

1 **Luna Community College**  
2 **Board Policy Manual**

3  
4 **Introduction**

5 This document shall be referred to as the Luna Community College Board Policy Manual. The  
6 document contains policies govern the Board of Trustees and administration of Luna  
7 Community College. These policies and procedures have been developed to provide  
8 governance and direction for the College. They are intended to eliminate confusion and  
9 misunderstanding by staff, students and the public.

10  
11 The Policy Manual shall also serve to facilitate and increase transparency and consistency which  
12 is essential to the overall health of the College. A culture of transparency and consistency is  
13 critical in establishing professionalism and shared governance among faculty, staff, students  
14 and other key stakeholders. These policies and procedures are produced with the hope of  
15 fostering high individual and group morale.

16  
17 **Definitions:**

18 The following terms are used throughout this policy manual. The definitions below shall  
19 become assigned to each term unless otherwise clarified within a policy.

- 20  
21 •Board: The Board of Trustees as a governing body of the institution  
22 •Institution and College: Luna Community College  
23 •President: The chief administrator of the institution or his/her designee, including interim  
24 appointments made by the Board.

25  
26 **Adoption of Policies and Policy Revisions**

27 **1000**

28 **Revised: 12/12/2017**

29 **Introduction**

30 The approval and adoption of institutional policy is a responsibility of the Board. Unless  
31 otherwise indicated in a policy, the Board shall delegate the implementation and enforcement  
32 of each policy to the President. The Board recognizes the importance of inclusion in policy  
33 development, specifically among those impacted by policy adoptions and revisions. Therefore,  
34 the Board encourages policy recommendations from the institution's stakeholders. Institutional  
35 policies shall not conflict with or supersede law.

36  
37 **Process**

38 The following process shall govern policy revisions and adoptions.

- 39 • Any person wishing to introduce policy changes shall draft the policy language in a  
40 format consistent with the Board Policy Manual.  
41 • The written policy shall be supplemented with narrative that underscores the necessity  
42 and rationale for the policy.  
43 • All changes to policy must be made in writing to the President.

- 1 • The President shall present policy changes to the Governance Council and allow
- 2 adequate time for Council members to solicit and present feedback from the campus
- 3 community.
- 4 • The President shall introduce all policy changes to the Executive Committee, unless
- 5 otherwise requested by the Board. This introduction shall include a summary of
- 6 feedback as provided by the Governance Council.
- 7 • The Executive Committee shall discuss the impact of policy changes on the institution,
- 8 including, but not limited to, the following:
  - 9 ○ Implications on cost
  - 10 ○ Implications on staffing
  - 11 ○ Conflict with other institutional policies and or law
  - 12 ○ General feedback from the Governance Council
- 13 • The Executive Committee shall forward all policy changes to the Board of Trustees along
- 14 with a report and recommendation on its approval.
- 15 • The Board reserves the right to distribute proposed policy changes to the campus
- 16 community for feedback prior to taking final action.
- 17 • All policy approvals shall supersede any formerly approved policies that address
- 18 applicable subject matter.

**History of the Institution**

**1100**

**Revised:**

24 The college derives its name from Maximiliano Luna, who was Speaker of the House of  
 25 Representatives for the Territory of New Mexico in 1899. Luna was also a Captain of the Rough  
 26 Riders, U.S. Voluntary Cavalry, and a First Lieutenant of the 34th U.S. Volunteer Infantry. Many  
 27 of the Rough Riders, a mounted cavalry unit that fought in Cuba during the Spanish American  
 28 War, were recruited in Las Vegas. In 1929, the popular training site for the New Mexico  
 29 National Guard on the outskirts of Las Vegas was renamed Camp Luna after the leader who  
 30 died in the Philippines in 1899.

32 In 1967 an Act of the Legislature of the State of New Mexico authorized the establishment of a  
 33 vocational training facility at Las Vegas, New Mexico. When LCC was founded in 1969, the new  
 34 board of trustees honored Captain Maximiliano Luna by naming the school, Luna Area  
 35 Vocational Technical School.

37 In 1970, the first 5-mill levy election to fund LCC, which at the time was called Luna Vocational  
 38 Technical Institute (LVTI), was held and overwhelmingly approved by the citizenry to voluntarily  
 39 tax themselves in support of vocational-technical education. This provided an occupational  
 40 training opportunity for the people of the following school districts: West Las Vegas Municipal  
 41 Schools, Las Vegas City Schools, Santa Rosa Consolidated Schools, and Mora Independent  
 42 Schools. These school districts lie within San Miguel, Guadalupe, and Mora Counties. Later, the  
 43 Springer Municipal Schools, Maxwell Municipal Schools and most recently, Wagon Mound

1 Public Schools joined the mill levy. Since its inception, the college has continued to grow and  
2 develop its ability to meet the occupational needs throughout northeastern New Mexico.

3  
4 On December 18, 2000, the Board of Directors approved the adoption of the current name,  
5 Luna Community College, to signify that the college was a comprehensive community college.  
6 LCC continues to offer a broad range of vocational, technical, and professional education  
7 programs.

8  
9 **Institutional Vision Mission and Guiding Principles**

10 **1200**

11 **Revised:**

12  
13 **Vision Statement**

14 "New Mexico's premier community college: preparing students for success"  
15

16 **Guiding Principles**

- 17 • Provide accessible, affordable and quality education designed to optimize opportunities  
18 for student participation.
- 19 • Prepare students through dual credit and concurrent enrollment and facilitate their  
20 aspirations by early admissions with the ultimate goal of earning meaningful  
21 employment.
- 22 • Provide students with greater insight into their strengths, needs, aspirations, and foster  
23 a greater appreciation and understanding of their cultural background and experiences.
- 24 • Promote general education CORE curriculum to ensure that our graduates possess  
25 adequate literacy and general knowledge to function in employment, to pursue  
26 additional education, and to participate in the cultural and political life of the  
27 community and society.
- 28 • Promote collegiality, respect and dignity among staff and students.
- 29 • Prepare students for employment through a broad range of vocational, technical, and  
30 professional education programs.
- 31 • Enhance job effectiveness through promotion of critical thinking skills, continued  
32 training, advancement in technology, distance learning, and maintain relevant skills  
33 needed in the job market.
- 34 • Promote transfer of credits between institutions of higher education.

