



Office of the President
San Bernardino Valley College
701 South Mount Vernon Avenue
San Bernardino, CA 92410

MEMORANDUM

To: Gilbert J. Contreras, Ph.D., President, College Council Chair

From: Jesse Neimeyer-Romero, Ed.D., Executive Assistant to the President

Cc: Noel Arciero, Administrative Assistant II, Office of the President
Tatiana Vasquez, President, Academic Senate

Date: September 8, 2026

Re: SBVC College Council Charge & Membership Recommended Revisions

Background

- San Bernardino Valley College maintains a standing College Council. This committee plays a central role in guiding campus-wide planning, addressing key institutional issues, and ensuring effective communication across all governance groups. SBVC College Council is made up of various members of the college's constituent groups, including the Academic Senate, Classified Senate, Associated Students, etc.¹
- The San Bernardino Valley College Council is governed by the processes and procedures outlined in the Brown Act.² This was reaffirmed by the College Council through the discussion and approval of alternates being identified for service on the College Council and revisions made to the Charge and Membership.³

Issues

- During review of the College Council Charge & Membership in late August 2026, there was found to be no provision in allowing the Director of Grants to have a seat on the College Council as a non-voting member. Additionally, there was identified a need to align the language of the Charge & Membership with standards set by the Brown Act; language is needed to identify the Chair of the College Council; further clarity is required in identifying which members are appointed by which constituent body; and a definition of quorum should be provided. Additionally, other small issues were identified.
- This memorandum seeks to outline recommended revisions to the SBVC College Council Charge & Membership and address the issues outlined above and others that were identified.

¹ San Bernardino Valley College. (n.d.). *College Council*. San Bernardino Valley College. Retrieved September 12, 2025, from <https://www.valleycollege.edu/about-sbvc/campus-committees/college-council/index.php>

² As per the SBVC President's Executive Assistant's investigation into the question of the SBVC College Council as a Brown Act body, summarized in the September 18, 2025 Memorandum.

³ College Council Minutes, February 11, 2026

Defining College Council

Current Text	Recommended Revision
College Council at San Bernardino Valley College (SBVC) serves as the primary recommending body and central participatory governance council representing all constituencies for inclusive decision-making.	College Council (the Council) at San Bernardino Valley College (SBVC) serves as the primary recommending body and central participatory governance council representing all constituencies for inclusive decision-making. The College Council shall conduct its meetings and carry out its responsibilities in accordance with the Ralph M. Brown Act (California Government Code § 54950 et seq.), applicable District policies & administrative procedures, and other applicable laws & regulations. Nothing in this Charge shall be construed to limit or supersede any requirement of the Brown Act or other applicable law.
Rationale	
Establishes a defined shorthand term for subsequent use throughout the Charge. This is a drafting/clarity change, not a Brown Act requirement. This new passage makes clear that the Council's meetings & responsibilities are conducted within the statutory framework that governs local legislative bodies. California statute expressly includes local committees and other bodies that are advisory or decision-making. ⁴ These revisions define the legal framework in which this Council operates and that it is subordinate to applicable law. This is a prudent governance safeguard rather than a statutory requirement.	

Current Text	Recommended Revision
Recommendations may start in College Council or in one of the participatory governance groups and route to College Council for a vote. If approved, College Council moves the recommendation to the College President. The President accepts or rejects recommendations and informs College Council of the decision. Implementation, timeline, and routing of approved recommendations will be determined by the College President.	Recommendations may start in the Council, one its committees, or in one of the constituent groups and route to the Council for consideration. If a recommendation is approved, the Council moves the recommendation to the College President. The President accepts or rejects recommendations and informs the Council of the decision with a rationale.
Rationale	
The revision clarifies where recommendations originate and removes language that could imply the College Council is limited to recommendations generated by the participatory governance groups. The revision gives the Council itself and its committees a clearly articulated role in initiating recommendations. It also avoids the somewhat vague phrase “participatory governance groups.” “Consideration” is preferable to “a vote” because not every matter necessarily requires a formal vote, and the Brown Act does not prescribe that an advisory body must act by a vote. ⁵ The revision establishes an expectation that the President explain the disposition of a Council recommendation, rather than simply reporting “yes” or “no.”	

