

Clackamas Community College  
**BOARD POLICY MANUAL**  
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(Revised September 11, 2009)

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## **Board Policy Manual Distribution List**

1. Joanne Truesdell
2. Baldwin van der Bijl
3. Courtney Wilton
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Deans

Directors

Managers

Board of Education

CCC Faculty Association

CCC Part Time Faculty Association

CCC Classified Association

CCC Associated Student Government

Oregon Community College Association

Office of Community College Services

Oregon School Board Association

President's Office

Library

Section Heads

Archives

List Revised 9/20/07/kas

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## BOARD POLICY MANUAL

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### PREFACE

This manual contains the policies adopted by the Clackamas Community College Board of Education. Oregon Revised Statutes (ORS) define terms, delineate responsibilities, limitations, and conditions for districts offering a program of community college education in Oregon. Within the ORS framework, the Board of Education has established the college's mission, purpose, philosophy and policies governing the operation of the institution.

The Board of Education meeting minutes contain pertinent background and discussion of proposed board policies and a record of the resolutions of adoption. Copies of minutes, available for examination by college staff, students, or members of the community, are on file in the office of the president and in the Archives.

This manual will be maintained and kept current by the office of the president. Copies will be provided to appropriate campus administrative offices and will be accessible to all staff and students. Staff may also access the manual on F drive (F:\1POLICY\BOARD.POL)

**TITLE: PURPOSE SUMMARY**

**Policy 101**

Our PURPOSE is creating lifetime opportunities for success through responsive education.

Our MISSION & PHILOSOPHY is to serve the people of the college district with high quality education and training opportunities that are accessible to all students, adaptable to changing needs, and accountable to the community we serve.

Our CODE OF ETHICS calls each of us to perform our jobs in a way that fosters personal growth and academic excellence, recognizes the inherent goodness of all people, models personal and academic integrity, respects diversity, and shows concern for the needs and feelings of others.

## **TITLE: PURPOSE AND MISSION**

## **Policy 102**

“Creating lifetime opportunities for success through responsive education,” is the purpose of Clackamas Community College.

The mission of Clackamas Community College is to serve the people of the college district with quality education and training opportunities:

- as a two-year college accredited by the Northwest Commission on Colleges and Universities
- as a publicly supported, community-based organization, governed by a locally elected Board of Education
- through programs and courses in professional-technical, liberal arts and sciences (college transfer), basic skills, adult interest, and custom-designed courses and support services
- within available resources from student tuition and fees, local property taxes, state funds, and additional resource development activities (i.e. state and federal grants, individual and corporate gifts, etc.).

This mission is implemented with a commitment to being accessible, adaptable, and accountable.

The college endeavors to be accessible by:

- maintaining an open door admissions policy;
- keeping tuition and fees as low as possible and maintaining financial aid programs;
- informing the public about available programs and services;
- encouraging student success through course placement, effective instructional strategies, recognition of diverse learning styles, and commitment to student support;
- surmounting the geographical, physical, educational, psychological, and financial barriers that exist for district citizens;
- encouraging free and open exchange of thoughts and ideas;
- welcoming students and staff of diverse backgrounds and cultures.

The college endeavors to be adaptable by:

- asking district citizens, businesses, and other community groups what programs and services are needed;
- maintaining flexibility in planning, budgeting, and staffing practices so that resources can be shifted as needs change;
- cooperating with other organizations to respond to common challenges;
- maintaining instructional and student support programs which recognize the diversity of learning and cultural styles;
- building productive partnerships with business and industry.

The college endeavors to be accountable by:

- maintaining appropriate standards of performance for all programs, courses, and services;
- involving citizens in the budget process, the planning process, and in program development and review;
- conducting regular performance reviews for all college staff members;
- continuing efforts to make the most efficient use of college resources;

- evaluating the effectiveness of educational programs, instruction, and instructional services by measuring student outcomes.

In order to ensure quality service to our community and students and a fulfilling work environment for our staff, we subscribe to the following institutional values:

**VALUES PERTAINING TO THE COMMUNITY**

Central Value: The college staff holds the institution in trust for the citizens of the district. We believe that:

- our service and instruction shall always strive to meet the highest standards;
- the college exists in a dynamic environment which encourages innovation, self-evaluation, and continuous improvement;
- the preservation of the college in the pursuit of its mission must take priority over individual concerns while safeguarding the rights and dignity of staff or students;
- academic freedom and the free exchange of ideas are essential elements of the college.

**VALUES PERTAINING TO THE STUDENTS**

Central Value: The College exists to enable students to earn a college education, to prepare for the world of work, and to learn how to learn. We believe that:

- students can grow toward their full potential as they experience the joys of discovery and participate in the rigors of study;
- all students possess inner resources which can be developed and refined;
- students have the right to enroll in classes appropriate to their ability levels;
- students must take an active role in their own learning to make their educational experiences meaningful;
- students should respect the diversity and dignity of all persons.

**VALUES PERTAINING TO THE STAFF**

Central Value: All college personnel must contribute to and support the educational mission of the college. We believe that:

- every staff member is a problem solver, with the right and the responsibility to identify and resolve issues encountered on the job;
- staff members must develop and maintain a strong interest in the growth of students and the community we serve;
- effective communication and cooperation among staff members is necessary to fulfill the college mission;
- staff members are responsible for seeking opportunities for continued professional growth;
- the college is responsible for providing professional development opportunities for staff;
- each staff member is entitled to fair and honest treatment by the college.

### VALUES PERTAINING TO DIVERSITY

Central Value: The College is committed to building awareness of cultural diversity on our campuses and in our community. We believe in:

- respecting the inherent right of all persons to live with dignity and freedom;
- respecting individual rights of expression;
- setting a standard for the larger community by promoting tolerance, communication, and understanding among people with differing beliefs, color, gender, cultures, and backgrounds;
- encouraging affirmative action for students and staff;
- providing opportunities (curriculum development, art exhibits, theatrical presentations, special events) for increasing our awareness of cultural differences and personal life-style preferences within our college and the community.

### VALUES PERTAINING TO THE ENVIRONMENT

Central Value: The College accepts responsibility as a steward of the environment. In all areas of the college's operations, we will be proactive in protecting the environment. Our educational role is not only to teach environmental principles but also to model appropriate environmental behaviors. To implement our role, we will:

- encourage students and staff to practice behaviors which are consistent with the preservation of a clean and safe environment;
- minimize the creation of waste, and repair, reuse, and recycle materials whenever possible;
- provide facilities that are safe and free from environmental hazards;
- use the most energy efficient systems available in the physical operation of the college and make energy conservation a priority when planning new facilities and retrofitting existing facilities;
- purchase earth-friendly products whenever feasible, and consider environmental effects when we plan investments in buildings, equipment, maintenance, and repairs;
- maintain a landscape that provides opportunities for environmental awareness, learning, and enjoyment by using the most environmentally compatible methods available for upkeep;
- evaluate our own performance through formal audits and by listening carefully to the observations of employees, industry, students, and others on ways we can improve.

**VALUES PERTAINING TO DECISION MAKING**

Central Value: The College maintains an open and inclusive organizational structure which enables all staff members to participate in the decision-making process:

- Institutional direction is driven by information received from the staff, the students, and the community;
- All employees should have a clear understanding of how they are connected to the decision-making process;
- We achieve a balance of decentralized and centralized decision-making;
- We maintain an organizational audit with the goal of continuous improvement;
- We are flexible and able to develop contingency plans to adjust to a changing environment;
- We are constantly in the process of defining and dispelling ambiguity but able to accept a certain amount of uncertainty;
- We are constantly seeking direction from the appropriate stakeholder groups regarding policy and curriculum development.

**TITLE: ORGANIZATION AND AUTHORITY  
OF BOARD OF EDUCATION**

**Policy 201**

Clackamas Community College District was established and operates under authority granted by the Oregon State Legislature as contained in Chapter 341 of the Oregon Revised Statutes.

The Board is subject to the provisions of the Constitution of the State of Oregon, the Oregon Revised Statutes, the rules and regulations of the Oregon Board of Education, its own policies and procedures, and the expressed will of the electorate.

Seven qualified members shall be elected to the first Board to serve terms of four, four, three, three, two, two, and one year(s) respectively according to the number of votes each receives. The College Board of Education, thereafter, will consist of seven members elected by zones for four-year terms in accordance with ORS 341.327.

To be elected, a Board member must be a resident and an elector of the district. He/She must also reside in the zone from which he/she is nominated, elected, or appointed.

The zones from which Board members are to be elected, according to ORS 341.175, and as adopted by the Board on the 9<sup>th</sup> day of January, 2002, are as follows:

- Zone 1: Precincts 51, 53, 54, 56, 57, 58, 60, 62, 63, 64, 92, 95, 451 (north part), 452, 453, 475 (northwest part), 478, 481, 506 (north part), 597 (north part), 521, 522, 523
- Zone 2: 34 (east part), 93, 94, 96, 97, 362 (north part), 366 (north part), 394, 411, 412, 413, 414, 422, 441, 442, 443, 444, 445, 451 (south part), 454, 475 (northeast part), 480, 490, 491, 492, 550 (north part)
- Zone 3: 31, 32, 33, 34 (west part), 38, 39, 475 (southwest part), 503, 505, 506 (south part), 507 (south part), 525, 526, 530, 531, 532, 533, 538, 549, 550 (south part), 551, 552, 553, 555
- Zone 4: 1, 2, 3, 5, 6, 7, 8, 9, 131 (east part), 132 (east part), 134, 138 (southeast part), 139, 140 (south part), 560, 561, 563 (north part), 565 (west part), 568 (west part), 575 (west part), 578 (west part)
- Zone 5: 130, 131 (all except east part), 132, (west part), 135, 136, 137, 138 (north part), 140 (north part), 155, 165 (all except south part), 171, 201, 202, 205, 252, 305, 306, 326, 327, 328, 336, 337
- Zone 6: 106, 107, 353, 354, 355, 356, 357, 361, 362 (south part), 363, 364, 365, 366 (south part), 368, 369, 372, 373, 377, 561, 563 (south part), 565 (east part), 568 (east part), 575 (east part), 576, 577, 578 (east part), 582, 583, 585, 586, 587, 589

Zone 7: 10, 111, 112, 116, 117, 122, 123, 124, 125, 126, 203, 204, 343, 344, 345,  
346, 349, 350, 351, 562, 581

**TITLE: WHAT OREGON LAW SAYS A COMMUNITY  
COLLEGE SHOULD BE DOING**

**Policy 202**

The 1971 session of the legislature adopted a separate code of statutes related to community colleges, which, prior to that time, had been governed by the laws applied to public schools in general, with a few sections devoted just to community colleges.

The legislature put into the code some new wording of ideas that had been part of earlier laws referring to legislative policy concerning the role, structure, and purpose of community colleges. The actual words of the law appear below: (Certain pertinent phrases have been underlined for emphasis.)

ORS (Oregon Revised Statutes) 341.009 Policy. The Legislative Assembly finds that:

(1) The community college is an educational institution which is intended to fill the institutional gap in education by offering broad, comprehensive programs in academic as well as vocational-technical subjects. It is designed to provide terminal two-year programs for some, serve a transitional purpose for others who will continue college work, and serve to determine future educational needs for other students. For adults, it can provide means for continuation of their academic education, professional technical training, or the attainment of entirely new skills as demands for old skills and old occupations are supplanted by new technologies.

(2) Each community college should be so located as to be within commuting time of a substantial majority of its students. As an economical method of providing education close to the student's home, the community college should remain a commuting institution.

(3) The community college should not follow the established organizational patterns of other secondary and higher educational institutions in order to maintain a unique quality of flexibility and the ability to change to meet changing needs.