35  
36 **Institutional Mission**

37 The mission of Luna Community College is to provide certificates, two-year associate degrees,  
38 vocational training, individualized student preparation for relevant employment placement,  
39 and to develop opportunities for life-long learning and discovery.  
40  
41  
42

1 **Institutional Accreditation**

2 Luna Community College is accredited to grant certificates, associate of applied science,  
3 associate of arts, and associate of science degrees by the:

4  
5 Higher Learning Commission, a commission of the North Central Association of Colleges and  
6 Schools, 30 North LaSalle Street, Suite 2400, Chicago, Illinois 60602-2504;  
7 telephone 800.621.7440;

8  
9 **Board of Trustees**  
10 **1400**  
11 **Revised:**

12  
13 **Composition and Terms of Office**

14 The governing Board consists of seven members elected from single member districts under  
15 provisions of the Community College Act, Sections 21-13-1 et seq. NMSA 1978, as amended.

16  
17 **Qualifications of Trustees**

18 Community college board members shall be over twenty-one years of age, qualified electors  
19 and residents of the community college district.

20  
21 Any member who moves from the district in which he is elected during a term of office shall be  
22 deemed to have resigned and the vacancy created by such resignation shall be filled in the  
23 manner provided by law and this policy for filling of a vacancy on the board of a community  
24 college district.

25  
26 **Election of Trustees**

27 Community college board members shall be elected for staggered terms of six years beginning  
28 on April 1 succeeding their elections.

29  
30 **Elections**

31 Elections shall be held in conjunction with regular school district elections on the first Tuesday  
32 of February in each odd-numbered year if the community college board and school board agree  
33 to hold their elections at the same time; or on the date otherwise prescribed by  
34 the Community College Act.

35  
36 The community college board shall issue a resolution in English and Spanish calling for a regular  
37 community college election within the community college district on the date prescribed by the  
38 Community College Act. The resolution shall be filed with each county clerk in the community  
39 college district on the third Friday in December or, if the election is held in conjunction with a  
40 school district election, the last Tuesday in November of each even-numbered year.

41  
42 The resolution shall specify:

- 43
  - The date the election will be held.

- 1 • The positions on the board to be filled.
- 2 • The date on which declarations of candidacy are to be filed.
- 3 • The date on which declarations of intent to be a write-in candidate are to be filed.
- 4 • Any questions to be submitted to the voters.
- 5 • The precincts in each county in which the election is to be held and the location of each
- 6 polling place.
- 7 • The hours each polling place will be open.
- 8 • The date and time of the closing of the registration books by the county clerks as
- 9 required by law.

10  
11 In the event that only one candidate files a declaration of candidacy for each position to be  
12 filled at an election and no declared write-in candidates have filed for any position in which  
13 there is any other candidate and there are no questions or bond issues on the ballot, only one  
14 polling place for the election shall be designated and it shall be in the office of the county clerk  
15 of the county in which the community college is located.

16  
17 In any election held under the Community College Act, the county clerk shall perform the duties  
18 of the precinct board and no other precinct board shall be appointed.

19  
20 **Filling Board Vacancies**

21 All vacancies caused in any other manner than by the expiration of the term of office shall be  
22 filled by appointment by the remaining members. An individual appointed by the remaining  
23 members of the board to fill a vacancy in office shall serve until the  
24 next community college board election, at which time candidates shall file for and be elected to  
25 fill the vacant position to serve the remainder of the unexpired term.

26  
27 **Duties of the Board of Trustees**  
28 **1450**  
29 **Revised:**  
30

31 **Introduction**

32 It is the duty of the Board to determine financial and educational policies of the  
33 College. The Board shall provide for the management of the College and execution of these  
34 policies by selecting a competent president, and, upon the president's recommendation, the  
35 board shall employ other administrative personnel, instructional staff or other personnel as  
36 may be needed for the operation, maintenance and administration of the College.

37 The Board shall have the power to fix tuition and fee rates for resident and nonresident  
38 students of the community college district, to accept gifts, to accept federal aid, to purchase,  
39 hold, sell and rent property and equipment and to promote the general welfare of the  
40 institution for the best interest of educational service to the people of  
41 the community college district.

1 To the extent that funds are made available by the legislature from the lottery tuition fund, the  
2 Board shall award legislative lottery scholarships for qualified resident students attending their  
3 respective institutions.

4 Other Board responsibilities may include, but are not limited to, the following:

- 5 • Conduct themselves in an ethical manner always while representing the best interests  
6 of the region in which they serve.
- 7 • To adopt, review and ensure the implementation of an institutional vision and mission  
8 that serves as the foundation upon which institutional direction and priorities are  
9 determined.
- 10 • Review and approve the College’s annual budget, budget adjustment requests, annual  
11 audits, and other financial reports prescribed by oversight agencies.
- 12 • Award degrees or certificates upon completion of the approved curriculum organized  
13 for each program.
- 14 • Approve and implement a comprehensive legislative strategy to include institutional  
15 funding priorities, local funding elections and when appropriate, support revisions to  
16 state law on matters that support the mission of the institution.
- 17 • Review and approve expenditures as outlined by the state procurement code and other  
18 purchasing policies approved by the Board.

19 **Compensation for Board of Trustees**

20 **1455**

21 **Revised:**

22  
23 Trustees shall be paid per diem and mileage as provided in the Per Diem and Mileage Act  
24 Chapter [10](#), Article [8](#) NMSA 1978, as amended, for non-salaried public officers. Such  
25 compensation shall be included as an item in the College's annual budget.

26 All travel-related reimbursements for Trustees shall occur as outlined by the College's policy on  
27 Travel Reimbursements located in the Finance and Administration Manual, Section 7, Item E.

28 Per Diem compensation will be issued for the following:

- 29 • Physical attendance at regular, special or emergency meetings called by the Chair of the  
30 Board.
- 31 • Physical attendance at trainings and development opportunities that have been  
32 approved by the Board Chair or consensus of the Board.
- 33 • Attendance at meetings called by the Higher Education Department, or other regulatory  
34 agencies, at which Trustees are representing the institution in an official capacity.

35 At no time, while serving a term as a Trustee, shall a Board Member receive compensation, as  
36 an employee or contractor, from the Institution.