⁴ CA Govt Code § 54952 (b) (2025)

⁵ CA Govt Code § 54952 (2025)

Defining Membership of the College Council

Current Display/Description

Voting Members (14) & Alternates (6)

Academic Senate	3	1 alternate	Appointed by Senate
Classified Senate	3	1 alternate	Appointed by Classified Senate
CSEA	1	1 alternate	Appointed by CSEA
CTA	1	1 alternate	Appointed by CTA
Manager (Instruction)	1	1 alternate, appointed by the President	Appointed by the VPI
Manager (Student Services)	1		Appointed by the VPSS
Manager (Admin Services)	1		Appointed by the VPAS
Manager	1		Appointed by the President
Student	2	1 alternate	Appointed by Associated Students

College Council voting membership includes 14
members: 4 classified professionals

4 faculty members

4 managers

2 students

Recommended Revision

Voting Members & Alternate Members			
Constituency Groups		Voting Members	Alternate Members
Faculty			
<i>Appointed by Academic Senate</i>		3	1
<i>Appointed by SBCCD Teachers Association CTA/NEA</i>		1	1
Classified Professionals			
<i>Appointed by Classified Senate</i>		3	1
<i>Appointed by California School Employees Association, Chapter 291</i>		1	1
Students			
<i>Appointed by Associated Student Government</i>		2	1
Management			
<i>Appointed by the VP of Instruction</i>		1	1 appointed by the College President
<i>Appointed by the VP of Student Services</i>		1	
<i>Appointed by the VP of Administrative Services</i>		1	
<i>Appointed by the College President</i>		1	
Total Voting Members		14	
Total Alternate Members		6	
Total Faculty		4	
Total Classified Professionals		4	
Total Students		2	
Total Managers		4	

Rationale

This revision lends additional clarity in identifying the various constituency groups, who the constituency groups represent, the bodies which appoint members & alternates, and the total numbers of each type of members & alternates.

Quorum of the College Council

Current Text	Recommended Revision
None.	The minimum number of voting members present to constitute quorum will be three (3) faculty, three (3) classified professionals, and two (2) managers.
Rationale	
The Council should expressly define its quorum so that there is no ambiguity about when it can conduct business or approve recommendations. Because the Brown Act does not establish a universal quorum rule for every local legislative body, the Council's governing document should clearly establish its quorum consistent with the authority under which the Council was created.⁶ The numbers included in the recommended revision amounts to 50% +1 of the voting membership.	

Chair of the College Council

Current Text	Recommended Revision
None.	The College President shall serve as Chair of the College Council and will not be a voting member of the Council.
Rationale	
The Council should expressly define who leads the Council and serves as the Chair of the body and what the role of the Chair should be. Adding this language creates a useful distinction between the Chair and the Council's voting membership, establishes clear leadership and accountability by formally designating the College President as Chair of the College Council, and eliminates ambiguity regarding who presides over Council meetings and provides continuity in Council leadership. This recommendation is good governance practice and is not a Brown Act compliance requirement.	

⁶ CA Govt Code § 54952 (2025)

Defining Others Included in the College Council

Current Text	
Resource Members (Non-Voting)	
Dean, Research, Planning, & Institutional Effectiveness with Grants Oversight	Campus Director of Marketing, Creative Services & Public Affairs
Vice President, Administrative Services	Chief of Police
Vice President, Instruction	Director of Technology Services
Vice President, Student Services	Executive Assistant to the President
Executive Development Director (Foundation)	Administrative Assistant II, Office of the President
Recommended Revision	
Resource Participants of the College Council	
Resource Participants are those who provide expertise, information, or institutional perspective to the College Council based on their respective areas of responsibility, knowledge, or professional expertise. Resource Participants generally include members of the President's Executive Team and other individuals whose roles or responsibilities are relevant to matters considered by the Council.	
Resource Participants do not constitute voting members of the Council and do not vote on matters before the Council. Their role is to advise, provide information, answer questions, and contribute to discussions within their respective areas of expertise or responsibility.	
The President may invite additional Resource Participants to attend and participate in College Council meetings.	
Participation as a Resource Participant does not, by itself, confer membership of the College Council or voting rights.	
Below are those positions that shall generally serve as Resource Participants and their roles:	