(4) The community college is a post-high school institution under the State Board of Education. It should not be a "starter" institution intended to evolve into a four-year baccalaureate institution. It should be concerned with programs terminating after two years or less, with exceptions made only for certain curricular offerings of a technical nature which may require more than two years for completion.

(5) The community college should continue to be prohibited by law from becoming a four-year institution.

(6) Admission to the community college should be open to high school graduates or to non-high school graduates who can profit from the instruction offered.

(7) There should be close cooperation between those directing the community college program and those responsible for higher education, so that lower-division college-transfer programs of the community college will provide adequate preparation for entering four-year institutions and so that students will be able to transfer with a minimum of difficulty.

(8) The community college should offer as comprehensive a program as the needs and resources of the area which it serves dictate. Cost to student and quality of instruction in

established private institutions should be among factors in determining necessary duplication of effort.

(9) It should be the policy of the community college to open its facilities to the high schools of its area on a sound contractual basis for appropriate secondary courses, either academic or professional technical, when it is within its ability to provide facilities, and it is determined that the high school cannot or does not offer them.

(10) To establish programs designed to meet the needs of the area served, surveys of the educational and service needs of the district should be made. Specific professional technical courses should be related not only to the employment opportunities of the area, but of the state and nation as well. Such determination should be made in consultation with representatives of labor, business, industry, agriculture, and other interested groups.

(11) The State Board of Education should be responsible for coordinating the community college program of the state and should have general supervisory responsibilities for that program. The State Board of Education should prepare estimates and make the requests for legislative appropriations for a reasonable and consistent basis of support and establish standards for the distribution of that support.

(12) The initiative for the establishment of new community colleges should come from the localities to be served as a response to demonstrated educational needs of an area. However, these localities must not only be willing to assume the responsibility for the institutions, but must be able to provide resources needed for an adequate educational and service program.

(13) The governing board of the community college should be charged with the policy making function. With respect to educational programming, the governing board should, in cooperation with the State Board of Education: (a) identify educational needs of the district; and (b) bring together the resources necessary to meet the needs.

(14) The state should maintain a policy of substantial state participation in community college building costs and the maintenance of an adequate level of state support for education. However, no state funds should be appropriated for buildings such as dormitories or athletic facilities for spectator sports. In the event that students from beyond commuting distance attend a community college, housing should be noncampus. The operating district should provide a substantial portion of the funds for capital improvement as well as for operation of a community college.

(15) State appropriations for community colleges should be made separately from those for other segments of education.

(16) The formula for the distribution of funds for operating costs should reflect the heavier operating costs and capital outlay for certain professional technical courses. Federal funds received for professional technical training should be used for that purpose only and be distributed separately from funds appropriated by the state and should be exempted from the computations of the present distribution formula for operating costs.

(17) The cost of education to the individual should be sufficiently low to permit students of low-income families to attend. This is particularly true of tuition costs. However, students

should pay an amount sufficient to provide an incentive to profit from the instructional program offered,

(18) Any eligible Oregon resident should have the right to attend a community college even though not residing in a district operating one, subject to the right of the governing board to limit the size of classes and to give preference to students residing in the district. Local districts should have the authority to negotiate the terms and conditions with the governing boards for the enrollments of students residing in such local districts.

**TITLE: GENERAL RESPONSIBILITIES OF THE BOARD  
OF EDUCATION**

**Policy 203**

The Board as Policy Maker

Pursuant to ORS 341.009 (13), the Board of Education is charged with the policy-making function of the college. With respect to educational programming, the Board of Education should, in cooperation with the State Board of Education:

- Identify educational need of the district;
- Bring together the resources necessary to meet the needs.

The Board of Education is the policy making body of the college district. In this role, the Board establishes the principles which govern the daily operation of the college's educational system. Policy states the overall objectives of the college district and provides guidelines for accomplishing the objectives. Board policy does not set down the exact procedures to be followed. Such procedures constitute administrative regulations and not Board policy.

Initiating Policy: The President will provide the information, background, and materials upon which the Board bases policy. The President may present a policy statement and supporting evidence for the Board to consider, accept, reject, or revise. At any public Board meeting, the Board may request that the President initiate the process of drafting a Board policy or revising a Board policy.

The Board Policy Manual will be reviewed at regular intervals. It will be the responsibility of the Clerk of the District to insure that manuals are kept current and that policies are adopted, revised, or deleted in keeping with new legislation or changes in formal Board policy.

The Board as the Public's Representative

Members of the Board of Education are elected to represent the public in the governance of the college district. As the public's representatives, Board members have an obligation to actively seek and understand public opinion.

The Board as Public Employer [ORS 341.290(1)]

The Board of Education is also a public employer. The Board employs administrative officers, professional personnel, and other employees (ORS 341.290(1)). The Board of Education defines the duties, terms and conditions of employment and prescribes compensation. A major responsibility of the Board is the negotiation of wages, hours, and working conditions with employee organizations. This responsibility is delegated to an appropriate management bargaining team, appointed by and reporting to the Board.

Board Authority [ORS 341.283(5)]

Board members have authority only when acting as a Board legally in session. The Board cannot be bound in any way by any statement or action on the part of individual Board members or employees.

Board Delegation of Administrative Authority [ORS 341.290(1)(2)]

The Board of Education is responsible for the general supervision and control of the college, and the Board delegates to the President/Chief Executive Officer of the College its authority for administering applicable state and federal laws and Board policies governing the College.

**TITLE: SPECIFIC RESPONSIBILITIES OF  
THE BOARD OF EDUCATION**

**Policy 204**

The Board of Education is given primary responsibility under the law for the educational programs of the Clackamas Community College District (ORS 341.290).

In addition, the general authority of the Clackamas Community College Board includes the power to:

1. Hire and fire personnel, define their duties and terms and conditions of employment and establish salaries.
2. Enact rules for the governance of the College.
3. Prescribe the educational program.
4. Control use of and access to the district's property.
5. Determine the ways the College's revenues will be spent.
6. Purchase real property, enter into leases or mortgage agreements.
7. Operate bookstores, food service and other revenue-generating activities.
8. Set tuition and establish admission standards.
9. Establish fees for special programs and student services.
10. Inform the public of College activities.
11. Contract with consultants.
12. Maintain programs, services and facilities.
13. Provide student services such as health, guidance, counseling, and placement activities.
14. Accept funds and contracts with federal, state, and local agencies as well as foundations.
15. Prescribe the rules for the use and access to public records of the district.
16. Exercise any other power, duty or responsibility necessary to carry out the functions of the college required by law.

#### SPECIFIC BOARD AUTHORITY:

1. Enact rules for controlling traffic on campus (ORS 341.300).
2. Levy local voter approved property taxes (ORS 341.305).
3. Ascertain and levy annually, in addition to all other taxes, a direct ad valorem tax on all the taxable property in the district, sufficient to pay the maturing interest and principal of all community college district bonds outstanding promptly when and as such payments become due.
4. Exercise the right of eminent domain (ORS 341.311).
5. Call special elections (ORS 341.369).
6. Determine where classes are offered (ORS 341.435).
7. Contract with others for the delivery of educational and support services (ORS 341.440).
8. Award certifications and degrees (ORS 341.465).
9. Extend student financial aid (ORS 341.475) and award scholarships (ORS 341.485).
10. Issue bonds (ORS 341.675-681) and promissory notes (ORS 341.715).

**TITLE: CONFLICT OF INTEREST [ORS 244.040 & 244.120]**

**Policy 205**

No Board member or college employee shall have any direct or indirect (example: through a private or corporate business) pecuniary interest in the erection, repair or furnishing of Clackamas Community College buildings; or demand or receive any commission or compensation for purchase of any Clackamas Community College supplies, equipment or services.

If implementation of this Policy adds substantial additional cost to the operation of the district, then supplying of services, supplies, or equipment at the lowest cost should be the determining factor. A Board member, when met with a potential conflict of interest, must announce publicly the nature of the potential conflict prior to taking any action thereon or abstaining in their capacity as a Board member.

It is the policy of Clackamas Community College that a member of the Board of Education cannot simultaneously be an employee of Clackamas Community College. If a board member has a family member or direct relative on the staff of the college, then the Board member, when met with a potential conflict of interest, must announce publicly the nature of the potential conflict prior to taking any action thereon or abstaining in their capacity as a Board member.

Excluding food or beverage when consumed in the presence of the purchaser, no Board member shall receive a gift or honorarium in exchange for services that might result in the use of the public position for financial gain.

If a Board member's vote is necessary to meet a requirement of the minimum number of votes to take official action, be eligible to vote, but not to participate in any discussion or debate on the issue out of which the actual vote arises; still fulfilling the requirement of disclosure of the potential conflict of interest.

## TITLE: OFFICERS OF THE BOARD & THEIR DUTIES

Policy 206

At its annual organizational meeting, the Board of Education will elect one member as Chair and another as Vice Chair. No member shall serve more than two consecutive years as Chair or Vice Chair.

### Duties of the Chair:

1. To preside at all meetings of the Board,
2. To appoint or provide for election of all Board committees, assignments, and liaison roles.
3. To call special meetings as required to conduct Board business.
4. To perform such other duties as may be prescribed by law or by action of the Board.
5. To approve and sign the Minutes of all regular, executive, and special meetings of the Board and such other documents as may be required.

### Duties of the Vice Chair:

1. To fulfill all obligations of the Chair when he/she is absent or unable to perform the required functions.

### Board Executive Committee:

The Board Chair and Vice Chair will serve as the Board's Executive Committee. The Board Chair will meet with the President prior to each Board meeting to approve the agenda. The Vice Chair may also participate in this meeting. The meeting may be held in person, by telephone, or by email.

**TITLE: BOARD MEMBER TRAVEL**

**Policy 207**

In order that the progress and development of Clackamas Community College be properly assessed, and its constituency be well represented and informed, all members of the college Board are encouraged to attend and participate in meetings, conferences or organizations of which the college is a member, or those by which such attendance or participation would benefit the college.

The College may reimburse Board members for actual and necessary expenses for attending meetings, conferences, or organizations that benefit Clackamas Community College.

## **TITLE: TERMS OF OFFICE AND BOARD VACANCIES**

**Policy 208**

The term of office of all Board members shall begin on July 1 following their election. The term of office of an appointed Board member commences upon appointment. Board members must qualify by taking the Oath of Office before assuming the duties of the office.

The Board shall declare the office of a board member vacant if it finds that the:

1. incumbent is deceased or has resigned.
2. incumbent has been removed or recalled from office or the election of the incumbent thereto has been declared void.
3. incumbent has ceased to be a resident of the district from which the incumbent was nominated or elected.
4. incumbent has ceased to discharge the duties of office for two consecutive months, unless due to sickness or other unavoidable cause or unless excused by the chairperson of the board.

If a vacancy occurs on the Board, a majority of the members remaining may elect to fill the vacancy until the next bi-annual election as prescribed under ORS 341.335.

**TITLE: EXPENSES OF BOARD MEMBERS**

**Policy 209**

Members of the Board and Budget Committee of Clackamas Community College shall receive no compensation for their services, but they shall be allowed their actual and necessary expenses incurred in the performance of their official duties.

## **TITLE: BOARD CLERK AND DEPUTY CLERK**

## **Policy 210**

The Board of Education will appoint the college President to act as college Clerk. He/She will perform duties as prescribed by law and Board Policy. The Board may appoint Deputy Clerks who may perform any duty of the Clerk.