37

1 **Organization of the Board**  
2 **1460**

3 **Approved: 02/08/2022**

4 **Revised: 10/25/2022**

5 **Officers of the Board**

6 In January of years not preceded by an election, the Board of Trustees shall elect, from its  
7 membership, a Chair, Vice-Chair and Secretary. In order for a member to be elected to an  
8 officer position, a nomination must be expressed in the form of a motion. The motion must  
9 receive a second. A majority vote of the Board shall ratify the election of officers, effective  
immediately.

10  
11 **Reorganization of Officers of the Board**

12 The officers of the Board shall hold office for a term specified within this policy manual. At any  
13 time during the calendar year at the Board's discretion, it may elect to switch any officer(s)  
14 when the Board provides justification that the change would serve in the best interest of the  
15 College. The Board, with support from the College's governance groups, shall reorganize  
16 officers' positions to abide by Policy 1460. All reorganizations associated with the Board's  
17 officers' positions will be made official through a majority vote from the Board members.

18  
19 **Role of the Chair**

20 The duties of the Chairperson of the Board shall be:

- 21 • To preside over regular, special and emergency board meetings.
- 22 • To call special or emergency meetings as required or to change the time of a regular  
23 meeting.
- 24 • To perform such other duties as may be prescribed by law or by action of the Board.
- 25 • To serve as the liaison between the Board and the president.
- 26 • To work in collaboration with the president on the preparation of board meeting notices  
27 and agendas.

28 The Chair may vote on all matters coming before the Board for action. The Chair may make  
29 motions, second motions, and participate in debate on all matters coming before the Board of  
30 Trustees.

31  
32 **Role of the Vice-Chair**

33 The duties of the Vice-Chair shall be:

- 34 • To preside over board meetings in the absence of the Chairperson.
- 35 • To perform such other duties as the Board may prescribe.

36  
37 **Role of the Secretary**

38 The Secretary shall:

- 39 • Preside over Board meetings in the absence of the Chair and Vice-Chair
- 40 • Sign, along with the Chair, officially approved minutes and other legal documents.
- 41 • Perform other duties as the Board may direct and require.

1 **Committees of the Board**

2 **1470**

3 **Revised:**

4

5 **Introduction**

6 The Board may establish standing committees. When necessary, the Board may also establish  
7 interim committees to review and discuss matters coming before the Board. Referring matters  
8 to Committees assists the Board in carrying out its functions and ensures ongoing oversight as  
9 prescribed by policy.

10

11

12 **Scope of Committee Work**

13 No committee shall be composed of a quorum of the Board. Committees of the Board may not  
14 take final action on any issue unless authorized by the Board to do so. This authority would  
15 require a consensus of the Board. Committees act solely as advisory bodies, making  
16 recommendations to the whole Board, when such matters arise for discussion and or vote  
17 before a quorum of the Board.

18

19 Each committee should be chaired by a member of the Board. The President of the College  
20 serves as an ex-officio, non-voting member of each committee. Additional college staff may be  
21 asked to support committee work by providing feedback, documentation, supplies, background  
22 information or any other reasonable assistance and resources necessary for the group to  
23 complete its work.

24

25 **Committee Minutes**

26 Board committees shall keep minutes of all meetings. The minutes shall include the date, time  
27 and place of the meeting, names of the members absent and in attendance, the substance of  
28 proposals considered and a record of any decisions and votes which show how each member  
29 voted. Minutes shall become public and made available for review as prescribed by the New  
30 Mexico Inspection of Public Records Law.

31

32 **Interim Committees**

33 Interim committees may be established by the Board Chair or by a majority consensus of the  
34 Board. These committees shall be tasked with researching and investigating matters that will  
35 come before the Board. Upon establishment, the Board, or Board Chair, shall determine a  
36 timeline by which the committee shall return its findings or recommendations. Following its  
37 report and recommendations, interim committees shall no longer be required to meet.

38

39 **Standing Committees**

40 The following committees shall remain active until otherwise determined by a consensus of the  
41 Board. These committees have been established to assist the Board in fulfilling its statutory and  
42 policy requirements.



1 Standing committees shall meet a minimum of once per month, allowing for appropriate time  
2 to prepare and deliver a meeting report to the whole Board at its next scheduled regular  
3 meeting, or as requested by the Chair.  
4

5 **The following are standing committees of the Board, and their key responsibilities**

6 • **Executive Committee**

- 7 ○ Consults with the President on general personnel policy planning, and  
8 implementation between board meetings.
- 9 ○ Reviews long-range planning benchmarks for completion and analyzes  
10 environmental threats and opportunities.
- 11 ○ Ensures that collaboration and teamwork are maintained within the Board.
- 12 ○ Reviews and recommends the revision of personnel policies to protect student  
13 and employee rights and obligations.
- 14 ○ Ensures that approved administrative procedures for exhaustion of  
15 administrative remedies are completed prior to Board review.
- 16 ○ Ensures that hiring policies provide for equal opportunities to all applicants while  
17 selecting the best employee available.
- 18 ○ Refers outside complaints about the College and its operations to the President  
19 to research, investigate and determine the appropriate course of action.
- 20 ○ Periodically reviews mission statement of Board to clarify educational program  
21 and responsibilities of the College to the local and state community.

22 • **Audit/Finance Committee**

- 23 ○ Ensures that long-range financial planning occurs.
- 24 ○ Ensures that trustees are kept informed of financial matters.
- 25 ○ Ensures that the College complies with all audit requirements.
- 26 ○ Ensures that the annual budget is developed in a timely manner.
- 27 ○ Ensures that the College's investment policies meet all statutory requirements.
- 28 ○ Reviews and makes recommendations on tuition and fee rates for Resident and  
29 non-resident students.
- 30 ○ Reviews proposed budget adjustments and requests for capital expenditures.

31  
32 • **Facilities Committee**

- 33 ○ Reviews the institution's master plan and makes recommendations to the Board  
34 on necessary revisions.
- 35 ○ Ensures that long-range planning occurs for land and facilities.
- 36 ○ Ensures that an ongoing schedule is developed for physical maintenance of  
37 college property.
- 38 ○ Ensures that new facilities are provided and older facilities are rehabilitated or  
39 removed as necessary.
- 40 ○ Explores the purchase and acquisition of property that aligns with the mission of  
41 the College.

42  
43 • **Academic Affairs Committee**

- Reviews and recommends educational programs and strategic planning goals to assure alignment with accreditation requirements.
- Reviews and recommends changes to academic offerings based on workforce outlook and regional workforce needs.
- Reviews and makes recommendations on the adoption and expiration of degree and certificate offerings.
- Reviews and recommends revisions to the institution’s faculty handbook.

