

## AUXILIARY ORGANIZATIONS, INCLUDING FOUNDATIONS

The Board of Trustees may recognize and approve auxiliary organizations, identified in Title 5, California Code of Regulations, established for the purpose of providing to the District any and all supportive services, specialized programs, and functions for the general benefit of its colleges or the District.

The Chancellor shall establish administrative regulations necessary to fully comply with California law relating to auxiliary organizations, and to submit this policy and those regulations to the Chancellor for the California Community Colleges as required by law. At a minimum, the regulations shall address the subjects required by Title 5 and Education Code.

Recognition and establishment of auxiliary organizations shall include a public hearing on the recommendation to recognize or establish an auxiliary organization; Board of Trustees' approval of the auxiliary organization; and approval of a written agreement between the District and the auxiliary organization describing the services, programs or functions to be performed. All such written agreements shall comply fully with the requirements of Title 5, Section 59257(j).

Any auxiliary organization recognized by the Board of Trustees shall conduct its business in accordance with the administrative regulations adopted by the Chancellor pursuant to this policy. Notwithstanding, anything contained in the administrative regulations, any auxiliary organization recognized by the Board of Trustees shall comply with Education Code provisions regarding:

1. the composition of a board of directors and the way in which it conducts its meetings;
2. conducting an annual audit;
3. employing its work force; and,
4. expending and appropriating its funds, and keeping its records.

No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the District to any of its auxiliary organizations for the purpose of either avoiding laws or regulations that constrain community college district or providing the District with an unfair advantage with respect to the application of any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for students with disabilities.

### *References:*

*California Education Code, Section 72670, et seq.;*  
*Title 5, California Code of Regulations, Sections 59250, et. seq.*

Adopted: 03-29-04      Revised: 10-19-20  
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