### Duties of the Clerk of the Board

1. To sign the Minutes of all regular, executive and special meetings of the Board of Education and all other official documents of the Board.
2. To serve as custodian of district funds.
3. To serve as custodian of all records, proceedings, and documents of the Board.
4. To see that records of all Board meetings are kept and transmitted to Board members, officers of the fulltime and part time faculty organizations, the classified staff, the Associated Student Government president, and appropriate college staff members.
5. To keep and provide financial reports as requested by Board members, Oregon Board of Education and state law.
6. To serve as the college's Budget Officer, and to develop an annual budget reflecting the goals of the Board of Education.

**TITLE: BOARD/PRESIDENT RELATIONSHIPS****Policy 211**

The Board recognizes that the college President and Board must function as a team to direct and manage the college and its programs effectively. Mutual trust and respect are mandatory to maintain an atmosphere in which cooperative leadership can be developed.

The Board owes the President trust in his/her integrity, respect for his/her professional training and experience, and confidence in his/her administrative ability.

The President owes the Board his/her loyalty, his/her best advice on Board decisions, and the most competent management of the college he/she can provide.

To assist in maintaining a strong working relationship, the Board will formally evaluate its own performance and that of the President each year.

## TITLE: MEETINGS OF THE BOARD OF EDUCATION

## Policy 212

### **Annual Organizational Meeting ORS 341.283**

The Board of Education will hold its annual organizational meeting to elect a Chair and a Vice Chair from its members at a date and time set by the Board at its first regular meeting held after July 1 of each year.

### **Regular Board Meetings ORS 341.283(2)**

Regular Board meetings for the college will be the second Wednesday of each month at 7:00 p.m. The time, date, or place of a regular meeting may be changed by action of the Board, provided that the Clerk notifies every Board member and the news media, either by letter or by distribution of the Minutes carrying a record of the change.

### **Special Board Meetings ORS 341.283(2)**

Special Board meetings may be called by the Board Chair, or by four members of the Board, provided that the Clerk notifies every Board member and the news media at least 24 hours before the meeting. A special Board meeting may also be called by common consent of Board members at any time. Only official business called for or listed on the agenda may be transacted at special meetings.

Board meetings via telephone conferences may also be held, provided members are notified at least 24 hours in advance; that a quorum participates, and that the news media is informed and given the opportunity to be a party to the call.

### **Public Meetings ORS 192.610 through 192.690:**

**ORS 192.610 through 192.690** - Definition of terminology used to define public meetings, board decisions, and executive sessions.

**ORS 192.620** – Definition of Board Policy

**ORS 192.630** - Governing Board meetings are open to the public, nondiscriminatory, and are within the geographic boundaries of the district.

**ORS 192.640** - Public notice is required for Board meetings.

**ORS 192.650** - Written minutes or a recording are required of the Board meeting.

**ORS 192.660** - Executive Sessions

Executive sessions of the Board are those held while in recess or adjournment, during which no official action may be taken. These sessions are held for discussing personnel, real property transactions, students, labor negotiations, or to preserve client-attorney relationships in legal matters when strict confidence must be maintained to protect the rights of persons and the college district, and to represent the best financial interests of the taxpayers. Whenever the Board goes into executive session, the Board Chair will identify ORS 192.660 as the authorizing statute for convening an executive session. The regular meeting must be reconvened for the Board to take official action.

**ORS 192.670** - Meetings by means of telephonic or electronic communication attached)

**ORS 192.680** - Enforcement of ORS 192.610 to 192.690

**ORS 192.685** - Additional enforcement of alleged violations of ORS 192.660 attached)

**ORS 192.690** - Exceptions to ORS 192.610 to 192.690

PUBLIC MEETINGS

**192.610 Definitions for ORS 192.610 to 192.690.** As used in ORS 192.610 to 192.690:

(1) "Decision" means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

(2) "Executive session" means any meeting or part of a meeting of a governing body which is closed to certain persons for deliberation on certain matters.

(3) "Governing body" means the members of any public body which consists of two or more members, with the authority to make decisions for or recommendations to a public body on policy or administration.

(4) "Public body" means the state, any regional council, county, city or district, or any municipal or public corporation, or any board, department, commission, council, bureau, committee or subcommittee or advisory group or any other agency thereof.

(5) "Meeting" means the convening of a governing body of a public body for which a quorum is required in order to make a decision or to deliberate toward a decision on any matter. "Meeting" does not include any on-site inspection of any project or program. "Meeting" also does not include the attendance of members of a governing body at any national, regional or state association to which the public body or the members belong. [1973 c.172 §2; 1979 c.644 §1]

**192.620 Policy.** The Oregon form of government requires an informed public aware of the deliberations and decisions of governing bodies and the information upon which such decisions were made. It is the intent of ORS 192.610 to 192.690 that decisions of governing bodies be arrived at openly. [1973 c.172 §1]

**192.630 Meetings of governing body to be open to public; location of meetings; accommodation for individuals with disability; interpreters.** (1) All meetings of the governing body of a public body shall be open to the public and all persons shall be permitted to attend any meeting except as otherwise provided by ORS 192.610 to 192.690.

(2) A quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690.

(3) A governing body may not hold a meeting at any place where discrimination on the basis of race, creed, color, sex, age, national origin or disability is practiced. However, the fact that organizations with restricted membership hold meetings at the place does not restrict its use by a public body if use of the place by a restricted membership organization is not the primary purpose of the place or its predominate use.

(4) Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved. A joint meeting of two or more governing bodies or of one or more governing bodies and the elected officials of one or more federally recognized Oregon Indian tribes shall be held within the geographic boundaries over which one of the participating public bodies or one of the Oregon Indian tribes has jurisdiction or at the nearest practical location. Meetings may be held in locations other than those described in this subsection in the event of an actual emergency necessitating immediate action.

(5)(a) It is discrimination on the basis of disability for a governing body of a public body to meet in a place inaccessible to the disabled, or, upon request of a deaf or hard-of-hearing person, to fail to make a good faith effort to have an interpreter for deaf or hard-of-hearing

persons provided at a regularly scheduled meeting. The sole remedy for discrimination on the basis of disability shall be as provided in ORS 192.680.

(b) The person requesting the interpreter shall give the governing body at least 48 hours' notice of the request for an interpreter, shall provide the name of the requester, sign language preference and any other relevant information the governing body may request.

(c) If a meeting is held upon less than 48 hours' notice, reasonable effort shall be made to have an interpreter present, but the requirement for an interpreter does not apply to emergency meetings.

(d) If certification of interpreters occurs under state or federal law, the Department of Human Services or other state or local agency shall try to refer only certified interpreters to governing bodies for purposes of this subsection.

(e) As used in this subsection, "good faith effort" includes, but is not limited to, contacting the department or other state or local agency that maintains a list of qualified interpreters and arranging for the referral of one or more such persons to provide interpreter services. [1973 c.172 §3; 1979 c.644 §2; 1989 c.1019 §1; 1995 c.626 §1; 2003 c.14 §95; 2005 c.663 §12]

**192.640 Public notice required; special notice for executive sessions, special or emergency meetings.** (1) The governing body of a public body shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.

(2) If an executive session only will be held, the notice shall be given to the members of the governing body, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

(3) No special meeting shall be held without at least 24 hours' notice to the members of the governing body, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice. [1973 c.172 §4; 1979 c.644 §3; 1981 c.182 §1]

**192.650 Recording or written minutes required; content; fees.** (1) The governing body of a public body shall provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, except as otherwise provided by law, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

(a) All members of the governing body present;

(b) All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;

(c) The results of all votes and, except for public bodies consisting of more than 25 members unless requested by a member of that body, the vote of each member by name;

(d) The substance of any discussion on any matter; and

(e) Subject to ORS 192.410 to 192.505 relating to public records, a reference to any document discussed at the meeting.

(2) Minutes of executive sessions shall be kept in accordance with subsection (1) of this section. However, the minutes of a hearing held under ORS 332.061 shall contain only the material not excluded under ORS 332.061 (2). Instead of written minutes, a record of any executive session may be kept in the form of a sound or video tape or digital recording, which need not be transcribed unless otherwise provided by law. If the disclosure of certain material is inconsistent with the purpose for which a meeting under ORS 192.660 is authorized to be held,

that material may be excluded from disclosure. However, excluded materials are authorized to be examined privately by a court in any legal action and the court shall determine their admissibility.

(3) A reference in minutes or a recording to a document discussed at a meeting of a governing body of a public body does not affect the status of the document under ORS 192.410 to 192.505.

(4) A public body may charge a person a fee under ORS 192.440 for the preparation of a transcript from a recording. [1973 c.172 §5; 1975 c.664 §1; 1979 c.644 §4; 1999 c.59 §44; 2003 c.803 §14]

### **192.660 Executive sessions permitted on certain matters; procedures; news media representatives' attendance; limits.**

(1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.

(2) The governing body of a public body may hold an executive session:

(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.

(c) To consider matters pertaining to the function of the medical staff of a public hospital licensed pursuant to ORS 441.015 to 441.063, 441.085, 441.087 and 441.990 (3) including, but not limited to, all clinical committees, executive, credentials, utilization review, peer review committees and all other matters relating to medical competency in the hospital.

(d) To conduct deliberations with persons designated by the governing body to carry on 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.

(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

(j) To carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

(k) If the governing body is a health professional regulatory board, to consider information obtained as part of an investigation of licensee or applicant conduct.

(L) If the governing body is the State Landscape Architect Board, or an advisory committee to the board, to consider information obtained as part of an investigation of registrant or applicant conduct.

(m) To discuss information about review or approval of programs relating to the security of any of the following:

(A) A nuclear-powered thermal power plant or nuclear installation.

(B) Transportation of radioactive material derived from or destined for a nuclear-fueled thermal power plant or nuclear installation.

(C) Generation, storage or conveyance of:

(i) Electricity;

- (ii) Gas in liquefied or gaseous form;
- (iii) Hazardous substances as defined in ORS 453.005 (7)(a), (b) and (d);
- (iv) Petroleum products;
- (v) Sewage; or
- (vi) Water.

(D) Telecommunication systems, including cellular, wireless or radio systems.

(E) Data transmissions by whatever means provided.

(3) Labor negotiations shall be conducted in open meetings unless negotiators for both sides request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

(4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2) but the governing body may require that specified information be undisclosed.

(5) When a governing body convenes an executive session under subsection (2)(h) of this section relating to conferring with counsel on current litigation or litigation likely to be filed, the governing body shall bar any member of the news media from attending the executive session if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

(6) No executive session may be held for the purpose of taking any final action or making any final decision.

(7) The exception granted by subsection (2)(a) of this section does not apply to:

(a) The filling of a vacancy in an elective office.

(b) The filling of a vacancy on any public committee, commission or other advisory group.

(c) The consideration of general employment policies.

(d) The employment of the chief executive officer, other public officers, employees and staff members of a public body unless:

(A) The public body has advertised the vacancy;

(B) The public body has adopted regular hiring procedures;

(C) In the case of an officer, the public has had the opportunity to comment on the employment of the officer; and

(D) In the case of a chief executive officer, the governing body has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

(8) A governing body may not use an executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

(9) Notwithstanding subsections (2) and (6) of this section and ORS 192.650:

(a) ORS 676.175 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of licensee or applicant conduct investigated by a health professional regulatory board.

(b) ORS 671.338 governs the public disclosure of minutes, transcripts or recordings relating to the substance and disposition of registrant or applicant conduct investigated by the State Landscape Architect Board or an advisory committee to the board. [1973 c.172 §6; 1975 c.664 §2; 1979 c.644 §5; 1981 c.302 §1; 1983 c.453 §1; 1985 c.657 §2; 1995 c.779 §1; 1997 c.173 §1; 1997 c.594 §1; 1997 c.791 §9; 2001 c.950 §10; 2003 c.524 §4; 2005 c.22 §134]

### **192.670 Meetings by means of telephonic or electronic communication.**

(1) Any meeting, including an executive session, of a governing body of a public body which is held through the use of telephone or other electronic communication shall be conducted in accordance with ORS 192.610 to 192.690.

