

MT. HOOD COMMUNITY COLLEGE BOARD POLICIES

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## MISSION, VISION AND VALUES STATEMENT



### *Vision*

**Moving Mountains**



### *Mission*

**Transforming Lives | Building Communities**



### *Goals*

**Teaching and Learning |  
Community Engagement | Resource Development**



### *Values*

- S**trategic: We are decisive, intentional and forward-thinking in transforming the College to meet the ever-changing needs of our communities.
- U**nparalleled: We excel at providing innovative education and training.
- M**indful: We are collaborative, focused and purposeful.
- M**ulticultural: We cultivate an inclusive environment that celebrates, respects and supports diverse communities.
- I**maginative: We champion a creative, enterprising, joyful and positive spirit.
- T**rustworthy: We are accountable, credible, principled, responsible and truthful.



END OF POLICY

## **THE PEOPLE AND THEIR COMMUNITY COLLEGE**

Mt. Hood Community College is a public institution of Higher Education operated for the purposes of providing courses of study designed to meet the needs of the people in its geographical area by providing educational and support services in accordance with Oregon Revised Statute 341.290.

Further, the College will meet its community's needs by: offering comprehensive associate degree and certificate programs; serving a transitional purpose for those who continue baccalaureate or other college/university work; providing the ability to attain and upgrade workforce skills; equipping the under-prepared student for college level coursework; offering classes for personal enrichment; and serving as a cultural and athletic event gathering place. MHCC will also coordinate courses and programs with its district high schools to enhance the education of high school students and to enable successful transition to college programs.

Admission to MHCC is open to all people age 16 or older, and costs to students will be as low as possible.

END OF POLICY

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Legal Reference:

ORS 341.290

## **ROLE OF THE BOARD OF EDUCATION**

The Mt. Hood Community College District Board of Education, as duly elected representatives of the people, will, pursuant to the statutes of Oregon and consistent with the rules of the State Board of Education, have complete charge and control of all activities and programs of the district including its property, personnel and finances. It is the legal responsibility of the Board of Education to prepare and adopt an annual budget in compliance with the Oregon budget law and statutes relating to the Multnomah Tax Supervision and Conservation Commission; to approve expenditure of funds; to establish, maintain and control the conduct and operation of college buildings, both for college purposes and for outside activities; to employ staff, to approve new programs and degrees; and to adopt policy which governs the College.

The Board of Education will determine selection procedures for the position of the College president in accordance with applicable state and federal laws.

Additionally, the president's job performance will be evaluated formally on an annual basis.

END OF POLICY

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### Legal References:

ORS 341.125  
ORS 341.275  
ORS 341.287  
ORS 341.290  
ORS 341.326  
ORS 341.335

Article VIII, Section 3, Oregon Constitution

## AUDIT COMMITTEE

The audit committee of the Mt. Hood Community College (MHCC) District Board of Education is established as an advisory committee to the Board of Education to provide proactive oversight for the financial and compliance reporting and risk management processes and disclosure, assuring transparency, integrity and reliability.

The audit committee is responsible for providing assurance to the Board of Education that the College has the appropriate culture, personnel, policies, systems and controls in place to safeguard entity assets and to accurately report financial information.

The audit committee will be comprised of two Board of Education members, who will be appointed by the Board chair, up to six community members, the president and the vice president of administrative services.

The audit committee will meet no less than two times per year, including meeting with the external auditors prior to the start of the annual audit. The audit committee will consider and review with the administration and the independent auditor the following:

- Significant findings during the year, including the status of the audit recommendations from the prior year.
- Any difficulties encountered in the course of audit work, including any restrictions of the scope of activities or access to required information.
- Any changes required in the planned scope of the audit plan.

The audit committee will report periodically to the Board of Education on significant results of the foregoing activities.

END OF POLICY

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## **POLICY DEVELOPMENT**

The Board has the authority and responsibility to establish policy which governs the College. The Board accepts the definition of policy set forth by the National School Boards Association:

School Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a college. They create a framework within which the president and his / her staff can discharge their assigned duties with positive direction. They tell what is wanted.

The formulation and adoption of policies, recorded in writing, will constitute the basic method by which the Board exercises its leadership in the governance of the College.

The policies will be consistent with Oregon Revised Statutes, Oregon Administrative Rules and all applicable federal laws and regulations.

The basic responsibility for initiating, reviewing and recommending new policies or policy modification to the Board will rest with the president. However, new policies or changes in existing policy may be proposed by any College Board member, group or organization, employee, student or other member of the community. The president, in developing policies to recommend to the Board, may be guided by recommendations of employees, community input and advice from legal counsel during the preparation and subsequent review of policy statements.

The president will furnish necessary background information and make all final policy recommendations to the Board.

In cases where action must be taken within the College where the Board has provided no guidelines for administrative action, the president will have the power to act. It will be the duty of the president to inform the Board of such action.

END OF POLICY

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Legal References:

ORS 341.290

OAR 581-022-1610

OAR 581-022-1720

## EQUAL OPPORTUNITY

### Equal Opportunity and Affirmative Action

The college shall comply with all local, state and federal laws related to equal opportunity and affirmative action in its employment practices, services, programs and activities. The college is committed to providing an inclusive environment and equal opportunity to all persons and prohibits all forms of discrimination based on age, gender, race, color, religion, physical or mental disability, national origin, marital status, sexual orientation, pregnancy, veteran's status, familial relationship, expunged juvenile record, or other status or characteristic protected by law, or association with individuals in such protected status or characteristic.

### Non-discrimination

The college promotes non-discrimination by maintaining a respectful working and learning environment free of all forms of discrimination and harassment. It is against district policy for any manager, supervisor, faculty, staff or student to engage in discrimination of any member of the college community based on race, color, religion, ethnicity, national origin, age, sex, marital status, disability or sexual orientation. The college shall comply with all local, state and federal laws with regard to non-discrimination.

### Non-harassment

The college is committed to maintaining a respectful working and learning environment with a zero tolerance policy regarding all forms of harassment. It is against district policy for any manager, supervisor, faculty, staff or student to engage in harassment or discrimination of any member of the college community based on but not limited to race, color, religion, ethnicity, national origin, age, sex, marital status, disability or sexual orientation.

The college shall: provide training that disseminates non-harassment procedures and complaint processes; notify the college community of rights and responsibilities; investigate all complaints promptly; and take appropriate action against offenders.

### Americans with Disabilities Act Amendments Act of 2008 (ADAAA)

The college, in compliance with the ADAAA, is committed to maintaining employment practices, services, programs and activities that provide equity and access to qualified individuals with disabilities. The college shall provide reasonable accommodations for the known disabilities of qualified individuals.

END OF POLICY

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Legal References:

ORS 192.630  
ORS 243.706  
ORS 342.850  
ORS 342.865  
ORS 408.225  
ORS 408.230  
ORS 408.235  
ORS 659A.010 (14)  
ORS 659A.020  
ORS 659A.029  
ORS 659A.030  
ORS 659A.040  
ORS 659A.150  
ORS 659A.815  
ORS 659A.805  
ORS 659A.850 – 659A.870  
ORS 659A.855  
ORS 659A et seq.  
ORS 659A.860  
OAR 105-040-0010  
OAR 105-040-0015  
OAR 584-020-0040  
OAR 583-020-0041  
Title VI of the Civil Rights Act of 1964, 42 U.S.C., Section 2000(d)  
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C., Section 2000(e) et seq.  
Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C., Section 621  
Age Discrimination Act of 1975, as amended, 42 U.S.C., Section 6101  
Equal Pay Act of 1963, as amended, 29 U.S.C., Section 206(d)  
Rehabilitation Act of 1973, 29 U.S.C.A., Sections 504, 791, 793 and 794 Title IX of the Education Amendments of 1972, 20 U.S.C., Sections 1681, 1682 and 1683, 34 CFR Part 106 (2000)  
Americans with Disabilities Act of 1990, 42 U.S.C., Section 12101 et seq. 29 CFR Part 1630, 28 CFR, Part 35  
Americans with Disabilities Act Amendments Act of 2008 (ADAAA)

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## **PRESIDENT/CHIEF EXECUTIVE OFFICER/BOARD CLERK**

The president is the College's Chief Executive Officer and has, under the Board's direction, general supervision of the College and personnel. The president is responsible for managing the College under the Board's policies and is accountable to the Board for that management. When acting as Clerk, the president-chief executive officer serves the Board in areas of specific Board interest.

The president may delegate to other district personnel any powers and duties imposed upon the president by Board policies or by vote of the Board. Delegation of power or duty, however, will not relieve the president of responsibility for action taken under such delegation.

END OF POLICY

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Legal Reference:

ORS 341.290

## **DUTIES OF THE DEPUTY CLERK**

The Clerk may delegate to the Deputy Clerk performance of the following duties:

To sign all official documents of the Board other than the Board meeting minutes;

To serve as custodian of district funds; and

To furnish and file all financial reports as requested by the Board and president/clerk and as required by law.

END OF POLICY

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Legal References:

ORS 327.133

ORS 341

## COMPUTER USERS' PRIVILEGES AND RESPONSIBILITIES

The MHCC data and voice networks will be managed in such a manner as to provide reasonable security of information being transmitted or maintained on those networks.

The MHCC data and voice networks will be subject to the prevailing U.S. Federal Government regulations and state and local regulations pertaining to data and data communications. In conjunction with these regulations any other MHCC policy or regulation which applies to paper or other transfer media will also apply to electronic data.

Each employee assigned to assist with the operation of college computers is required to observe office procedures for data security and confidentiality of records.

