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

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:  

APPROVED FOR CONSIDERATION:  

DR. MATT WETSTEIN  
Executive Secretary  
Policy & Procedures Committee  

DR. RAÚL RODRÍGUEZ  
Superintendent/President
PROPOSED NEW POLICY

Reference: California Education Code Section 70902
WASC/ACCJC 2002 Standard IV.B.1.j

2746 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.

Proposed 12-16-08
PROPOSED NEW BOARD POLICY As submitted by the Superintendent/President 9/08

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
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.
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.