

Board of Trustees

San Joaquin Delta Community College District
5151 Pacific Avenue, Stockton CA 95207

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ACTION

SUBJECT: Consideration of Proposed Adoption
Board Policy 2746
"Evaluation of the Superintendent/President"
(First Reading)

DATE: February 17, 2009

A. NAME OF AGENDA ITEM

Consideration of proposed adoption of Board Policy 2746 "Evaluation of the Superintendent/President" and the withdrawal of Board Policy 1043 "Evaluation of the Superintendent/President" as proposed by the Superintendent/President in September 2008. (First Reading).

B. STATEMENT OF ISSUE/PURPOSE

1. Purpose and Background:

1.1 The College has been revising its policies and administrative procedures to fit a new numbering format and language proposed by the Community College League of California (CCLC). Following the CCLC conversion, recommended language from the Chancellor's Office, and Education Code Section 70902, it is proposed to adopt Board Policy 2746, "Evaluation of the Superintendent/President," which will replace the September 2008 proposal, Board Policy 1046, as drafted by the Superintendent/President.

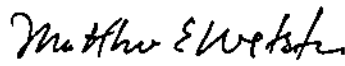
2. Status:

2.1 The proposed policy has been reviewed by governance groups, the Policy and Procedures Review Committee, and the President's Council; the proposed new language in Board Policy 2746 is a result of that review process. The proposed Board Policy 2746 was endorsed by the President's Council at its meeting on January 27, 2009. The Board is asked to take note of recommendations from the Policies and Procedures Review Committee for consideration during First Reading (see NON CON F 1.4 attached).

C. RECOMMENDATION

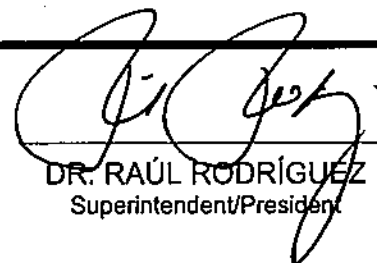
It is recommended that the Board of Trustees accept the First Reading of proposed Board Policy 2746, which would replace Board Policy 1046 as drafted September 2008.

RECOMMENDED:



DR. MATT WETSTEIN
Executive Secretary
Policy & Procedures
Committee

APPROVED FOR
CONSIDERATION:



DR. RAÚL RODRÍGUEZ
Superintendent/President



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4 **PROPOSED NEW POLICY**

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6 **Reference: California Education Code Section 70902**
7 **WASC/ACCJC 2002 Standard IV.B.1.j**
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10 **2746 Evaluation of the Superintendent/President**

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- 12 1. The Board of Trustees shall conduct an annual evaluation of the
13 Superintendent/President. The evaluation shall comply with any requirements set forth
14 in the contract of employment with the Superintendent/President. The evaluation will
15 be based on the performance of duties contained in the job description of the
16 Superintendent/President and on progress made in achieving the goals and objectives
17 developed annually by the Superintendent/President with approval from the Board.
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 - 19 2. In June of each year, the Superintendent/President shall prepare a written self
20 evaluation, a list of accomplishments, and the proposed goals and objectives for the next
21 academic year.
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 - 23 3. Prior to the July Board meeting, the Board members will return their completed
24 evaluation instruments to the facilitator.
25
 - 26 4. The Board President, with the assistance of the facilitator, shall consolidate the
27 evaluations into one written report.
28
 - 29 5. The Board and the Superintendent/President will meet in Closed Session to review the
30 self evaluation, the list of accomplishments, and the proposed goals and objectives.
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 - 32 6. No later than August of each year, the Board will share the final evaluation report with
33 the Superintendent/President.
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 - 35 7. The Superintendent/President will have the opportunity to respond to the Board
36 regarding the evaluation report.



PROPOSED NEW BOARD POLICY As submitted by the Superintendent/President 9/08

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1043 — Evaluation of the Superintendent/President

1. ~~The Board of Trustees shall conduct an annual evaluation of the Superintendent/President. The evaluation shall comply with any requirements set forth in the contract of employment with the Superintendent/President. The evaluation will be based on the performance of duties contained in the job description of the Superintendent/President and on progress made in achieving the goals and objectives developed annually by the Superintendent/President with approval from the Board.~~
2. ~~In June of each year, the Superintendent/President shall prepare a written self evaluation, a list of accomplishments, and the proposed goals and objectives for the next academic year.~~
3. ~~Prior to the July Board meeting, the Board members will return their completed evaluation instruments to the facilitator.~~
4. ~~The Board President, with the assistance of the facilitator, shall consolidate the evaluations into one written report.~~
5. ~~The Board and the Superintendent/President will meet in Closed Session to review the self evaluation, the list of accomplishments, and the proposed goals and objectives.~~
6. ~~No later than August of each year, the Board will share the final evaluation report with the Superintendent/President.~~
7. ~~The Superintendent/President will have the opportunity to respond to the Board regarding the evaluation report.~~

Legal Authority: ~~California Education Code Section 70902~~
~~WASC/ACCJC 2002 Standard IV.B.1-j~~

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The Policy and Procedures Review Committee reviewed the proposed changes to BP 1043, Evaluation of the Superintendent/President (Proposed New Numbering BP 2746) and offers the following recommendations:

1. The policy should define the role and selection process of the outside evaluator or facilitator.
2. We recommend that the policy be revised to include the incorporation of input from the College community, constituent groups, etc., into the Board's annual evaluation of the Superintendent/President.

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CALIFORNIA CODES
GOVERNMENT CODE
SECTION 12920-12922

12920. It is hereby declared as the public policy of this state that it is necessary to protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination or abridgment on account of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation.

It is recognized that the practice of denying employment opportunity and discriminating in the terms of employment for these reasons foments domestic strife and unrest, deprives the state of the fullest utilization of its capacities for development and advancement, and substantially and adversely affects the interest of employees, employers, and the public in general.

Further, the practice of discrimination because of race, color, religion, sex, marital status, national origin, ancestry, familial status, disability, or sexual orientation in housing accommodations is declared to be against public policy.

It is the purpose of this part to provide effective remedies that will eliminate these discriminatory practices.

This part shall be deemed an exercise of the police power of the state for the protection of the welfare, health, and peace of the people of this state.

12920.5. In order to eliminate discrimination, it is necessary to provide effective remedies that will both prevent and deter unlawful employment practices and redress the adverse effects of those practices on aggrieved persons. To that end, this part shall be deemed an exercise of the Legislature's authority pursuant to Section 1 of Article XIV of the California Constitution.

CALIFORNIA CODES
GOVERNMENT CODE
SECTION 1090-1099

1090. Members of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Nor shall state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity.

As used in this article, "district" means any agency of the state formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries.

1090.1. No officer or employee of the State nor any Member of the Legislature shall accept any commission for the placement of insurance on behalf of the State.