



San Bernardino Community College District
 Board Meeting
 November 12, 2020
 4:00 pm-6:00 pm Pacific Time

Governor Newsom issued Executive Order N-25-20 on March 12, 2020, and Executive Order N-29-20 on March 17, 2020. Portions of these orders relax parts of the Brown Act. In part, the orders allow elected officials to "attend" a meeting via teleconference WITHOUT having to admit members of the public into the location from which they are participating (N-25-20) and orders that "such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment" (N-29-20).

Anyone wishing to participate may do so via the location posted on the agenda. The meetings are also recorded. In accordance with Board Policy 2350, persons may address the Board of Trustees either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board. Public comments will take place at the time designated on the agenda for public comment. Comments must be limited to five (5) minutes per speaker and twenty (20) minutes per topic if there is more than one speaker. As a matter of law, members of the Board may not discuss or take action on matters raised during public comment unless the matters are properly noticed for discussion or action in Open Session.

Public comments must be submitted electronically by emailing snikac@sbccd.edu. Submissions must be received 24 hours in advance of the meeting. From the comments received, staff will call each speaker to make their public comment. Submissions will be considered a public record under the Public Records Act, and are therefore subject to public disclosure.

Anyone who requires a disability-related modification or accommodation in order to participate in the public meeting should contact the Chancellor's Office at (909) 388-6902 as far in advance of the Board meeting as possible.

AGENDA**Meeting of the Board of Trustees****November 12, 2020****4:00 p.m. (Public Meeting); 5:30 p.m. (Closed Session)****LOCATION: Zoom Conference:****<https://cccconfer.zoom.us/j/549366869>****Dial: (669) 900-6833 or (346) 248-7799 - Meeting ID: 549 366 869****I. CALL TO ORDER – PLEDGE OF ALLEGIANCE****II. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS**

Public comments must be submitted electronically by emailing snikac@sbccd.edu. Submissions must be received 24 hours in advance of the meeting.

III. APPROVAL OF MINUTES

- A. 2020-10-08 Board Meeting Minutes (p5)
- B. 2020-10-22 Board Strategy Session Minutes (p10)

IV. CELEBRATIONS/PRESENTATIONS

- A. Spring 2020 Sabbatical Project Report - Amy Avelar (p14)
- B. Applause Cards (p17)

V. ACTION AGENDA

- A. Public Hearing and Acknowledgement of Initial Proposals to Reopen Negotiations with the SBCCDTA (p22)
- B. Board Policies First Reading (p23)
- C. Board Policies Second Reading and Final Approval (p69)

VI. CONSENT AGENDA

The Consent Agenda is expected to be routine and non-controversial. It will be acted upon by the Board at one time without discussion. Any member of the Board, staff member or citizen may request that an item be removed from this section for discussion.

A. Instruction/Student Services

- 1. College and Career Access Pathways (CCAP) – CHC (p130)
- 2. Curriculum - CHC (p140)
- 3. Curriculum - SBVC (p154)

B. Human Resources

- 1. Adjunct and Substitute Academic Employees (p156)
- 2. Non-Instructional Pay (p158)
- 3. Instructional Laboratory Make-Up Hours (p171)
- 4. Payment of Stipends (p173)
- 5. Appointment of District Employees (p175)

6. Demotion in Lieu of Layoff (p177)

C. Business & Fiscal Services

1. 2021-22 Budget Calendar (p178)
2. Revised Authorized Signature List for 2020-21 (p182)
3. Sole Source Purchases from Johnson Controls Fire Protection (p185)
4. Sole Source Purchases from Media Management LLC (p186)
5. Contracts at or Above \$95,200 (p187)
6. District & College Expenses (p189)

D. Facilities

1. Master Services Agreements and Task Orders for Bond Construction (p191)
2. Award Bid #CC02-3623 and Contract to Mac Dad Builders, Inc. of Irvine, CA (p199)
3. Award Bid #CC03-3640-7.01 and Contract to J. A. Urban Inc. of Monrovia, CA (p201)
4. Award Sole Source Contract to Trane U.S. Inc. dba Trane of Brea, CA (p203)
5. CEQA Environmental Impact Report Addenda for San Bernardino Valley College and Crafton Hills College (p204)
6. Award RFP 2020-06 and Contract to EMCOR Services Mesa Energy (p331)

VII. REPORTS

- A. Board Committee Reports (p332)
- B. Chancellor's Report (p333)
- C. Key Performance Indicators (p334)
- D. San Bernardino Valley College Academic Senate
- E. San Bernardino Valley College Classified Senate
- F. San Bernardino Valley College Associated Students
- G. Crafton Hills College Academic Senate
- H. Crafton Hills College Classified Senate
- I. Crafton Hills College Associated Students
- J. CSEA
- K. CTA
- L. Police Officers Association
- M. San Bernardino Valley College President
- N. Crafton Hills College President

VIII. INFORMATION ITEMS

- A. Analysis of AB 705 Compliance, Implementation, and Student Success (p342)
- B. Board Master Action Planning Calendar (p354)
- C. Budget Report (p357)
- D. Coronavirus (COVID-19) Return to the Workplace Plan Updated (p360)
- E. General Fund Cash Flow Analysis (p374)
- F. Contracts Below \$95,200 (p376)

- G. MOUs between SBCCD and the CSEA (p383)
- H. MOUs between SBCCD and the CTA (p390)
- I. Non-Bond Construction Contracts, Change Orders, and Amendments (Below \$60,000) (p392)
- J. PARS Pension Rate Stabilization Trust Account Actions (p394)
- K. Professional Expert, Short-Term, and Substitute Employees (p396)
- L. Purchase Orders (p399)
- M. Quarterly Investment & Deposit Report (p402)

IX. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- A. Conference with Labor Negotiators
Government Code 54957.6
Agency Representatives: Jose F. Torres and Kristina Hannon – CSEA, CTA, POA, Management/Supervisors, and Confidential Employees
- B. Public Employee Discipline/Dismissal/Release/Non Re-Employment
Government Code 54957
(2 cases)
 - 1. Termination of Employee #27000
- C. Conference with Legal Counsel – Anticipated Litigation
Government Code 54956.9(d)(2)
(1 case)
- D. Conference with Legal Counsel – Existing Litigation
Government Code 54956.9(e)(3) or (d)(1)
(1 case)

X. CONVENE CLOSED SESSION

XI. RECONVENE PUBLIC MEETING

XII. REPORT OF ACTION IN CLOSED SESSION

XIII. ADJOURN

The next meeting of the Board: Zoom Conference
<https://cccconfer.zoom.us/j/549366869>
 Business Meeting - December 11, 2020 at 4pm


Supplemental Handouts (not part of the agenda)

Crafton Hills College Report to the Board

EDCT Report to the Board

KVCR Report to the Board

San Bernardino Valley College Report to the Board


SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

Meeting Minutes of the Board of Trustees
October 8, 2020
4:00 pm-6:00 pm Pacific Time

MEMBERS PRESENT VIA TELECONFERENCE

Dr. Anne L. Viricel, Chair
 Dr. Stephanie Houston, Vice Chair
 Gloria Macías Harrison, Clerk
 Frank Reyes, Trustee
 John Longville, Trustee
 Dr. Donald L. Singer, Trustee
 Joseph Williams, Trustee
 Alex Ramos Huaman, CHC Student Trustee
 Adrian Rios, SBVC Student Trustee

ABSENT

None

ADMINISTRATORS PRESENT

Jose Torres, Interim Chancellor
 Diana Rodriguez, SBVC President
 Dr. Kevin Horan, CHC President

The following text was read and all votes were taken by roll call.

