### CHAPTER: Administration/Organization

#### The Administrative Organization

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#### 1. The Superintendent/President

**a. Contract Term and Compensation**

The Governing Board shall employ a Superintendent/President for such contract term as may be provided by law and for such compensation as the Board may determine. The Superintendent/President will be provided with the same health and welfare insurance coverage and sabbatical leave eligibility that is provided to all other academic personnel in the District.

**b. Duties and Authority; Annual Evaluation (See Procedure II.A-01.b)**

The Superintendent/President of the MiraCosta Community College District shall be the executive officer of the Board and shall administer policies and enforce rules and regulations adopted by the Board. He/she shall be responsible only to the Board and shall have administrative and supervisory authority over all other employees of the District.

The Board shall formulate the educational policies of the District within the provisions of state law and shall then delegate to the Superintendent/President the responsibility for administering said policies, requiring such reports as are deemed necessary to determine both the wisdom of the policies and the manner of their execution. A written procedure developed by the Board shall serve as the basis for an annual Board evaluation of the Superintendent/President (See Procedure II.A-01.b).
Specific duties and authority assigned to the Superintendent/President by the Board of Trustees shall include, but shall not be restricted to, the following:

1) Represent the Board of Trustees in its relationships with the citizens and various social, civic, educational and governmental agencies within the District and, when appropriate, speak for the Board.

2) Direct preparation of Board meeting agendas and minutes. Serve as Secretary for the Board of Trustees.

3) Enter into contracts for and on behalf of the District.

4) Direct the total educational program of the college. Recommend curricular changes that have been developed through District policies and procedures.

5) Coordinate the development and submission of budget proposals to the Board. Supervise the administration of District financial affairs.

6) Define and designate duties and assignments and recommend to the Board of Trustees for employment all classified employees of the District within the classification structure established by the Board.

7) Recommend the employment of all employees of the District employed in positions requiring minimum qualifications and assign these employees to the positions in which they are authorized to serve, in accordance with District policies and procedures.

8) Implement an evaluation plan that assesses the job performance of each employee.

9) Recommend to the Board of Trustees for regular (permanent) employment those academic employees who have earned tenure status, in accordance with the District's tenure review policies and procedures.

10) Coordinate the development and oversee the implementation of all District policies and administrative procedures. Make recommendations for changes in organizational structure and management of the District.

11) Direct the development and submission of all reports required by local, county, state and federal agencies.

12) Represent and interpret the college to the communities in the College District through community contacts, membership in community organizations and support of public information activities.

13) Keep the Board apprised of pending legislative changes affecting the District and maintain liaison with elected officials representing the District in Sacramento and Washington, D.C.
14) Represent the College District by serving on local, regional and state committees and boards and by participating in conferences to facilitate the development and understanding of county, state and national higher education policies.

15) Appoint and oversee the functioning of District/College standing committees (See Board of Trustees Policy No. II.B). Chair the President's Cabinet, Planning/Budgeting Council and Leadership Coordinating Council.

16) Inform the Board of Trustees orally and in writing regarding the progress of all aspects of the college and general information pertaining to the office of the State Chancellor and Board of Governors and California higher education in general.

17) Direct the preparation and implementation of a master plan for building and construction for future development of the college, and the maintenance and redesign of existing facilities.

18) Direct strategic and operational long-range planning for the District.

19) Promote good health and safety practices to ensure that employees work under conditions which protect their health and safety, and urge full and continuous staff support of energy conservation efforts.

20) Serve as an ex-officio member of the MiraCosta College Foundation Board of Directors.

21) Develop and submit an annual report to the Board of Trustees.

22) Supervise and evaluate the Vice Presidents and Executive Assistant to the Superintendent/President, the Director of Institutional Research, the Director of Marketing and Communications, and the Executive Director of Fund Development and College Foundation.

23) Perform other duties as assigned.

c. Authorization to Act in Emergency

The Superintendent/President shall have the power to act in cases where emergency action must be taken and the Board has not provided guidelines for administrative action. The Board shall review the Superintendent/President's decision at the next regular board meeting.

The Superintendent/President shall keep the President of the Board informed of any action taken under this policy. The Board President shall use his/her discretion in informing other Board members before the next regular Board meeting.
d. Other Approval Authority

In addition to the general and specific duties and authority detailed in this policy, the Superintendent/President is authorized to act on requests from other community college districts to offer courses or workshops in the MiraCosta District in subject areas not offered by MiraCosta College. The Board shall be informed periodically regarding approvals granted under this authority.

e. Incapacitation of Superintendent/President

If the Superintendent/President is incapacitated for any reason and unable to carry out his/her duties for more than five days, the cabinet-level administrator with greatest seniority in the position will serve as acting superintendent/President until the Board has met to decide on a course of action. For periods of five days or less, the Superintendent/President or, in his/her absence, the Board President, will designate an available cabinet-level administrator to serve as acting Superintendent/President.

