



COMMUNITY COLLEGE LEAGUE
OF CALIFORNIA

BOARD CEO RELATIONS PART I

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Narrator:

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WHY IT MATTERS

- If the **CEO/Board relationship is solid**, you will succeed in meeting the needs of students in your institution.
- If the **CEO/Board relationship is poor**, no amount of good will, understanding of instructional policy, knowledge of budgets and facilities, or even your acumen with community relations will enable you to serve and meet the needs of the students in your community.
- You can avoid “unforced errors” (pointless mistakes) by being **clear about Board/CEO roles and functions**. Look up: [meriamwebster.com](https://www.merriam-webster.com)





BACKGROUND AND GUIDANCE

- ***Carver Policy Governance Model*** – provides a working definition about board leadership in governance and the role of the CEO in the implementation of board policy
- Some facets of the Carver Model could not be implemented within the Participatory Governance parameters of the California Community Colleges, so we turn to the **Education Code, Title 5 of the Administrative Code and the League’s publication, “*Board and CEO Roles, Different Jobs, Different Tasks*”**



THE EDUCATION CODE AND TITLE 5 OF THE ADMINISTRATIVE CODE OF REGULATIONS

- Laws/statutes and administrative regulations govern every part of the work of the CEO: educational programming, staffing, contracts, facilities, budgets, emergency preparedness, admissions, prohibitions of discrimination, intersegmental relations and even scheduling of meetings.
- The **Education Code** has primacy — only another piece of legislation can amend or change it. For example, in 1988, AB 1725 established community colleges as a system instead of a loose confederation, and also established participatory governance.
- The Education Code **supersedes Title 5** because the code is law and regulations are derived from the law.
- When in doubt, do your research:
For questions related to the Education Code: leginfo.legislature.ca.gov
For questions related to the Title 5: <http://www.merriam-webster.com>.



UNDERSTANDING ROLES AND FUNCTIONS: THREE TYPES OF CEOS

- The **superintendent/president** of a single college district
- The **chancellor** of a multi-college district
- The **president** of a college within a multi-college district

UNDERSTANDING ROLES AND FUNCTIONS: HOW ROLES DIFFER BY CEO TYPE

- The Board of Trustees **has only one hire and only one direct report:** the superintendent/president (in the case of a single college district) or the chancellor (in a multi-college district).
- College presidents within a multi-college **district are direct hires of the Chancellor.** These presidents do not report to the Board; **they report to the Chancellor and Trustees may not request direct** action from these college presidents.





UNDERSTANDING ROLES AND FUNCTIONS: CLARITY IS IMPORTANT

- The Accrediting Commission for Community and Junior Colleges lists misunderstandings about the roles and responsibility of the board and the CEO as one of the **most consistent accreditation problems found in site visits**.
- **Boards of trustees** exert leadership through governing the college as elected officials on behalf of the community.
- **Chief executives** are hired by the board and receive their delegated authority to administer and manage the institution in accordance with the board's governing policies.



UNDERSTANDING ROLES AND FUNCTIONS: BOARD RESPONSIBILITIES

Education Code Section 70902 establishes board responsibilities in the following areas:

- college plans
- program approval
- academic standards and graduation requirements
- personnel and employment practices
- budgets
- tax and bond elections
- district property
- local decision-making process
- student conduct
- fees
- grants, gifts and scholarships
- auxiliary services
- academic calendar
- Board of Governors' consultation

EXAMPLE IN ACTION:

“San José-Evergreen Community College District Board of Trustees Ends Policies and Governance Principles”

This document serves to establish:

- **How the Board will govern** to achieve its visionary objectives
- **Management authority that the Board delegates** to the chancellor to run the affairs of the District along with requirements for the chancellor’s exercise of that authority



EXAMPLE IN ACTION CONTINUED

The document outlines **practices for individual trustees and for the Board as a whole** to ensure the Board:

- Encourages **effective and efficient participation** of each trustee
- **Understands the roles and responsibilities** of individual trustees and of the Board as a whole
- Knows the **difference between the Board's governance role and chancellor's responsibility** to manage the affairs of the District
- Establishes a clear **vision, values and strategic priorities** for the District
- Establishes **expectations regarding outcomes** the Board expects the Chancellor to achieve
- **Delegates responsibility to the chancellor** to lead the District toward achievement of the Board's Ends policies and fully empowers the Chancellor to hold and exercise the necessary executive authority
- Establishes requirements for the **Chancellor's exercise of the management authority** that the Board delegates to the Chancellor
- Practices the self-discipline necessary to **avoid any interference** with the Chancellor's exercise of the management authority delegated to him or her
- Evaluates its own **governance performance** on an ongoing basis
- Holds the Chancellor responsible for making **demonstrable progress and compliance** with the Executive Requirements specified by the Board

CONCLUSION: KEY TAKEAWAYS

- **Dysfunctional Board/CEO relations** result in loss of effective and efficient management of the college and the inevitable loss of respect and tolerance that accompanies conflict. Both parties suffer and, most important of all, **the students and the community are the ultimate casualties.**
- A clear understanding of the **Education Code and Title 5 of the Administrative Code** is essential.
- A detailed and formal adoption of **Board Policies and delegation of authority to the CEO must be clearly published and systematically used** as the parameters that govern Board/CEO relations.