**Role of the President**

**1500**

**Revised:**

The President shall serve as chief executive to the Board. The duties of the President shall include:

- Prepares for each assembly of the Board by providing reports and supporting documentation to Trustees in advance of meetings.
- Provides adequate notice to the Board and public of all meetings.
- Attends all Board meetings unless otherwise excused by the Board Chair.
- Delegates the responsibility of recording minutes of each meeting as required by law, and ensures their cataloging.
- Coordinates and prepares meeting notices and agendas with the Board Chair.
- Maintains custody and control of all records, proceedings and documents of the Board.

**Evaluation of the President**

**1510**

**Revised:**

**Introduction**

The Board shall govern the progress of the institution by working to establish clear, measurable and realistic performance indicators against which the performance of the President shall be evaluated. These indicators shall align with the mission of the institution and current strategic plan. They shall also be agreed upon between the Board and President.

**President’s Self-Assessment**

By March of each year, the president shall be responsible for completing a Self-Assessment that addresses progress made toward mutually agreed upon goals and performance indicators. The study shall include

- Enrollment and completion rates.
- A summary of the institution's academic capacity to meet local, regional and statewide workforce and training needs.

- 1 • Financial position of the institution.
- 2 • Assessment of institutional challenges and opportunities.
- 3 • Assessment of institutional fundraising.
- 4 • Updates on other previously established metrics.

5 By April of each year, the Board shall complete a comprehensive review of the President's self-  
6 assessment. The Chair shall be responsible for compiling feedback from the Trustees and, on  
7 behalf of the Board, presenting the President with a summary of goals for the upcoming year.  
8 When necessary, the Board shall include in its summary, the expression of concerns it has with  
9 progress being made toward goal completion or with the President's performance, in general.

10 Deviations from the timeline above may be made when necessary and shall not imply the  
11 Board's collective approval, or endorsement of, the President's performance.

### 12 **Comprehensive Evaluation of the President**

13 Every two years, the Board may elect to allow for a comprehensive evaluation of the President  
14 to take place. Such process shall allow for staff, faculty, and staff to evaluate the performance  
15 of the President. The Board shall create a process in which staff, faculty, staff may submit  
16 feedback against established performance indicators.

17 The following indicators shall be included in the evaluation:

- 18 • Adequately secures new financial resources and partnership opportunities for the  
19 institution.
- 20 • Establishes healthy relationships among the campus and regional community.
- 21 • Establishes and maintains a strong and effective communication plan that promotes  
22 transparency and inclusion.
- 23 • Empowers faculty, staff and students to contribute to the institution's success.

## 24 **Luna Community College Shared Governance Policy**

25 **1520**

26 **Revised: 12/12/2017**

### 27 **Definitions**

28  
29 **Shared Governance-** The collaborative model of decision making that includes the Board, the  
30 President, Administration, Faculty, Staff, and Students. It is the process by which institutional  
31 direction and policies are developed, modified, and implemented.  
32

### 33 **Committees**

34 Board of Trustees, President, Shared Governance Council, Faculty Senate, Staff Advisory Senate,  
35 Student Government, Retention and Completion Council, Strategic Planning and Institutional  
36 Analysis Committee, Academic Leadership Committee  
37

38

1 **Policy Overview**

2 This policy sets the principles adopted by the Board of Trustees to engage all LCC constituents  
3 in the process of informed decision making. All constituent groups at LCC are included as  
4 participants in this policy.

5  
6 **Scope and Applicability**

7 Shared governance is a collaborative model of decision-making that includes the Board of  
8 Trustees, President, Administration, Faculty, Staff, and Students. The purpose of shared  
9 governance is to adhere to basic governance principles such as transparency, responsiveness,  
10 and accountability. By presenting recommendations for consideration to the Board of Trustees,  
11 with inclusion of stakeholders in shared governance, better decisions can be made for the  
12 College. Timely and effective communication is foundational to the shared governance process.  
13 Consequently, issues requiring governance action shall be considered only when constituent  
14 groups or their designated representatives have been afforded ample opportunity to address  
15 their positions on proposed actions.

16  
17 **Policy Statement**

- 18 A. LCC is committed to the practice of Shared Governance. The President, in consultation  
19 with representatives of recognized college governance groups, develops processes and  
20 procedures for addressing academic and professional matters. While all official College  
21 policy is the result of action by the Board of Trustees, the College’s governance groups  
22 working with the President through a college-wide Shared Governance Council,  
23 participate in the development of policy and institutional direction for consideration by  
24 the Board of Trustees.
- 25 B. Shared governance is valued at the College as an avenue for informed and accountable  
26 decision making. Thus, it should be practiced college-wide as much as possible at all  
27 levels, such as schools, departments, programs, and committees.
- 28 C. The Shared Governance Council will meet at least ten times per year and may not be  
29 suspended.
- 30 D. Shared Governance Council members shall enjoy freedom of speech and academic  
31 freedom without fear of retaliation.

32  
33 **Policy Process**

- 34 A. Role of the President
  - 35 1. Charged to work with the Shared Governance Council to develop procedures for  
36 providing feedback to the Board of Trustees regarding policy matters that pertain to the  
37 operation of the College.

- 1 2. Delegated authority by the Board of Trustees to make decisions on matters regarding  
2 the institution.
- 3 3. Communicates with all constituent groups to keep them informed and provide an  
4 avenue for feedback to the Board of Trustees.
- 5 4. Charged with employing a system of committees to provide advice and  
6 recommendations in a variety of areas that involve major actions and directions of the  
7 institution.
- 8 5. Responsible for maintaining various categories and types of committees at the College,  
9 and for retaining a file of each committee's charter or charge and membership.
- 10 6. Chairs the Shared Governance Council as a non-voting member.

11

12 B. Role of the Board of Trustees

- 13 1. Ensures open communication with all constituent groups.
- 14 2. Considers all data supporting recommendations coming from the Governance Council  
15 and presented by the President.
- 16 3. Reviews all other data presented by the administration or constituent groups and  
17 considers the impact to the college, the students, and the community.
- 18 4. Provides for resolutions that change or otherwise alter policy to be imbedded in the  
19 appropriate policy within 30 days of passage of the resolution.
- 20 5. Provides a rationale for policy decisions and documents the decision in board minutes.
- 21 6. Accepts for review and consideration, minority opinions without retaliation from the  
22 Shared Governance Council and/or constituent groups.
- 23 7. Acts as final arbiter in issues that cannot be resolved by the Shared Governance Council.