Position	Role
Vice President of Instruction	Advise & inform the Council on matters related to academics, instructional faculty, programming, etc.
Vice President of Student Services	Advise & inform the Council on matters related to student services departments, programming, etc.
Vice President of Administrative Services	Advise & inform the Council on matters related to facilities, budget, campus building projects, etc.
Executive Assistant to the President	Advise & inform the Council on procedural & functional matters in support of the Council.
Executive Director of Foundation	Advise & inform the Council on matters related to the college Foundation, scholarship development, etc.
Director of Strategic Communications & Marketing	Advise & inform the Council on matters related to communications, marketing, programming, etc.
Director of Grants	Advise & inform the Council on matters related to grants and external financial support for the college.
Director of Technology Services	Advise & inform the Council on matters related to technology and technology support for the college.
SBCCD Chief of Police	Advise & inform College Council on matters related to college and campus safety.
Administrative Assistant II, Office of the President	Provide administrative support for the Council and ensure that Council procedures are adhered to.

Rationale
The first recommendation for this section is changing “non-voting member” to “resource participant.” A “member” of a legislative or advisory body ordinarily suggests one who is part of the body's formal composition & has the ability to count toward quorum, make and/or second motions, is subject to the same rules as those with voting privileges, and has the right to participate in deliberations. The Brown Act does not establish a general statutory category called a “non-voting member.” The Act is concerned with identifying the legislative or advisory body, its members, and regulating the body's meetings.⁷ Using “non-voting member” potentially creates a new & undefined category. “Resource Participant” defines why one is in attendance rather than suggesting that they are part of the formal membership & makes it clear that they cannot count toward quorum. This recommended revision also defines the group that generally makes up resource participants, the individual roles they serve, and identifies who may invite them & under what circumstances. Calling someone a “Resource Participant” does not by itself determine Brown Act status, but it makes this Charge & Membership much clearer about the distinction between formal membership and invited participation. This is a governance-clarity improvement, not a Brown Act requirement.

Future Revisions of the College Council Charge & Membership

Current Text	Recommended Revision
College Council recommends that the College Council Charge be implemented immediately upon approval. In addition, College Council will review the charge and composition after the College committee structure is finalized.	This charge & membership shall be reviewed periodically to ensure both support the Council's purpose, responsibilities, and the College's organizational & governance structure. The dates of the College Council's approval and subsequent revisions shall be listed at the beginning of this document. Reviews shall be conducted as appropriate. Any proposed revisions to the College Council's Charge & Membership shall be considered and approved through the applicable governance process and in accordance with applicable laws, policies, and procedures.
Rationale	
The revised provision focuses on the continuing governance of the document, rather than the mechanics of its initial adoption. This is a significant governance improvement as this established an ongoing obligation for review but does not hold the Council to a deadline (e.g. every two years). The Brown Act does not require a body to periodically review its governing charter or membership structure. Rather, this is an internal control that helps ensure the Council's governing document does not become outdated. Including dates of approval and revision creates a simple document-control mechanism. This revision establishes an internal governance process that is consistent with the legal framework applicable to the Council.	

⁷ CA Govt Code § 54952 (2025)