REFERENCES

THE EDUCATION CODE IS DIVIDED IN THREE TITLES

TITLE 1. GENERAL EDUCATION CODE PROVISIONS [1 - 32500]

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001]

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101149.5] (Title 3 enacted by Stats. 1976, Ch. 1010.)
Sections 66000 to 101149.5

DIVISION 5. GENERAL PROVISIONS [66000 - 70115.2] (Division 5 enacted by Stats. 1976, Ch. 1010.)

PART 40. DONAHOE HIGHER EDUCATION ACT [66000 - 67400] (Part 40 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 9. Community Colleges [66700- 66700.] (Chapter 9 enacted by Stats. 1976, Ch. 1010.)

TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS

The most pertinent areas are found in Divisions 6 and 7 as follows;

[Division 6. California Community Colleges](#)

[Chapter 1. Board of Governors](#)

[Chapter 2. Community College Standards](#)

[Chapter 2.5. Diversity, Equity, and Inclusion in the California Community Colleges](#)

[Chapter 3. General Provisions](#)

[Chapter 3.5. Chancellor's Emergency Authority](#)

[Chapter 4. Employees](#)

[Chapter 5. Students](#)

[Chapter 6. Curriculum and Instruction](#)

[Chapter 7. Special Programs](#)

[Chapter 8. Construction](#)

[Chapter 9. Fiscal Support](#)

[Chapter 10. Community College Administration](#)

[Division 7. Board of Governors of the California Maritime Academy](#)

CHAPTER 1. CALIFORNIA MARITIME ACADEMY

[Subchapter 1. Employees](#)

[Subchapter 2. Administration](#)

[Subchapter 3. Student Fees](#)

DIFFERENT JOBS/DIFFERENT TASKS CCLC 2020 REVISION

Introduction

This publication identifies many of the different, yet complementary, roles and tasks of district CEOs and boards. It is designed to help boards and district CEOs define their own roles and expectations of each other and clarify what each contributes to their institutions. The areas addressed include:

- Board and CEO Relationship
- Leading the Organization
- Educational Program
- Fiscal Affairs
- Human Resources
- Community Relations
- Legislative Relations
- Legal Affairs

The board of trustees and the CEO are both responsible for building and maintaining a strong board/CEO partnership. Respect, communication, and honoring the different responsibilities are the basis for the trust that is essential to be an effective governing/leadership team.

AUTHORITY IN LAW

Education Code Section 70902 authorizes local boards of trustees for the community colleges and defines their powers.

E. C. 70902 authorizes board responsibilities in the following areas:

- college plans
- program approval
- academic standards and graduation requirements
- personnel and employment practices
- budgets
- tax and bond elections
- district property
- local decision-making process
- student conduct
- fees
- grants, gifts, and scholarships
- auxiliary services
- academic calendar
- Board of Governors' consultation

Chief executives gain their authority from boards. E.C. 70902 and 72400 state that boards may delegate authority for the above to the chief executive officer and other college staff and committees. Other sections of the Education Code identify more specific board responsibilities.

EDUCATION CODE AND TITLE 5 INTERFACE

Chief executives gain their authority from boards. E.C. 70902 and 72400 state that boards may delegate authority for the above to the chief executive officer and other college staff and committees. Other sections of the Education Code identify more specific board responsibilities. Title 5 of the Administrative Code also defines tasks for the board, CEO, and others.

The Chancellor's office is responsible for monitoring whether colleges fulfill these conditions. The Community College League of California's Policy and Procedure Service identifies

The Board's Job:

1. Accountable to its moral ownership
2. Ends determination is pivotal duty of governance
3. A Board must explicitly design its own products and processes

The Board Policies:

4. The Board speaks with one voice by way of its policies
5. Board's formulate policy by determining the broadest values before progressing to more narrow ones.
6. Board decisions are primarily policy decisions.

The Board – CEO Relationship:

7. A board should define and delegate, rather than react and ratify
8. The Board's best control over staff means is to limit, not prescribe
9. A board must form a linkage with management that is both empowering and safe
10. Performance of the CEO must be monitored rigorously solely against policy criteria
11. The CEO reports to the board as a whole
12. The board instructs the CEO by way of its policies
13. The CEO is authorized to make operational decisions as long as they are consistent with a reasonable interpretation of the board's policies



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