(2) When telephone or other electronic means of communication is used and the meeting is not an executive session, the governing body of the public body shall make available to the public at least one place where the public can listen to the communication at the time it occurs by means of speakers or other devices. The place provided may be a place where no member of the governing body of the public body is present. [1973 c.172 §7; 1979 c.361 §1]

**192.680 Enforcement of ORS 192.610 to 192.690; effect of violation on validity of decision of governing body; liability of members.**

(1) A decision made by a governing body of a public body in violation of ORS 192.610 to 192.690 shall be voidable. The decision shall not be voided if the governing body of the public body reinstates the decision while in compliance with ORS 192.610 to 192.690. A decision that is reinstated is effective from the date of its initial adoption.

(2) Any person affected by a decision of a governing body of a public body may commence a suit in the circuit court for the county in which the governing body ordinarily meets, for the purpose of requiring compliance with, or the prevention of violations of ORS 192.610 to 192.690, by members of the governing body, or to determine the applicability of ORS 192.610 to 192.690 to matters or decisions of the governing body.

(3) Notwithstanding subsection (1) of this section, if the court finds that the public body made a decision while in violation of ORS 192.610 to 192.690, the court shall void the decision of the governing body if the court finds that the violation was the result of intentional disregard of the law or willful misconduct by a quorum of the members of the governing body, unless other equitable relief is available. The court may order such equitable relief as it deems appropriate in the circumstances. The court may order payment to a successful plaintiff in a suit brought under this section of reasonable attorney fees at trial and on appeal, by the governing body, or public body of which it is a part or to which it reports.

(4) If the court makes a finding that a violation of ORS 192.610 to 192.690 has occurred under subsection (2) of this section and that the violation is the result of willful misconduct by any member or members of the governing body, that member or members shall be jointly and severally liable to the governing body or the public body of which it is a part for the amount paid by the body under subsection (3) of this section.

(5) Any suit brought under subsection (2) of this section must be commenced within 60 days following the date that the decision becomes public record.

(6) The provisions of this section shall be the exclusive remedy for an alleged violation of ORS 192.610 to 192.690. [1973 c.172 §8; 1975 c.664 §3; 1979 c. 644 §6; 1981 c.897 §42; 1983 c.453 §2; 1989 c.544 §1]

**192.685 Additional enforcement of alleged violations of ORS 192.660.**

(1) Notwithstanding ORS 192.680, complaints of violations of ORS 192.660 alleged to have been committed by public officials may be made to the Oregon Government Standards and Practices Commission for review and investigation as provided by ORS 244.260 and for possible imposition of civil penalties as provided by ORS 244.350.

(2) The commission may interview witnesses, review minutes and other records and may obtain and consider any other information pertaining to executive sessions of the governing body of a public body for purposes of determining whether a violation of ORS 192.660 occurred. Information related to an executive session conducted for a purpose authorized by ORS 192.660 shall be made available to the Oregon Government Standards and Practices Commission for its investigation but shall be excluded from public disclosure.

(3) If the commission chooses not to pursue a complaint of a violation brought under subsection (1) of this section at any time before conclusion of a contested case hearing,

the public official against whom the complaint was brought may be entitled to reimbursement of reasonable costs and attorney fees by the public body to which the official's governing body has authority to make recommendations or for which the official's governing body has authority to make decisions. [1993 c.743 §28]

**192.690 Exceptions to ORS 192.610 to 192.690.**

(1) ORS 192.610 to 192.690 shall not apply to the deliberations of the State Board of Parole and Post-Prison Supervision, the Psychiatric Security Review Board, state agencies conducting hearings on contested cases in accordance with the provisions of ORS chapter 183, the review by the Workers' Compensation Board or the Employment Appeals Board of similar hearings on contested cases, meetings of state or local lawyers assistance committees operating under the provisions of ORS 9.568, meetings of the personal and practice management assistance committees operating under the provisions of ORS 9.568, the multidisciplinary teams required to review child abuse and neglect fatalities in accordance with the provisions of ORS 418.747, the peer review committees in accordance with the provisions of ORS 441.055, mediation conducted under ORS 36.250 to 36.270, any judicial proceeding, meetings of the Oregon Health and Science University Board of Directors or its designated committee regarding candidates for the position of president of the university or

regarding sensitive business, financial or commercial matters of the university not customarily provided to competitors related to financings, mergers, acquisitions or joint ventures or related to the sale or other disposition of, or substantial change in use of, significant real or personal property, or related to health system strategies, or to Oregon Health and Science University faculty or staff committee meetings.

(2) Because of the grave risk to public health and safety that would be posed by misappropriation or misapplication of information considered during such review and approval, ORS 192.610 to 192.690 shall not apply to review and approval of security programs by the Energy Facility Siting Council pursuant to ORS 469.530. [1973 c.172 §9; 1975 c.606 §41b; 1977 c.380 §19; 1981 c.354 §3; 1983 c.617 §4; 1987 c.850 §3; 1989 c.6 §18; 1989 c.967 §§12,14; 1991 c.451 §3; 1993 c.18 §33; 1993 c.318 §§3,4; 1995 c.36 §§1,2; 1995 c.162 §§62b,62c; 1999 c.59 §§45a,46a; 1999 c.155 §4; 1999 c.171 §§4,5; 1999 c.291 §§25,26]

**192.695 Prima facie evidence of violation required of plaintiff.**

In any suit commenced under ORS 192.680 (2), the plaintiff shall be required to present prima facie evidence of a violation of ORS 192.610 to 192.690 before the governing body shall be required to prove that its acts in deliberating toward a decision complied with the law. When a plaintiff presents prima facie evidence of a violation of the open meetings law, the burden to prove that the provisions of ORS 192.610 to 192.690 were complied with shall be on the governing body. [1981 c.892 §97d; 1989 c.544 §3]

**Note:**

192.695 was added to and made a part of ORS chapter 192 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

**192.710 Smoking in public meetings prohibited.**

(1) No person shall smoke or carry any lighted smoking instrument in a room where a public meeting is being held or is to continue after a recess. For purposes of this subsection, a public meeting is being held from the time the agenda or meeting notice indicates the meeting is to commence regardless of the time it actually commences.

(2) As used in this section:

(a) "Public meeting" means any regular or special public meeting or hearing of a public body to exercise or advise in the exercise of any power of government in buildings or rooms rented, leased or owned by the State of Oregon or by any county, city or other political subdivision in the state regardless of whether a quorum is present or is required.

(b) "Public body" means the state or any department, agency, board or commission of the state or any county, city or other political subdivision in the state.

(c) "Smoking instrument" means any cigar, cigarette, pipe or other smoking equipment.

[1973 c.168 §1; 1979 c.262 §1]

**TITLE: BOARD PARLIAMENTARY PROCEDURE**

**Policy 213**

A majority of the Board (four members) shall constitute a quorum. The affirmative vote of the majority of members of the entire Board is required to transact any business. ORS 341.283(3)

Any member remaining silent at the time of voting will be presumed to have voted "Aye."

Unless otherwise noted in Board policy, or as provided in Oregon Revised Statutes, the Board will conduct all its meetings in accordance with the current edition of Robert's Rules of Order Newly Revised, and with ORS 192.630.

**TITLE: MINUTES OF THE MEETINGS****Policy 214**

A record of all transactions of the Board will be set forth in the Minutes, a file of which is kept by the Clerk as a permanent, official record of college legislation. This file is open to inspection of staff and public during normal working hours in the President's office.

The Minutes will record the name of the person making a motion, the name of the person seconding the motion, and the vote. Voting will be by voice. A member voting against a resolution may state his/her reasons and may have them recorded in the Minutes if he/she so requests. Any member may also request a roll call vote to be entered into the Minutes. In any motion where the vote is not unanimous, the names of those in the minority shall be recorded. Minutes will be signed by the Clerk and the Board Chair after Board approval.

Minutes shall be mailed or emailed as soon as possible to college Budget Committee lay members, ex-officio Board of Education members, the college attorney, selected State offices, and other staff members who have requested copies of the Minutes through a campus-wide "subscription" service. Minutes will be mailed or emailed to Board of Education members with the Agenda for the following month's meeting.

**TITLE: BOARD MEETING AGENDA****Policy 215**

The agenda of the meeting will be prepared by the College President, or in his/her absence, the Deputy Clerk, in consultation with the Board Chair and/or Vice Chair. The agenda will be mailed to members of the Board of Education one week prior to the date of the regular monthly meeting. Requests for placing items on the agenda will be forwarded by the Vice Presidents to the President. Agenda items, complete with any accompanying informational backup material, will be submitted to the President's office, allowing sufficient time to meet the mailing deadline.

As a general rule, official action will not be taken on items not listed on the Agenda, although the Board may vary this procedure if it decrees that to be necessary.

**TITLE: PUBLIC PARTICIPATION IN BOARD MEETINGS****Policy 216**

The public is invited to participate in Board meetings, with the exception of Executive sessions. A regular item on the agenda is provided for members of the public to speak. The Board is not obligated to consider any proposal raised unless such request is submitted to the President in writing at least 72 hours before the meeting. Board members must then be notified of the issue 48 hours before the scheduled meeting.

A Board of Education member should:

1. Understand that his/her basic function is policy-making and not administration of the college.
2. Refuse to play partisan politics.
3. Respect the rights of College patrons to be heard at official meetings.
4. Recognize that authority rests only with the Board in official meetings. An individual Board member cannot commit the Board to any action or posture unless specifically delegated to do so.
5. Refuse to participate in secret or irregular Board meetings.
6. Respect the opinions of other Board members and college staff.
7. Recognize that the President should have full administrative authority for properly discharging his professional duties within the limits of established Board policy.
8. Insist that all college business be transacted on an open, fair and honest basis.
9. Refuse to use his/her position on the Board for personal financial gain.
10. Refer complaints or problems to the President and support administrative action to answer complaints and solve problems.
11. Present personal criticism of any College operation directly to the President rather than to College personnel.
12. Declare any possible conflict of interest before a vote is called on a particular matter. It may be appropriate for a Board member to abstain from voting on a matter where a potential conflict may exist (See Board Policy 205).

**TITLE: EX-OFFICIO BOARD OF EDUCATION MEMBERS****Policy 218**

The Presidents of the Faculty Association, the Part-Time Faculty Association, the Classified Association, and the Associated Student Government, or their designees, shall be invited to attend regular Board of Education meetings as non-voting ex-officio members. They shall be encouraged to participate in discussions of matters before the Board, and to report to the Board on the activities of their respective associations.

**TITLE: BOARD INDEMNIFICATION**

**Policy 219**

The Board of Education and officers of the Board of Education of the Clackamas Community College district are community persons who serve the College at no compensation to themselves. By serving as a member of the Board of Education or as an officer thereof, the Board members and officers incur potential individual liability as a result of claims or lawsuits that may be brought against both the College and the Board members and officers. The College, therefore, agrees to indemnify and hold harmless any member of the Board of Education and any officer against all actions, claims, proceedings, demands, costs, damages, expenses and attorney's fees arising out of an alleged act or omission occurring in the performance of the member's duty as a member of the Board of Education. Members shall, however, not be protected in cases of malfeasance or willful or wanton neglect of duty. This indemnity shall continue during the entire term of the Board member and officer, and any extensions or renewals thereof.