24

25 C. Role of the Shared Governance Council

- 26 1. Works with the President in defining the governance groups that should be included and  
27 consulted.
- 28 2. Communicates openly with the College community on the deliberations and discussions  
29 of the Council.
- 30 3. Sets up procedures for collaboration and inclusion of all interested parties in the work of  
31 the Council.
- 32 4. Uses data to prepare recommendations for consideration by the President and the  
33 Board of Trustees.
- 34 5. Includes an equivalent number of representatives from faculty, staff, students,  
35 academic leadership, and administrators as members of the Council.

36

37 D. Role of Faculty Senate

- 1 1. Keep all faculty informed of the work of the Shared Governance Council and conduct
- 2 discussions seeking their feedback.
- 3 2. Solicit and represent the views of the faculty, including adjunct faculty, to the Shared
- 4 Governance Council.
- 5 3. Participate with the President in establishing procedures for implementing the Board of
- 6 Trustees' policy on shared governance.
- 7 4. Working with Vice President of Instruction, ensure faculty's primary role in curriculum,
- 8 faculty rank, and other academic matters pertaining to assessment and student success.
- 9

10 E. Role of Academic Leadership

- 11 1. Keep all Academic Departments informed of the work of the Shared Governance Council
- 12 and conduct discussions seeking their feedback.
- 13 2. Represents the views of the Academic Directors, Satellite Director, and Librarian to the
- 14 Governance Council.
- 15 3. Participate with the President in establishing procedures for implementing the Board of
- 16 Trustees' policy on shared governance.
- 17 4. Working with Vice President of Instruction related to academic matters and student
- 18 success.
- 19

20 F. Role of Staff Advisory Senate

- 21 1. Keep all staff informed of the work of the Governance Council and conduct discussions
- 22 seeking staff feedback.
- 23 2. Solicit and represent the views of staff to the Governance Council.
- 24 3. Participate with the President in establishing procedures for implementing the Board of
- 25 Trustees' policy on shared governance.
- 26 4. Working with the President to establish and maintain processes for involving staff in the
- 27 academic progress and student success work of the College.
- 28

29 G. Role of Student Government

- 30 1. Keep all students informed of the work of the Governance Council and conduct
- 31 discussions seeking student feedback.
- 32 2. Solicit and represent the views of students to the Governance Council.
- 33 3. Participate with the President in establishing procedures for implementing the Board of
- 34 Trustees' policy on shared governance.
- 35 4. Working with the President to establish and maintain processes for involving Student
- 36 Government in the academic progress and student success work of the College.
- 37

38 H. Role of the Retention and Completion Committee

- 1 1. Keep the Governance Council informed of the work of this Committee.
- 2 2. Working with the President to bridge academic and student support services in a
- 3 manner that maximizes efforts to measure, research and implement activities that
- 4 directly increase student matriculation and persistence, including tutoring, advisement,
- 5 and instructional technologies.

6

7 I. Role of the Strategic Planning and Institutional Analysis Committee

- 8 1. Keep the Governance Council informed of the work of this Committee.
- 9 2. Works with the Board of Trustees, the President and the Academic Affairs Committee to
- 10 create and implement the College Strategic Plan.
- 11 3. At the direction of the President, implements those activities of the College necessary to
- 12 maintain good standing with the Higher Learning Commission and secondary accrediting
- 13 bodies.
- 14 4. Provide information which supports institutional planning, policy formation and decision
- 15 making.

16

17 J. Role of Institution-Wide Committees

- 18 1. President to define/approve ad-hoc and standing committees as needed.

19

20 **Scope of Accountability and Responsibility**

- 21 A. The Board of Trustees, the President, the Shared Governance Council and the
- 22 Governance groups are all responsible for implementing this policy.
- 23 B. Because the College recognizes the value of the shared governance process, governance
- 24 group participation shall be supported by supervisors by providing release time,
- 25 schedule accommodations, clerical support and coverage as necessary.

26 C. Due Process Clause

- 27 1. Any disagreement on the procedures developed under the leadership of the
- 28 President should be discussed by each governance group and the full Shared
- 29 Governance Council. If the disagreement cannot be resolved it should be
- 30 reported in writing to the Board of Trustees and discussed at a regular or special
- 31 Board meeting.
- 32 2. Should any governance group believe that the President and/or the Board of
- 33 Trustees is not following the approved policy or procedures, that governance
- 34 group should notify the Chair of the Board of Trustees in writing and present its
- 35 evidence at a regular Board meeting.
- 36 3. The president has the responsibility to ensure that procedures exist to support
- 37 this Policy.





1 In order to fulfill its commitment to the public and comply with the Open Meetings Act,  
2 Sections 10-15-1 to 10-15-4, NMSA 1978, the following definitions and procedures have been  
3 adopted to ensure compliance with law, organization order and public transparency.  
4

5 **Definitions**

6 Meetings - A gathering that includes a quorum of the Board for the purposes of discussing,  
7 and/or reaching consensus on, matters relating to their supervision or oversight for the College.  
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9 Quorum – The gathering of four Trustees or one more than half the number of members  
10 holding office at the time of the gathering.  
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15 **Types of Meetings**  
16 **Policy Number: 1800**  
17 **Revised:**  
18

19 **Regular Meetings**

20 It is required that the Board meet no less than once quarterly each calendar year. The date or  
21 place of a regular meeting may be changed by action of the Board at any previous meeting.  
22 If the date or place of any regular meeting is changed, the public shall be informed of the  
23 change by notice as required by law.  
24

25 A schedule for regular meetings shall be determined by a consensus of the Board. The date of a  
26 regular meeting may be changed by action of the Board provided that every member and the  
27 public are notified in advance.  
28

29 It has been determined that regular meetings be held on the second Tuesday of every month.  
30

31 Meetings of the Governing Board shall be held in a place or places determined by the Board  
32 members.  
33  
34

35 **Emergency Meetings**

36 Under limited circumstances, an emergency meeting may be held with little notice if:

- 37 • The public body did not expect the circumstances giving rise to the meeting.
- 38 • If the public body does not act immediately, injury or damage to persons or property or  
39 substantial financial loss to the public body is likely.  
40

41 **Special Meetings**

42 When necessary, the Chair, or a consensus of the Board, may call a Special Meeting to conduct  
43 business essential to the success and viability of the institution.