Procedures

Current Text	Recommended Revision
Posting of Agendas, Supporting Documents, and Minutes Agendas will be posted 72 hours in advance in two locations: the bulletin board case on the second floor of the Administration & Student Services Building adjacent to the Office of the President and online on the College Council webpage. Supporting documents are recommended to be submitted 96 hours in advance of the College Council meeting and made available online on the College Council webpage. Items lacking advance documentation may be subject to tabling. Changes cannot be made to the agenda once posted but changes may be made once College Council is in session and when the agenda is formally approved. College Council Minutes will be added to the College Council webpage after review by the co-chairs.	<u>Agendas</u> College Council agendas shall be posted 72 hours in advance in two locations: the bulletin board case on the second floor of the Administration & Student Services Building adjacent to the Office of the President & online on the Council's webpage. Changes cannot be made to the agenda once posted but changes may be made once the Council is in session when the agenda is moved to be approved and discussed, in accordance with the Brown Act. <u>Supporting Documents</u> Supporting documents should be submitted 96 hours in advance of the Council meeting and made available online on the Council's webpage. <u>Minutes</u> Council minutes will be added to the Council's webpage after review by the Council's co-chairs and approved by the College Council at the following meeting.
College Council voting membership includes six (6) alternates: Each constituency group represented on College Council may appoint one (1) alternate to serve in place of its voting members when necessary. Alternates are expected to attend all meetings and serve as the formal substitute for absent voting members. They represent their constituency group as a whole rather than any individual member. Alternates may participate fully in discussion but are non-voting unless they are officially filling in for an absent voting member. Alternates are appointed by the constituency group they represent, and each constituency group may develop its own appointment process and determine its own term lengths. Alternate Attendance Procedure: The voting member who will be designating an alternate to attend a College Council meeting in their place shall communicate the designation to the President's Office before a College Council meeting. At the College Council meeting, the alternate will identify themselves as an alternate and name the voting member for whom they are serving as an alternate.	<u>Alternate Members</u> Each constituency group represented on the Council may appoint one (1) alternate member to serve in place of its voting members when necessary. Alternate members are expected to attend all meetings and serve as the formal substitute for absent voting members. They represent their constituency group rather than any individual voting member. Alternate members may participate fully in discussion but are non-voting unless they are officially filling in for an absent voting member. Alternates are appointed by the constituency group they represent and each constituency group may develop its own appointment process and determine its own term lengths. Alternate members do not count toward quorum. <u>Alternate Members Attendance</u> If a voting member will be absent, they shall notify the appropriate alternate member to attend and vote in the College Council meeting in their place. They should also communicate with the Office of the President prior to the College Council meeting. At the Council meeting, the alternate member will identify themselves as an alternate member and name the voting member for whom they are serving as an alternate.
Rationale	
Instead of explaining or defining procedural matters scattered throughout the document, the recommendation is to list them all at the end of the document separated by their own heading.	

Summary

This memorandum addresses issues in the current Charge & Membership and provides recommended revisions.

These issues and identified revisions include those associated with:

- Defining College Council
- Defining membership of the College Council
- Defining quorum of the College Council
- Defining and identification of the Chair of the College Council
- Redefining and providing identification of those who participate in the meetings held by the College Council
- Future revisions of the College Council Charge & Membership

These recommended revisions to the SBVC College Council Charge & Membership seek to provide clarifying language to its already established provisions, add missing elements to assist in the functioning of College Council, improve the level of transparency concerning its operation, and these are meant to provide improved guidance to the Council as it conducts its business.

These recommendations also build on the work that was accomplished last year when addressing the question of alternates versus proxies and enshrining principles of good governance into its governing document.

COLLEGE COUNCIL CHARGE

APPROVED: DECEMBER 10, 2025

REVISED: FEBRUARY 11, 2026

College Council at San Bernardino Valley College (SBVC) serves as the primary recommending body and central participatory governance council representing all constituencies for inclusive decision-making.

College Council shall:

1. Serve as the final recommending body to the College President.
2. Review and make recommendations on college-wide policies, procedures, and initiatives that affect the College as a whole.
3. Ensure that the principles of participatory governance are upheld, facilitating equitable and collegial participation in decision-making processes.
4. Receive and review recommendations from any constituent group, such as a campus committee. Provide the College President with opinions by voting on recommendations to ensure alignment with the College mission, vision, and strategic goals.
5. Review, update, and approve the SBVC Participatory Governance Handbook every 3 years in alignment with cycles of accreditation, program review, and related College planning.

Recommendations may start in College Council or in one of the participatory governance groups and route to College Council for a vote. If approved, College Council moves the recommendation to the College President. The President accepts or rejects recommendations and informs College Council of the decision. Implementation, timeline, and routing of approved recommendations will be determined by the College President.

Posting of Agendas, Supporting Documents, and Minutes

Agendas will be posted 72 hours in advance in two locations: the bulletin board case on the second floor of the Administration & Student Services Building adjacent to the Office of the President and online on the College Council webpage.

Supporting documents are recommended to be submitted 96 hours in advance of the College Council meeting and made available online on the College Council webpage.