END OF POLICY

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### Legal References:

ORS 30.765	ORS 167.070	ORS 332.107
ORS 163.435	ORS 167.080	ORS 336.222
ORS 164.345	ORS 167.087	ORS 339.250
ORS 164.365	ORS 167.090	ORS 339.260
ORS 167.060	ORS 167.095	ORS 339.270
ORS 167.065	ORS Chapter 192	

OAR 581-021-0050  
OAR 581-021-0055

Copyrights, Title 17, as amended, United States Code

“Attorney General’s Public Records and Meetings Manual” pp. 21-23, Appendix H (1997)

Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 *et seq.* 29 CFR Part 1630

Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988).

USA Patriot Act (USAPA) of 2001

Standards for Safeguarding Customer Information Act of 2000, Gramm-Leach-Bliley Act (GLB Act Section 16 CFR Part 314)

(ORS 341.290 (17). Use and Access of Public Records; FERPA Sec. 438, 20 U.S.C. Sec. 1232g (1988)-  
Family Educational Rights and Privacy Act.

**SAFEGUARDING CONSUMER INFORMATION**

MHCC will establish administrative regulations for an information security program that complies with the mandated Federal Trade Commission's Standards for Safeguarding Customer Information and the Gramm-Leach-Bliley Act.

END OF POLICY

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Legal Reference:

15 U.S.C. 6801-09

16 CFR Part 314

FERPA (20 U.S.C. 1232g; 34 CFR Part 99)

## **USE OF COPYRIGHTED MATERIALS**

Reproduction of copyrighted material will be conducted strictly in accordance with applicable provisions of law. Unless otherwise allowed as "fair use" under federal law, written permission must be acquired from the copyright owner prior to reproduction of material in any form.

END OF POLICY

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### Legal References:

ORS 341.290  
Copyrights, Title 17, as amended, United States Code

MT. HOOD COMMUNITY COLLEGE DISTRICT

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## **FISCAL YEAR**

The fiscal year will extend from July 1 to June 30 inclusive.

END OF POLICY

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Legal Reference:

ORS 294.311 (13)

## **MT. HOOD COMMUNITY COLLEGE DISTRICT FOUNDATION, INC.**

The District Foundation will seek to further the interests of the students, alumni, faculty, and staff of Mt. Hood Community College, and to promote the development of the College's educational, cultural, recreational, research, service, and facility programs. Foundation projects selected for funding should enhance efforts and priorities of the district Board of Education.

The District Foundation will have the authority to exercise all powers granted by ORS 65.036, and to exercise such other and additional powers as may be necessary, suitable, or proper for the furtherance or accomplishment of any of the above purposes, but at all times limited to the exercise of only such powers as are in furtherance of the tax-exempt purposes of the corporation and as may be exercised by an organization exempt under Section 501 (c) (3) of the Internal Revenue Code and by its regulations as they now exist or as they may hereafter be amended.

The functional responsibility for the Foundation rests with the president or his/her designee.

END OF POLICY

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## GRANTS-IN-AID

MHCC recognizes the limits of both federal and state scholarship grants and establishes MHCCD Board of Education grants-in-aid.

These grants are limited to tuition waivers, and will not be paid in cash or be refunded to students.

These grants will not exceed the amount of MHCC in-state tuition for students recognized within the Oregon Administrative Rules providing for community college funding. For athletes, the approved recruiting areas are recognized by the Northwest Athletic Association for Community Colleges.

Grants are to be allocated to students on the basis of financial need, talent, academic excellence or for personal or career development. Grants may be available for students enrolled in three (3) or more credit hours.

Grants will be allocated approximately one-third to each category:

Co-curricular activities;

Academics; and

Athletics.

END OF POLICY

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Legal References:

ORS 341.290 (2)

ORS 341.485

## **CHARITABLE DONATIONS**

MHCC will not donate funds to support charitable organizations.

END OF POLICY

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Legal Reference:

ORS 341.290 (2)

## **DEPOSITORIES**

The Board will designate qualified banks or trust companies which meet college, state and federal guidelines to act as official depositories for MHCC funds. The custodian of funds is authorized to place college funds in the State Investment Pool administered by the Oregon State Treasurer.

For the purpose of receiving deposits of community college funds, the Board will designate such bank or banks as it deems safe and proper to be depositories for college funds.

The custodian of funds will not be liable personally for money lost by reason of failure or insolvency of any bank which is designated as a depository.

END OF POLICY

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Legal Reference:

ORS 341.703

Cross Reference:

Policy 3220

## **INTERNAL CONTROL**

The College president and/or designees will be responsible for designing and implementing processes for internal control which will provide reasonable assurance for protecting the College's financial and physical assets, for effectiveness and efficiency of operations, reliability of financial reporting and compliance with applicable laws and regulations.

END OF POLICY

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## ANNUAL AUDIT

The Board will cause to have prepared an annual audit of the books and accounts of the College. The audit will be reported at a regular Board meeting and be available for public review.

END OF POLICY

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### Legal References:

ORS Chapter 297  
ORS 341.709

"Program Budgeting and Accounting Manual," Oregon Department of Education

## **EXCESS AND SURPLUS PROPERTY**

MHCC may declare district property as surplus and authorize its disposal when such property is no longer of use to the district for its programs or activities, is unsuitable for its use, is too costly to repair or is obsolete.

END OF POLICY

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### Legal References:

ORS 279.015 (4) (b)  
ORS 341.290

**DISTRIBUTION OR SALE OF MERCHANDISE**

The distribution or sale of merchandise in any building or grounds under the authority of MHCC will not be permitted unless the president or designee authorizes sales of merchandise.

This policy will not apply to merchandise sold through the campus store, food provided through the cafeteria services, food sales by students as authorized by the vice president of administrative services or other sales by students.

END OF POLICY

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Legal References:

ORS 341.290 (2)

## TUITION AND FEES

### Tuition:

The Board will establish tuition rates and set refund schedules for students withdrawing from the College. The president will submit recommended rates and refund schedules to the Board that meet the annual budget calendar.

### Course, Administrative and Special Services Fees:

To ensure quality services for students and the community, and to ensure financial predictability, a Fee Advisory Committee (FAC) will be established by the president to review course, administrative and special services fees. The FAC, made up of representatives from instruction, administrative services/facilities, student government, student success and enrollment management, and/or others when applicable, will review fees based on the following rationale and submit a proposed fee schedule to the president.

### The Fee Rationale:

- Any fee that supports the student population will be weighed against the need to increase tuition.
- Fees will be benchmarked against other Oregon Community Colleges.
- Course fees cover the costs of unusual services, equipment, software, and/or materials.
- Administrative fees cover the cost of transactions and are reasonable compared to revenue generation.
- Other fees may be assessed to cover costs for special services and/or processing and materials furnished, i.e. testing, library fines, printing, etc.

The president will, when necessary, recommend this proposed fee schedule to the Mt. Hood Community College District (MHCCD) Board of Education for approval.

### Senior Discounts:

Mt. Hood Community College (MHCC) will provide discounted tuition for credit classes and reduced costs for non-credit classes for seniors when doing so a) is consistent with the College's mission; b) does not displace other students; c) is fiscally viable; d) is supported by the administrative units offering the classes; and e) is consistent with applicable Oregon state law.

### Veterans Educational Benefits

MHCC will provide a 50 percent tuition waiver for a veteran's first term of enrollment at MHCC. MHCC will continue to support the Veterans with support services and other programs that will assist in a smooth transition for the returning veteran to civilian life. The 50 percent tuition waiver applies to students that qualify for chapter 30 and chapter 1607 under the Montgomery GI bill.

In addition, MHCC will offer a tuition waiver to include spouses and dependents of fallen Oregon resident soldiers who died while on active duty or due to a service connected disability. The waiver is for “last dollar” up to and including 120 credits of tuition only for reimbursable classes where there is “space available” and does not cover books, fees or other expenses. All other Veterans’ Administration benefits and/or other forms of federal, state or private scholarships and grants will be applied prior to the granting of the tuition waiver. All other academic and institutional policies apply. This tuition waiver policy is subject to cancellation at any time by the MHCCD Board of Education and will be reviewed on a periodic basis.

Pursuant to the 75<sup>th</sup> Oregon Legislative Assembly 2009 regular session and House Bill 2571 relating to veterans’ educational benefits, Mt. Hood Community College will waive the minimum 90-day in-state residency requirement for those veterans not a resident of Oregon if the student served in the Armed Forces of the United States and was relieved or discharged from the service under honorable conditions.

END OF POLICY

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Legal Reference:

ORS 341.290 (7) (8)



## **PURCHASING**

All purchase orders will be signed by the Deputy Clerk of the Board or his/her designee unless specifically required to be signed by the Chair of the Board and the Clerk of the Board.

Under the provisions of ORS 279A.060, the MHCCD Board is designated as the Local Public Contract Review Board for the College. The Oregon Attorney General's Public Contract Manual as updated is adopted as governing purchase procedures and other matters subject to competitive procurement provisions of law.

The College buys where it receives sound value for its dollar, regardless of the supplier's location. When the price, quality and service are equal, suppliers located in-state or in-district will be given preference.

All purchases made with college funds must be reasonable and necessary to accomplish college business and comply with all applicable laws and regulations.

Exceptions to the policy will only be granted in emergency cases and must be approved by the MHCCD Board. Any exemption request will include the written findings required by law for any exemption from competitive bidding.

College employees who play any role in procuring public contracts may not receive a direct, beneficial or financial interest from said contract(s) while serving as a public official, or for two years after they are no longer employed by MHCC. This stipulation also applies to the immediate family members of MHCC employees. Bids must be obtained by the Purchasing Department. All purchases will be awarded to qualified responsible vendors offering the lowest bid which meet all requirements of the goods or services.

END OF POLICY

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Legal Reference:

ORS 279  
ORS 279A  
ORS 279B  
ORS 279C

OAR 137 (46, 47, 48, 49)

## INVESTMENTS

MHCC may invest district funds in excess of operating requirements. Even if not expressly referenced or cited, this policy is intended to comply with all applicable statutes or other regulations governing Oregon public agencies. The policy will be reviewed periodically to maintain currency with statutory developments and college objectives.