Governor Newsom issued Executive Order N-25-20 on March 12, 2020, and Executive Order N-29-20 on March 17, 2020. Portions of these orders relax parts of the Brown Act. In part, the orders allow elected officials to “attend” a meeting via teleconference WITHOUT having to admit members of the public into the location from which they are participating (N-25-20) and orders that “such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment” (N-29-20). Anyone wishing to participate may do so via location posted on the agenda. The meetings are also recorded. Public comments must be submitted electronically by emailing snikac@sbccd.edu. Submissions must be received 24 hours in advance of the meeting. From the comments received, staff will call each speaker to make their public comment. Submissions will be considered a public record under the Public Records Act, and are therefore subject to public disclosure. In accordance with Board Policy 2350, persons may address the Board of Trustees either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board. Public comments will take place at the time designated at the meeting for public comment. Comments must be limited to five (5) minutes per speaker and twenty (20) minutes per topic if there is more than one speaker. At the conclusion of public comment, the Board may ask staff to review a matter or may ask that a matter be put on a future agenda. As a matter of law, members of the Board may not discuss or take action on matters raised during public comment unless the matters are properly noticed for discussion or action in Open Session. Anyone who requires a disability-related modification or accommodation in order to participate in the public meeting should contact the Chancellor’s Office at (909) 388-6902 as far in advance of the Board meeting as possible.

I. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Chair Viricel called the meeting to order at 4:01pm. Trustee Singer led the pledge of allegiance.


II. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

See attached.

III. APPROVAL OF MINUTES

- A. 2020-09-10 Board Meeting Minutes
- B. 2020-09-28 Board Strategy Session Minutes

Trustee Longville moved to approve the minutes of 9/10/20 and 9/28/20. Trustee Singer seconded the motion.

SAN BERNARDINO  COMMUNITY COLLEGE DISTRICT

AYES: Viricel, Houston, Harrison, Reyes, Longville, Singer, Williams, Ramos
NOES: None
ABSENT: Rios
ABSTENTIONS: None

IV. CELEBRATIONS

A. Applause Cards

Applause recipients were recognized.

V. ACTION AGENDA

A. Resolution to Support Proposition 15

Trustee Harrison moved to approve Resolution to Support Proposition 15. Trustee Singer seconded the motion.

AYES: Harrison, Longville, Singer, Reyes, Williams, Ramos
NOES: Viricel, Houston
ABSENT: Rios
ABSTENTIONS: None

B. Resolution to Support Proposition 16

Trustee Harrison moved to approve Resolution to Support Proposition 16. Trustee Williams seconded the motion.

AYES: Viricel, Houston, Harrison, Reyes, Longville, Singer, Williams, Rios, Ramos
NOES: None
ABSENT: None
ABSTENTIONS: None

C. Resolution 2020-10-08-HR01 Layoff Due to Lack of Work-Funds

Trustee Houston moved to approve Resolution 2020-10-08-HR01 Layoff Due to Lack of Work-Funds. Trustee Williams seconded the motion.

AYES: Viricel, Houston, Harrison, Reyes, Longville, Singer, Williams, Rios, Ramos
NOES: None
ABSENT: None
ABSTENTIONS: None

D. Board Legislative Committee and Charge

Trustee Singer moved to approve Board Legislative Committee and Charge. Trustee Reyes seconded the motion.

AYES: Viricel, Houston, Harrison, Reyes, Longville, Singer, Williams, Rios, Ramos
NOES: None
ABSENT: None
ABSTENTIONS: None

E. Transition of KVCR Facility and Equipment to SBVC

Trustee Longville moved approval as amended. Trustee Singer seconded the motion.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

To approve the transition of the KVCR facility and equipment to SBVC to be used for a dramatically expanded Film, TV, Media Program and other programs by the end of June 2023 in order to align the facility and equipment with the student-centered SBCCD and SBVC Missions. This action does not precipitate disaffiliations from NPR, PBS, other affiliates, or FNX. The transition is contingent on the board approving a detailed plan by April 30, 2021, with a framework for development of the plan, methodology, and vision in December.

AYES: Viricel, Houston, Harrison, Reyes, Longville, Singer, Williams, Ramos

NOES: None

ABSENT: Rios

ABSTENTIONS: None

Vice Chair Houston resumed the meeting.

VI. CONSENT AGENDA

The Consent Agenda is expected to be routine and non-controversial. It will be acted upon by the Board at one time without discussion. Any member of the Board, staff member or citizen may request that an item be removed from this section for discussion.

- A. Instruction/Student Services
 - 1. Advisory Committee – SBVC
 - 2. Advisory Committee – CHC
 - 3. Curriculum - CHC
- B. Human Resources
 - 1. Adjunct and Substitute Academic Employees
 - 2. Non-Instructional Pay
 - 3. Pre-Retirement Reduced Workload for Academic Employees
 - 4. Payment of Stipends
 - 5. Management Tuition Reimbursement
 - 6. Appointment of Interim Managers
- C. Business & Fiscal Services
 - 1. Award RFP 2020-06 and Contract to EMCOR Services Mesa Energy, Inc. of Irvine, CA – *item was pulled for separate action.*
 - 2. Award RFP 2020-07 and Contract to Pacific Office Automation of Santa Fe Springs, CA
 - 3. Award RFP 2021-01 and Contract to Amada Orii America Inc. of Erlanger KY
 - 4. Sole Source Purchases from Trane U.S. Inc. dba Trane
 - 5. Contracts at or Above \$95,200
 - 6. District & College Expenses
 - 7. Individual Memberships
- D. Facilities
 - 1. Award Bid #CC01-3626.01 and Contract to Champion Electric, Inc. of Riverside CA
 - 2. Master Services Agreements and Task Orders for Bond Construction

Trustee Williams moved to approve the consent agenda with the exception of item 6.C.1. Trustee Longville seconded the motion.

AYES: Houston, Harrison, Reyes, Longville, Williams, Ramos

NOES: None

ABSENT: Viricel, Singer, Rios

ABSTENTIONS: None

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ITEM PULLED FROM CONSENT AGENDA FOR SEPARATE ACTION

VI.C.1 Award RFP 2020-06 and Contract to EMCOR Services Mesa Energy, Inc. of Irvine, CA

Trustee Harrison moved to approve Award RFP 2020-06 and Contract to EMCOR Services Mesa Energy, Inc. of Irvine, CA.
Trustee Reyes seconded the motion. **MOTION DID NOT PASS.**

AYES: Houston, Harrison, Reyes, Ramos

NOES: Longville

ABSENT: Viricel, Singer, Rios


ABSTENTIONS: Williams

VII. REPORTS

- A. Board Committee Reports
 - Trustee Harrison reported the Board Finance Committee (BFC) will closely monitor the state budget and the deferrals expected in February.
 - Trustee Williams attended and reported on his first BOG meeting.
- B. Chancellor's Report
 - Interim Chancellor Torres gave a brief report and reminded everyone to vote.
- C. Key Performance Indicators
 - No report
- D. San Bernardino Valley College Academic Senate
 - Amy Avelar gave a brief report.
- E. San Bernardino Valley College Classified Senate
 - John Feist gave a brief report.
- F. San Bernardino Valley College Associated Students
 - Taylor DeBenedictis gave a brief report.
- G. Crafton Hills College Academic Senate
 - Brandi Bailes gave a brief report.
- H. Crafton Hills College Classified Senate
 - Alex Jaco – No report.
- I. Crafton Hills College Associated Students
 - Jake Fuller and Alex Manjarrez gave a brief report.
- J. CSEA
 - Kevin Palkki gave a brief report.
- K. CTA
 - Meridyth McLaren gave a brief report.
- L. San Bernardino Valley College President
 - Vice President Humble gave a brief report on behalf of President Rodriguez.
- M. Crafton Hills College President
 - President Horan gave a brief report.