**TITLE: RELATIONSHIP BETWEEN COLLEGE AND  
CCC FOUNDATION**

**Policy 220**

The College recognizes and supports the Clackamas Community College Foundation. The Foundation is organized as a separate 501(c)(3) tax exempt charitable organization for the purpose of raising friends and funds for Clackamas Community College.

The College requires this organization to report on a periodic basis to the Board, and to conduct an annual audit.

**TITLE: THE OPEN DOOR POLICY**

**Policy 301**

Clackamas Community College is an open door college. Adult entry is unrestricted, and college programs require ability and skills related to their purposes. Advising and testing are used to place students in appropriate curricula and classes.

The college maintains a diverse educational program of high quality. It offers remediation and support services that help students to accomplish their educational goals. Standards of performance which are relevant to the objectives of each course will be maintained.

Professional/Technical education programs provide the student with the knowledge and skills necessary to prepare for entry-level employment in business and industry. This is accomplished through a combination of relevant technical and academic coursework. Some courses and programs provide incumbent employees with the skills upgrade necessary for certification and job advancement. Many programs lead to continued education at a four-year institution. Advisory committees help college departments plan programs and curriculum, ensuring currency and alignment with business and industry needs. College staff design professional / technical programs with work opportunities in mind.

**TITLE: TRANSFER EDUCATION****Policy 303**

The college offers lower division classes for students who intend to transfer to four-year colleges. Lower division courses taken at Clackamas Community College are fully transferable to four-year institutions in the Oregon State System of Higher Education, and most bachelor's degree programs can be completed with two additional years of study. All transfer degrees will have general education student learning outcomes.

CCC Board Policy Manual  
Updated July 1994  
Approved by Board August 3, 1994  
Updated November 2005  
Approved by Board February 8, 2006  
Updated April 2008  
Approved by Presidents Council April 8, 2008  
Approved by Board April 9, 2008

**TITLE: TRAINING SERVICES/CONTINUING ED/  
ALTERNATIVE EDUCATION**

**Policy 304**

The college offers a wide range of credit and non-credit courses at appropriate locations throughout the district. These classes and programs are designed to meet the needs of special populations. The college encourages community partnerships that utilize resources cooperatively and efficiently.

Courses/services may include:

- Alternative Programs
- Community Education
- Customized Training & Development Services
- Small Business Development Center
- Outreach

**TITLE: LIBRARY****Policy 305**

The college library provides information resources and services to support instructional programs. The library is an intellectual center ensuring equitable access to quality, cost-effective information resources in a variety of formats and technologies. Library staff assists students, staff and community patrons in finding, locating and evaluating information resources.

**TITLE: ACADEMIC FREEDOM**

**Policy 306**

As a public institution, it is college policy not to promote any particular political or religious point of view, but rather to present many points of view because the purpose of higher education is based on the pursuit of knowledge and truth, wherever they may be found.

Clackamas Community College has the dual mission of teaching and community services. To carry out this dual mission, it is often desirable for the institution to charge fees for providing goods and services that enhance, promote, or support its instructional, public service, and other support functions. Educational business activities should be established and conducted only pursuant to, and in accordance with, an authorization and statement of purpose approved by the institution's governing board and/or chief executive officer.

Each educational business activity should meet the following four conditions:

1. The activity is deemed to be an integral part in the fulfillment of the institution's teaching and public services, functions and other educational activities.
2. The activity is needed to provide an integral good or service at a reasonable price, on reasonable terms, and at a convenient location and time.
3. The activity is conducted for the primary benefit of the campus community with sensitivity to the total community.
4. The College should consult with employer advisory committees on any professional/technical education program whereby it is necessary for the College to operate a business in conjunction with the training program.

**TITLE:       CITIZENS ADVISORY COMMITTEES**

**Policy 308**

Persons knowledgeable of workforce and technical requirements of various industries and businesses are invited to become members of Advisory Committees to advise and make recommendations in college professional/technical program development.

CCC Board Policy Manual  
Updated July 1994  
Approved by Board August 3, 1994  
Updated April 2005  
Approved by Board September 14, 2005

**TITLE: NONDISCRIMINATION: EQUAL EDUCATION OPPORTUNITIES Policy 401  
AND FREEDOM OF ACCESS**

Clackamas Community College shall be open to all applicants who are qualified according to current admission requirements.

Clackamas Community College complies with Titles VI and VII of the Civil Rights Act of 1964, Equal Employment Act of 1965, Age Discrimination in Employment Act of 1967, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Vietnam Era Readjustment Assistance Act of 1974, and Americans with Disabilities Act of 1990, the Family Medical Leave Act of 1993, among other State and Federal Laws related to employment. Review and affirmation of college compliance will be held periodically.

The College does not discriminate on the basis of race, color, religion, gender, sexual orientation, marital status, age, national origin/ancestry, disability, family relationship or any other protected status in accordance with applicable law. The College's commitment to nondiscrimination applies to curriculum activity and all aspects of operation of the College.

**TITLE: STUDENT RIGHTS, FREEDOMS & RESPONSIBILITIES Policy 402**

The Board of Education has adopted a Student Rights, Freedoms and Responsibilities document and a Privacy Rights of Students statement which addresses student rights of access to education and facilities; provisions of confidentiality, association and expression; and student responsibilities. This document and statement may be found in the Student Handbook.

**TITLE: STUDENT RECORDS****Policy 403**

The privacy of student records is protected under provisions of the General Education Act and the Family Educational Rights and Privacy Act of 1974 (FERPA). These statutes govern access to student records maintained by the college as well as the release of such records. The privacy and security of student records systems is also mandated by ORS 341.290.

The college Registrar serves as our Custodian of Student Records and provides oversight to the procedures established that ensure student records are accessed and released in accordance with the above. College awareness and student notification will be administered as follows:

- Institutional policies related to student records, FERPA and Directory information will be published in our Schedule of Classes quarterly and in our Student Handbook and College Catalog once a year
- FERPA training and awareness for college staff will be provided on an on-going basis via the web, during Inservice, at new employee orientations and at specifically scheduled times each year.

The oversight of related student records are as follows:

1. Financial Aid, Scholarship and Veterans records are under the jurisdiction of the Director of Student Financial Services.
2. Behavioral and student discipline records are under the jurisdiction of the Director of Counseling & Advising
3. Campus traffic, incident, and crime records are under the jurisdiction of the Campus Safety office.

**TITLE: STUDENT FINANCIAL AID**

**Policy 404**

The Board of Education recognizes that a well funded and properly administered student financial aid program is important to assure equality of educational opportunity. The purpose of the college's student financial aid program is to promote full educational opportunity by:

1. Assisting eligible students in obtaining federal, state and local financial aid funds, and scholarship funds.
2. Recognizing student achievement and/or talent through a college tuition waiver program.
3. Responding to qualified student financial need through a college student emergency loan and/or tuition waiver program.

See Admin. Reg. 404-001, 404-002, and 404-003

**TITLE: STUDENT PUBLICATIONS**

**Policy 405**

The Board accepts the premise that student publications involve adherence to the journalistic ideals of professional standards. Freedom of the college press becomes meaningful only when this press accepts certain responsibilities. Student Publications at the college subscribes to the principles and aims stated in the Code of Ethics of the Society of Professional Journalists, Sigma Delta Chi.

CCC Board Policy Manual  
Updated July 1994  
Approved by Board August 3, 1994  
Approved by Presidents Council  
Board of Education (1<sup>st</sup> Reading, March 12, 2008)  
Approved by Board April 9, 2008

**TITLE: PRESENTATIONS ON CAMPUS**

**Policy 406**

As part of the academic atmosphere, sponsors are encouraged to schedule speakers and presentations on current issues. Speakers or presentations on campus are to be sponsored by a recognized college club, organization, or an official representative of the college.

Presentations by individuals or groups on campus will not necessarily reflect the views of the Board of Education, staff or students. When controversial issues are presented, sponsors are encouraged to present opposing views.

College funds will not be used to influence political issues or to espouse specific religious beliefs or sects.

Off-campus groups or organizations (profit or non-profit) may sponsor programs using college facilities by following established Facilities Use guidelines.

**TITLE: COLLEGE CAMPUS SAFETY**

**Policy 407**

Clackamas Community College shall provide for and maintain a safe and secure educational environment, structured to provide for the personal and public safety interests of students, faculty, staff and community campus users. It shall be the primary responsibility of the college's Campus Safety Office to provide certified professional staff members, charged with enforcement of law and college board policies.

Under the authority of ORS 341.300, the college will establish and promulgate regulations providing for policing, registration, and parking of vehicles on property under the jurisdiction of the Board of Education. The Motor Vehicles Regulations code contains these regulations, which will be enforced by the Campus Safety Office.

The college Campus Safety Office shall provide for documented compliance with the Federal Crime Awareness and Campus Safety Act of 1990, as amended. Campus crime statistics are compiled/analyzed monthly and published annually. This activity shall also include the student right-to-know administrative provisions involving on-campus crime and criminal conduct.

Campus Security Committee approval 01-26-06  
Campus Use and Development approval 02-15-06  
Reviewed by President's Council 02-21-06  
Approved College Council 03-03-06  
Reviewed and Approved by Board 08-09-06

The college recognizes the importance of information and education relating to AIDS (Acquired Immune Deficiency Syndrome), ARC (AIDS-Related Complex), and HIV (Human Immunodeficiency Virus). The college also recognizes the need to provide proper protection for its students and staff, while remaining sensitive to the needs of any student or staff member with AIDS, ARC, or HIV infections.

Consistent with current medical evidence that AIDS is not transmittable through casual work or campus contact, the Board of Education hereby declares the following statements, relating to students or staff members infected with AIDS virus, ARC, or HIV infection, as policy until such time as new medical or legal information mandates update or change:

1. The college will not require employees, applicants for employment, or students to be tested for the AIDS virus.
2. Confidentiality concerning employees and students will be maintained. Self-disclosure is voluntary.
3. All students and staff will be allowed to participate in all phases of college life including classes, programs, activities, and employment consistent with established college policies.
4. Coverage under employee benefit packages will continue to be consistent with bargaining agreements.
5. Any employee refusing to work with another employee or student having, or suspected of having, AIDS or a related condition, will be provided with educational information in an attempt to allay his/her fears. If the employee still refuses to work, that employee may be subject to disciplinary action up to and including dismissal.

**TITLE: SUBSTANCE ABUSE****Policy 409**

Clackamas Community College is dedicated to maintaining standards resulting in quality education meeting the needs of students and the community.

Recognizing the deleterious effect of substance abuse on students and staff, the college has established rules prohibiting the on-campus use of alcohol and other mind-altering drugs. Exceptions may be made to serve alcoholic beverages at CCC Foundation sponsored events where the audience is not primarily students and with prior approval of the college president and notification of the Board of Education.

The college will provide procedures covering each of the following areas as they pertain to use of alcohol, other drugs and tobacco:

- Campus prohibition
- Educational programs
- All staff training
- Prevention programs
- Student assistance and/or referral program
- Staff assistance and/or referral program
- Foundation sponsored events

All regulations and procedures will be in compliance with appropriate federal or state confidentiality regulations governing substance abuse issues for both students and staff.

**TITLE: REMOVAL/EXCLUSION OF  
PERSON(S) FROM CAMPUS**

**Policy 410**

The college may remove or exclude any person from campus for a violation of college policy, regulation, or Oregon law.

**TITLE: SENIOR CITIZEN BENEFIT RATE**

**Policy 411**

College district residents who are at least 62 years of age are eligible for reduced in-state tuition for all applicable CCC sponsored classes. Applicability lies at the department level.