Changes cannot be made to the agenda once posted but changes may be made once College Council is in session and when the agenda is formally approved.

College Council Minutes will be added to the College Council webpage after review by the co-chairs.

College Council Membership:

Voting Members (14) & Alternates (6)

Academic Senate	3	1 alternate	Appointed by Senate
Classified Senate	3	1 alternate	Appointed by Classified Senate
CSEA	1	1 alternate	Appointed by CSEA
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Manager (Student Services)	1		Appointed by the VPSS
Manager (Admin Services)	1		Appointed by the VPAS
Manager	1		Appointed by the President
Student	2	1 alternate	Appointed by Associated Students

College Council voting membership includes 14 members:

- 4 classified professionals
- 4 faculty members
- 4 managers
- 2 students

College Council voting membership includes six (6) alternates:

Each constituency group represented on College Council may appoint one (1) alternate to serve in place of its voting members when necessary. Alternates are expected to attend all meetings and serve as the formal substitute for absent voting members. They represent their constituency group as a whole rather than any individual member. Alternates may participate fully in discussion but are non-voting unless they are officially filling in for an absent voting member. Alternates are appointed by the constituency group they represent, and each constituency group may develop its own appointment process and determine its own term lengths.

Alternate Attendance Procedure:

The voting member who will be designating an alternate to attend a College Council meeting in their place shall communicate the designation to the President's Office before a College Council meeting. At the College Council meeting, the alternate will identify themselves as an alternate and name the voting member for whom they are serving as an alternate.

Resource Members (Non-Voting)

- Dean, Research, Planning, & Institutional Effectiveness with Grants Oversight
- Vice President, Administrative Services
- Vice President, Instruction
- Vice President, Student Services
- Executive Development Director (Foundation)
- Campus Director of Marketing, Creative Services & Public Affairs Chief of Police
- Director of Technology Services
- Executive Assistant to the President
- Administrative Assistant II, Office of the President

College Council recommends that the College Council Charge be implemented immediately upon approval. In addition, College Council will review the charge and composition after the College committee structure is finalized.



College Council Charge & Membership

College Council (the Council) at San Bernardino Valley College (SBVC) serves as the primary recommending body and central participatory governance council representing all constituencies for inclusive decision-making.

The College Council shall conduct its meetings and carry out its responsibilities in accordance with the Ralph M. Brown Act (California Government Code § 54950 et seq.)¹, applicable District policies & administrative procedures, and other applicable laws & regulations. Nothing in this Charge shall be construed to limit or supersede any requirement of the Brown Act or other applicable law.

Charge of the College Council

The Council shall:

- I. Serve as the final recommending body to the College President.
- II. Review and make recommendations on college-wide policies, procedures, and initiatives that affect the College as a whole.
- III. Ensure that the principles of participatory governance are upheld, facilitating equitable and collegial participation in decision-making processes.
- IV. Receive and review recommendations from any constituent group, such as a campus committee. Provide the College President with opinions by voting on recommendations to ensure alignment with the College mission, vision, and strategic goals.
- V. Review, update, and approve the SBVC Participatory Governance Handbook every three (3) years in alignment with cycles of accreditation, program review, and related College planning.

Recommendations may start in the Council, one its committees, or in one of the constituent groups and route to the Council for consideration. If a recommendation is approved, the Council moves the recommendation to the College President. The President accepts or rejects recommendations and informs the Council of the decision with a rationale.

Implementation, timeline, and routing of approved recommendations will be determined by the College President.

¹ The San Bernardino Valley College Council was determined to be a local governing body subject to the Brown Act in Fall 2025. Please refer to the minutes and documents associated with the September 24, 2025 Council meeting for additional information.