### Investment Objectives

The objectives of this investment policy (the policy) are listed in the following priority order:

1. Preservation of capital and the protection of investment principal;
2. Maintenance of liquidity that sufficiently enables MHCC to meet all operating requirements that might be reasonably anticipated;
3. Diversification to avoid incurring unreasonable and avoidable risks regarding specific security types, industries or individual financial institutions; and
4. Management to maintain a reasonable rate of return throughout budgetary and economic cycles given the constraints and spirit of this policy.

### Investment Officer

The Director of Fiscal Operations will function as the Investment Officer and will maintain the right to approve staff members to authorize transactions on behalf of MHCC subject to the investment policies contained herein. The Investment Officer and staff members approved to authorize transactions must be bonded individuals. The Investment Officer may recommend an investment advisor for Board approval.

### Prudence

The standard of prudence to be applied by the Investment Officer will be the "prudent investor" rule, which states, "Investments will be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of their capital as well as the income to be derived." The prudent investor rule will be applied in the context of managing the overall portfolio.

The Investment Officer, acting in accordance with written procedures and exercising due diligence, will not be held personally responsible for a specific security's credit risk or market price changes.

### Investment Maturity

Investments will be limited to those which, based on MHCC's then-current projected cash requirements, can be held to maturity. Investments will not be made predicted upon selling the security prior to maturity. Investment maturities for operating funds will be scheduled to coincide with projected cash flow needs. Except for special situations, as approved by a majority vote of the MHCCD Board, investments will be limited to maturities not exceeding 18 months.

### Default Risk

MHCC will not assume default risk in an attempt to enhance return. MHCC will comply with state and federal law in its investment activities.

### Sovereign Risk

MHCC will invest only in obligations of the U.S. government, government agencies or domestic corporations and financial institutions that are domiciled and regulated in the United States.

### Exchange Rate Risk

MHCC will invest only in dollar-denominated assets.

### Report

A report of outstanding investments will be prepared on a regular basis by the investment officer and distributed to the chief operating officer and president.

### Total Prohibitions

Purchase of standby or forward commitments of any sort are specifically prohibited as are those investments prohibited by ORS 293.850.

### Rating of Securities

All securities must be rated by either Standard and Poor's or Moody's. If the rating is split, the lower rating will prevail.

Limitations by Type of Security:

Authorized U.S. Securities - The following U.S. Government and Federal Agency securities are authorized for purchase:

- U.S. Treasury Bills;
- U.S. Treasury Notes (held to maturity);
- U.S. Treasury Bonds (held to maturity);
- Federal Home Loan Bank (FHLB) Bonds, Notes and Discount Notes;
- Federal National Mortgage Assn. (FNMA) Notes, Debentures and Discount Notes; and
- Student Loan Marketing Association (Sallie Mae) Notes.

Prohibited Securities - The following securities are not authorized for purchase:

Banks for Cooperatives (COOPS);  
Sallie Mae Discount Notes;  
Sallie Mae Floating Rate Notes;  
Federal Intermediate Credit Banks (FICB);  
Federal Farm Credit Banks (FFCB) Bonds and Discount Notes;  
Federal Home Loan Mortgage Corporation (FHLMC) Mortgage Certificates;  
Federal Land Banks (FLB);  
Farm Credit Consolidated System-wide Discount Notes;  
Federal Housing Administration (FHA) Debentures;  
Department of Housing and Urban Development:  
    New Communities Debentures;  
    Project Notes;  
    Local Authority Bonds;  
Export-Import Bank of the United States Debentures; and  
General Services Administration Participation Certificates.

Repurchase Agreements - Investments in repurchase agreements must be for no more than seven (7) days and must be at least 100 percent collateralized by direct U.S. Government or U.S. Government agency securities. Banking institutions from which repurchase agreements are purchased must have above average return ratios and have holding company assets of at least \$5 billion. Investment bankers must be approved by the Investment Officer. MHCC will not enter into any reverse repurchase agreements.

States and Municipalities - MHCC will limit its purchase of securities to municipalities which have obtained a rating of A (Standard and Poor's) or A2 (Moody's) or better on Revenue Bonds and a BBB+ (Standard and Poor's) or BAA-1 (Moody's) rating or better on General Obligation Bonds.

Money Market Funds - Cash management money market funds offered through investment banks, brokerage firms or commercial banks which in turn invest pooled funds in high-quality diversified money market securities and offer a high level of liquidity, to include bank trust agency funds and money market funds, are authorized, subject to the following limitations.

Cash management money market fund investments will be only those funds which have their own investment restrictions of no less than:

- Long-term investment securities in the fund must have ratings averaging no less than A by Standard and Poor's or Moody's
- No more than 25 percent of the fund's portfolio may be in repurchase agreements
- The fund risk characteristics must be equal or superior to these stated characteristics
- Any fund will be previously approved in writing by the Investment Officer

Bank Deposits and Acceptances - Time deposits, certificates of deposit or bankers acceptances issued by approved commercial banks (must meet the same requirements as those discussed under Repurchase Agreements) are authorized. The bank deposits must be rated at least an A-1 rating from Standard and Poor's and a P-1 rating from Moody's. Generally, investments will be made so as to secure the maximum return. Deposits may, however, be made at lower rates in community banks which have satisfactory ratings if it is deemed by the president to be pertinent to the College's financial and operational interests.

Commercial Paper - Commercial paper issued by domestic corporations, finance companies and bank holding companies is authorized for investment purposes, provided it has received at least an A-1 rating from Standard and Poor's and a P-1 rating from Moody's.

Other Securities - Securities not specifically addressed by this policy are prohibited for investment purposes.

Delivery of Securities

All securities purchased pursuant to this policy will be held in safekeeping. The primary agent will issue a safekeeping receipt to MHCC listing the specific instrument, rate, maturity and other pertinent information. Repurchase agreements will be subject to the safekeeping requirements.

Primary Agents

Primary agents should be licensed investment brokers with a good reputation in the community. The Investment Officer will be responsible for ensuring that all primary agents are presented with a copy of this policy prior to the transaction and informed that all investments must be in accordance with the policy. If a primary agent does not comply with the policy, they will not be considered for future services.

END OF POLICY

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Legal References:

ORS 294.035

## **CUSTODIAN OF FUNDS**

The Board will designate a custodian of funds.

END OF POLICY

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Legal Reference:

ORS 341.703

Cross Reference:

Policy 3100

## **COLLEGE BUSINESS ACTIVITIES**

MHCC will provide goods and services to meet the needs of its students and staff and members of the community as they participate in activities related to the College's mission through auxiliary enterprises. These activities, generally referred to as auxiliary or enterprise activities, are deemed to be an integral part in the fulfillment of the institution's teaching and public service mission and other educational support activities.

END OF POLICY

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Legal Reference:

ORS 341.290

## **ISSUANCE OF DEBT**

The Board expects that debt will only be issued after careful consideration and in accordance with industry best practices. Specific approval must be received from the Board before the issuance of debt.

Debt service repayment should be structured so that the repayment period should not exceed the estimated service lives of the underlying assets.

The College president and/or designee will be responsible for administering college debt.

END OF POLICY

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### Legal Reference

ORS 287 and 288

Oregon Administrative Rules Chapter 170, applicable divisions

## **TRAVEL**

Travel for College personnel is governed by Board policy. Administrators, instructors, classified personnel and students are granted College-sponsored trips not only within the College District but within and outside the state within budget limitations. Attendance at conferences, conventions and convocations, when such are thought to improve the educational programs of the College, is encouraged.

END OF POLICY

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## **FACILITIES USE BY EXTERNAL GROUPS**

The needs of the College's educational programs are given first priority in determining use of Mt. Hood Community College (MHCC) buildings and facilities. However, the MHCC District Board of Education recognizes its responsibilities and commitment to serve the community and encourages use of College facilities when not being used for educational purposes.

The actual costs of operation must be defrayed by the users. Fees will be adjusted periodically based on economic factors and use needs.

END OF POLICY

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Legal Reference:

ORS 341.290 (4)

## **BUILDING AND LAND USE**

The Mt. Hood Community College (MHCC) District Board of Education will consider building and land use proposals that meet or exceed the following criteria.

Any development and / or leasing activity must:

- Address and be sensitive to student needs
- Be compatible with existing College programs or services
- Be consistent with or complement the mission and core themes as established and approved by the District Board of Education
- Be sensitive to, and compatible with, the environmental characteristics of the existing College property and other district facilities
- Contribute to the educational, cultural or economic well being of the College and the community
- Equal or exceed the established aesthetic quality of existing district buildings, grounds and facilities
- Meet the general needs of the surrounding communities
- Relate to the Mt. Hood Community College District's long-range plan for development of College property

END OF POLICY

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## **PUBLIC/PRIVATE PARTNERSHIPS**

The Mt. Hood Community College (MHCC) District Board of Education will consider entering into public/private partnerships that meet or exceed the following criteria.

All ventures must:

- Consider college programs that possibly provide training/jobs for MHCC students
- Contribute to the educational or cultural programs and activities of the College and comply with all applicable Board policies
- Include a provision in which the private party agrees to relinquish all rights to the property and/or facilities if the MHCCD Board of Education elects to terminate the agreement or not renew the lease
- Maintain or enhance the financial resources and the educational values of the district
- Meet the general needs of the surrounding communities
- Provide funds for basic maintenance and other needs for the duration of the agreement

In public/private ventures involving instructional programs, the private party is encouraged to be involved in curriculum development, but MHCC retains the final authority in all curriculum decisions.

END OF POLICY

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## **NAMING OF BUILDINGS AND FACILITIES**

The Mt. Hood Community College (MHCC) District Board of Education will approve the naming of College buildings, spaces and programs upon recommendation by the College's president. Normally the names of College buildings and facilities describe the function, use and location of the building or facility. Exceptions to this rule may be granted upon Board approval.