2. Other Personnel

a. Administrative Personnel and Consultants

The Board may, upon recommendation of the Superintendent/President, appoint and employ such administrative personnel and/or consultants for such terms and compensation as the Board may determine, subject to limitations and conditions of the Education Code and Title V.

b. Management Positions

The Board shall designate academic and classified management positions as defined by the Rodda Bill (SB160) for the purpose of identifying employees who will not be represented under the collective bargaining laws.

c. Duties and Responsibilities of Staff (See Procedure II.A-02.c)

The Board shall fix and prescribe duties to be performed by all persons employed by the District. The duties and responsibilities of administrators, classified managers, and department chairpersons will be included in the administrative procedure section.

3. Tables of Organization (See Procedure II.A-03)

4. Reorganization (See Procedure II.A-04)
CHAPTER: The Board of Trustees

Standing Committees

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1. **Formation and Composition of Committees (See Procedure II.B-01)**

All standing committees of the College will be formed upon the recommendation of the Superintendent/President. Composition of such committees will be developed in cooperation with staff.
CHAPTER: Administration/Organization
Classification of Organizations Entitled to District Support

II.C SYNOPSIS:

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An organization requesting district support for its activities is classified in one of five categories to determine the organization’s access to district facilities and other forms of district support. The purpose of this policy is to define each category, the conditions for an organization’s initial and continuing recognition, and the level of support each classification may receive.

1. Definition of Organizations

Group 1 Student Organizations. These are clubs recognized under the rules of the Associated Students. Membership is restricted to students of the College. The club must be sponsored by one or more members of the college staff.

Group 2 Employee Organizations. These are groups formed to advance the welfare and interests of the employees. Their membership, role, and recognition is spelled out in their by-laws and in various provisions of the Education Code and Board policy.

Group 3 Adjunct Organizations. These are groups sponsored and directed by college faculty or staff. Students and persons not affiliated with the College may be associate members but may not hold office. Any vote or consensus of the associate members is advisory to the responsible college sponsors.

An adjunct organization differs from a department of the College primarily in the way the leadership of the group is selected and in the source of funding for its activities. Departments are headed by appointed directors, deans, or elected chairs whose performance is reviewed by an instructional administrator. The leadership of adjunct organizations is informally determined by the staff participants. So long as the adjunct organization functions within the guidelines of board policy and administrative procedures, the District has no direct interest in how the adjunct organization functions internally. The services available to the organizations listed below also are available to departments; however, use of these services must be approved by the department chair.
The funding of adjunct organizations differs from that of departments in basic ways. An adjunct organization may maintain a trust account similar to those used by student organizations. The trust account continues at the discretion of the adjunct organization’s leadership so long as the adjunct organization is recognized by the District. The trust funds may be used for any reason related to a purpose of the organization recognized by the District.

District departments depend entirely on district funding. Appropriations and expenditures are made annually according to current budget procedures and guidelines. With minor exceptions, there is no provision for carrying forward of funds: Year-end balances revert to the general fund for reappropriation to fund district priorities in the subsequent year.

Group 4 Affiliated Organizations. These are groups sponsored and directed by persons not employed by the College. College employees and students may belong to the organization and may serve in support or in liaison capacity, but they normally would not be officers or directors of the organization. Foundations and alumni groups are examples of this type of organization.

Group 5 Professional Organizations. These groups are identified with a professional purpose related to employees’ assigned duties. Unlike "Employee Organization" (above), membership is not restricted to employees of MiraCosta College. Often these organizations are supported by dues paid by the employees through payroll deductions. In some instances, the District may contribute to the dues under applicable board policies with the approval of the divisional vice president. The divisional vice president also may approve limited clerical, mailing, telephone, and facilities support for these organizations or the use of division discretionary funds. Services for which there is no identifiable incremental cost to the District must be approved by the vice president of the division supplying the services.

Group 6 Other Organizations. Groups not recognized as one of those above are entitled only to those services defined in the Education Code’s Civic Center Act. They are not entitled to other staff or material support from the College.

