and/or following a public meeting. Appropriate auxiliary aids and services available to ensure equally effective communications with qualified persons with disabilities may include large print, Braille, audio recordings and readers. Primary consideration shall be given to the requests of the person with a disability in the selection of appropriate auxiliary aids and services.

Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity, or in undue financial and administrative burdens, alternate, equally effective communications shall be used. Auxiliary aids and services for persons with disabilities will be available at no charge to the individual.

The Board of Education agenda shall be developed by the college President and Board Chairperson, with input from Board members, ex-officio members, and members of the college district as requested. The Board requires material to be presented to the President for consideration by the President and the Board Chair for the agenda at least nine working days prior to the scheduled date of the meeting.

The order of business may be changed by consent of the Board of Education. Additions or modifications to the official agenda can be made by a Board member, the Board Clerk or an ex-officio member in the order of business when the Chairperson calls for agenda changes.

Southwestern Oregon Community College

BP 2431 Selection of the College President

NOTE: *This policy is **accreditation-related** and **legally advised**. Local entities may insert their own practice here. The following is an illustrative example.*

Purpose

To establish there will be a search process to fill a vacancy of the college President.

Statement

In the case of a college President vacancy, the Board of Education shall establish a search process to fill the vacancy. The process shall be fair, open, and comply with relevant regulations. This process may include the appointment of an interim President.

References:

- NWCCU Standards 2.A.3
- NWCCU Standard Updated 5/20

Adopted:

Southwestern Oregon Community College

BP 2432 Temporary Administrative Succession

NOTE: *The following language is legally advised.*

Purpose

To delegate authority to the college President to establish the line of succession

Statement

The Board of Education delegates authority to the college President to appoint an acting President to serve in his/her absence for short periods of time, not to exceed 30 calendar days at a time.

In order to protect the Board of Education from the sudden loss of presidential services the Vice President of Administrative Services, the Vice President of Instruction and the Vice President of Student services shall be familiar with board and presidential issues, policies and processes.

In the absence of the college President and when an acting President has not been named, administrative responsibility shall reside with:

1. VP of Administrative Services
2. VP of Instruction
3. VP of Student Services

The Board of Education shall appoint an acting college President for periods exceeding 30 calendar days.

If the President is disabled or otherwise, in the opinion of the Board, unable to serve, the Board shall assign the President's duties as appropriate.

References: There is no Oregon statutory requirement.

Adopted:

Southwestern Oregon Community College

BP 2510 Participation in Local Decision-Making

Purpose

To define and establish decision-making.

Statement

The Board of Education is the ultimate decision-maker in areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board of Education is committed to its obligation to ensure that members of the Board of Education participate in developing recommended policies for Board of Education action and administrative procedures for Executive action under which Southwestern Oregon Community College is governed and administered by the college President.

Except for unforeseeable emergency situations, the Board of Education shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate in the process. The Board delegates to the college President the responsibility to determine which constituent group or groups are appropriate.

Pursuant to Oregon law, authority to act lies in the Board of Education and not individual members. Any duty imposed upon the Board of Education as a body shall be performed at a regular or special meeting and shall be a matter of record. The consent to any measure obtained from individual Board of Education members when the Board of Education is not in session shall not be an act of the Board of Education and shall not be binding upon the district.

References:

NWCCU Standard 2.A.4

ORS 341.283(5)

Adopted:

Southwestern is an equal opportunity educator and employer.

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