A College building, space or program may be named in memory or honor of individuals, businesses, corporations or organizations who or which have made significant and lasting contributions to the College. These contributions may be in the form of either distinguished leadership and/or service to the College, substantial financial support to the College, significant contributions to the College community over an extended period of time or some other factor valued by the College.

In order to be eligible to be honored, employees and/or Board member will not have, for a period of five years, been formally affiliated with the College as an employee and/or Board member. No person is eligible for naming rights while holding elective office.

Specific contribution levels required for consideration of placing a donors' name on a campus space or program will be established by the College's Facilities Council in consultation with the College's president.

END OF POLICY

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Legal Reference:

ORS 332.107

## **RISK MANAGEMENT**

The Board recognizes the need to provide for the safety, security and well-being of persons associated with or represented by the College as well as protecting the assets of the College; i.e., its people, property, financial resources and reputation. To meet this need the College president will appoint staff to research, monitor, track, recommend for approval, implement, and report on activities relating to the risk assessment and risk management for all subjects under the sponsorship of the College or its auxiliaries.

END OF POLICY

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**IDENTITY THEFT PREVENTION AND RESPONSE PROGRAM**

Mt. Hood Community College (MHCC), in order to comply with state and federal laws and to protect students, staff and community from identity theft, has developed and implemented an identity theft prevention and red flags alert program that identifies, detects and appropriately responds to suspected or real incidents of identity theft.

END OF POLICY

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## **SUSTAINABILITY**

Mt. Hood Community College (MHCC) is committed to balancing economic, environmental and social responsibilities and to reducing the College's dependence on non-renewable energy sources by providing academic programs and operational practices that model the sustainable use of resources.

The Office of the President will periodically report to the Board of Education on the Sustainability policy's impact on capital and operating costs and on overall campus sustainable practices.

MT. HOOD COMMUNITY COLLEGE DISTRICT

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## **MANAGEMENT RIGHTS**

The MHCCD Board of Education reserves all rights and powers with respect to the governance of the College and the employment of all college employees except as limited by law or the requirements of any operative collective bargaining agreement. Should the whole or any part of a current collective bargaining contract be legally declared void, the College reserves the right to administer all employment salaries, conditions and benefits as it deems fair and appropriate, until a new contract or any part thereof is substituted.

The Board will ensure compliance with state and federal laws, administrative rules and other requirements relating to public employees, including collective bargaining rights and fair labor practices.

Power and duties for management of the College is delegated by the Board to the College president.

END OF POLICY

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Legal Reference:

ORS 341.290

## **DRUG-, ALCOHOL-, TOBACCO-, AND FIREARM-FREE WORKPLACE**

The College is committed to maintaining a drug-, alcohol-, tobacco-, and firearm-free workplace and will comply with all applicable local, state, and federal laws.

END OF POLICY

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### Legal References:

ORS 243.650  
ORS 475 et seq

ORS 659.840  
ORS 659A.300  
OAR 581-053-0015 and 581-053-0545  
OAR 839-006-0200 – 839-006-0265  
Oregon Indoor Clean Air Act  
Drug-Free Workplace Act of 1988

Drug-Free Schools and Campuses Act of 1989, P.L. 101-226  
Controlled Substances Act, 21 U.S. C. 812, Section 202, Schedules 1 through V, 21 C.F. R. 1308.11 through 1308.15; CFR 1308.11.15  
Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. Sections 31301 – 31317; 49 CFR Parts 40, 382, and 391-395  
American with Disabilities Act of 1990, 42 U.S.C., Sections 12101-12213; 29 CFR Part 1630; 28 CFR Part 35

## Tobacco-Free Environment

Mt. Hood Community College (MHCC) is committed to providing a safe and healthy environment for its employees, students and visitors. All College locations will be tobacco free beginning January 2, 2010, including but not limited to the Gresham Campus, Maywood Park Campus, Steps to Success and The Bruning Center for Allied Health. Consequently, use, distribution, or sale of tobacco, including any smoking device, or carrying of any lighted smoking instrument, in College buildings or on any College premises, at events on College premises, or in any vehicles on College properties, including College-owned, rented or leased vehicles on or off College premises, is prohibited without exception.

For the purpose of this policy, "tobacco" is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette and any other smoking product; and smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form.

All College employees, students, visitors, vendors and contractors are required to comply with this policy, which will remain in force at all times. Fair and uniform fines for violations of these rules will be set by the College and adequate means for the enforcement and collection of such fines will be provided.

No tobacco-related advertising or sponsorship will be permitted on College property, at College-sponsored events or in publications produced by the College, with the exception of advertising in a newspaper or magazine that is not produced by the College and which is lawfully sold, bought or distributed on campus property.

The College will neither solicit nor accept any grant, gift or anything else of value from a manufacturer, distributor or retailer whose principal business is tobacco products.

The College president will develop administrative regulations as necessary to implement this policy, including provisions for notification, signage, fines, disciplinary consequences, complaint procedures and enforcement.

END OF POLICY

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### Legal Reference(s):

[ORS 163.575\(1\)\(d\),\(e\)](#)  
[ORS 192.710](#)  
[ORS 341.290\(2\)](#)  
[ORS 336.222](#)  
[ORS 336.227](#)  
[ORS 339.240](#)

[ORS 339.250](#)  
[ORS 431.840](#)  
[ORS 431.845](#)  
[ORS 433.835 - 433.990](#)  
[OAR 581-021-0050 to -0075](#)

[OAR 581-022-0413](#)  
[OAR 581-021-0110](#)  
[OAR 581-053-0015](#)  
[OAR 581-053-0545\(4\)\(c\)\(R\)-\(T\)](#)  
[OAR 581-053-0550\(5\)\(q\)-\(s\)](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2006).

American Lung Association of Oregon (ALAO)

The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General (2006)

U.S. Department of Health and Human Services

Centers for Disease Control and Prevention

National Center for Chronic Disease Prevention and Health Promotion

Office on Smoking and Health, 2006

## **CRIMINAL RECORD CHECK/FINGERPRINTING**

MHCC will conduct criminal record checks before hiring any employee. In addition, if required by health care partners, criminal record checks based on fingerprinting will be required and released to health care partners.

END OF POLICY

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Legal References:

ORS 181.525, 539

## **POSITIONS, EMPLOYMENT AND PROFESSIONAL DEVELOPMENT**

The president has Board-delegated responsibility to authorize positions, employment and salary of all employees (or any changes needed) within district salary schedules, policies and the total budget established for employees; establish procedures for recruiting, screening, interviewing and recommending candidates for all positions; and establish employee professional development programs and procedures to ensure excellence in college instruction and support services, except as limited by the requirements of the applicable collective bargaining agreements. The president may delegate such authorization.

END OF POLICY

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Legal Reference:

ORS 341.290

## **COMPENSATION AND CONDITIONS OF EMPLOYMENT**

The president will maintain a system(s) of compensation, benefits and conditions of employment for college employees in non-represented groups. It is the intent that, within resources reasonably available, compensation and benefits paid to these college employees will be consistent with total compensation in comparable labor markets for similar services being performed. The president will periodically recommend to the Board changes in compensation, benefits and conditions of employment as required to meet or maintain this market relationship.

For employees in represented bargaining units such compensation, benefits and conditions of employment packages will be negotiated in accordance with applicable laws.

END OF POLICY

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## **OWNERSHIP RIGHTS OF INSTRUCTIONAL MATERIAL**

Materials, equipment or other intellectual properties developed by college staff using college facilities, funds, or equipment, or developed while the employee is on paid work time or performing services under contract to the College, are the exclusive property of the College. College funds, equipment and facilities are those administered by the College regardless of source. "Material" refers to all works including, but not limited to, publications, articles and other writings, lectures, musical or dramatic compositions, sound recordings, films, videotapes, disks or other pictorial reproductions, computer programs, listings, flow charts, manuals, codes, instructions and software. In the event that an employee produces items described above partly on his/her own time and partly on college time, the College reserves the right to claim full ownership. The employee, however, may petition the College for assignment of copyright or patent rights. Employees will not attempt to copyright or patent such items without the knowledge and consent of the president. Language in collective bargaining agreements related to intellectual property will prevail for those employees to whom the agreements pertain.

END OF POLICY

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### Legal References:

Copyrights, Title 17, as amended, United States Code, 19 CFR Part 133

Patents, Title 35, as amended, United States Code

## CONFLICT OF INTEREST

MHCCD Board members and employees will adhere to state laws relating to conflict of interest and government ethics. The president may establish administrative regulations to keep the College in compliance with ethics statutes and to prevent college resources from being used for personal gain. The regulations may address proper use of college resources, facilities and equipment; employment and reporting relationships of relatives of MHCC employees; the acceptance of gifts, honoraria and reimbursement for expenses.

END OF POLICY

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### Legal References:

ORS 244.010 et seq.  
ORS659A.309

**STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

The MHCCD Board of Education recognizes the right of its employees, as citizens, to participate in political activities on a local, county, state and national level within the limitations imposed by state and federal laws and regulations.

END OF POLICY

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Legal References:

ORS 260.432  
ORS 247.208  
Federal Hatch Act  
National Voters Registration Act

## **TELECOMMUTING**

The College supports telecommuting when there are opportunities to maximize productive work time and employee performance, decrease the need for office facilities, reduce commuting and energy used for transportation, and decrease traffic congestion, hazards and air pollution in situations where it is in the best interest of the College.

END OF POLICY

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### Legal References:

Clean Air Act  
OAR 340-242-0010 et. seq.

MT. HOOD COMMUNITY COLLEGE DISTRICT  
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## **GRADUATION REQUIREMENTS/CERTIFICATES AND DEGREES**

The MHCCD Board of Education will establish the academic requirements for certificates and degrees which will be published in the MHCC catalog. The Board will review new proposals for degree and certificate programs and substantive changes to existing curriculum.