VIII. INFORMATION ITEMS

- A. Analysis of AB 705 Compliance, Implementation, and Student Success
- B. Annual Security Report
- C. Board Master Planning Action Calendar
- D. Budget Report
- E. General Fund Cash Flow Analysis
- F. Contracts Below \$95,200
- G. MOUs between SBCCD and the CSEA
- H. MOUs between SBCCD and the CTA
- I. Professional Expert, Short-Term, and Substitute Employees

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- J. Purchase Order Report
- K. Upcoming Audits for Fiscal Year Ending June 30, 2020
- L. Volunteers

IX. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- A. Conference with Labor Negotiators
Government Code 54957.6
Agency Representatives: Jose F. Torres and Kristina Hannon – CSEA, CTA, Management/Supervisors, and Confidential Employees
- B. Public Employee Discipline/Dismissal/Release/Non Re-Employment
Government Code 54957 (1 case)
- C. Conference with Legal Counsel – Anticipated Litigation
Government Code 54956.9(d)(2) (1 case)
- D. Conference with Legal Counsel – Existing Litigation
Government Code 54956.9(e)(3) or (d)(1) (1 case)

X. CONVENE CLOSED SESSION

Vice Chair Houston convened to closed session at 7:44pm.

XI. RECONVENE PUBLIC MEETING

Public meeting reconvened at 8:44.

XII. REPORT OF ACTION IN CLOSED SESSION

No report.


XIII. ADJOURN

Vice Chair Houston adjourned the meeting at 8:45pm.

The next meeting of the Board: Zoom Conference <https://cccconfer.zoom.us/j/549366869>

Strategy Session: Ethics Training - October 22, 2020 at 10am

Gloria Macias Harrison, Clerk
SBCCD Board of Trustees


SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

Meeting Minutes of the Board of Trustees
October 22, 2020
10:00 am-12:00 pm Pacific Time

MEMBERS PRESENT VIA TELECONFERENCE

Dr. Anne L. Viricel, Chair
 Dr. Stephanie Houston, Vice Chair
 Gloria Macías Harrison, Clerk
 Frank Reyes, Trustee
 John Longville, Trustee
 Dr. Donald L. Singer, Trustee
 Adrian Rios, SBVC Student Trustee

ABSENT

Joseph Williams, Trustee
 Alex Ramos Huaman, CHC Student Trustee

ADMINISTRATORS PRESENT

Jose Torres, Interim Chancellor
 Diana Rodriguez, SBVC President
 Dr. Kevin Horan, CHC President

The following text was referenced and all votes were taken by roll call.

Governor Newsom issued Executive Order N-25-20 on March 12, 2020, and Executive Order N-29-20 on March 17, 2020. Portions of these orders relax parts of the Brown Act. In part, the orders allow elected officials to “attend” a meeting via teleconference WITHOUT having to admit members of the public into the location from which they are participating (N-25-20) and orders that “such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment” (N-29-20). Anyone wishing to participate may do so via location posted on the agenda. The meetings are also recorded. Public comments must be submitted electronically by emailing snikac@sbccd.edu. Submissions must be received 24 hours in advance of the meeting. From the comments received, staff will call each speaker to make their public comment. Submissions will be considered a public record under the Public Records Act, and are therefore subject to public disclosure. In accordance with Board Policy 2350, persons may address the Board of Trustees either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board. Public comments will take place at the time designated at the meeting for public comment. Comments must be limited to five (5) minutes per speaker and twenty (20) minutes per topic if there is more than one speaker. At the conclusion of public comment, the Board may ask staff to review a matter or may ask that a matter be put on a future agenda. As a matter of law, members of the Board may not discuss or take action on matters raised during public comment unless the matters are properly noticed for discussion or action in Open Session. Anyone who requires a disability-related modification or accommodation in order to participate in the public meeting should contact the Chancellor’s Office at (909) 388-6902 as far in advance of the Board meeting as possible.

I. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Chair Viricel called the meeting to order at 10:04am. Trustee Reyes led the pledge of allegiance.

II. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

None.

III. ANNOUNCEMENT OF CLOSED SESSION ITEMS

- A. Public Employee Discipline/Dismissal/Release/Non Re-Employment
Government Code 54957 (1 case)

IV. CONVENE CLOSED SESSION

The Board convened to closed session at 10:08am.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

V. RECONVENE PUBLIC MEETING

Vice Chair Houston reconvened the public meeting at 10:36am.

XII. REPORT OF ACTION IN CLOSED SESSION

No report.

VII. BOT AD HOC COMMITTEE FOR ETHICS/STANDARDS

Trustee Singer moved to nominate and elect the members of the Board Executive Committee to serve on the BOT Ad Hoc Committee for Ethics/Standards. Staff will revise BP 2715 Code of Ethics/Standards of Practice to indicate the Board Executive Committee will serve as the Ad Hoc committee for complaints of trustee misconduct. Trustee Longville seconded the motion.

AYES: Viricel, Houston, Harrison, Longville, Singer

NOES: None

ABSENT: Reyes, Williams, Ramos

ABSTENTIONS: Rios

VIII. ETHICS TRAINING

William A. Diedrich, Partner with Atkinson, Andelson Loya, Ruud & Romo presented District guidelines, policies, and responsibilities concerning political activities to the Board of Trustees.

Board Policy 2200 Role of the Board

In a community college district, the Board and Chancellor work together as a governance team. Members need to: Act as a unit, Represent the common good, and Set policy direction.

- Individual board members do not have authority to act unless they've been designated by the entire board to perform a particular task.
- Individual board members are not permitted to speak on behalf of the Board. They speak for themselves.

Campaigning – Limits to the Authority of a Trustee

- The District is prohibited from expending any resources, directly or indirectly, to urge the support or defeat of any ballot measure or candidate for elected office, including candidates for the Board of Trustees. (Ed. Code 7054).
- The District must remain neutral, applying and enforcing its rules equally upon any and all candidates. (Ed. Code 7054)
- The District may establish reasonable rules and regulations regarding political activities on District property. (Ed. Code 7055(b))
- The District's facilities may be used for a political activity, such as a debate, "if the forum is made available to all sides on an equitable basis." (Ed. Code 7058)

Board Policy 2716

- Members of the Board of Trustees shall not use District funds, services, supplies, or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the Board. Some examples of the use of district resources that are not acceptable:
 - **Cannot use a district copier to copy political flyers.**
 - **Cannot use your own district email to send political communications.**
 - **Cannot use your personal email address to email political communication to a district email address.**
- Initiative or referendum measures may be drafted on an area of legitimate interest to the District. The Board may by resolution express the Board's position on ballot measures. Public resources may be used only for informational efforts regarding the possible effects of District bond issues or other ballot measures.

Subject to the Brown Act

- Commissions, committees, boards, or other subsidiary bodies of a local agency, whether permanent or temporary, decision-making or advisory, created by resolution of some other formal action of a legislative body. (Gov. Code 54952(b)).