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**Work Sessions**

The Board may schedule Work Sessions to exchange in a dialogue about matters pertaining to their oversight responsibilities. Work Sessions may also be coordinated for the purposes of training and/or orienting Board members. Meeting notices must include an agenda however no official board action shall take place in a work session.

**Informal Meetings**

Occasionally it will be necessary for board members to attend functions as a group. Examples include trainings, workshops, networking functions, community and college gatherings or other similar events. For the purposes of this section, informal meetings include such gatherings where no meeting or discussion is called to order and no college business is acted upon. Informal meetings are not to be considered board meetings and therefore do not require that public notice be provided.

**Closed Meetings**

Closed meetings or executive sessions of the Board shall be closed to the public pursuant to state law.

To properly close a portion of an open meeting, the following actions must be taken:

- The Board shall first convene in a public open meeting and during that meeting, the Chair shall publicly announce that a closed or executive meeting or session shall be held.
- A motion stating the specific provision of law authorizing the closed meeting and a reasonably specific description of the subject to be discussed.
- A roll call vote on the motion to close the meeting in the open session, where the vote of each member is to be recorded in the minutes.
- Only the matters stated in the motion to close are discussed in the closed session.
- No final action, decision or vote may be taken with regards to any matters considered in the closed meeting.

Items subject to a closed meeting discussion are limited to the following:

- Discussion of the hiring, promotion, demotion, dismissal, assignment or resignation of a public employee, or the investigation or consideration of complaints or charges against a public employee.
- Discussion of personally identifiable information about an individual student.
- Discussion of collective bargaining strategy prior to negotiations between a public body and a union representing employees of the public body; collective bargaining sessions involving the public body and union; and consultations and impasse resolution procedures at which the public body and the union are present.
- Discussion of a sole source purchase that exceeds \$2,500 or of the contents of competitive sealed proposals during the contract negotiation process.
- Meeting with the public body’s attorney pertaining to threatened or pending litigation in which the public body is or may become a participant.

- Discussion of the purchase, acquisition or disposal of real property or water rights.

**Notice Requirements**

**Policy Number: 1900**

**Revised:**

In accordance with the Open Meetings Act, reasonable notice (72 Hours) shall be given to the public announcing the date, time, place, and subject matter of each meeting. Meeting notices shall be sent to regional media outlets, including in those communities served by the College.

Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda.

Meeting notices shall also be posted on the LCC Home Page. The Board shall follow the State's requirements for posting of meetings under the Open Meetings Act.

As it relates to emergency meetings, the Board, in collaboration with the President, shall provide reasonable notice to the public. The notice shall include the date, time, place and subject matter for the emergency meeting.

**Reconvening a Meeting**

**Policy Number: 1950**

**Revised:**

When necessary, the Board may recess and reconvene a meeting to a day following that stated in the meeting notice. In order to comply with state law, prior to recessing, the Board must specify the date, time and place for continuation of the meeting.

Immediately following the recessed meeting, the Board must post notice of the date, time and place for the reconvened meeting on or near the door of the place where the original meeting was held and in at least one other location appropriate to provide public notice of the continuation of the meeting.

Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting.

**Rules of Procedure for all Board meetings**

**Policy Number: 2000**

**Revised:**

Unless otherwise determined by the Board or herein specified, all meetings shall be conducted in accordance with Robert's Rules of Order, revised.

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2 Trustee’s actions deal with policy rather than day to day administration. A clear distinction must  
3 be maintained between the Trustees function of policy making and the President’s function of  
4 establishing and implementing procedures to carry out policy and assuring that policy  
5 objectives are attained.

6  
7 **Prerequisites to Transact Business**

8 In order to transact business, which is binding to the College, the Board shall meet in official  
9 session, keep minutes, and have a quorum of members present. All motions, duly seconded,  
10 require a majority of those voting.

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15 **Board Agenda**  
16 **Policy Number: 2100**  
17 **Revised: 12/12/2017**  
18

19 Except for emergency matters, a public body shall take action only on items appearing on the  
20 agenda. In this section, an “emergency,” refers to unforeseen circumstances that, if not  
21 addressed immediately by the public body, will likely result in injury or damage to persons or  
22 property or substantial financial loss to the public body.

23  
24 Within ten days of taking action on an emergency matter, the public body shall report to the  
25 Attorney General’s office the action taken and the circumstances creating the emergency;  
26 provided that the requirement to report to the Attorney General is waived upon the  
27 declaration of a state or national emergency.

28  
29 The President and Board Chair shall be responsible for preparing final agendas. The Board Chair  
30 shall be responsible for coordinating with Trustees to have items placed on the agenda, as  
31 appropriate.

32  
33 Meeting agendas shall be made public no less than 72 hours prior to the start of the meeting.  
34 Posting locations include at the entrance of the meeting location and the LCC website.

35  
36 **Order of Business**

37 The normal order of business on the agenda of regular board meetings shall be as follows:

- 38 1. Call to Order and Establish Quorum  
39 2. Roll Call  
40 3. Pledge of Allegiance  
41 4. Adoption of Agenda  
42 5. Approval of Minutes  
43 6. Public Comments

- 1 7. President's Report
- 2 8. Faculty Senate Report
- 3 9. Staff Advisory Senate Report
- 4 10. Student Government Report
- 5 11. Committee Reports
- 6 12. Action Items
- 7 a. Old Business
- 8 b. New Business
- 9 13. Announcement of Next Meeting
- 10 14. Closure of Open Meeting
- 11 15. Adjournment

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15 **Participation by Phone**

16 **Policy Number: 2200**

17 **Revised:**

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19 Telephonic appearances by board members is not permitted at any meetings where action is  
20 scheduled to take place.

21  
22 A board member may not participate in a closed/executive session via phone.

23  
24 **Public Participation at Board Meetings**

25 **Policy Number: 2300**

26 **Revised:**

27  
28 **Public Comment**

29 To ensure business of the College will be conducted in an orderly and deliberative fashion, the  
30 Board sets forth the following procedures for citizens desiring to appear before it.