Membership Composition of the College Council

Voting Members & Alternate Members		
Constituency Groups	Voting Members	Alternate Members
Faculty		
<i>Appointed by Academic Senate</i>	3	1
<i>Appointed by SBCCD Teachers Association CTA/NEA</i>	1	1
Classified Professionals		
<i>Appointed by Classified Senate</i>	3	1
<i>Appointed by California School Employees Association, Chapter 291</i>	1	1
Students		
<i>Appointed by Associated Student Government</i>	2	1
Management		
<i>Appointed by the VP of Instruction</i>	1	1 appointed by the College President
<i>Appointed by the VP of Student Services</i>	1	
<i>Appointed by the VP of Administrative Services</i>	1	
<i>Appointed by the College President</i>	1	
Total Voting Members	14	
Total Alternate Members	6	
Total Faculty	4	
Total Classified Professionals	4	
Total Students	2	
Total Managers	4	

Quorum of the College Council

The minimum number of voting members present to constitute quorum will be three (3) faculty, three (3) classified professionals, and two (2) managers.

Chair of the College Council

The College President shall serve as Chair of the College Council.

Resource Participants of the College Council

Resource Participants are those who provide expertise, information, or institutional perspective to the College Council based on their respective areas of responsibility, knowledge, or professional expertise. Resource Participants generally include members of the President's Executive Team and other individuals whose roles or responsibilities are relevant to matters considered by the Council.

Resource Participants do not constitute voting members of the Council and do not vote on matters before the Council. Their role is to advise, provide information, answer questions, and contribute to discussions within their respective areas of expertise or responsibility.

The President, in consultation with the co-chair, if extant, may invite additional Resource Participants to attend and participate in College Council meetings. Participation as a Resource Participant does not, by itself, confer membership of the College Council or voting rights.

Below are those positions that shall generally serve as Resource Participants and their roles:

Position	Role
Vice President of Instruction	Advise & inform the Council on matters related to academics, instructional faculty, programming, etc.
Vice President of Student Services	Advise & inform the Council on matters related to student services departments, programming, etc.
Vice President of Administrative Services	Advise & inform the Council on matters related to facilities, budget, campus building projects, etc.
Executive Assistant to the President	Advise & inform the Council on procedural & functional matters in support of the Council.
Executive Director of Foundation	Advise & inform the Council on matters related to the college Foundation, scholarship development, etc.
Director of Strategic Communications & Marketing	Advise & inform the Council on matters related to communications, marketing, programming, etc.
Director of Grants	Advise & inform the Council on matters related to grants and external financial support for the college.
Director of Technology Services	Advise & inform the Council on matters related to technology and technology support for the college.
SBCCD Chief of Police	Advise & inform College Council on matters related to college and campus safety.
Administrative Assistant II, Office of the President	Provide administrative support for the Council and ensure that Council procedures are adhered to.

Review & Revisions of the College Council

This charge & membership shall be reviewed periodically to ensure both support the Council's purpose, responsibilities, and the College's organizational & governance structure. The dates of the College Council's approval and subsequent revisions shall be listed at the beginning of this document. Reviews shall be conducted as appropriate.

Any proposed revisions to the College Council's Charge & Membership shall be considered and approved through the applicable governance process and in accordance with applicable laws, policies, and procedures.

Procedural Notes for the College Council

Agendas

College Council agendas shall be posted 72 hours in advance in two locations: the bulletin board case on the second floor of the Administration & Student Services Building adjacent to the Office of the President & online on the Council's webpage.

Changes cannot be made to the agenda once posted but changes may be made once the Council is in session when the agenda is moved to be approved and discussed, in accordance with the Brown Act.

Supporting Documents

Supporting documents should be submitted 96 hours in advance of the Council meeting and made available online on the Council's webpage.

Minutes

Council minutes will be added to the Council's webpage after review by the Council's co-chairs and approved by the College Council at the following meeting.

Alternate Members

Each constituency group represented on the Council may appoint one (1) alternate member to serve in place of its voting members when necessary. Alternate members are expected to attend all meetings and serve as the formal substitute for absent voting members. They represent their constituency group rather than any individual voting member. Alternate members may participate fully in discussion but are non-voting unless they are officially filling in for an absent voting member. Alternates are appointed by the constituency group they represent and each constituency group may develop its own appointment process and determine its own term lengths. Alternate members do not count toward quorum.

Alternate Members Attendance

If a voting member will be absent, they shall notify the appropriate alternate member to attend and vote in the College Council meeting in their place. They should also communicate with the Office of the President prior to the College Council meeting. At the Council meeting, the alternate member will identify themselves as an alternate member and name the voting member for whom they are serving as an alternate.