2. Conditions for Initial Recognition

In addition to the requirements specified before, adjunct organizations and affiliated organizations must apply for initial recognition by September 1 to be eligible for support in the fall semester and by February 1 to be eligible for the spring semester. Applications must be approved by the Board of Trustees before support can be provided to the following groups:
Student Organizations: Clubs and similar groups whose membership is comprised entirely of students must apply for recognition to the Associated Students. These clubs must follow the rules of the student government, which are in turn approved by the MiraCosta Board of Trustees according to the relevant sections of the Education Code.

- Employee Organizations: As noted above, the recognition of employee groups is separately described in law and policy.
- Adjunct Organizations: These groups must apply to the Superintendent/President for initial recognition by the Board of Trustees. Annually thereafter these groups must file with the Superintendent/President a report of their activities for the previous year as noted below.

The initial application must include a statement of the organization's purpose, which must relate to the overall educational purpose of the College. The application must define the qualifications for staff and associate membership. It must include the names of all staff sponsors and a brief description of their individual responsibilities to the organization. It must also describe the proposed activities of the organization, including fund-raising activities and anticipated contractual relationships that the organization will be requesting the College to enter into on its behalf. (These descriptions of activities are to illustrate the nature of the organization and need not necessarily specify dates, names, and like detail.) The applicants must agree that all financial activities of the organization will be conducted through a trust account administered by the College. The applicants must state what is to be done with its remaining trust funds if it loses its recognition or decides to disband.

- Affiliated Organizations: These groups also apply to the Superintendent/President for recognition by the Board of Trustees. The application must include the information required of adjunct groups as well as documentation of non-profit status, incorporation, or like requirements necessary to carry out the activities set forth in the statement of purpose. If it is necessary that the Board provide tentative recognition in order to meet these requirements, the application may be completed in two phases. Non-profit status and incorporation are illustrations only and need not be a requirement for recognition as an affiliated organization if the activities of the group do not require it. Unlike adjunct organizations, affiliated organizations are fiscally independent of the College. It is the responsibility of each group to determine its tax and other legal requirements. In its application to the Board of Trustees, each affiliated organization must stipulate that it is acting independently of the College and is responsible for any tax reporting. (See 199FTB, 990-IRS, CT-2, California Sales Tax Report.)
- Professional Organizations: These organizations must be approved by the Superintendent/President or division vice president for support from division discretionary funds or support services.

3. Conditions for Continuing Recognition (See Procedure II.C-03)

The Superintendent/President is authorized by the Board to develop and administer procedures for continuing recognition of organizations entitled to district support.
4. College Support for Recognized Organizations

Benefits of recognized status will vary with the type of organizations. Except for facilities use, none of the benefits are extended to Group 6Z, Other Organizations. The benefits are briefly described here:

- **Facilities Use:** Custodial services are provided free of charge to recognized organizations in Groups 1 through 4 if their events are held at a time when custodians are regularly scheduled to be on campus. Professional organizations will be allowed to use district facilities at no charge only if (a) a MiraCosta employee is a member of the organization and will be present at the event, and (b) no additional overtime is required. Events requiring custodians to work overtime are charged at the overtime rate. This is not so for students and employee organizations. Custodial costs for professional organizations may be charged to the discretionary funds of the Superintendent/President or a sponsoring vice president. There is no charge for building or equipment rental or for utilities.

- **Graphic Artist and Reproduction:** Recognized groups may obtain art work to publicize events. This service is provided on a time-available basis.

- **Public Information:** Publicity write-up and distribution service is available on a time-available basis to all recognized groups. Postage is not included in this service, except as approved from discretionary funds for a professional organization by the Superintendent/President or a sponsoring vice president.

- **Access to Horizons:** Special events may be publicized in Horizons at the established rate.

- **Financial Accounting:** Accounting provided through the trust funds is required for student and adjunct organizations. It could be provided to employee organizations, but usually this service is not requested. It may not be provided to affiliated organizations or professional organizations. The students and adjuncts also gain the benefit of pooled investment and, therefore, higher interest.

- **Clerical Support:** Clerical support at district expense is routinely provided to student, employee, and adjunct organizations. It is also provided to some affiliated organizations, such as foundations, although not as extensively. Support to professional groups is to be limited, and only with the approval of the Superintendent/President or division vice president.

- **Ticket Sales:** Sale of tickets through the Cashier's Office is provided to all recognized organizations except affiliated groups and professional organizations.

- **Insurance:** Liability insurance coverage and workers' compensation insurance applies to all events held on campus. It also applies to district vehicles or rental vehicles on trips.