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

- Applies to a trustee upon election (legal counsel would advise it applies the moment the results come in).
- Applies anytime a majority of the board is together and discusses any issue.
- Examples of a serial meeting:
 - A newly elected Trustee cannot call three other trustees get together and start talking about plans for next year.
- Exempted from the Brown Act:
 - Attending an awards dinner enjoying the accomplishments of the students.

AB 992 Communications on Social Media

- Allowable:
 - Trustees can answer questions, provide general information, and solicit input for matters from people within your jurisdiction.
 -
- Not Allowable:
 - The board cannot discuss issues among themselves via social media.
 - Legal recommends trustees do not comment, use emojis, or retweet to avoid it being viewed as collective concurrence.

District Policies & Procedures


- The Chancellor is your first point of contact if you have a question regarding your campaign and District procedures.
- Board Policies and Administrative Regulations are available to the public online. Candidates should review, at minimum, the following policies:
 - Board Policy 2200 (Board Duties & Responsibilities)
 - Board Policy 2710 (Conflict of Interest)
 - Board Policy 2715 (Code of Ethics/Standards of Practice)
 - Board Policy 2716 (Political Activity)
 - Board Policy/Administrative Procedure 7370 (Political Activity)
 - Administrative Procedure 7371 (Personal Use of Public Resources)

Campus Visits/Meetings on District Property/Campaign Signs on District Property/Endorsements/

- Allowable:
 - You are permitted to endorse candidates as an individual, not as a Board Member.
 - Elected officials may be invited to speak on issues of interest to the campus.
 - You can put campaign signs in vehicles and in the campus parking lots.
 - Board members can attend campus events in their official capacity.
 - Political debates between at least two candidates is permitted.
- Not Allowable:
 - Cannot endorse candidates as a Board Member.
 - A candidate may not attend a campus function that is not otherwise open to the public.
 - No political rallies.
 - No campaign signs on campus.

Cal-Cards (Credit Cards)

- To have consistency among all Trustees.
- Develop clear guidelines for the Board to consider and discuss if it is something they want to continue doing.
- Card Holder Agreement is currently tailored towards employees and will be revised.

SAN BERNARDINO  COMMUNITY COLLEGE DISTRICT

XIII. ADJOURN

Chair Viricel adjourned the meeting at 11:40am.

The next meeting of the Board: Zoom Conference <https://cccconfer.zoom.us/j/549366869>

Strategy Session: Guided Pathways Part 2 – November 5, 2020 at 12pm

Gloria Macias Harrison, Clerk
SBCCD Board of Trustees

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Kristina Hannon, Vice Chancellor, Human Resources & Police Services

DATE: November 12, 2020

SUBJECT: Sabbatical Report

RECOMMENDATION

This item is for information only. No action is required.

OVERVIEW

The process for awarding sabbatical leaves is based on the bargaining agreement, Article 18, Section H.1. (a) between SBCCD and the CTA. The Sabbatical Leave Committee at each college will evaluate each proposal and forward the applications and recommendations to the District Sabbatical Leave Committee. The District Sabbatical Leave Committee shall forward its recommendations to the Chancellor for review and any recommendation to the Board.

Per the bargaining agreement between the District and the CTA, the recipient of a sabbatical leave must complete a comprehensive written report with specific evaluation of the leave in terms of each of the purposes stated in the original application. The report must identify as clearly as possible the benefits to students of the district that have accrued from the sabbatical leave.

ANALYSIS

On January 10, 2019, the Board of Trustees approved the sabbatical leave of Amy Avelar for the 2019-2020 academic year.

The purpose of the report is to provide the SBCCD Board of Trustees an update on the professional activities conducted by Amy Avelar during her Spring 2020 sabbatical.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

None.

Sabbatical Report Cover Sheet

A. Executive Summary:

My sabbatical project was to revamp the SBVC Chemistry 150 Laboratory Manual and write the SBVC Chemistry 150 Instructor Manual. Both were complete despite Covid-19 obstacles.

B. Purpose of this presentation/report:

This report wraps up the Sabbatical contractual obligation.

C. What are the outcomes and next steps?

The Chemistry 150 Laboratory Manual and the Instructor Manual are now in use by the SBVC Chemistry Department. I am awaiting feedback from my peers for revisions as needed.

D. What can the Board do to help?

I would not have been able to revamp the manual and write an instructor's manual if the Sabbatical time had not been granted. I want to thank the Board for the sabbatical and recommend that the Board continues supporting sabbaticals for faculty.

Avelar- Spring 2020 Sabbatical Project Report

Revamping the Chemistry 150 Laboratory Manual and Writing the Chemistry 150 Instructor Manual

This sabbatical project required that I run the experiments (3 per week) to update or create various sections and/or rewrite the procedures and report sheets. The 32 experiments now have:

- **Objectives:** This section gives students information regarding the goal(s) of the given experiment.
- **Background:** This section gives students relevant content information and examples.
- **Procedures:** This section gives students step-by-step instructions on the experiment.
- **Pre-Laboratories:** The section is in some experiments and included if the students need to further prepare for a given experiment. Students are also made aware of this section of the first page of the experiment.
- **Report Sheets:** Every experiment now has a report sheet for students to turn in.

Fortunately, I ran most of the experiments before the closures due to Covid-19 and I was able to complete the project. I also was able to take pictures to highlight the equipment and glassware used in our SBVC Chemistry labs.

The lab manual also has an updated Appendix. The Appendix now contains:

- Updated safety information, including departmental policies, Personal Protective Equipment (PPE), Globally Harmonized System (GHS) pictogram information, and a QR code for quick Safety Data Sheet (SDS) access
- Updated Check-In Sheet and Equipment and Glassware List
- Updated instructions on how to use Excel© 2016 version
- New content including:
 - Useful Equations
 - How to Use: 3-Way Bulb, Volumetric Pipet, Buret
 - How to Make Solutions

In addition, the Chemistry 150 Instructor Manual was written. The experiments are divided by topic so faculty can plan when to schedule the experiment based on when the lecture content is covered. Faculty are given notes on the common technology used such as the LabQuest2 as well as recommendations and notes for every experiment. The instructor manual also includes pictures so that the instructor can see what a given the set up should look like (which helps new faculty). The time it usually takes students to complete the lab is included as well so faculty can plan accordingly. For experiments that include instructor demonstrations, instructions are now provided for the instructor.

Special thanks to the SBVC and CHC Chemistry Departments including our Chemistry laboratory technicians, Cassandra Thomas and Sandra Robles, CHC Chemistry laboratory technician Dave Stevenson, and our District's Environmental Health and Safety director Michael Nguyen.

Note: I also was the Academic Senate President- Elect in Spring 2020 and I shadowed the Academic President, attended all the Senate meetings, including the Executive committee meetings, and participated in meetings planning for the Covid-19 transition. I also provided sample data for the current Chemistry 150 lab manual so faculty can transition the labs to the emergency online environment. We, the SBVC Chemistry department, developed an in-person lab rotation that would allow for social distancing and sanitation of the lab space while ensuring core hands-on content was covered. I took the lead and developed the experiment cycle for Chemistry 150 laboratories for the Fall 2020 semester.

SAN BERNARDINO COMMUNITY COLLEGE

DISTRICT TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Stacey K. Nikac, Administrative Officer

DATE: November 12, 2020

SUBJECT: Applause Cards

RECOMMENDATION

This item is for information only. No action is required.

OVERVIEW

The attached individuals have received special recognition for extending that extra effort in providing quality service and valued assistance.

ANALYSIS

The *Caring Hands* Applause Card was developed so that employees, students, visitors, and vendors have an opportunity to recognize someone at SBCCD who provides outstanding quality and service.

