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Action

Executive Committee

Review and Discussion of Changes to the Commission Policy Manual

Executive Summary: The Executive Committee will review and discuss proposed revisions to the Commission's Policy Manual.

Recommended Action: That the Executive Committee recommend the adoption of the proposed revision previously discussed and on which it reached agreement.

Presenter: Mary Armstrong, General Counsel

Strategic Plan Goal: 2

Continue to refine the coordination between Commissioners and staff in carrying out the Commission's duties, roles and responsibilities.

June 2007

Review and Discussion of Changes to the Commission Policy Manual

Introduction

The Executive Committee will continue its review of the Commission's Policy Manual. The Committee will take action to recommend adoption of a new section providing for how the Commission determines a quorum. The Committee will also discuss whether any revisions are necessary to current §610 covering the contract authority of the Executive Director.

Background

The Commission's Policy Manual sets forth the rules governing the conduct of the Commission's business (§101). The Executive Committee is charged with the responsibility of periodically reviewing the provisions of the Policy Manual and determining the need for revision and repeal or adoption. The last revisions to the Policy Manual occurred in January 2004. In the interim, the conduct of the Commission's business has undergone change as a result of the efficiencies adopted by the Commission in 2005 as well as a change in the membership of the Commission. As a result, at the July/August 2006 meeting of the Executive Committee, a working group was formed to review the current provisions of the Policy Manual and suggest proposed amendments. Discussion of the proposed revisions began at the November/December 2006 Executive Committee meeting. At the February 2007 meeting, the Executive Committee took action to recommend adoption of several revisions to the following sections of the Policy Manual: §§ 215, 216, 217, 219, 230, 231, 244, 301, 320, 420, 422, 440, §490 and 503. At the March 2007 meeting the Executive Committee discussed proposed revisions to the Policy Manual and recommended adoption of a new §610 and revisions to §§310, 402, 405, 406, 407, 410, 411 and §§530-532. In April the Committee adopted revisions to §310, a new §320 and revisions to §321. The Committee also directed staff to draft a new section detailing how the Commission determines a quorum.

Action Item

At the April meeting of the Executive Committee, the Committee determined that the Policy Manual should include a provision detailing how the Commission should determine a quorum. Currently the Commission has had a long-standing practice of determining a quorum by requiring attendance by one-half plus one of the total number of the fifteen possible appointees to the Commission. This leaves the quorum at a consistent number of eight (8) regardless of the number of current appointees. Staff was directed to draft language providing for the determination of a quorum.

Staff recommends the addition of a new §231, as follows:

§231 DETERMINATION OF A QUORUM

A quorum of the Commission shall be a majority of the total number of members established pursuant to Education Code section 44210.

Discussion Item

At the February 2007 Commission Meeting, the Executive Committee set a schedule for the discussion of additional revisions and amendments to the Policy Manual. The issue scheduled for discussion at the June 2007 meeting is whether the Committee wishes to recommend any revisions to the current §610 of the Policy Manual delegating certain contract authority to the Executive Director.

Currently §610 provides as follows:

§610 CONTRACT AUTHORITY

- (a) The Commission reserves to itself the authority to authorize the Executive Director to approve contracts and agreements for goods or services with a value in excess of \$100,000, except that Commission approval is not required when such contracts or agreements are let under the auspices of a state master agreement, by regulation or pursuant to an inter jurisdictional exchange of personnel under the visiting educator program.
- (b) Authority of the Executive Director. Contracts and agreements other than those specified in Subsection (a) may legally be entered into by the Executive Director or his or her designee.

Inclusion of this item for discussion was done at the request of the Chair who thought it appropriate for the Committee to discuss whether the \$100,000 limit should be increased or modified in order to allow more flexibility to the contracting process. The \$100,000 limitation has not been increased in over ten years. Suggested modifications include delegation of pass through grant money for programs such as the para-professional and intern programs.