**TITLE: STUDENT RESIDENCY REQUIREMENTS  
FOR TUITION PURPOSES**

**Policy 412**

The following student residency categories have been established for determining an appropriate tuition assessment:

**In-state student:** a US citizen, immigrant or permanent resident who has established and maintained residency in Oregon, California, Nevada, Washington, or Idaho at least 90 days prior to the first day of class qualifies for in-state tuition.

- A student registered as an aboriginal with an Oregon tribe will qualify for in-state tuition
- A minor student whose parent(s) or guardian(s) is a bona fide Oregon resident will qualify for in-state tuition

**Out-of-state student:** a US citizen, immigrant or permanent resident who has not established residency in Oregon, California, Nevada, Washington, or Idaho 90 days prior to the first day of class qualifies for out-of-state tuition.

**International student:** a citizen of another country here on other than an immigrant visa is considered an international student and qualifies for out-of-state tuition. International students do not become residents regardless of the length of residency within the district.

**TITLE: STUDENT CLUBS & ORGANIZATIONS**

**Policy 413**

Student clubs and organizations will adhere to established college policies and procedures in handling their funds. There will be no off-campus accounts for student funds.

**TITLE: ADMISSIONS****Policy 414**

The Board of Education supports an open door policy, welcoming all students who can benefit from the instruction offered, regardless of their educational background. College admissions procedures, however, do not guarantee admission to certain programs. Students seeking entry into certain special programs must meet a variety of criteria and be able to ensure a reasonable chance of succeeding in the program.

Students under 16 years of age, and from 16 to 18 years, must comply with specific admissions criteria.

**TITLE: ACADEMIC CALENDAR**

**Policy 415**

The college academic calendar, designed to provide the best learning opportunities for students, will be recommended by the President and approved by the Board of Education.

**TITLE: ASSOCIATED STUDENT GOVERNMENT (A.S.G.)**

**Policy 416**

The Associated Students of Clackamas Community College is the official organization of the students. Its officers are elected by the student body. The association operates under a constitution promoting student activities that stimulate the social, moral, and intellectual life of the students.

**TITLE: ACTIVITIES, ATHLETICS, CLUBS  
& CO-CURRICULAR PROGRAMS**

**Policy 417**

The Board believes that students should be encouraged to aspire to the highest level of their abilities. In support of this belief, opportunities outside the classroom are provided encouraging the student to become more aware of his/her needs, interests, and potentials as well as to gain experience in skills, democratic living, self-determination, cooperative endeavors, job opportunities, and leadership. A balanced program of activities, athletics, clubs and co-curricular programs are believed to be a necessary part of the College's comprehensive curriculum. These learning opportunities will be open to all students seeking to benefit from the experience.

**TITLE: CLACKAMAS COMMUNITY COLLEGE FOUNDATION    Policy 501**

The Clackamas Community College Foundation is an independent, non-profit 501(c)(3) tax exempt charitable organization, the purpose of which is to raise friends and funds for the community college. The Foundation receives, invests, administers, and disburses restricted and unrestricted gifts. Foundation activities focus on creating opportunities for students, encouraging innovation in the classroom, and building partnerships with the community. The community college provides Foundation staff support as needed. The Foundation acts as a separate organization from the college, with policies set forth by the CCC Foundation Board of Directors, which is made up of voluntary members.

The College Board of Education shall designate one of its members to be a voting member of the Foundation Board and to make periodic reports on Foundation activities to the College Board.

Clackamas Community College is committed to an active, coordinated program of fundraising including grant writing, cash solicitation, and non-cash gift solicitation. Fundraising efforts supplement the college's major revenue sources (property tax, state support, and tuition) and allow for growth, innovation, and improved services.

Every effort should be made to provide a consistent college message to potential donors. This includes avoiding duplication of donor contacts, ensuring appropriate acknowledgement of gifts, and keeping in compliance with college policies and Oregon/Federal IRS laws.

Short and long term implications of all fundraising activities should be carefully reviewed by college staff. This includes donor restrictions, college matching requirements, and long-term funding after the external support ends.

**TITLE: NAMING OF BUILDINGS**

**Policy 503**

The College Board recognizes the significance of naming facilities (and rooms) after people or organizations who have made substantial contributions to the College or the College Foundation. The College Board will ask the College Foundation for a naming recommendations.

Although it is the final responsibility of the Board of Education to name all college buildings, campuses and roads which are acquired by the college or constructed with taxpayer funds or with funds that are donated or raised by the College Foundation, the Board will actively solicit ideas and involvement from the Foundation with the intent of reaching a consensus on the best naming option.

The College Board delegates authority to the College Foundation to name major sections or wings of buildings, classrooms/labs, fields and public areas in recognition of outstanding contributions, in consultation with the college president and staff who reside in facilities proposed for funding.

**TITLE: JOB DESCRIPTIONS****Policy 601**

Current job descriptions will be maintained by the College Human Resources Office for all Exempt and Classified positions. Faculty job descriptions, other than those negotiated as a part of a collective bargaining agreement, may be maintained by the divisions. All job descriptions shall comply with all applicable state and federal laws.

An employee requesting a copy of his/her job description will be provided one without cost to the employee. Job descriptions will be used as a reference for employee evaluations.

**TITLE: TUITION WAIVERS**

**Policy 602**

The Board of Education extends achievement, talent, incentive, employment and need-based tuition waivers to qualified students, community partners and staff (including retirees, retiree dependents and employee dependents) for classes sponsored by the College. Tuition waivers apply toward tuition only.

The creation or elimination of any student tuition waiver program requires Board approval.

See Administrative Regulation 602-001.

**TITLE: EMPLOYMENT OF RELATIVES (NEPOTISM)**

**Policy 603**

The Board recognizes that the employment of qualified spouses in various areas of the college is a fair and just practice. However, no employee of the College may directly supervise a person related by blood or marriage.

**TITLE: STAFF DEVELOPMENT****Policy 604**

The Board of Education believes that the college's most important asset is its staff. The Board also believes that the success of the institution is directly related to how the staff is perceived by those who use its services. Improving the capabilities of the staff to meet the changing needs of the public will improve the quality and effectiveness of the college.

To provide opportunity for improvement, and to promote a healthy attitude of self-worth, growth, and fulfillment among full-time and part-time college staff, a system of staff development has been established to which the Board has committed budgeted funds. This system allows for released time for individual staff members to pursue plans of personal development mutually agreed upon between the institution and the individual and in several instances by negotiated agreement.

When the immediate supervisor feels an employee will benefit the college by taking a specific course at Clackamas Community College, or by participating in a Staff Development sponsored course, the employee will have the opportunity to take this course during normal working hours at no reduction in pay. The employee may not take more than three such courses in any 12-month period. All such action will be by mutual agreement between employee and the immediate supervisor, with prior approval of the appropriate Dean.

Specifics covering Staff Development functions may be found in bargaining contracts and the college Employee Handbook.

**TITLE: TIMELY NOTICE FOR EXEMPT EMPLOYEES  
(Exempt)**

**Policy 605**

To be eligible for timely notice, an Exempt employee must be continuously employed for two (2) full fiscal years. An Exempt employee will be considered for timely notice the fiscal year following completion of two (2) full fiscal years of continuous employment and will remain on probation until his/her continuing contract becomes effective.

Notice of termination or renewal will be made in writing and must be received no later than March 15 of the fiscal year following completion of this two (2) year period, unless the Exempt employee's probationary period is extended as outlined below. In the event notice is mailed, it will be sent to the Exempt employee's last known address in college files and will be considered received no later than three (3) days from the date of mailing. If the Exempt employee's contract is to be terminated, the termination will be effective on the June 30 immediately following notice. If the Exempt employee is to be retained, (s)he will receive a continuing contract starting on the July 1 immediately following notice, unless the Board authorizes the elimination of the administrative position. In that event, the termination will be effective the June 30 immediately following notice.

Notwithstanding the above, the college reserves the right to extend an Exempt employee's probationary period one (1) additional fiscal year at its discretion. Notice of extension will be made in writing and must be received no later than March 15 following completion of two (2) fiscal years of continuous employment as outlined above. In the event an Exempt employee's probationary period is extended, (s)he must receive notice of termination or renewal no later than March 15 of the following fiscal year as outlined above.

Exempt employees who have not completed the two (2) fiscal years of continuous employment and who are placed on an exempt salary schedule will be notified on or before March 15 as to whether their contracts are to be renewed or terminated. If the contract is terminated, the date of termination will be effective June 30 immediately following notice.

Notice of non renewal for a continuing contracted Exempt employee will be made in writing prior to March 15. The date of termination will be effective twelve (12) months from the following July 1 after notification, unless the Board authorizes the elimination of the Exempt position; in that event, the termination will be effective the June 30 immediately following notice.

It is further provided that any contract will be of no force and effect, unless and until the Board has legal authority to levy the monies necessary to meet the college budget. The Board reserves the right to revise, reduce, eliminate, consolidate and otherwise change positions as necessary to meet budgetary constraints.

**TITLE: EXEMPT EMPLOYEE EARLY RETIREMENT**

**Policy 606**

Effective for employees retiring on or after July 1, 2002

**I. ELIGIBILITY**

A. Employees who have completed twelve (12) consecutive years of service with the college just prior to retirement, who are qualified and executing PERS retirement, but are not yet sixty-five (65) years of age (“the early retirement criteria”), shall be eligible to request early retirement under the terms stated in this Policy.

For purposes of determining “consecutive years” of service, paid leave (including up to two years LTD) will be counted as time served. Unpaid leaves do not constitute a break in consecutive years of service, but will not be counted as time served.

B. If the employee is not yet age sixty-two (62) upon meeting the early retirement criteria in Paragraph A. above, the employee will be eligible for the benefits in Paragraphs A, B, and C in Section II, below.

C. If the employee is age sixty-two (62) or older but not yet age sixty-five (65) upon meeting the early retirement criteria in Paragraph A. above, the employee will be eligible for the benefits in Paragraphs B and C in Section II, below.

**II. BENEFITS**

A. Upon early retirement before age sixty-two (62), the employee shall receive a monthly stipend shown in the chart below, based on the employee’s pay level at the time of retirement. The stipend shall be paid for a maximum of 48 months or until the employee reaches age sixty-two (62), whichever occurs first. Employees retiring before age fifty-eight (58) may opt to receive monthly payments equal to the monthly stipend x 48 months, divided by the number of months eligible up to age sixty-two (62).

Level I	Level II	Level III	Level IV
\$609	\$877	\$934	\$1,133

B. Upon early retirement before age sixty-five (65), the employee shall receive the same medical and dental insurance benefits provided to active employees in the retiree’s former job classification until the employee reaches age sixty-five (65). The coverage shall be subject to approval of the insurance carrier, and shall be one or two-party coverage up to a maximum of \$433 per month for the 2002-03 school year, plus an increase thereafter (rounded to the nearest dollar) by the previous calendar year's Portland area CPI-U (with a range of 2.5% - 3.5%). For employees hired into full-time exempt positions

after July 1, 2002, the CPI-U adjustment will not continue beyond the date of retirement.

- C. Upon early retirement before age sixty-five (65), the employee shall receive a continuation of any employer paid group plan life insurance coverage existing at the time of retirement (to a maximum of \$50,000) until age sixty-five (65).

### **III. MISCELLANEOUS PROVISIONS**

- A. Employees must request early retirement in writing at least six (6) months prior to the desired date of retirement, unless this requirement is waived in writing by the College President. The College President shall approve the request in writing if the employee has met all of the early retirement criteria.
- B. Benefits (including stipends) are not transferable to a spouse, and shall terminate upon the employee's death.
- C. The benefits described in this Policy shall not vest (i.e. become an obligation of the College) until an employee has become eligible for early retirement and received approval from the College President. Termination of employment prior to the approved retirement date will terminate the employee's right to receive early retirement benefits.
- D. This Policy does not guarantee early retirement benefits to any employee. The College reserves the right to modify or eliminate this policy at any time.

