

LOS ANGELES COMMUNITY COLLEGES  
OFFICE OF THE CHANCELLOR  
ADMINISTRATIVE REGULATIONS

INDEX NUMBER C-7

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| <b>REFERENCE:</b>                          | <b>TOPIC:</b><br>District Citizens' Oversight<br>Committee Bylaws |
| <b>ISSUE DATE:</b><br>May 1, 2001          | <b>INITIATED BY:</b><br>Chancellor                                |
| <b>CHANGES:</b><br>Revised<br>Section V(B) | <b>DATE OF CHANGES:</b><br>October 17, 2001<br>May 25, 2010       |

**I. Membership - Appointment, Qualifications and Term**

**A. Membership in the District Citizens' Oversight Committee**

There will be sixteen members of the District Citizens' Oversight Committee ("DCOC"), as follows:

1. One representative from each College's Citizens Committee ("CCC"), as described in I(B), below, recommended by the College President and confirmed by the Board.
2. Seven additional members appointed by the Board as follows:
  - a. One person who is active in a business organization representing the business community in Los Angeles;
  - b. One person who is active in an organization representing the labor community in Los Angeles;
  - c. One person who is active in a senior citizens' organization;
  - d. One person who is active in a bona fide taxpayers' organization;
  - e. One person who is a student who is enrolled in one of the District's colleges and active in a college group, such as the college associated students' organization;
  - f. One person who is an active member of a college advisory committee or foundation; and
  - g. One at-large member.

3. The Board will appoint the members described in I(A)(2) above to the DCOC through the following process:
  - a. Appropriate local groups will be solicited for applications.
  - b. The Chancellor or his or her designee will review the applications received.
  - c. The Chancellor will make recommendations to the Board Committee, ideally at least two applicants for each appointment.
  - d. The Board Committee will review the materials forwarded by the Chancellor and make recommendations to the Board regarding the appointments.

B. College Citizens' Committees

1. Each College will have a College Citizens' Committee.
2. Each College's Citizens' Committee will consist of at least seven but no more than fifteen members nominated by constituent organization(s), appointed by the College President.
3. It is recommended that at least one member of the committee will be active in a business organization representing the business community in the college's service area; at least one member will be active in a senior citizens' organization; at least one member will be active in a bona fide taxpayers' organization; at least one member will be a student who is enrolled at the college and active in a college group, such as the college associated students' organization; and at least one member will be an active member of a college advisory committee or the college's foundation.

C. General Qualifications

1. *Employees and Employee Representatives* - No employee of the District may be appointed as a member of either the CCCs or the DCOC. The College President may also appoint non-voting employee representatives to the College Citizens' Committee. Any employee representative to the committee may

participate in the committee's deliberations but may not cast a vote as a committee member or otherwise participate in any similar form of formal decision-making.

2. *Interested vendors* - No vendor, contractor, or consultant of the District shall be appointed to either the DCOC or the CCCs.
3. *No dual membership* - A member of a CCC who is not the CCC's designated representative for the DCOC may not be a member of the DCOC or another CCC. A member of the DCOC appointed pursuant to I(A)(2), above, may not be a member of a CCC.
4. *Elected Officials* - Elected officials are not eligible to be members of a CCC or a DCOC.

D. Term

1. Members of the DCOC and the CCCs shall serve for a term of two years and for no more than two consecutive terms.
2. The community college student member may, at the discretion of the Board or College President, as applicable, serve up to six months after his or her graduation.

E. Removal from membership - Members of the DCOC serve at the pleasure of the Board, and members of the CCCs serve at the pleasure of the College President, as applicable, and may be removed at any time within the sole discretion of the Board or College President that appointed the member.

F. Process for replacement - If mid-term vacancies occur, the process for replacement shall ideally follow the same process as for regular appointments. The Chancellor may adjust the processes as may be reasonably necessary for the particular circumstances.

## II. Authority

### A. Authority and relationship of committees

#### 1. DCOC

- a. Role - The role of the District Citizens' Oversight Committee is to inform the public concerning the District's expenditure of revenues received from the sale of bonds authorized by the voters on April 10, 2001. In particular, the Committee will provide oversight ensuring that
  - (1) bond revenues are expended only for the construction, reconstruction, rehabilitation, or replacement of college facilities, including the furnishing and equipping of college facilities, or the acquisition or lease of real property for college facilities; and
  - (2) no bond revenues are expended for any teacher or administrative salaries or other college operating expenses.
- b. To carry out its role, the District Citizens' Oversight Committee may:
  - (1) receive and review copies of the annual independent performance audit conducted to ensure that the bond revenue has been expended only on the specific projects listed in the bond proposition;
  - (2) receive and review copies of the annual independent financial audit of the bond revenue;
  - (3) inspect college facilities and grounds to ensure that the bond revenue is expended in compliance with the requirements of paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the California Constitution;
  - (4) receive and review copies of deferred maintenance proposals or plans developed by the District; and

(5) review efforts by the District to maximize bond revenues by implementing various cost saving measures.

