GOVERNING BOARD
MINUTES OF THE PROFESSIONAL DEVELOPMENT
BOARD WORKSHOP
Tuesday, February 19, 2013

Board members gathered at 4:00 p.m. in the Associated Students of Grossmont College Board Room at 8800 Grossmont College Drive, El Cajon, CA, to engage in a professional development Board Workshop conducted by legal counsel Timothy Garfield on current statewide Governing Board legal issues.

Members Present: Trustees Barr, Garrett, Hiel, Justeson, and Rosinski

Members Absent: None

Others Present: Chancellor Miles, District Legal Counsel Timothy Garfield and interested staff.

Call to Order
Board President Bill Garrett called the meeting to order at 4:15 p.m.

Public Presentations
There were no public comments or presentations.

Workshop—Current Statewide Governing Board Issues
Legal Counsel Timothy Garfield provided a PowerPoint and overview of statewide Governing Board legal issues that included the following:

- District’s duty to indemnify and make decisions without risk to themselves
- Liability for any act within the scope of a Board members authority
- Exceptions to indemnification that include fraud, corruption, and actual malice
- Acts beyond the scope of the Board’s authority
- Legal defense costs
- Same exceptions to duty to defend as for duty to indemnify
- Individual Board member rights
- The Board’s rights to information – necessary for proper discharge of duties
- External community Board relations
- Social Media Communications
- Serial Board meetings prohibition

Also covered in the workshop were topics within the Brown Act, including the following:

- Definition of a meeting
- Action taken – collective decision made by majority of members
- Recording meetings
- Agenda requirements
- Prohibition on collective writings
- Rights of the public
- No prohibition on critical testimony of school district employees
- Closed session topics
- Pre and post closed session announcements
Invalidating Board action
Closed session confidentiality

The following board policies were reviewed:

- BP 2430 Delegation of Authority to the Chancellor
- BP 2715 Board Code of Ethics and Conduct
- BP 2720 Communication Among Board Members

Adjournment

Board President Garrett adjourned the meeting at 5:06 p.m.

Respectfully submitted,

Cindy L. Miles, Ph.D.
Chancellor and Secretary to the Governing Board

Jennifer J. Danks
Recording Secretary

Approved by the Governing Board March 19, 2013