Professional Leave

1. Exempt employees (administrators) may be granted the opportunity for paid professional leave. The length of a professional leave will be based upon the following criteria: One (1) month of leave eligibility for each year of previous service to the college, up to twelve (12) months of maximum eligibility, provided that paid leave has not already been received as a result of service to the College before becoming an administrator.
2. Exempt employees may be eligible for professional leave for one or more of the following purposes:
  - a. advanced study
  - b. professional consulting activities
  - c. exchange teaching or administration
  - d. professional improvement through study of business or industry; personal, creative activity; or as an employee or intern
  - e. research related to one's area of responsibility
  - f. work for a federal or state agency in a capacity related to one's area of responsibility
3. Requests for professional leave must be submitted to the Exempt employee's immediate supervisor at least three months prior to the requested leave date. The supervisor will provide a recommendation to the President including a plan for carrying on the job duties, within 30 days after receiving request. The President will approve or disapprove the leave within 30 days.
4. Exempt employees on professional leave with pay will receive 75% of their base salaries for the period of time on leave. Computation of the leave salary will be based on the salary of the fiscal year in which the leave is taken. The total leave pay and leave-related outside compensation shall not exceed regular pay.
5. Exempt employees who are granted professional leave with pay will maintain their regular salary positions, plus any other benefits which would have accrued during the leave.
6. Upon return from professional leave, an Contracted Exempt employee will remain at the college for a period of time equal to twice the length of the leave taken, or will return the salary paid during the leave. This reimbursement will be pro-rated proportionate to the time difference. Example: a one-year leave with the employee returning for one year means a one-half payback of the amount received on the leave. A two-year return would require no payback of funds.

7. The College will maintain a fund for professional leave; any funds not expended will be retained in that account for the ensuing year. Effective July 1, 1983, a \$45,000 cap will be established, with \$15,000 being reserved for Long-Term Exempt Leave. In addition, \$15,000 will be budgeted annually, not to exceed the \$45,000 cap as stated above. Funds from this account would be used to cover the cost of replacement for the administrator on leave which exceeds 25% of his/her normal budgeted salary.

#### Short-Term Professional Leave

1. Short-term Professional Leave means any program, conference, workshop, or course of study which the exempt staff's immediate supervisor deems appropriate to exempt staff educational or personal growth.
2. Short-term Professional Leave funds will be used to cover expenses directly related to the appropriate activities listed above.
3. Specific guidelines, policies, and rules will be developed by the Human Resources Office and then approved by the Exempt section and the College President. The Human Resources Office will process the short-term professional leave fund requests and approvals.

**TITLE: EXEMPT EMPLOYEE VACATIONS****Policy 608**

Vacation days for Exempt staff may be accumulated at the rate of two days per month for a maximum vacation leave accumulation of 48 days by the end of any fiscal year. In the event of termination, staff will be paid for all earned vacation. In the event staff leaves the College voluntarily, maximum vacation time for which staff may receive pay will not exceed 15 working days.

Exempt employees will be eligible to use only vacation days which have been earned, except that they may be advanced up to 24 days of unearned vacation for the purpose of sabbatical leave.

Contracted Exempt staff executing retirement under PERS, Social Security, or the College's early retirement program, shall, at their option be eligible to receive full pay added to their final paycheck for accrued vacation, not to exceed 48 working days.

**TITLE: EXEMPT EMPLOYEE INDEMNIFICATION****Policy 609**

Exempt employees of Clackamas Community College may incur individual liability as a result of claims or losses that may be brought against them individually for activities in which they engage in the course of their employment, or for activities in which they were engaged as authorized representatives of the College, such as representing the College in other organizations and/or sitting as directors of non-college corporations.

The College, therefore, shall indemnify and hold harmless all contracted exempt employees of the College against all actions, claims, proceedings, demands, costs, damages, expenses and attorney fees arising out of the employee's employment with and service activities on behalf of the College, including but not limited to activities involving non-College organizations. The right of indemnity shall not apply to claims against such employee if it is determined that such employee was engaged in illegal activities or gross misconduct. Any such indemnification by the College shall be secondary to any existing insurance coverage such as any applicable homeowners, car insurance, etc.; or liability of any person or corporation other than the employee.

Board of Education declares that its policy is to maintain a working environment that is free from any form of harassment related to a person's sex. Sexual harassment is defined by state statute to include any unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other conduct or communication of a sexual nature when:

- The employee's submission to the conduct or communication is made a term or condition of employment;
- The employee's submission to, or rejection of, the conduct or communication is the basis for decisions affecting employment;
- The conduct or communication has the purpose or effect of interfering with an individual's work performance; or
- The conduct or communication has the effect of creating an intimidating, hostile, or offensive working environment and the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

It is Board policy that:

- No employee shall use the authority of his/her position to subject any other employee or student to sexual harassment as defined above.
- Administrative Regulations and the Employee Handbook will contain a process by which employees experiencing or aware of sexual harassment are to inform appropriate administrators or supervisors of such sexual harassment, and to seek review of the response or action taken.
- There shall be no retaliation by any person or employee against any person who, in good faith, reports suspected sexual abuse.

**TITLE: AMERICANS WITH DISABILITIES ACT COMPLIANCE**

**Policy 611**

Congress has enacted the Americans with Disabilities Act (ADA). Part of the mission of the College is to provide access to education and to alleviate any competitive disadvantage that any disabled person may experience.

The Clackamas Community College Board of Education is committed to:

1. Complying with both the letter and spirit of the ADA as well as the Rehabilitation Act of 1973, all subsequent updates, and all other laws protecting the rights of persons with disabilities;
2. Providing opportunities to qualified persons with disabilities in employment, in access to education and in the use of all College facilities, where this will not pose an undue burden or fundamentally alter the programs of the College;
3. Giving a high priority to achieving compliance with all requirements of the ADA;
4. Involving persons with disabilities in conducting the self-evaluation and in setting priorities for compliance.

Clackamas Community College complies with Title VI and VII of the Civil Rights Act of 1964, Equal Employment Act of 1965, Age Discrimination in Employment Act of 1967, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Vietnam Era Readjustment Assistance Act of 1974, the Americans with Disabilities Act of 1990, the Family Medical Leave Act of 1993, among other State and Federal Laws related to employment. Review and affirmation of college compliance will be held periodically.

Clackamas Community College does not discriminate on the basis of race, color, religion, gender, sexual orientation, marital status, age, national origin/ancestry, disability, family relationship or any other protected status in accordance with applicable law. The College's commitment to nondiscrimination applies to curriculum activity and all aspects of operation of the College.

(This statement shall be recognized as the official college Affirmative Action Policy.)

The official college Equal Opportunity / Affirmative Action Policy will be included in all college publications, bulletins, and announcements distributed to the general public. An abbreviated equal opportunity / affirmative action statement will be included in all course announcements, employment application forms, and recruiting materials for prospective students and employees.

## **TITLE: EMPLOYEE PAYMENT OF PERS**

## **Policy 613**

### Exempt Staff

Effective January 1, 1995 Clackamas Community College will require each Exempt employee to contribute 6% of salary to the Oregon Public Employees Retirement System. This required PERS contribution of 6% of salary is deemed to be "picked up" for purposes of Internal Revenue Code Section 414(h)(2).

Exempt employees do not have the option of receiving the salary payment and paying the PERS employee contribution directly. Exempt employees' reported salary on the W-2 form for tax purposes will be reduced by the amount of employees' contribution.

Note: The term "picked up," as used in this policy, is an IRC term meaning the employer (Clackamas Community College) will collect the employees contribution and make the PERS payment on the employees behalf. This allows the employee contribution to be deducted from the employee's gross salary for tax calculations. It does not mean the employer will pay the 6% outside of the employee's salary as in the past.

### Other Staff

Board Policy 613 shall apply to all other employee groups covered under PERS effective January 1, 1999, including those covered by the appropriate Clackamas Community College bargained contracts which includes bargaining unit associations listed below:

Full Time Faculty – OEA Article 4, Section E3  
Part Time Faculty – OEA Article 12, Section A  
Classified – OEA/OACE Article 10, Section 6.

References: IRC Section 414(h)(2)  
PERS Employer Brief 944  
AGO8232

**TITLE: HEALTH AND SAFETY POLICY**

**Policy 614**

It is the policy of Clackamas Community College to ensure a safe and healthful campus for all its employees and students. This college will maintain an effective health and safety program that involves all employees in the effort to eliminate workplace hazards.

It is the responsibility of all staff to work safely and participate in a manner that helps prevent workplace injuries and illness.

Approved Environmental Health and Safety Committee 02/13/06  
Approved Campus Use and Development Committee 01/18/06  
Approved College Council 2<sup>nd</sup> Reading 05/19/06  
Approved President's Council 05/23/06  
Reviewed and Approved by Board 08/09/06

**TITLE: TELECOMMUTING WORK PROGRAM****Policy 615**

Telecommuting will be available to staff as an alternative to daily commuting to the work site. This is consistent with the College's commitment to help decrease air pollution by devising alternatives to driving. All College employees are eligible (where not in conflict with collective bargaining), and use of the option will be determined in advance on a case-by-case basis between the supervisor, employee, and Human Resources office.

Guidelines establishing criteria for telecommuting are outlined in Administrative Regulation No. 0045.

**Purpose**

The policy sets budget policies essential for sound financial management.

**Definitions**

*Balanced budget:* An operating budget is balanced when total resources equal total requirements and contingency is not negative.

*Contingency:* A budget set aside for unforeseen spending that may arise. Contingency is defined in Oregon budget law and may not be expended until it is transferred to and becomes an expenditure appropriation.

*Designated fund balance:* Designation is used to indicate that the Board or management has tentative plans concerning the use of all or a portion of fund balance. (Reserved fund balance is legally restricted to a specific use by contractual or other arrangements with outside parties and is distinct from designated fund balance.)

*Fund balance:* Net assets at a given point in time. Fund balance represents available spendable resources. (The College accounts for all funds as governmental funds.)

*Requirements:* Expenditures and other uses, plus contingency.

*Resources:* Fund balance at the beginning of the fiscal year, plus revenue and other sources.

**BUDGET POLICIES**

**Budget Officer**

The Vice President of College Services is the budget officer. The College budget will be prepared and authorized in compliance with the local budget law.

**Fund Structure**

All funds will be included in the adopted budget. Funds may be discontinued by being displayed as closed funds in the adopted budget. Funds may be created by being described as new funds in the adopted budget, or by Board resolution during the fiscal year. Only the minimum number of funds consistent with legal and operating requirements should be established because unnecessary funds result in undue complexity and inefficient financial administration.

**Balanced Budget**

The adopted budget will be balanced for each fund and will remain balanced with any subsequent budget amendments.

**Budgeting Contingency**

Oregon budget law provides for budgeting the fund balance anticipated for the end of the year as either contingency or unappropriated ending fund balance. The latter may not be appropriated and expended except in an emergency situation created by civil disturbance or natural disaster. To maximize flexibility, the anticipated ending fund balance will be budgeted as contingency.

**General Fund Contingency**

To ensure sufficient cash flow and provide for unanticipated events, the adopted budget for the General Fund shall include contingency equal to six percent of budgeted revenue.

**Designated Fund Balance**

Fund balance may be designated by the Board for particular purposes. Designations are created by being described as such in the adopted budget, or by Board resolution during the fiscal year.