- **Transportation:** Use of district vehicles on an as-available basis is provided to students, employee organizations, and adjunct organizations. A district sponsor must accompany students.
• **Credit:** Purchasing and contracting services are available to students and adjunct groups. These are not available to employee organizations or affiliated organizations, except on a consulting basis, since the purchase is not from funds deposited within the District.

• **College Name:** Groups in categories 1 through 5 may use the college name and logo in their communications and publications. This may be the most valuable benefit of all. Without that identification, it would be difficult or impossible for the recognized organizations to carry on. The courts repeatedly have upheld the right of organizations to deny the use of their names to spurious organizations. While that is unlikely to become an issue with the *bona fide* MiraCosta groups, this situation could arise any time with some group claiming to be associated with the College.
II.D SYNOPSIS:  

1. Access to Public Records  
2. Press Releases/Publicity/Publications

1. **Public Access to College Records (California Public Records Act) (See Procedure II.D-01)**

The purpose of the California Public Records Act is to give private citizens greater access to government information. All state and local agencies, including: (1) any officer, bureau, or department; (2) any “board, commission or agency” created by the agency (including Governing Boards); and (3) nonprofit entities that are legislative bodies of a local agency. (§ 6252(a), (b)). This definition includes the Board of Trustees and the District.

The law (California Government Code § 6250-6276.48 et seq.) requires the District to make public records available upon request. All records open for public inspection, except for exemptions noted in the Procedure II.D-01, shall be made available with the least possible delay. The conduct of District business creates volumes of recorded information. Access to this information involves both accountability to the public and responsibility to the privacy of individuals named in such records. The District has established guidelines (see Procedure II.D-01) to ensure that members of the public fully understand and are afforded the opportunity to use their right to inspect and obtain copies of public records.

2. **Press Releases/Publicity/Publications (See Procedure II.D-02)**

Public Information Office (PIO) responsibilities include the collection, writing, and editing of information about MiraCosta’s courses, programs, activities and events, which is then disseminated in the form of press releases on campus, to governing board members, to the media, and to other recipients as appropriate and/or published in appropriate documents, e.g., the college catalog, class schedules, brochures, fliers and newsletters.

In order to maintain continuity and professionalism, all MiraCosta College press releases are to be written or edited by PIO staff, printed on official MiraCosta news release letterhead, and distributed by the Public Information Office. Guidelines for faculty and staff who wish to send out press releases to publicize courses, programs, activities, events or other information are outlined in procedure II.D-01.
CHAPTER: Administration/Organization

Administrative Relationships between the Oceanside Campus and the San Elijo Campus/Community Learning Center

II.E

SYNOPSIS: Policy Procedure

Administrative Relationships between the Oceanside Campus and the San Elijo Campus/Community Learning Center * I.E-01

This policy has been developed to formalize the administrative relationships between the Oceanside Campus and the San Elijo Campus/Community Learning Center. Administrative procedures will be developed to clarify the roles and responsibilities for hiring, scheduling, supervising and evaluating academic and classified employees assigned to the other sites.

Policies and procedures for programs and services offered by each division of the college are to be administered uniformly at each college location.

The site administrators are jointly responsible to the Vice President, Instruction, and the Vice President, Student Services and accountable for the day-to-day operation of the site and for implementation of instruction, student, administrative and business services policies. Questions, problems and suggestions regarding policies and procedures may be directed to the program administrator/supervisor.

The hiring and evaluation of academic personnel assigned to the San Elijo Campus/Community Learning Center shall be in accordance with district policy. Administrative procedures will be developed to address the coordinating relationship between the site administrator and division and department heads for scheduling and supervision of academic personnel.
The District maintains institutional memberships in organizations whose purpose is consistent with the mission and goals of the college and which provide access to information or other collective benefit to trustees, faculty/staff or students.

Examples of benefits derived from institutional memberships include user groups, directories, journals and newsletters for all individuals in a department or job class. Institutional memberships may allow students to compete in sports, forensics activities, etc., or provide staff an opportunity to "benchmark" their efforts against best practices elsewhere. They may also grant the college reduced rates for products and services.

A request for approving a new institutional membership is to be evaluated by the division head based on whether the organization will provide benefit to the college according to the foregoing criteria. The President's Cabinet will review all approved institutional memberships on an annual basis.

When membership in an organization consistent with the college's mission and goals benefits a single employee professionally, s/he is encouraged to secure an individual membership, inasmuch as the District reimburses half the cost of individual memberships up to $100 annually. (See Policies V.F.1.d and VI.F.1.c.)

It is recognized that some organizations offer only institutional memberships.