31  
32 Interested persons may communicate their concerns to the Board at a meeting if certain  
33 procedures are followed. These procedures are intended to preserve the constitutionally  
34 guaranteed rights of free speech and petition, and to avoid unfair discrimination among viewers  
35 seeking expression.

36  
37 Persons wishing to address the Board during the Public Comment section of the agenda may do  
38 so through the following process.

- 39 • Individuals must sign-in on the Public Comment Sign-in Sheet which shall be provided to
- 40 the public on the day of the meeting. The Public Comment Sign-in Sheet will be
- 41 collected by the Board Chair at the start of the meeting, thus closing opportunities for
- 42 individuals to request that they be heard.

- 1 • Individuals must limit comments to items listed on the agenda for the meeting at which  
2 they will speak.
- 3 • Only individuals officially recognized by the Chair of the Board shall be allowed to speak.
- 4 • All presentations shall be limited to three minutes.
- 5 • Order and decorum will be maintained at all times. The use of profanity, obscenity,  
6 and/or other offensive language shall be sufficient cause for the Board Chair to  
7 withdraw a citizen's permission to address the Board
- 8 • A complaint against the personal action of an identifiable employee shall not be an  
9 allowable agenda item.

10  
11 The Board shall not be required to respond to individuals who speak during public comment.  
12 Matters may also be referred to the President of the College as appropriate, and as necessary  
13 for administrative action and/or remedy.

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15  
16 **Placing an Item on the Agenda (General Public)**

17 A person seeking to add an item to an agenda at a Board meeting shall submit the LCC Agenda  
18 Item Submission Form by the end of business 10 days prior to the Board of Directors meeting.

19  
20 The Form must be submitted to the Executive Administrative Assistant to the President who  
21 will notify requestor at least five days prior to the meeting date.

22  
23 The President may determine that the matter be referred to a committee prior to being  
24 discussed by the entire Board. Under these circumstances, the President shall notify the  
25 requestor at least 48 hours prior to the committee meeting date. All administrative remedies  
26 shall be exhausted prior to an item being placed on the agenda.

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28  
29 **Minutes of the Board**  
30 **Policy Number: 2400**  
31 **Revised:**

32  
33 Minutes of the Board shall be taken at all meetings where a quorum is present. Meetings shall  
34 include the following.

- 35 • Date, time and place of meeting
- 36 • Members present/absent
- 37 • Items on the agenda
- 38 • Record of all transactions and how each member voted
- 39 • Discussion pertinent to matters considered by the Board

40 Board members shall request inclusion of statements or data which they deem vital to an  
41 adequate understanding of the minutes.

1 Draft minutes shall be prepared within ten working days after the meeting and shall be  
2 approved, amended or disapproved at the next meeting where a quorum is present. Minutes  
3 shall not become official until approved by the Board.

4  
5 All minutes shall be maintained by the Office of the President and made available on the  
6 College's website.

7  
8 **Voting**  
9 **Policy Numbers: 2500**  
10 **Revised:**

11  
12 **Authority**

13 Members of the Governing Board shall have authority only when acting as a Board in regular or  
14 special sessions. All members present, at a meeting where a quorum has been established, may  
15 state, second and vote on a motion. This includes the board member presiding over the  
16 meeting. Except for emergency matters, a public body shall take action only on items appearing  
17 on the agenda.

18  
19 Taking official action on an item shall require the following:

- 20 • The Board Chair shall call for a motion on any items listed as an action item on the  
21 agenda. With the exception of emergency items, only matters listed as action items on  
22 the agenda may be voted on.
- 23 • Motions must be stated by a Board member and recorded for the minutes.
- 24 • A motion must receive a second by a different Board member.
- 25 • Following the second to a motion, the Chair shall entertain discussion on the motion.
- 26 • If necessary, a motion may be amended. The amended motion must be restated and  
27 receive a second from a different Board member.
- 28 • Following discussion on the motion, the chair shall call for a vote. Voting on Board  
29 action items shall be by voice except when a roll call vote is requested by a board  
30 member.
- 31 • A member voting against a motion shall state his / her reasons which shall be recorded  
32 in the minutes, if he/she so requests at the time of voting.
- 33 • The minutes shall record the name of the person making the motion, the name of the  
34 person seconding it, and the vote with dissenting members being noted.

35  
36 **Public Access**  
37 **Policy Number: 2600**  
38 **Revised:**

39  
40 All meetings at which the Board plans to formulate policy, discuss college business, or take any  
41 action within the authority or delegated authority of the Board shall be open to the public at all  
42 times except as otherwise provided in the constitution of the state of New Mexico or the  
43 provisions of the Open Meetings Act.

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2 **Board Member Statements to the Media**

3 **Policy Number: 2700**

4 **Revised:**  
5

6 Individual Board members may not speak on behalf of the Board. This policy does not reduce  
7 the right of individual Board member to speak publicly about college matters in their capacity  
8 as citizens.  
9

10 Board members shall remain aware that, over the course of service, they will receive  
11 information that may be confidential, as allowable by law and or policy. Such matters include  
12 personnel-related issues and those subject to attorney- client privilege.  
13

14 Any public statements about College business made by the Board will be made by the chair or a  
15 representative designated by the Board. Statements shall include announcements and/or  
16 responses to the media.  
17

18 Before giving any public comment, individual Board members must specifically state that they  
19 are speaking as individuals and not on behalf of the Board or College. The President is  
20 permitted to make public statements about College business in the course of official duties.  
21

22 **Board Travel**

23 **Policy Number: 2800**

24 **Revised:**  
25

26 **Introduction**

27 Board members may attend regional, state, or national conferences and workshops to ensure  
28 professional development and awareness in addressing issues that impact higher education,  
29 specifically those that have a direct impact on LCC. It may also be necessary, or of sincere  
30 importance, that trustees attend relevant state agency or legislative meetings regarding policy  
31 of the College. As part of its commitment to the financial health of the institution, all travel  
32 must be reasonable and taken only when adequate budget exists and does not interrupt the  
33 operations of the College.  
34

35 Following board-related travel, participating trustees shall provide the Board with a summary of  
36 the event and any follow-up action necessary by the Board or administration.  
37

38 **In-state Travel**

39 In-state travel for physical attendance at trainings and development opportunities must be  
40 approved by the Board Chair or consensus of the Board.