CCC Board Policy Manual  
Updated July 1994  
Approved by Board August 3, 1994  
Reviewed/Approved by Presidents Council 7/17/07  
Board of Education (1<sup>st</sup> Reading 8/8/07)  
Approved by Board (9/12/07)

**TITLE: AUDIT**

**Policy 702**

An audit of the comprehensive annual financial report of the College will be made annually by an independent certified public accountant selected by the Board. The audit examination will be conducted in accordance with minimum auditing standards established by the Secretary of State and all other applicable standards and regulations.

A copy of the audit report will be presented to the Board, and submitted to appropriate agencies.

**TITLE: LEGAL COUNSEL****Policy 704**

The Board will select qualified attorneys to represent the college. The attorneys will render all ordinary services as counsel for the college, including attendance at meetings when requested, counseling on specific legal problems, and making recommendations relating to legal problems.

**TITLE: PURCHASING**

**Policy 705**

The College purchasing function is governed by Oregon Public Purchasing Law (ORS 279). The College Board of Education has designated itself as the Contract Review Board for the college and has adopted the Community College Rules of Procurement (CCRP) authorized by ORS 279.

Clackamas Community College encourages the purchase and use of recycled products made partially or wholly from recycled materials as well as the use of environmentally sound products with recycling potential or degradability.

**TITLE: INSURANCE COVERAGE****Policy 707**

Adequate insurance coverage will be maintained for fire and extended coverage on all buildings owned by the college, comprehensive liability, money and securities, appropriate fidelity bonds, directors and officer (Board of education) liability, workers compensation, unemployment insurance, and other coverage as deemed prudent.

## TITLE: FIXED ASSETS

Policy 708

This policy is intended to provide information appropriate for the security, reporting, insuring, and maintenance of fixed assets.

Fixed assets are land, buildings and building improvements, equipment, and other durable items with a useful life of more than one year.

Capitalization policy defines which fixed assets are treated as assets for financial reporting purposes. Capitalized assets are those with an initial cost of \$5,000 or more and an estimated useful life of more than one year.

Inventory policy defines which fixed assets are inventoried by the centralized Purchasing/Business Services function. The college will maintain a centralized fixed asset inventory of:

- all capitalized assets
- all licensed vehicles, regardless of cost

Individual departments will maintain inventories appropriate to their custodial responsibilities and the nature of the items, such as the annual inventory of computers by Information Technology Services.

**Purpose**

This policy defines the positions authorized to obligate the College, and establishes fundamental internal controls on disbursement of college funds.

**Bank Accounts**

Payments from checking, money market, and other bank accounts shall be by check or electronics disbursement only. No cash payments are authorized. Authorized signers for College bank accounts are the President, Vice President of College Services and Vice President of Instruction.

**Local Government Investment Pool (LGIP) Accounts and Investments**

The Dean of Business Services or designee may move funds to and from the LGIP accounts and investments.

**Contracts**

The President, Vice President of College Services, and Vice President of Instruction are authorized to contractually obligate the district. The President may designate by administrative regulation other authorized signers for contract accounts under \$50,000.

**Purpose**

This policy provides guidance as to the amount and type of debt issued by the College.

**Definitions**

*Long-term debt:* Debt with a repayment period in excess of one year. Capital leases, which transfer ownership of equipment or other property to the college at the end of the lease term, are long-term debt when the repayment period exceeds one year.

Operating leases, which do not transfer ownership, are not debt regardless of the term of the lease.

*Short-term debt:* Debt with a repayment period of one year or less.

**Authority**

The College is a municipal corporation authorized by Oregon Revised Statutes to issue general obligation bonds and other types of debt.

There are numerous statutory and IRS requirements for municipal debt. All debt issues shall be authorized by Board resolution and involve bond counsel.

**Use of proceeds**

Short-term debt shall be issued only for:

- temporary cash-flow situations, or
- interim financing of capital assets, to be replaced by long-term debt.

Short-term debt will be issued only when interfund borrowing, authorized by ORS 294.460, is insufficient.

Long-term debt shall be issued only for capital construction, acquisition, or major repair of infrastructure. Long-term debt will not be issued for operating purposes.

**Amount and repayment of debt**

Short-term debt will be issued only in the amount required, and will be repaid from operating cash flows or from issuance of long-term debt for capital assets.

Long-term debt will be issued in an amount consistent with the multi-year capital project budget. The source of funds for repayment will be identified prior to debt issuance.

Debt service obligations by year, through maturity, will be incorporated in long-term financial plans and published in the budget document.

The repayment period for long-term debt will not exceed the estimated useful life of the assets financed. When the financing is for multiple assets, estimated useful life will be calculated by weighting individual asset lives by estimated costs. Other elements of debt structure, such as repayment and redemption terms, will be determined in consultation with financial advisors or bond counsel.

**Debt limits**

The amount of outstanding general obligations bonds is limited by statute. The amount of other debt and total debt will be limited by financial projections of debt service capacity. In general, annual debt service for debt other than general obligation bonds should not exceed ten percent of General Fund revenue.

**Debt management**

The Vice President of College Services/Designee is responsible for ongoing debt management activities, including:

- investment of bond proceeds
- compliance with municipal secondary market disclosure requirements
- arbitrage review and compliance
- compliance with federal and state law as to use of debt proceeds and other restrictions

**TITLE: INVESTMENT OF FUNDS**

**Policy 712**

The Board authorizes the investment of funds that are not immediately needed for operation of the College. Such investments will comply with state law and regulations. Objectives to be considered in such investments are:

1. Protection of the principal
2. Satisfaction of disbursements and payroll
3. Achieving optimum interest earnings on invested funds

The President/designee will develop procedures for the appropriate investments of district funds and for the regular reporting of such investments to the Board. The procedures will include the areas of portfolio distribution, investment maturity, safekeeping, and collateralization.

Legal Reference:

ORS 294.035 – ORS 294.135

**TITLE: TRAVEL****Policy 713**

The college will reimburse employees and board members for business-related travel expenses. The college will remain supportive of professional development and self improvement that requires travel while maintaining procedures to ensure the cost effective and appropriate use of college resources. The procedures shall comply with all applicable federal and state requirements.

**TITLE: BOOKSTORE**

**Policy 714**

The college Bookstore is a self-sustaining enterprise that exists to provide textbooks and class materials at the lowest possible price to students. Other goods and service are provided for campus and customer service. The Bookstore is expected to operate to cover all direct operating costs including cost of goods sold, labor, and all operational costs associated with running a retail operation.

## TITLE: TUITION AND FEES

## Policy 716

Tuition is used as a means to transfer a portion of the costs of education to the user. Tuition revenue is intended to cover the student share of the instructional and facilities costs of normal classes taught in standard classrooms. Tuition rates are established by the Board of Education of Clackamas Community College for all classes offered by the College.

The general student fee provides the student's share of the cost for non-course related services available to the general college community, such as athletics, technology, student government, and co-curricular programs. General student fee rates are established by the Board of Education of Clackamas Community College.

Other fees are charged to transfer some of the direct costs of instruction and instructional support services to students rather than raising tuition for all. Fees are justified when the student receives an "extra value" not received in another class charging tuition, or when there are additional costs related to instruction for that class or activity.

Course fees cover the costs beyond the normal classroom to ensure a competitive and quality program.

Service fees are paid by the student or other users for services beyond the normal registration and payment process.

Special program fees are designed to recover costs of a workshop, class, or activity targeted to a specific market segment or special population or controlled by third party contract.

Course, service, and special programs fees will be budgeted in a separate fund by division and department. New course and service fees are reviewed and approved by Instructional Council and President's Council. A summary recommendation on fees is presented to the Board of Education. The Board of Education approves all fee accounts as a part of the annual budget adoption process.

**TITLE: FACILITIES USE****Policy 717**

Students/staff and community members are encouraged to use facilities for a wide variety of purposes including but not limited to instruction, special events and programs, community recreation and meetings. When it is necessary to assess fees for facility use, the fees will include the costs directly associated with the event(set up, take down, increased security, cleaning, special equipment)as well as the indirect costs incurred by the college(utilities, scheduling costs, equipment, facility maintenance and repair). Since the institution is supported by taxpayer dollars, college events and non-profit group events will be assessed fees that are lower than the fees charged to profit organizations and events. Contact Facility Reservations for information regarding the fee schedule. The college reserves the right to deny facility use for events that conflict or compete with the college mission or programs and events that are deemed to be a legal liability.

**RESPONSIBILITY:**

The Budget Committee meets to receive the budget message from the Budget Officer (the President) and to review, revise and approve the proposed budget document within the provision of applicable state law.

The President/designee is responsible for preparing the proposed budget, publishing a "Notice of Budget Committee Meetings" and delivering the budget message. The budget message explains the proposed budget and significant changes in the College's financial position.

(ORS 294.435) The Board of Education is legally responsible for adopting the budget approved by the Budget Committee. The Board may make changes in the approved budget within legal limitations.

**ORGANIZATION:**

The Budget Committee consists of the seven members of the Board of Education and an equal number of citizens appointed by the Board. Citizen members of the Budget Committee serve for staggered three-year terms.

To be eligible for appointment, the appointive member must:

1. Live in the appropriate zone in the College District
2. Not be an officer, agent, or employee of the College
3. No Budget Committee member may receive any type of compensation from the College.

At a regular meeting, the Board will identify vacant budget committee positions that must be filled by appointment of the Board. A position is defined as vacant when the term expires, or the current member resigns or otherwise vacates the position. The Board will announce the vacancies and receive applications from interested persons. Such applications will include a signed statement that the applicant is willing to serve as a member of the Budget Committee.

At a regular meeting, the Board will review the names of persons filing applications and will appoint persons to fill the vacant positions.

If any appointive member is unable to complete the term for which he or she was appointed, the Board will announce the vacancy at the first regular Board meeting following the resignation or removal of the committee member. An appointment to fill the position for its unexpired term will be made at the next regular Board meeting or during the regular selection process if no budget meetings are scheduled prior.

All meetings of the budget committee are open to the public. The Budget Committee may request of the President any information used in the preparation of or for use in revising the budget document. The committee may request the attendance of any district employee at its meetings. The Budget Committee will approve the budget document as submitted by the President or as subsequently revised by the committee.

**TITLE: COPYRIGHT POLICY****Policy 719**

The Board of Education declares that the policy of Clackamas Community College is to adhere to the provisions of the US Copyright Law (Title 17, United States Code, Section 101, et seq). Although there continues to be controversy regarding interpretation of the copyright law, this policy represents a sincere effort to operate legally. The Board directs the administration to provide college employees, contractors, and students with guidelines that clearly discourage violation of copyright law.

Directives on the implementation of copyright compliance are contained in the college Administrative Regulations. Comprehensive information about copyright rules is published in the Copyright Manual for Clackamas Community College, available to all college employees through their division office or the Office of Human Resources.

## **TITLE: PRINTING AND DUPLICATION**

**Policy 720**

Printing and duplication services will be provided for the college community when the requests for services are within the printing administrative guidelines. Off campus printing will be used when that service provides the most cost-effective, time-saving and efficient means of producing printed materials.

It is the responsibility of Printing and Duplication Services to provide the most cost-effective, time-saving and efficient means of duplicating materials for instructional, administrative, and publications use.

Responsibility for following the printing, duplicating and copyright guidelines and relevant Oregon statutes rests with the employee requesting the service.

**TITLE: ELECTRONIC INFORMATION RESOURCES****Policy 721**

The electronic information resources at Clackamas Community College are to be used in a manner that supports the educational mission of the college. CCC by mission and policy encourages learning, research, creativity, teaching, and the free exchange of ideas in a climate of openness and sharing. Electronic information technologies are an important set of tools in this effort. Guidelines establishing measures for the protection, access, responsibility and acceptable use of Clackamas Community College's electronic information resources are contained in the college Administrative Regulations.