The MHCCD Board of Education will award all certificates and degrees upon the recommendation of the faculty and president and after a student has satisfied the academic requirements of the curriculum related to that certificate or degree.

END OF POLICY

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Legal References:

ORS 341.290 (3)  
ORS 341.465

## **Strategic Program Assessment for Instructional Programs**

Mt. Hood Community College (MHCC) and its District Board of Education are committed to providing the highest quality of post-secondary education for the citizens of its service region and beyond. To ensure such quality, the MHCC District Board recognizes that, to maintain MHCC's commitment to excellence in teaching and learning, periodic reviews of each academic program are needed. Strategic Program Assessment (SPA) will ensure that programs are in alignment with the College's strategic plan. SPA, which will be conducted over a three-year cycle, will afford the opportunity for the College to review a manageable number of programs each year and will ensure that programs are in alignment with the College's strategic plan.

SPA will include:

- 1) an internal self-study of a program;
- 2) an external assessment of that program;
- 3) a final report that provides a clear plan for applying the results of the internal and external reviews

The objectives of SPA are to provide clear assessments of a program's strengths and weaknesses and to develop a plan for future action. Any recommendations for improvement in quality and effectiveness will be based upon data and in accord with the College's vision, mission, goals and values.

END OF POLICY

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## **ACADEMIC FREEDOM AND TENURE**

MHCC fosters and protects the rights and responsibilities associated with academic freedom and tenure as outlined in this policy, MHCC Collective Bargaining Agreements and constitutional law.

Within the framework of the orderly processes of our democratic constitutional society, the faculty of MHCC will have freedom to consider all issues that contribute to the development of students. Issues selected for study should:

Contribute to the prescribed course of study and/or the general education program of the College;

Be of sufficient interest to encourage participation by the students;

Provide a balanced opportunity for critical thinking, tolerance and understanding of conflicting points of view;

Be one about which sufficient information is available to allow for discussion and evaluation on a factual and reasonable basis; and

Provide an opportunity to reconsider assumptions and claims and allow students to reach their own conclusions.

END OF POLICY

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### Legal References:

ORS 341.290

United States Constitution, Amendment I

Oregon Constitution, Article 1

Northwest Commission on Colleges and Universities, Standard 4.A.7

### Cross References:

MHCC Collective Bargaining Agreement with Full-Time Faculty Members

MHCC Collective Bargaining Agreement with Part-Time Faculty Members

## **SPEAKERS**

In order to achieve one of its fundamental goals as an institution of higher learning, MHCC is dedicated to providing for itself and the citizens it serves an environment which ensures, allows and encourages the free examination of all ideas. The program for speakers for the year will show a balance in the type of speakers included in order to assure that a comprehensive selection of ideas and points of view will be represented.

The presentation of speakers on the MHCC campus involves neither the affirmation nor the denial - implicitly or explicitly - of the views of such speakers by the Board, the administration, faculty or students.

END OF POLICY

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Legal Reference:

ORS 341.290 (2)

## **FACULTY QUALIFICATIONS**

The College will establish standards for instructor qualifications in accordance with state law and regional accreditation standards. Qualification standards will be established for instructors teaching lower-division collegiate transfer courses, career-technical courses and developmental courses, as well as for librarians and counselors.

END OF POLICY

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### Legal References:

OAR 589-008-0100  
ORS 326.051  
ORS 341.015  
Northwest Commission on Colleges and Universities, Standard 4.A.1

## CALENDAR YEAR

The Board will annually establish an instruction calendar for the College. This calendar will, in general, reflect the schedule adopted by the Oregon University System, local area community colleges and K-12 school districts. The calendar will include service days for all faculty personnel. After Board approval, any modifications of the calendar will require Board action.

END OF POLICY

---

Legal Reference:

ORS 341.290

**ALTERNATIVE STUDENT CREDIT**

The College will establish rules for alternative means of earning college credit and guidelines for the acceptance of transfer credit, credit by examination and other non-MHCC earned credit.

END OF POLICY

---

Legal Reference:

ORS 341.455

## **DUAL CREDIT PROGRAMS**

MHCC will provide dual credit education programs for high school students. "Dual credit" is defined as the process for simultaneously awarding both secondary and postsecondary credit for a course offered in a high school during regular school hours and may include lower division transfer courses and professional technical courses.

END OF POLICY

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Legal References:

OAR 589-007-0200  
ORS 341.450

## **LIBRARY AND LEARNING RESOURCE CENTER**

The Library Bill of Rights established by the American Library Association will govern the library services of MHCC. It is the intent of the Board to provide a comprehensive library to support instructional activities including access to automated, electronic resources and consortial collections as finances permit.

Privacy is essential to the exercise of free speech, free thought, and free association. In MHCC's library, the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf. MHCC's library privacy and confidentiality policies will be in compliance with applicable federal, state and local laws.

MHCC authorizes only the dean of information services and its campus privacy officer (the president or his/her designee) to receive or comply with requests from law enforcement officers; the College will consult with legal counsel before determining the proper response. MHCC will not make library records available to any agency of state, federal, or local government unless a subpoena, warrant, court order or other investigatory document is issued by a court of competent jurisdiction that shows good cause and is in proper form.

END OF POLICY

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Legal Reference:

ORS 341.290 (3) (12)

## **INTERNATIONAL EDUCATION**

As part of the global community, it is the mission of Mt. Hood Community College to cultivate international understanding through education and partnerships. MHCC will plan, provide leadership for and implement international education programs and partnerships such as the following:

International curriculum;

International education grants and partnerships;

International opportunities for staff;

Study Abroad;

Sister college programs; and

Membership in international education organizations.

END OF POLICY

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Legal Reference:

ORS 341.290 (3)

MT. HOOD COMMUNITY COLLEGE DISTRICT

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## **ATHLETICS AND ACTIVITIES**

A balanced program of athletics and activities is a necessary support to the College's comprehensive curriculum as such activities can be an integral part of the skill development and self-improvement of students. The College will provide comparable interscholastic athletics and activities for male and female students.

END OF POLICY

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### Legal References:

ORS 336.179a  
ORS 339.155 (5c)  
ORS 339.430  
ORS 339.450  
ORS 339.460  
ORS 351.072  
ORS 351.590

OAR 580-022-0035  
OAR 166-450-0040  
OAR 166-450-0075

Title IX

## EDUCATIONAL RECORDS / STUDENT RIGHTS AND RESPONSIBILITIES

The College will delineate in the College Catalog, Schedule and the College Web site the student rights regarding educational records under the Family Educational Rights and Privacy Act (FERPA) and other related state and federal laws and statutes.

As an institution of higher learning, MHCC exists for the exchange of knowledge and skills, the development of students and the general well-being of the community it serves. Free inquiry and free expression are indispensable to the attainment of these goals. As members of an academic community, students at MHCC should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Student rights and freedoms will be delineated in the Student Code of Conduct (administrative regulation 7040C).

### END OF POLICY

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#### Legal References:

ORS 339.240  
ORS 341.290 (2)  
ORS 659.865  
ORS 30.864  
ORS 107.154  
ORS 192.410 through 192.505  
ORS 326.565  
ORS 326.575  
ORS 332.061  
ORS 336.187  
ORS 339.260  
ORS 343.177 (3)  
ORS 418.750 through 760  
OAR 581-021-0020 through 0440  
OAR 589-010-0100  
OAR 116-450-0030  
OAR 166-405-0010 through 166-415-0010  
OAR 166-450-0005, 0025, 0120, 0125  
OAR 581-021-0210 through 0440  
OAR 581-022-1660  
OAR 589-004-0100 through 0750

Education of the Handicapped Act of 1975, as amended, 20 U.S.C., sections 1400-1427, (West 1988), as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990) as amended P.L. 105-17 (1997) [P.L. 94-142 is a well-known "short" reference to this federal legislation.]

Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988).

## **FINANCIAL AID**

The MHCCD Board of Education recognizes the need of some students for financial assistance in order to pursue their education at MHCC. The Board further recognizes that equality of educational opportunity can only be realized through a fully funded and properly administered program of financial assistance based on both need and talent.

The College will provide matching funds for work-study, grants and loan allocations received from federal and state resources that require such matching funds.

END OF POLICY

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### Legal Reference:

ORS 341.290 (2)(15)  
ORS 341.485  
ORS 341.528  
ORS 341.626  
ORS 341.635

OAR 589-004-1000 through 0750  
OAR 166-450-0005  
OAR 166-450-0045  
OAR 166-450-0050

## **ADMISSIONS AND REGISTRATION**

Mt. Hood Community College has an open-entry general admission policy and welcomes all students who can benefit from instruction regardless of their educational background.

The following persons must follow special admissions procedures to enroll at MHCC:

- those applying to limited or restricted entry programs
- non-residents of the United States and
- those under 18 years of age who have not graduated from high school, have not been released from compulsory attendance, or have not obtained a GED

Any student under the age of 18 may take “Community Education” classes, regardless of age, without special approval of MHCC staff.

END OF POLICY

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Legal Reference:

ORS 341.505

## **RESIDENCY**

MHCC will determine residency for admission and other purposes based upon federal and state law and other applicable statutes.

END OF POLICY

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### Legal Reference:

ORS 341.484  
ORS 341.528  
ORS 341.626  
ORS 341.635

OAR 589-004-1000 through 0750  
OAR 166-450-0005  
OAR 166-450-0045  
OAR 166-450-0050

## **ADVISING AND OUTREACH**

The College recognizes and supports quality academic advising as a critical component of the educational experience. Academic advising is designed to provide necessary tools and information for all students, allowing them to take responsibility for developing educational and career plans compatible with their goals, meet institutional and degree requirements, and provide the knowledge to make life choices in order to adapt to change, become informed and responsible members of society and excel in a skilled workforce.