At the Chancellor's Holiday Party and Service Awards in December, recipients with the most applause cards awarded at SBVC, CHC, and District are recognized and presented with an award.

INSTITUTIONAL VALUES

I. Institutional Effectiveness

FINANCIAL IMPLICATIONS

None



Applause Cards

Submitted for Information November 12, 2020

| SITE | NAME | | DEPARTMENT | DETAILS OF SERVICE | RECOGNIZED BY |
|-----------------------|----------|----------|------------|---|----------------|
| Crafton Hills College | Trinette | Barrie | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |
| Crafton Hills College | Armando | Camarena | Custodian | Library is SPOTLESS, since Mando has been here!!!! | Dawn Donaldson |
| Crafton Hills College | Armando | Camarena | Custodial | The library needs Mando back in here! He always goes the extra mile and since COVID-19, he began doing extra cleaning to our work areas to make us all feel safe. | Jessica Macias |
| Crafton Hills College | Kirsten | Colvey | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |
| Crafton Hills College | James | Grabow | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |



Applause Cards

Submitted for Information November 12, 2020

| | | | | | |
|-----------------------|----------|---------|---------------|---|----------------|
| Crafton Hills College | Marisela | Hoehn | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |
| Crafton Hills College | Courtney | Holgate | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |
| Crafton Hills College | Herberth | Jaco | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |
| Crafton Hills College | Veronica | Lehman | Financial Aid | Thank you for being a great team member and volunteering your time to participate in Crafton's first virtual transfer fair. Your participation made all the difference. | Mariana Moreno |
| Crafton Hills College | Robert | McAtee | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |



Applause Cards

Submitted for Information November 12, 2020

| | | | | | |
|-----------------------|----------|----------|------------|--|----------------|
| Crafton Hills College | Haly | Mount | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |
| Crafton Hills College | Jonathan | Townsend | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |
| Crafton Hills College | Monique | Ware | Counseling | Thank you for great a team member and always being willing to help out our office although it is out of your responsibility. We appreciate your help at the fair. | Mariana Moreno |
| Crafton Hills College | Debbie | Wilson | Counseling | Thank you for your excellent facilitation skills during Crafton's first virtual Transfer Fair. The fair was a success thanks to your participation. | Mariana Moreno |
| DSO | Jason | Brady | TESS | Thank you for all your quick help with the SLO Cloud! I really appreciate your support of faculty as we prepared for accreditation. Couldn't have done it without you! | Bethany Tasaka |



Applause Cards

Submitted for Information November 12, 2020

| | | | | | |
|-------------------------------|---------------------|---------------|-----------------------|---|---------------------------|
| DSO | Jeremy | Sims | TESS | We appreciate the support you and your team provide us. | District Facilities Team |
| San Bernardino Valley College | SBVC CTS Department | All Employees | CTS | Exceptionally expedient and personal service! Thank you so much; you keep the boat floating! | Christie Gabriel-Millette |
| San Bernardino Valley College | Kay Dee | Yarborough | Office of Instruction | Thank you so much for all your help in preparation for the ACCJC visit! You did so much for me personally and for the campus as a whole. I really appreciate your work! | Bethany Tasaka |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Kristina Hannon, Vice Chancellor, Human Resources & Police Services

DATE: November 12, 2020

SUBJECT: Consideration of Approval to Conduct a Public Hearing and Acknowledge Initial Proposals to Reopen Negotiations between SBCCD and the SBCCDTA

RECOMMENDATION

- 1) It is recommended that the President of the Board of Trustees open a hearing for public comment on the initial proposals to reopen negotiations between SBCCD and the SBCCDTA as listed below, and following any comments from the public, the Chair of the Board of Trustees close the hearing:
 - As proposed by the District, Article 11: Health and Welfare Benefits.
- 2) It is further recommended that, having conducted the public hearing pursuant to Government Code 3547, the Board of Trustees acknowledge these proposals and the parties commence negotiations.

OVERVIEW

Government Code 3547 requires that all initial proposals for collective bargaining be presented at a public meeting. This is commonly known as *sunshining*.

In April of 2019 the District and SBCCDTA entered into an agreement for the period July 1, 2019, through June 30, 2020. On March 19, 2020, an MOU was signed extending the agreement through June 30, 2022. Article 29 of that agreement allows for the reopening of negotiations for Article 11: Health and Welfare Benefits and Related Appendices. It also allows that each party may elect to reopen two (2) additional articles every year.

ANALYSIS

This Board makes public the proposal to negotiate the agreed upon article. One reopener remains available for the SBCCD during the 2020-21 academic year; two reopeners remain available for the SBCCD during the 2020-21 academic year.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

There are no financial implications associated with this board item.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Stacey K. Nikac, Administrative Officer

DATE: November 14, 2020

SUBJECT: Accept Board Policies for First Reading

RECOMMENDATION

It is recommended that the Board of Trustees accept Board Policies for first reading. Administrative Procedures are submitted for information and review for consistency with Board policies.

AP/BP 2410 Board Policies and Administrative Procedures
 BP 2725 Board Member Compensation
 AP 3434 Responding to Harassment Based on Sex Under Title IX
 AP 3435 Discrimination and Harassment Complaints and Investigations
 AP/BP 3560 Alcoholic Beverages
 AP/BP 7240 Confidential Employees

ANALYSIS

The changes to these policies include requirements of the Education Code, current laws, and those determined to be necessary for the efficient operation of the district. At its meeting on October 6, 2020, District Assembly approved and recommended the Chancellor to move the AP/BP forward for Board approval.

INSTITUTIONAL VALUES

- I. Institutional Effectiveness
- II. Enhanced and Informed Governance and Leadership

FINANCIAL IMPLICATIONS

None.

Current Status: *Draft*

PolicyStat ID: 8380288



| | |
|----------------|------------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Good Practice/Optional</i> |

AP 2410 Board Policies and Administrative Procedures

(Replaces SBCCD AP 2045)

Pursuant to Education Code Section 70902(a)(1), the Board of Trustees shall establish, maintain, operate, and govern one or more community colleges in accordance with law. In so doing, the Board of Trustees may initiate and carry on any program or activity, or may otherwise act, in any manner that is not in conflict with, inconsistent with, or preempted by any law, and that is not in conflict with the purposes for which community college districts are established.

The Chancellor, through the collegial consultation process, has the authority to propose new board policies and administrative procedures.

The annual review of the board policies and administrative procedures shall begin in the fall of each academic year. Each year, at least ten percent (10%) of the SBCCD policies and procedures will be identified for review. At the beginning of each academic year, the ~~Executive Director of Institutional Research and Planning~~ Chancellor's designee will notify the appropriate parties of the specific BPs or APs identified for review.

Responsibility for the review process is as follows:

Chapter 1: Board of Trustees and the Chancellor (lead)

Chapter 2: Board of Trustees and the Chancellor (lead)

In matters relating to board policies in Chapter 2 (not including BP/AP 2410 & BP/AP 2510, which will go through the process below), the Board will submit board policies and policy changes to the District Assembly (DA) for review and feedback only, prior to placing on board agenda. This will occur at the next meeting of District Assembly.