41 Trustees shall be paid per diem and mileage as provided in the Per Diem and Mileage Act  
42 Chapter [10](#), Article [8](#) NMSA 1978, as amended, for non-salaried public officers. Such  
43 compensation shall be included as an item in the College's annual budget.

Revised: \_\_\_\_\_ Review Required: \_\_\_\_\_ Board Secretary Sig. \_\_\_\_\_



1 All travel-related reimbursements for Trustees shall occur as outlined by the College's policy on  
2 Travel Reimbursements located in the Finance and Administration Manual, Section 7, Item E.

3 **Out-of-state Travel**

4 Out-of-state travel for physical attendance at trainings and development opportunities must be  
5 approved by a consensus of the Board.

6 Trustees shall be paid per diem and mileage as provided in the Per Diem and Mileage Act  
7 Chapter [10](#), Article [8](#) NMSA 1978, as amended, for non-salaried public officers. Such  
8 compensation shall be included as an item in the College's annual budget.

9 All travel-related reimbursements for Trustees shall occur as outlined by the College's policy on  
10 Travel Reimbursements located in the Finance and Administration Manual, Section 7, Item E.

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**Ethics and Conflict of Interest**  
**Policy Number: 2900**  
**Revised:**

**Introduction**

17 Trustees shall not vote or otherwise participate in any action, matter, discussion or other  
18 business in which they may have a personal interest, either directly or indirectly, in which it  
19 may appear that he/she has a personal interest, both directly or indirectly. It is the intent of the  
20 Board of Trustees to avoid the appearance of impropriety.

21  
22 In order to assure ethical conduct and eliminate the risk of behaving in a manner that poses  
23 conflict between a transaction and the role of a trustee, the Board has adopted the following  
24 principles and limitations which are consistent with the NM Governmental Conduct Act.

25  
26 Each year, Trustees shall sign a document indicating that they have received, understand and  
27 accept the conditions of, the policy titled, Ethics and Conflict of Interest revised.

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**Code of Ethics**

- 33 • Trustees shall treat their position as a public trust. Board members shall use the powers  
34 and resources of their position only to advance the public interest and not to obtain  
35 personal benefits or pursue private interests.
- 36 • Trustees shall conduct themselves in a manner that justifies the confidence placed in  
37 them by the people at all times maintaining the integrity and discharging ethically the  
38 high responsibilities of public service.
- 39 • Full disclosure of real or potential conflicts of interest shall be a guiding principle for  
40 determining appropriate conduct. At all times, reasonable efforts shall be made to avoid  
41 undue influence and abuse of office in public service.

- No board member may request or receive, and no person may offer a member, any money, thing of value or promise thereof that is conditioned upon or given in exchange for promised performance of an official act. Any person who knowingly and willfully violates the provisions of this subsection is guilty of a fourth degree felony and shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

### **Prohibited Political Activities**

Board members shall be prohibited from:

- Directly or indirectly coercing or attempting to coerce another public officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for a political purpose;
- Threatening to deny a promotion or pay increase to an employee who does or does not vote for certain candidates, requiring an employee to contribute a percentage of the employee's pay to a political fund, influencing a subordinate employee to purchase a ticket to a political fundraising dinner or similar event, advising an employee to take part in political activity or similar activities.
- Violating the duty not to use property belonging to a state agency or local government agency, or allow its use, for other than authorized purposes.

### **Conflict of Interest**

- A Trustee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property directly or indirectly through the trustees' family or a business in which the trustee has a substantial interest, to an employee of LCC. A trustee shall not receive a commission or shall not profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to an LCC employee. The provisions of this subsection shall not apply if the LCC employee initiates the sale. It is not a violation of this subsection if a trustee, in good faith, is not aware that the employee to whom the goods, services, construction or items of tangible personal property are being sold is an employee of LCC.
- A trustee shall not sell, offer to sell, coerce the sale of or be a party to a transaction to sell goods, services, construction or items of tangible personal property, directly or indirectly through the trustee's family or a business in which the trustee has a substantial interest, to a person employed by the College.
- A trustee shall not receive a commission or profit from the sale or a transaction to sell goods, services, construction or items of tangible personal property to a person who is employed by the College.
- A trustee shall not accept, from a person employed by the College, an offer of employment or an offer of a contract in which the trustee provides goods, services, construction, items of tangible personal property or other things of value.

### **Personal Financial Interest Prohibited**

- It is unlawful for a trustee to take an official act for the primary purpose of directly enhancing their financial interest or financial position. Any person who knowingly and

1 willfully violates the provisions of this subsection is guilty of a fourth degree felony and  
2 shall be sentenced pursuant to the provisions of Section 31-18-15 NMSA 1978.

- 3 • A trustee shall be disqualified from engaging in any official act directly affecting their  
4 financial interest, except a trustee shall not be disqualified from engaging in an official act  
5 if the financial benefit of the financial interest to them is proportionately less than the  
6 benefit to the general public.
- 7 • No trustee, during the term for which elected, shall acquire a financial interest when they  
8 believe or should have reason to believe that the new financial interest will be directly  
9 affected by the trustee's official act.

10  
11  
12 **Contracts Involving Board Members**

- 13 • LCC shall not enter into a contract with a trustee, with the family of the trustee, or with a  
14 business in which the trustee or their family of has a substantial interest unless the trustee  
15 has disclosed through public notice their substantial interest and unless the contract is  
16 awarded pursuant to a competitive process.
- 17 • Unless a trustee has disclosed their substantial interest through public notice and unless  
18 a contract is awarded pursuant to a competitive process, LCC shall not enter into a  
19 contract with a trustee, with the family of the trustee or with a business in which the  
20 trustee or their family o has a substantial interest.

21  
22 **Confidential information.**

23 No trustee shall use or disclose confidential information acquired by virtue of their position for  
24 personal or another's private gain.

25  
26 **Consultation with Legal Counsel**

27 **Policy Number: 3000**

28 **Revised:**

29  
30 Any matters requiring a legal opinion may be raised by a trustee. Such requests or inquiries may  
31 be made in the following manners:

- 32 • A request made by the consensus of the Board during an official meeting.
- 33 • A request made by a Board members about a matter that involves the Board or that  
34 holds the potential for litigation against the College. These requests must be made in  
35 writing by the trustee(s) to the Board Chair. Upon receipt, the President shall submit the  
36 same to the legal counsel of the College for the appropriate answer which answer shall  
37 be made in writing and transmitted through the President to the Board.