END OF POLICY

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Legal Reference:

ORS 340.030 (3)

MT. HOOD COMMUNITY COLLEGE DISTRICT  
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## COLLEGE DONATIONS/SOLICITATION OF FUNDS

Gifts of money, securities or usable properties to the College will be accepted according to administrative regulations and procedures approved by the College president. Acceptance of real property will be subject to approval by the MHCCD Board of Education.

The president of the College will establish regulations and procedures for the solicitation of funds, donations, services or other things of value in the name of the College or any College organization, on College locations or within the area served by the College.

END OF POLICY

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### Legal References:

ORS 294.326  
ORS 341.290 (19)  
ORS 341.290

Opinions of the Attorney General, Vol. 32, p. 209 (1965)  
Opinions of the Attorney General (No. 8204, April 26, 1989)

MT. HOOD COMMUNITY COLLEGE

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## BOARD POWERS AND DUTIES

The Role of the Board of Education is defined in Policy 1060. The Legislature of the state of Oregon delegates to the Board responsibility for the conduct and governance of the College. The general powers granted to the Board are:

### Legislative or Rule-Making Authority

In regular or special public meetings, after open discussion and after members' votes are recorded, the Board will establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board will establish policies for governing the College and students consistent with State Board of Education rules and with local, state and federal laws.

The Board is responsible for providing adequate and direct means for keeping informed about the needs and wishes of the public and for keeping local citizens informed about the College. Public documents will be made available on the College Web site "mhcc.edu."

### Judicial Authority

As provided by law, policy or contract, the Board acts as a fact-finding body or a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the Board must determine the rights, duties or obligations of those who address the Board.

### Executive/Administrative Authority

The Board will appoint a president who will establish administrative regulations to implement Board policy and goals. The Board will evaluate the president's performance.

The Board may establish academic and financial goals for the district and evaluate the president's implementation of those goals.

The Board will oversee the district's financial affairs by authorizing, appropriating and adopting budgets and by proposing tax levy or bond elections, when appropriate and as allowed by law, to provide for program operation, maintenance, capital improvements or acquisition of district property.

The Board will authorize the president to approve payment on all contracts and business transactions of the district in accordance with Board policies related to purchasing and budget requirements. The Board will provide for an annual audit of the district's assets.

The Board will consider recommendations of the president when employing management and full-time faculty necessary to carry out the educational program.

The Board will direct the collective bargaining process to establish labor contracts with the district's personnel. The Board will establish, through the collective bargaining process where appropriate, salaries and salary schedules, other terms and conditions of employment, and personnel policies for district-wide application.

The Board will establish the days of the year and the hours of the day when classes will be in session.

END OF POLICY

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Legal References:

ORS 192.630

ORS 243.656

ORS 279

ORS 294.305 - 294.565

ORS 341.290

ORS 341.505

## **INDIVIDUAL BOARD MEMBER'S AUTHORITY AND RESPONSIBILITIES**

An individual Board member exercises the authority and responsibility of his/her position only when the Board is in legal session.

A Board member has the authority to act in the name of the Board when explicitly authorized by a specific Board motion. When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the full Board.

A Board member has the right to express personal opinions. When expressing such opinions in public, the Board member must clearly identify the opinions as his/her own.

Members will be knowledgeable of information requested through Board action, supplied by the president and gained through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of membership:

### Request for Information

Any individual Board member who desires creation of a written report or survey prepared by the administrative staff or desires services or assistance from college employees will make such a request to the Board Chair and president. A copy of the material will be distributed to each member of the Board. Requests for the generation of reports or information that require substantial additional expense to the district must be submitted to the Board for consideration.

### Requests for Legal Opinions

Any Board member may request a legal opinion. Such request, however, will be made through the Board Chair to the president. If the legal opinion sought involves the president's employment or performance, the request will be made to the Board Chair. Legal counsel is responsible to the Board.

### Action on Complaints or Requests Made to Board Members

When Board members receive complaints or requests for action from staff, students or members of the public, such information is to be conveyed to the president for action.

### Board Member's Relationship to Administration

Individual Board members will be informed about the district's educational program, may visit classes or other facilities to gain information and may request information from the president. Board members will coordinate all visits to the College through the president's office. Board members will not intervene in the administration of the district.

### Contracts or Agreements Made By Individual Board Members

Contracts or agreements made by individual Board members without the Board's authority are invalid.

END OF POLICY

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### Legal References:

ORS 341.283

ORS 341.290

Opinions of the Attorney General, Vol. 38, p. 1995 (1978)

South Benton Education Association v. Monroe UH School District 1, 83 Or. App. 425 (1987).

## **RESPONSIBILITIES OF THE INDIVIDUAL BOARD MEMBER**

The basic function of a Board member is policy-making and not administrative. Board members leave to the president the execution of policy and methods used to enforce the provisions of the policy.

A Board member's guide will take into consideration the following guidelines as good practice:

Request the opinion of others and graciously accept and support the principle of "majority rule" in Board decisions;

Refer all complaints or problems to the president's office and discuss them at a Board meeting only after failure of administrative solution. Also refer personal criticism of any college operation directly to the president rather than to other college personnel;

Require all college business transactions be on an ethical and above-board basis;

Refuse to use or permit the use of a Board member's position for personal gain or for personal prestige;

Decline to interject personal problems into Board consideration; and

Refuse to participate in secret meetings that are not official and to which all members have not been invited.

END OF POLICY

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### Legal References:

ORS 162.015 - 162.035  
ORS 162.405 - 162.425  
ORS 192.630  
ORS 244.040  
ORS 244.120

## **BOARD MEMBER DEVELOPMENT**

The complexity of Board membership demands opportunities for development, study and training for Board members.

In order to develop leadership capabilities, become informed about current issues in education, and improve their skills as members of a policy-making body, Board members will participate in opportunities for development that may include, but are not limited to, the following:

In-service activities planned by the Board and by the administration for staff members, as appropriate;

Participation in conferences, workshops and conventions held by state and national educational associations and organizations; and

Subscriptions to publications addressing Board member concerns.

Recognizing the need for continuing training and development of its members, the Board encourages the participation of all members in appropriate conferences, conventions and workshops. To control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

The president will inform Board members, in a timely manner, of appropriate conferences, conventions and workshops. The Board will decide which events appear to be most likely to produce the greatest benefit to the Board and the district;

Funds for participation at such meetings will be included in the annual college budget. Since funds are limited, the Board will designate which members would be most appropriate to participate in a given event;

If authorized to attend, and reimbursement is approved by the Board, Board members will be reimbursed, upon request, for reasonable and necessary expenses actually incurred; and

When a conference, convention or workshop is not attended by the full Board, those who do participate will be requested to share, by means of written or oral reports, information, recommendations and materials acquired at the event.

END OF POLICY

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## **BOARD MEMBER COMPENSATION AND EXPENSE REIMBURSEMENT**

No Board member will receive any compensation for services other than reimbursement for approved expenses actually incurred while conducting district business. Such expenses may include the cost of attendance at meetings, conferences or visitations when attendance has been approved by the Board prior to the date of travel.

Reimbursement includes, but is not limited to, transportation, meals, lodging and miscellaneous expenses.

END OF POLICY

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### Legal References:

ORS 244.020 (15)  
ORS 244.040 (1)(a)  
ORS 341.283 (6)

Oregon Government Standards and Practices Commission Advisory Opinion 93A-1007 (November 18, 1993).

## **BOARD MEMBER ETHICS**

A Board member should:

Understand that the Board sets the standards for the College through Board policy. Board members do not manage the College on a day-to-day basis;

Understand that the Board makes decisions as a team. Individual Board members may not commit the Board to any action nor direct staff;

Respect the right of other Board members to have opinions and ideas which differ;

Recognize that decisions are made by a majority vote and should be supported by all Board members;

Make decisions only after the facts are presented and discussed;

Refer problems or complaints to the president;

Recognize that the Board must comply with the Public Meetings Law and only has authority to make decisions at official Board meetings;

Insist that all Board and college business is ethical and honest;

Be open, fair and honest, harboring no hidden agendas;

Understand that confidential information cannot be divulged;

Recognize that the president is the Board's advisor and will be present at all meetings, except when excused or the Board is considering the president's evaluation, contract or salary;

Take action only after hearing the president's recommendations;

Refuse to use the position for personal or family gain or prestige. Announce conflicts of interest before Board action is taken;

Refuse to bring personal problems into Board considerations;

Give the staff the respect and consideration due skilled, professional employees;

Direct personal criticism of college operations to the president or the Board;

Respect the right of the public to attend and be heard at Board meetings; and

Respect the right of the public to be informed about college decisions and operations.

END OF POLICY

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Legal References:

ORS 162.015 - 162.035

ORS 162.405 - 162.425

ORS 192.630

ORS 244.040

ORS 244.120

ORS Chapter 341

## **BOARD MEMBER CONFLICTS OF INTEREST**

No Board member will use his/her official position or office to obtain personal financial benefit or detriment or financial gain or detriment for relatives or for any business with which the Board member or a relative is associated.

Business means any corporation, partnership, proprietorship, enterprise, association franchise, firm, organization, self-employed individual or any legal entity operated for economic gain.

Business with which a Board member or relative is associated means any business of which a Board member or relative is a director, officer, owner, employee or agent or any corporation in which a Board member or relative owns or has owned stock worth \$1,000 or more at any point in the preceding year.

No Board member or relative will solicit or receive directly or indirectly during any calendar year any gift or gifts with an aggregate value in excess of \$50 from any single source that could reasonably be known to have a legislative, administrative, regulatory, contractual, supervisory or judicial interest in the College.

Relative is defined as a Board member's spouse, children of Board member or of spouse, brothers, sisters and parents of a Board member or of spouse.