Chapter 3: Chancellor (lead) and Chancellor's Cabinet

Chapter 4: ~~Executive Director of Institutional Research and Planning (lead)~~ Chancellor's designee and Academic Senate Presidents

Chapter 5: ~~Executive Director of Institutional Research and Planning (lead)~~ Chancellor's designee and Academic Senate Presidents

Chapter 6: Executive Vice- Chancellor ~~of Fiscal Services~~ (lead) and Vice- Presidents of Administrative Services

Chapter 7: Vice Chancellor of Human Resources and Police Services (lead)

The process for developing or changing board policies and/or administrative procedures is outlined below:

Annual Review Process

- A. All policies and procedures will be tracked and revised using the district adopted policy review software.
- B. BPs and APs will be reviewed in pairs whenever possible to ensure the procedure supports the direction delineated in the policy.
- C. Prior to the start of each academic year, the ~~SBCCD Executive Director of Research and Planning~~Chancellor's designee will sort the BPs and APs by age and will compile the annual review list, consisting of approximately 10% of the district's BPs & APs with a proportional amount from each chapter.
- D. ~~The SBCCD Executive Director of Research and Planning~~Chancellor's designee will meet with the policy leads responsible for ~~facilitating~~facilitating the review of BPs and APs to establish the review timeline.
- E. The annual review timeline, listing the policies and procedures and the leads for each BP & AP will be presented to the District Assembly at the first meeting of the Academic Year. The timeline as well as all revisions to the review timeline will be posted on the DA webpage.
- F. DA constituent group reps will share the annual list with their members and shall provide an opportunity for their members to review and/or provide input as desired.
- G. ~~The SBCCD Executive Director of Research and Planning~~Chancellor's designee will email the policies and procedures under review along with the timeline for the year to each of the policy leads.
- H. The BP/AP leads will review, gather input from the campus community as applicable and will input all recommended revisions in policy stat by the agreed upon due date.
- I. Reviewed and/or ~~Revised Policies and Procedures~~revised policies and procedures will be submitted to the District Assembly for review and recommendation as a first read with no action as per the established timeline and then as a 2nd read for approval at the next regularly scheduled meeting of the District Assembly. (Note: this affords all interested parties 1 additional month to review and request input from their constituents.)
- J. Policies and ~~Procedures~~procedures included on the ~~DA~~District Assembly consent agenda for 2nd read may be pulled for discussion, debate and/or revision recommendations prior to approval.
- K. As per BP 2410, the Chancellor will review the recommendations from the District Assembly and will forward the BPs to the Board of Trustees for action and the APs as information items.

Review of Policies and Procedures Deemed Academic and Professional

Prior to finalizing the annual review list, ~~the SBCCD Executive Director of Research and Planning~~Chancellor's designee will meet with the Academic Senate Presidents to determine which BPs & APs are academic and Professional. These BPs & APs will be noted as such on the annual review timeline.

Policies and procedures that fall under the 10+1 (an Academic and Professional matter within the meaning of Section 53200(c) of Title 5 of the California Code of Regulations) will be submitted for consideration to the Academic Senates on both campuses as per the agreed upon timeline. BP/AP revision recommendations will be completed by up to four consecutive Academic Senate meetings, beginning with the date the BP/AP is presented at District Assembly.

- A. The Academic Senates will then submit the revised BPs/APs to the District Assembly as an information

item.

- B. As per BP 2410, the Chancellor will review the recommendations from the Academic Senate and will forward the BPs to the Board of Trustees for action and the APs as information items.

Review of Policies and Procedures Not on the Annual Review List

A proposal for a new board policy or a change in a current policy or administrative procedure not included on the annual review list may be submitted by any interested party. A proposal must be submitted in writing to the Chancellor and/or the District Assembly. The ~~DA~~District Assembly will, in consultation with the ~~chancellor~~Chancellor, determine if the BP/AP, or a change in current BP/AP, is warranted. If so, the BP/AP will be forwarded to ~~the Executive Director of Research and Planning~~Chancellor's designee. ~~The SBCCD Executive Director of Research and Planning~~Chancellor's designee will then meet with the Academic Senate Presidents to determine if the BP and/or AP is Academic and Professional. ~~The Executive Director of Research and Planning~~Chancellor's designee will add the BP/AP to the annual review timeline and will forward to the appropriate policy lead. The revised timeline will be posted on the District Assembly webpage.

Review of Bi-Annual Policy & Procedure Updates from the Community College League of California (CCLC)

Updates to APs and BPs are reviewed by the ~~SBCCD Executive Director of Research and Planning~~Chancellor's designee when forwarded from the Community College League of California (CCLC) in Fall and Spring.

All updates from the CCLC will be reviewed by the chapter leads and ~~the SBCCD Director of Research and Planning~~Chancellor's designee. The chapter leads will make a recommendation as to whether each update is either simple or requires review and revisions. *(Note if the last: If the Last Reviewed and Last Approved dates get reset, then these all may require a ~~through~~thorough review.)*

- A. Simple updates (revisions to legal references) will be revised by the policy lead and, ~~by the policy lead and~~-when ready, will be added to the District Assembly agenda as an information item.
- B. New BPs & APs and/or those requiring review and revision:
1. New BPs & APs that are legally advised or optional will be reviewed by the chapter lead to determine if the BP/AP is needed.
 - a. If yes, then the BP/AP will be forwarded to the District Assembly with a recommendation to adopt and, if approved by the District Assembly, will be added to the review timeline as per the recommendation of the chapter lead;
 - b. If no, then the BP/AP will be forwarded to the District Assembly with a recommendation to not adopt.
 2. New "Required" BPs & APs, as well as those requiring content review and revisions, will be added to the annual review timeline as per the recommendation of the chapter leads.
 3. The revised timeline including the CCLC BPs & APs (notated with the legal update #) will be posted on the District Assembly webpage.

References:

Education Code Section 70902;

Current Status: *Active*

PolicyStat ID: 6437798



| | |
|----------------|------------------------------------|
| Origination: | 10/2010 |
| Last Approved: | 06/2019 |
| Last Revised: | 06/2019 |
| Next Review: | 06/2025 |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Good Practice/Optional</i> |

BP 2410 Board Policies and Administrative Procedures

(Replaces SBCCD BP 2045)

The Board may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Board policies are intended to be statements of intent by the Board on a specific issue within its subject matter jurisdiction.

The policies have been written to be consistent with provisions of law, but do not encompass all laws relating to District activities. All District employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

Policies of the Board may be adopted, revised, added to or amended at any regular Board meeting by a majority vote. Proposed changes or additions shall be introduced not less than one regular meeting prior to the meeting at which action is recommended. The Board shall regularly assess its policies for effectiveness in fulfilling the District's mission.

Administrative procedures are to be issued by the Chancellor as statements of method to be used in implementing Board Policy. Such administrative procedures shall be consistent with the intent of Board Policy. Administrative procedures may be revised as deemed necessary by the Chancellor through regular consultation processes and/or as required by revisions to laws and regulations. Administrative procedures are forwarded to the Board of Trustees. The Board reserves the right to direct revisions of the administrative procedures should they, in the Board's judgment, be inconsistent with the Board's own policies.

Board policies and administrative procedures are to be reviewed as per the schedule specified in AP 2410.

Board policies and administrative procedures shall be readily available on the District's website.

Reference:

Education Code Section 70902; ACCJC Accreditation Standards IV.C.7, IV.D.4, I.B.7, and I.C.5 (formerly IV.B.1.b & e)

Attachments

- [BP 2410 Board Policies & Admin Procedures - Comments](#)
- [BP 2410 Board Policies & Admin Procedures - Legal Citations](#)

Current Status: *Draft*

PolicyStat ID: 8570110



| | |
|----------------|------------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Good Practice/Optional</i> |

BP 2725 Board Member Compensation

(Replaces current SBCCD BP 2230)

Members of the Board of Trustees who attend all Board meetings shall receive \$~~420~~400 per month and the student trustee(s), \$~~240~~200 per month. A member of the Board who does not attend all meetings held by the Board in any month shall receive, as compensation, an amount not greater than the pro rata share of the number of meetings actually attended.