2. CCC - The role of each College Citizens' Committee is to advise the District Citizens' Oversight Committee regarding the District's expenditure of bond revenues on the specific projects listed in the bond proposition that are planned for the college at which the committee is organized.

B. Legal capacity of committees

1. The DCOC is the citizens' advisory committee established pursuant to Education Code section 15278.
2. The CCCs are advisory to the DCOC.
3. Neither the DCOC nor the CCCs have an independent legal capacity from the Los Angeles Community College District.

C. Information provided to committee members

1. Information provided by staff to one member of a CCC shall be provided to all members of the CCC, in accordance with the directions of the College President.
2. Information provided by staff to one member of the DCOC shall be provided to all members of the DCOC, in accordance with the directions of the Chancellor or his or her designee.

D. Authority of individual committee members

1. The Chair of a CCC or the DCOC shall have the authority to direct staff as necessary to comply with public meeting laws.
2. Except as expressly provided in these bylaws or by a majority vote of the applicable committee, individual committee members shall not have the authority to direct staff unless the applicable committee has voted express authority to do so.

3. Each individual committee member retains the right to address the Board of Trustees, either on behalf of his or her respective committee, or as an individual.

E. Selection of Chair

1. The chair for the DCOC shall be designated by the Chancellor, and the chair for each CCC shall be designated by the respective College President.
2. Thereafter, the chair for the DCOC and each CCC will be appointed annually by the first meeting held on or after July 1, or as vacancies may occur. The chair shall serve at the pleasure of the Chancellor or College President that appointed him or her.

### III. Procedures

A. District Staffing to Committee

1. Reasonable staffing shall be provided to the DCOC and the CCCs without charge to bond funds.
2. The management-level staff person for the DCOC will report to the Senior Vice Chancellor. The management-level staff person for each CCC will report to the respective College President.
3. Staffing levels are within the discretion of the Chancellor for DCOC, and within discretion of the respective College President for CCCs, but the DCOC and the CCCs may make recommendations regarding their respective staffing needs.
4. The Senior Vice Chancellor or College President should seek input from individual committee members regarding the evaluation of staff members.

- B. Legal Counsel - The Chair of the DCOC and the chair of each CCC may seek legal counsel as necessary from the Office of General Counsel, which will provide advice directly or through the use of additional counsel as may

be necessary. Since the DCOC and the CCCs do not have a separate legal capacity from the District, the committees may not obtain other legal counsel without permission from the General Counsel.

- C. Defense and indemnity - The District has a duty to defend and indemnify volunteers acting within the course and scope of their volunteer duties. In the event of litigation naming the DCOC, any or all CCCs, or the individual members, the Board of Trustees shall provide counsel for the DCOC or CCCs, and shall promptly determine whether to provide counsel for individual members.

#### **IV. Bylaws**

- A. Bylaws for each group - These bylaws are established for the DCOC by the Chancellor, and may be modified by the Chancellor. Each CCC may adopt its own bylaws, not inconsistent with these bylaws, and subject to the approval of the Chancellor.
- B. Amendments - Amendments to these bylaws must be approved by the Chancellor.

#### **V. Conduct of meetings**

- A. Quorum
  - 1. A quorum of the DCOC shall consist of any eight members of the DCOC.
  - 2. A quorum of each CCC shall consist of a majority of members of the CCC.
- B. Public meetings
  - 1. The DCOC and CCCs are subject to the Ralph M. Brown Act. In light of this requirement, each group will adopt schedules of meetings for at least six-month periods.
  - 2. Notices and agendas regarding the DCOC and CCCs shall be posted in the same location as the location where notices and agendas regarding the Board of Trustees meetings.

3. Each member of each committee will be given a current copy of the Ralph M. Brown Act by the Office of General Counsel. The Office of General Counsel shall have the responsibility to provide a briefing regarding the Brown Act at a regular meeting of each committee annually.
- C. Public Records - Minutes of the proceedings of the citizens' oversight committee and all documents received and reports issued shall be a matter of public record and be made available on an Internet website maintained by the District.
  - D. Except as otherwise provided by these bylaws or applicable law, meetings shall be conducted in accordance with *Robert's Rules of Order, Newly Revised*.
  - E. When calling for a vote, the Chair may take the entire vote of the group verbally by asking first for those in favor, then for those opposed, then for abstentions. In the absence of a member articulating his or her opposition or abstention, the vote of the individual members present will be deemed to have been cast in favor of the motion.