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member's vote, official action or judgment would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through his/her official position or association with the College. A Board member will respect individuals' privacy rights when dealing with confidential information gained through association with the College.

Individual Board members and the Board as a public entity are bound by the Code of Ethics for public officials as stated in Oregon law.

### Potential Conflict of Interest

Potential conflict of interest means any action or any decision or recommendation by a Board member that could result in a financial benefit or detriment to self or relatives.

A Board member may, after declaring his/her potential conflict of interest, either vote or abstain on the issue.

Merely abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

### Actual Conflict of Interest

Actual conflict of interest means any action, decision or recommendation taken that would result in a financial benefit or detriment to self or relatives.

A Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. However, such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

END OF POLICY

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#### Legal References:

ORS 162.015 - 162.035  
ORS 162.405 - 162.425  
ORS 244.010  
ORS 244.020  
ORS 244.040  
ORS 244.120  
ORS 244.130  
ORS 244.350 - 244.380  
ORS 341.283 (6)

Opinions of the Attorney General, Vol. 38, p. 1995 (1978)

## **BOARD GOVERNANCE**

The Mt. Hood Community College District Board of Education is dedicated to policy governance, which is a coherent framework of concepts and principles that are internally consistent as well as powerful in dealing with whatever practical situations arise. Pursuant to policy governance, the Board is committed to:

Governing with an emphasis on vision;

Defining results and creating policies to achieve them;

Encouraging diversity;

Providing and supporting strategic leadership;

Creating and recognizing clear distinctions between Board and president goals;

Governing with collective rather than individual decisions; and

Focusing upon the future, not the present or past.

END OF POLICY

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Legal Reference:

ORS 341.609 (13)

## BOARD OFFICERS

At its first scheduled meeting after July 1, the Board will elect one of its members to serve as Chair and one to serve as Vice Chair. No member of the Board may serve as Chair more than two years in succession. If a Board member is unable to serve an entire term as an officer, a replacement will be elected immediately. The replacement officer will serve the remainder of the officer's term until the following July.

The Board Chair will:

Assist the president in establishing the agenda for regular Board meetings;

Call special or emergency meetings when required;

Preside at all meetings of the Board and enforce the rules of order;

Sign the minutes and other official documents that require the signature of the Chair;

Represent the College and the Board at official functions, unless this duty is delegated by the Chair of the Board to another Board member;

Appoint all committees unless otherwise ordered by the Board; and

Have the right to discuss issues and vote.

In the absence, incapacitation or death of the Chair, the Vice Chair will perform the duties of Chair and, when so acting, will have the Chair's powers. The Vice Chair will perform other functions as designated by the Board.

In the absence of both Chair and Vice Chair, the immediate past Chair or senior member in service present at the meeting will preside.

### Board or College Spokesperson

The Board may appoint one of its members, usually the Chair, to make authorized statements to the public or the media when the Board deems that, under the circumstances, the College's position should be articulated by a single voice. The spokesperson serves at the Board's direction and may be removed or replaced at any time by action of the entire Board.

END OF POLICY

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Legal References:

ORS 255.335  
ORS 341.283 (1)

**BOARD-PRESIDENT RELATIONSHIP**

The most important and sensitive aspect of any Board-president relationship is that of mutual understanding and respect. If this relationship exists, the district's business is accomplished with efficiency and dispatch, generally against a background of public understanding and support. In view of the importance of this vital relationship, the following principles embody a common understanding on the part of the Board and its president-chief executive officer:

Individual prestige or gain will be subordinated to the general welfare of the College;

A clear delineation of functions between the Board and the president;

Tolerance for differences of opinion and willingness to resolve these differences objectively;

The necessity for the president to keep the Board well-informed;

The necessity for the Board members to support the president and the president to support the Board;

Board employment, dismissal procedures and action will take into consideration the recommendation of the president; and

The Board will evaluate the president on a yearly basis and place the executive summary of the evaluation in the minutes of the subsequent meeting. The evaluation will be based on the administrative job description, any applicable standards of performance, Board policy and progress in attaining any goals for the year established by the president and/or the Board. Additional criteria for the evaluation, if any, will be developed at a public Board meeting prior to conducting the evaluation. The president will be notified of the additional criteria prior to the evaluation. The Board's discussion and conferences with and about the president and his/her performance will be in executive session, unless the president requests an open session. However, such an executive session will not include a general evaluation of any district goal, objective or operation. Results of the evaluation will be written and placed in the president's personnel file. Any time the president's performance is deemed to be unsatisfactory, the president will be notified in writing of specific areas to be remedied and will be given an opportunity to correct the problem(s). If performance continues to be unsatisfactory, the Board may dismiss the president pursuant to Board policy, the employment contract with the president and applicable state law and rules.

END OF POLICY

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Legal Reference:

ORS 192.660 (1)(i)  
ORS 341.290

## **BOARD DELEGATIONS OF RESPONSIBILITIES TO THE PRESIDENT/CHIEF EXECUTIVE OFFICER/CLERK OF THE BOARD**

The College president will serve as the Chief Executive Officer for the College. The operation of the Mt. Hood Community College district in all of its aspects will be delegated to the president, who will carry out these administrative responsibilities and functions in accord with the policies adopted by the Board.

The president will assist the Board by:

Being responsible for carrying out the general policies of the College as approved by the Board, the rules and regulations of the State Board of Education and the community college laws of the state of Oregon as defined in statutes;

Initiating legislative policies for Board consideration and developing administrative regulations consistent therewith;

Executing Board policies for the entire college district;

Evaluating the effectiveness of all Board policies and administrative regulations;

Administering the planning, development and maintenance of a positive educational program in conformity with the adopted policies of the Board;

Recommending for the Board's consideration policies on organization, finance, instruction, facilities and other functions of the college program;

Studying the requirements of the College for new construction and recommending needs to the Board; and

Keeping the Board continuously informed of the progress and conditions of the College.

The president is responsible for:

Preparing all agendas for meetings of the Board in consultation with the Board Chair or delegating this responsibility in the event of absence;

Having the minutes of the meetings of the Board recorded;

Signing the minutes of all special and regular meetings and transmitting a copy of the minutes of the previous meeting(s) to each member of the Board before each regular meeting;

Custodial responsibility for all records, proceedings and documents of the Board;

Attending all meetings of the Board and participating in all its deliberations;

Developing and putting into action administrative regulations consistent with Board policy;

Nominating to the Board the appointment of all professional personnel, defining the duties and assigning of work to all personnel;

Hiring all non-professional personnel;

Suspending from duty any employee of the College;

Conducting continuous studies of the development and needs of the College and keeping the Board and the public informed thereon; and

Supervising the preparation and administration of the annual budget with recommendations for adoption.

The president serves as:

College and district representative to meetings and conferences with federal, state and local accrediting associations and other agencies requiring college participation (this responsibility may be delegated if necessary);

College and district representative to meetings, conferences and public events deemed to be of value to the College. These may, and should, be delegated to other college officials in accord with the best interests of the College; and

Ex-officio member or guest of all committees, meetings, organizations or gatherings held by the public, students or college employees on the college campus.

END OF POLICY

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Legal References:

ORS 341

## **ADVISORY REPRESENTATIVES TO THE BOARD OF EDUCATION**

### Purpose

As an avenue for open communication, the MHCCD Board of Education establishes the position of advisory representative to the Board of Education, hereinafter referred to as "advisory representative." The purpose of these representative seats at the Board of Education meetings is to provide an opportunity for open discussion on issues related to the general welfare of the College. These face-to-face opportunities will foster two-way communication which will assist both the associations' and Board of Education's perspectives.

### Composition

There will be representatives from the following associations, selected by their respective memberships as follows:

- The representative of the associated student government;
- The representative of the classified employees association;
- The representative of the full-time faculty association;
- The representative of the part-time faculty and tutors association;
- The representative of the management association;
- The representative of the supervisory association;
- The representative of the confidential group; and
- Others as determined by the Board.

### Vacancy

If a vacancy occurs in a position of advisory representative, it will be filled by the successor in office of such for the balance of the term in which the vacancy occurs.

### Attendance

Advisory representatives may attend all regular and special meetings of the Board of Education, except executive sessions. All such participation will be in person and the right of such participation may be exercised by the organization's designated proxy.

Duties

All items for discussion proposed by advisory representatives will be placed on the agenda in advance of meetings through the office of the president in accordance with Board policies and administrative regulations.

Advisory representatives will receive notice of meetings, the agenda and the appropriate agenda materials.

Advisory representatives will not be voting members of the Board.

END OF POLICY

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Legal References:

ORS 192.610  
ORS 192.630  
ORS 341.290

## **CONSULTANTS TO THE BOARD**

The Board may engage persons in an advisory capacity when specific services are required that are beyond the capabilities or responsibilities of regularly employed personnel.

Such advisors may include attorneys, auditors, architects, agents of record and others with technical skills or professional training.

The Board may appoint such advisors to serve for a specified period of time or may engage such advisors to perform specific tasks on a temporary basis. Except where the advisor serves under a written contract for a specified period of time, the Board has sole discretion for terminating such advisory services.

The Board will conduct periodic reviews of the services and may request periodic reports to the Board.

Prior to reappointment, the district may open proposals for service.

END OF POLICY

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### Legal References:

ORS 341.287  
ORS 341.290

## BOARD MEETINGS

"Meeting" means the convening of the Board as the district's governing body to make a decision or to deliberate toward a decision on any matter. The Board has the authority to act only when a quorum is present at a duly called regular or special meeting.

### Regular Meetings

All regular meetings of the Board will be open to the public except as provided by law. All meetings will be conducted in compliance with state and federal statutes. All Board meetings will be held within the district boundaries. No meeting will be held at any place where discrimination on the basis of race, color, religion, ethnicity, national origin, age, sex, marital status, disability or sexual orientation is practiced.

If requested to do so at least 48 hours before a meeting held in public, the Board will provide an interpreter for hearing impaired persons. Such other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice. Communications with all qualified individuals with disabilities will be as effective as communications with others.

At least one regular Board meeting will be held each month except as otherwise ordered by the Board. The meeting schedule will be established at the organizational meeting in July but may be changed by the Board with proper notice. The purpose of each monthly meeting will be to conduct the regular Board business. The Board Chair will conduct the meeting, or in his/her absence, the Vice Chair will conduct the meeting.

### Private or Social Meetings

The Public Meetings Law prohibits private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter.

### Adjourned Meetings

A Board meeting may be adjourned to another time if a quorum is not present or if additional business needs to be conducted at the regular time of adjournment. The time, date and place of the adjourned meeting will be specified and appropriate notice given.

All meetings held in public will comply with the Oregon Indoor Clean Air Act and the smoking provisions contained in the Public Meetings Law.

END OF POLICY

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### Legal References:

ORS 192  
ORS 193  
ORS 341.283  
ORS 433.835 - 433.875

Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

## **SPECIAL AND EMERGENCY BOARD MEETINGS**

Special Board meetings will be called when needed and will be open to the public. Such meetings may be called by a Board officer, upon request of three members of the Board, or the president/clerk of the board, provided that the clerk posts notice at least 24 hours before such a meeting is to be convened. A special Board meeting may also be called by common consent of Board members at any other time.

No official business except that called for or listed in the agenda may be transacted in any special meetings. Local news media will receive written notice of the meeting at least 24 hours in advance. Emergency meetings may be called only in the event of an actual emergency. They will be open to the public with notice given to the public and the press. The minutes of the meeting will describe the nature of the emergency. No business other than that related to the emergency will be discussed at these meetings.

END OF POLICY

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### Legal References:

ORS 192.640  
ORS 341.283 (2)

## EXECUTIVE SESSIONS

The Board of Education may hold executive sessions before, during or after a regular, special or emergency meeting, for any reason permitted by law. An executive session may be called upon request of three Board members or by common consent of the Board. The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session. Members of the press may attend executive sessions; the Board may elect to disallow members of the press to attend executive sessions held for the purpose of conducting deliberations with persons designated by the governing body to carry on labor negotiations. Any member of the news media may be barred from attending an executive session if the member of the press 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. Executive session may be held:

To consider the employment of a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office or the employment of the chief executive officer of the College unless the Board has advertised the vacancy, adopted regulations and procedures for hiring and provided an opportunity for public input into the employment of the officer;

To consider the dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, unless such public officer, employee, staff member or individual agent requests an open hearing;

To conduct deliberations concerning the authority of persons designated by the Board to carry on labor negotiations or to negotiate real property transactions;

To consider records exempt by law from public inspection;

To consider preliminary negotiations involving matters of trade or commerce in which the Board is in competition with governing bodies in other states or nations;

To consult with legal counsel concerning the legal rights and duties of the public body with regard to current litigation or issues likely to be litigated; and

To review and evaluate, pursuant to standards, criteria and policy directives adopted by the governing body, the employment-related performance of the chief executive officer, employee or staff member unless the person whose performance is being reviewed or evaluated requests an open hearing.

No executive session may be held for the purpose of taking any final action or making any final decision. Content discussed in executive sessions is confidential and must not be made public. Documents pertaining to evaluation, district personnel and students are also confidential and must not be made available to the public.

END OF POLICY

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Legal References:

ORS 192.610 - 192.710

## **ORDER OF BUSINESS AND PROCEDURE**

Four members will constitute a quorum for holding a meeting. An affirmative vote of the majority of all Board members will be required for the passage of a motion. The Chair of the Board is allowed to vote on all motions. Each member's vote on all motions will be recorded in the minutes.

Any Board member will be allowed to place an agenda item on the agenda.

As a general rule, official action will not be taken on items that are not listed on the agenda.

END OF POLICY

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Legal References:

ORS 192.650  
ORS 341.283 (3)

## BOARD MEETING AGENDA

The Board Chair and the president will prepare an agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, student or citizen of the district by notifying the president at least ten calendar days prior to the meeting.

The agenda will follow a general order established by the Board. Opportunities for public input will be included. The Board will follow the order of business set up by the agenda unless the order is altered by a consensus of the Board.

Items of business not on the agenda may be discussed and acted upon if the majority of the Board agrees to consider them.

The agenda, together with supporting materials, will be distributed to Board members at least seven calendar days prior to the meeting. The agenda will be available to the press and to interested patrons through the president's office at the same time it is available to the Board members. Copies of the agenda for the press and public will not contain any confidential information included in the Board members' packets.

Members of the public may request a copy of the agenda through the president's office.

END OF POLICY

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### Legal References:

ORS 341.283

Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

**CONDUCT OF BOARD MEETINGS**

The rules of parliamentary procedure contained in the most recent edition of Robert's Rules of Order will govern the Board in its deliberations. Discussion by Board members will be unlimited as long as it applies to the motion before the Board or the matter under consideration. The Board may vote to limit discussion and the Chair will confine discussion to the matter before the Board. The Chair may limit the time of any citizen appearing before the Board so that all who wish to be heard may have the opportunity.

The result of each member's vote will be recorded by name. A Board member who abstains from voting will be so recorded.

END OF POLICY

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Legal References:

ORS 192.650

## MINUTES OF BOARD MEETINGS

The president will designate a staff member to serve as Board secretary and will directly supervise and evaluate the work of the secretary. The Board secretary will take notes at Board meetings, compile minutes and perform related work as assigned by the president or requested by the Board Chair. These duties will include, but not be limited to, recording the disposition of all matters on which the Board considered action; preparing and distributing minutes in advance for approval at the next Board meeting; maintaining properly authenticated official copies of the minutes; and maintaining the official record of Board policies and administrative regulations.

The written minutes will be a true reflection of the matters discussed at the meeting and will include, but not be limited to, the following information:

All members of the Board who were present;

All motions, proposals, resolutions, orders and measures proposed and their disposition;

The results of all votes and the vote of each member by name;

The substance of any discussion on any matter; and

Any other information required by law.

Minutes of executive sessions will be kept in accordance with the requirements of Oregon Public Meetings Laws.

All minutes will be available to the public within a reasonable time. The public and patrons of the district may receive, upon request, copies of approved minutes from the president's office. The district will maintain and make available to staff and other interested patrons an updated copy of the meeting minutes.

END OF POLICY

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Legal References:

ORS 192.610 – 192.710

ORS 341.283 (4)

## **PUBLIC PARTICIPATION IN BOARD MEETINGS**

Oregon law requires that meetings be conducted in a manner designed to produce an informed public that is aware of the deliberations and decisions of the Board and the information upon which such decisions are made. Disruptive behavior denies this right to the public.

All meetings of the Board, except for executive sessions, are open to the public. The Board may consider items during the meetings under the agenda item labeled "Public Input." This portion of the meeting is specially set aside for community input. The Board, however, does not obligate itself to act upon any public request or proposal unless such request or proposal is submitted to the College president/clerk of the board in writing at least 72 hours before the meeting. In the case of special meetings, notice must be submitted at least 24 hours before the meeting. The Board of Education may waive the time requirement for matters of an emergency nature. Public discussion of any agenda items may be permitted by the Chair with the consent of the Board. In the event there are more citizens wishing to attend a meeting than can be accommodated in the Board room, the Board may defer the item of interest to a recessed meeting scheduled in a larger facility.

END OF POLICY

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### Legal References:

ORS 192.610 - 192.690  
ORS 341.283 (2)

Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630

## **ADOPTION, REVISION AND SUSPENSION OF POLICIES/BOARD POLICY REVIEW**

Board policies will be subject to alteration, addition or deletion only upon majority vote of the Board at any regular or special meeting in which all members have been notified in writing of the proposed alteration, addition or deletion at least 24 hours in advance. In most cases, a first reading of the policy will be scheduled on a regular meeting agenda prior to its adoption at a subsequent regular meeting.

A proposed change in policy will not be made at the meeting in which the change is proposed unless an emergency arises. A unanimous vote of the Board is required to declare an emergency situation.

The formal adoption of policies will be recorded in the Board minutes. Only those written statements so adopted and so recorded will be regarded as official Board policy.

Any formal motion or action of the Board, which as a revision of existing policy creates, amends or supplements policy, will be called to the attention of the Board when reviewing the minutes for formal adoption.

Board policy documents will be available online. When additions, deletions or amendments are made to Board policy, the addition, deletion or amendment will carry the adoption date and the corrected copy will be published online at the earliest opportunity.

The operation of any section or sections of policies not established by law or specifically listed in the current labor document may be temporarily suspended by a majority vote of the Board at a regular or special meeting.

In the event of emergency or special circumstances, the operation of any section of Board policy, including those governing its own operational procedures, may be temporarily suspended by a majority of the Board members at any regular, special or emergency meeting. This suspension, however, does not apply to any section of Board policy that may be established by law or contract.

The president has continuing responsibility to alert the Board of all policies that may need revision.

END OF POLICY

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Legal References:

ORS 341.009 (13)

## **BOARD MEMBER COMMUNICATION VIA E-MAIL**

Information and messages sent via e-mail are subject to the Public Records Act. Confidential information will not be distributed or available via e-mail.

In order to avoid Board members inadvertently conducting a meeting through e-mail, not more than three Board members may communicate simultaneously (“talking live”) with each other via the Internet.

END OF POLICY

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Legal References:

ORS 341

## **FILLING A BOARD VACANCY**

The MHCCD Board of Education will adhere to Oregon Revised Statute 341.335 when filling Board vacancies. The statute allows the Board to fill vacancies by a process developed in public session. The procedure for filling the position may include immediate action or holding the position open until the next election.

END OF POLICY

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Legal References:

ORS 341.335