A member of the Board may be paid for a meeting when absent if the Board, by resolution, finds that at the time of the meeting the member is performing services outside the meeting for the community college district, is ill, on jury duty, or the absence is due to a hardship deemed acceptable by the Board.

The Board may, on an annual basis, increase the compensation of Board members beyond the statutory formula, in an amount not to exceed five (5) percent based on the present monthly rate of compensation. Any increase is subject to rejection in a referendum by a majority of the voters in the District and shall be in accordance with the procedures set forth in Education Code Section 72024.

Reference:

Education Code Section 72024

Attachments

- [BP 2725 Board Member Compensation - Comments](#)
- [BP 2725 Board Member Compensation - Legal Citations](#)

Current Status: *Draft*

PolicyStat ID: 8517040



| | |
|----------------|---|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>Chancellor's Cabinet</i> <i>Chancellor's Cabinet:</i> |
| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | |

AP 3434 Responding to Harassment Based on Sex under Title IX

Introduction

The District encourages members of the District community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The District will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using California law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with California law, unless they are preempted by the Title IX regulations.

Title IX Coordinator

Questions concerning Title IX may be referred to the District Title IX Coordinator whose contact information is below.

The District's Title IX Coordinator: Director of Human Resources

550 E. Hospitality Lane Suite 200, San Bernardino, CA 92408

Phone: 909-388-6950

Email: hr@sbccd.cc.ca.us

Individuals can also file a complaint at the following link: <http://www.lighthouse-services.com/SBCCD>

CHC's Title IX Coordinator: Vice President of Student Services

11711 San Canyon Road, Yucaipa, CA 92399

Phone: 909-389-3355

SBVC's Title IX Coordinator: Vice President of Student Services

Address: 701 South Mount Vernon Ave, San Bernardino, CA 92410

Phone: 909-384-8297

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints, Investigations, and Hearings

These Title IX sexual harassment procedures and the related policy protect students, employees, applicants for employment, and applicants for admission.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States;
- The conduct took place in a District “education program or activity.” This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District owns or controls or student organizations officially recognized by the District own or control.
- The conduct meets the definition of Title IX “sexual harassment.”

Definitions

Advisor: Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the District must provide the Party an Advisor of its choice, free of charge. The District may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

Complainant: A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Consent: Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence does not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke his/her/their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

- The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew or a reasonable person should have known that the Complainant was unable to

consent because the Complainant was incapacitated, in that the Complainant was:

- asleep or unconscious;
- unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
- unable to communicate due to a mental or physical condition.

Decision Maker: The person who will oversee the live hearing and make a determination of responsibility. The Decision-Maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, including the following:
 - Sex Offenses. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - Rape (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - Sodomy. Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
 - Sexual Assault with an Object. To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
 - Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
 - Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.
 - Incest. Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - Statutory Rape – Non-Forcible. Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.

- Dating violence. Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- Domestic Violence. Violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

Reporting Options

Any individual may report sexual harassment to the District's Title IX Coordinator.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the District's ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The District will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the District does not document personal information; the District reports the type of conduct, and the time, date, and location. (Also see BP/AP 3540 Sexual and Other Assaults on Campus)

District Employees and Officials with Authority

District Officials with Authority are not confidential resources and are required to report allegations of sexual harassment to the Title IX Coordinator promptly. All other employees are encouraged to report allegations to the Title IX Coordinator but are not required to do so.

The District has designated all managers as Officials with Authority

Officials with Authority are required to report all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

Intake and Processing of Report

Receipt of Report

After receiving a report of sexual harassment, the Title IX Officer will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting.

The Title IX Officer will discuss supportive measures with the Parties.

Timeframe for Reporting

To promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the District can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activities. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the District to provide the service. Supportive measures may include counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency removal

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The District may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The District's HR Director, Campus Presidents, Vice Presidents or designee will conduct the individualized safety and risk analysis.

If the individuals listed above determines emergency removal is appropriate, he/she/they or designee will provide the person the District is removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of his/her/their removal. The HR Director, Campus Presidents,

Vice Presidents or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative leave

The District may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

Formal Complaint Grievance Process

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing, to the Parties:

- ◦ Notice of the District's Title IX grievance process;
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notice that the Parties may have Advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source; and
- Inform the Parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide notice in writing of the additional allegations to the Parties.

Dismissal of formal complaint

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the District's education program or activity;
- If the conduct alleged did not occur against a person in the United States.

The District has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the District; or
- If there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. The District will also notify the Parties of their right to appeal.

The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The District may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The District's determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The District will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The District's Title IX Coordinator, investigator, Decision-Maker, or any person designated by the District to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The District will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- The definition of sexual harassment in this procedure;
- The scope of the District's education program or activity;
- How to conduct an investigation;
- The grievance process including conducting hearings, appeals, and informal resolution processes; and
- How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

Timeline for Completion

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility or the informal resolution process within **180 days** calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the **180** calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or

vacations, or due to the complexity of the investigation. The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

Role of Advisor

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The District must provide an Advisor of its choice, free of charge to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the District will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

Confidentiality Agreements

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the District's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

The District's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Investigations

The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and this procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

Trained investigators

The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment and how the District's grievance procedures operate. The District will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Gathering Evidence and Burden of Proof

The District, not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, he/she/they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that reported conduct occurred.

Notice of Investigative Interview

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District will send to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the formal complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony of each witness the investigator interviewed;
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents;
- A specific finding as to whether the allegations occurred using a preponderance of the evidence standard;
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the District.

The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information he/she/they do not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties, but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten days prior to a hearing or other time of determination regarding responsibility, the District will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten days to submit a written response.

Hearing

After completing an investigation and prior to completing a determination regarding responsibility, the District will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice

If the District proceeds to a hearing, the District will provide all Parties written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format

The District may provide a live hearing with all Parties physically present in the same geographic location or, at the District's discretion if either Party requests, the District may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

The District will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The District will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The District will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

Decision-Maker

The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-Maker based on a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator select a different Decision-Maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing at least five business days prior to the hearing.

The Decision-Maker may ask the Parties and the witnesses questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

Presenting Witnesses

The District will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Cross-Examination

The District will permit each Party's Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those questions challenging credibility. The Party's Advisor must conduct

cross-examination directly, orally, and in real time. A Party may never personally conduct cross-examination.

Advisors may only ask relevant cross-examination and other questions of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or complicated explanation in support of a relevance determination. If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not rely on any statement of that Party or witness in reaching a determination regarding responsibility. A Party or witness may also decline to answer a question, and the Decision-Maker cannot rely on any statement on which that Party or witness has declined to answer cross-examination questions. A Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Determinations of Responsibility

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than 20 business days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;
- Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of the District's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- A statement of, and rationale for, any disciplinary sanctions the District imposes on the Respondent;
- A statement of whether the District will provide the Complainant with remedies designed to restore or preserve equal access to the District's education program or activity;
- The District need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The District can inform the Respondent that it will provide remedies to the

Complainant. However, the District will inform the Complainant of the sanctions against the Respondent;

- The District's procedures and permissible bases for the Complainant and Respondent to appeal.

The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

Disciplinary Sanctions and Remedies

The District must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before the imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspension, or discharge.

Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal the District's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within five business days from the date of the notice of determination regarding responsibility or from the date of the District's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The chancellor or designee will serve as the Decision-Maker on Appeal. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The District's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or

against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submit an appeal to the District, the District will:

- Notify the other Party in writing within five business days of receiving a Party's appeal;
- Allow the non-appealing Parties at least ten business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome;

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 business days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The District will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal resolution

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

Retaliation prohibited

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

Dissemination of Policy and Procedures

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District.

When hired, employees are required to sign acknowledging that they have received the policy and procedures.

The District will place the signed acknowledgment of receipt in each employee's personnel file.

Training

The District will provide training to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the District's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

File retention

The District will retain on file for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;
- The District's determination regarding responsibility;
- Audio or audiovisual recording or transcript from a hearing;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The District will make these training materials publicly available on its website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

References

20 U.S. Code Sections 1681 et seq.;

34 Code of Federal Regulations Parts 106.1 et seq.

Attachments

[Special Summer 2020 Legal Update Overview.docx](#)

Current Status: *Draft*

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|----------------|---|
| Origination: | N/A |
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| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | <i>Legally Required</i> |

AP 3435 Discrimination and Harassment Resolution Procedures

For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.

Complaints

The law prohibits coworkers, supervisors, managers, and third parties with whom an employee comes into contact from engaging in harassment, discrimination, or retaliation. Any person who has suffered harassment, discrimination, or retaliation may file a formal or informal complaint of harassment, discrimination, or retaliation, or who has learned of harassment, discrimination, or retaliation.

A formal complaint is a written and signed statement filed with the District or the California Community Colleges Chancellor's Office that alleges harassment, discrimination, or retaliation in violation of the District's Board Policies, Administrative Procedures or in violation of state or federal law. An informal complaint is any of the following: (1) An unwritten allegation of harassment, discrimination, or retaliation; (2) a written allegation of harassment, discrimination, or retaliation that falls outside the timelines for a formal complaint; or (3) a written complaint alleging harassment, discrimination, or retaliation filed by an individual who expressly indicates that he/she/they does/do not want to file a formal complaint.

Informal Complaints

Any person may submit an informal complaint to the Vice Chancellor Human Resources and Police Services or designee, or any other District or college administrator. Administrators receiving an informal complaint shall immediately notify the Vice Chancellor Human Resources and Police Services in writing of all pertinent information and facts alleged in the informal complaint.

Upon receipt of an informal complaint, the Vice Chancellor Human Resources and Police Services or designee will notify the person bringing the informal complaint of his/her/their right to file a formal complaint, if the incident falls within the timeline for a formal complaint, and explain the procedure for doing so. The ~~complainant~~Complainant may later decide to file a formal complaint, if within the timelines to do so. If the individual chooses not to file a formal complaint, or if the alleged conduct falls outside the timeline to file a formal complaint, the Vice Chancellor Human Resources and Police Services or designee shall consider the allegations contained in the informal complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter, or a fact- finding investigation.

Investigation of an informal complaint will be appropriate if the Vice Chancellor Human Resources and Police Services or designee determines that the allegation(s), if proven true, would constitute a violation of the District policy prohibiting harassment, discrimination, or retaliation. The Vice Chancellor Human Resources and Police Services or designee will explain to any individual bringing an informal complaint that Vice Chancellor Human Resources and Police Services or designee may decide to initiate an investigation, even if the individual does not wish the Vice Chancellor Human Resources and Police Services to do so. The Vice Chancellor Human Resources and Police Services shall not disregard any allegations of harassment, discrimination, or retaliation solely on the basis that the alleged conduct falls outside the deadline to file a formal complaint.

Formal Complaints

Formal Complaints must be filed with the Chancellor of the California Community Colleges or the Vice Chancellor Human Resources and Police Services or designee unless the party submitting the Formal Complaint alleges discrimination, harassment, or retaliation against the responsible district officer, in which case it should be submitted directly to the ~~Chancellor or the~~ Chancellor or the Chancellor of the California Community Colleges.

Formal Complaints should be submitted on the form prescribed by the Chancellor of the California Community Colleges. A copy of the form will be available at ~~each college student services office, the District human resources department and on college's/district's website.~~ the following links:

<http://www.lighthouse-services.com/SBCCD>

http://www.sbccd.org/Human_Resources-Jobs/employee-labor-relations/Unlawful_Discrimination

If any party submits a written allegation of harassment, discrimination, or retaliation not on the form described above, the District will seek to have the individual complete and submit the form. However, if the individual chooses not to do so, the District will attach the written allegation(s) to the form and treat it as a Formal Complaint. In no instance will the District reject a written allegation of harassment, discrimination, or retaliation on the basis that it was not submitted on the proper form.

A Formal Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;
- The ~~complainant~~ Complainant must sign and date the Formal Complaint;
- The ~~complainant~~ Complainant must file any Formal Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of the date on which the ~~complainant~~ Complainant knew or should have known of the facts underlying the allegation(s) of discrimination, harassment, or retaliation.
- The ~~complainant~~ Complainant must file any Formal Complaint alleging discrimination, harassment, or retaliation in employment within 180 days of the date of the alleged discriminatory, harassing, or retaliatory conduct, except that this period shall be extended by no more than 90 days following the expiration of the 180 days if the ~~complainant~~ Complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.

If the Formal Complaint does not meet the requirements set forth above, the Vice Chancellor Human Resources and Police Services or designee will promptly return it to the ~~complainant~~ Complainant and specify the defect. If the sole defect is that the Formal Complaint was filed outside the applicable prescribed timeline, the Vice Chancellor Human Resources and Police Services or designee will handle the matter as an informal complaint.

Oversight of Complaint Procedure: The Vice Chancellor Human Resources and Police Services or designee is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned by the Vice Chancellor Human Resources and Police Services or designee to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the Vice Chancellor Human Resources and Police Services or designee is named in the complaint or implicated by the allegations in the complaint.

Who May File a Complaint: Any student, employee, or third party who believes he/she/they has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

Where to File a Complaint: A student, employee, or third party who believes he/she/they has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing.

If a ~~complainant~~Complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he/she/they must file the complaint on a form prescribed by the California Community Colleges Chancellor's Office. These approved forms are available from the ~~Executive Director~~District's and at the California Community Colleges Chancellor's Office website.

The completed form must be filed with any of the following:

- Vice Chancellor Human Resources and Police Services or designee
~~The Chief of Police~~
- ~~Executive Vice~~ Chancellor
- All other management or
- California Community Colleges Chancellor's Office

Employment-Related Complaints

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Complaints filed with the EEOC or the DFEH should be forwarded to the California Community Colleges Chancellor's Office.

Any District employee who receives a harassment or discrimination complaint shall notify the Vice Chancellor Human Resources and Police Services or designee immediately.

~~**Filing a Timely Complaint:** Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.~~

~~All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.~~

~~The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity or if the harassing conduct interferes with or limits a student's or employee's ability to participate in or benefit from the school's programs or activities.~~

~~**Communicating that the Conduct is Unwelcome:** The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in~~

poor taste or inappropriate.

Intake and Processing of the Complaint: Upon receiving notification of a harassment or discrimination complaint, the Vice Chancellor Human Resources and Police Services or designee shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling, training, etc.
- Advise all parties that he/she need not participate in an informal resolution of the complaint, as described above, and they have the right to end the informal resolution process at any time. Mediation can be instituted upon mutual agreement of both parties.
- Advise a student complainant that he/she may file a complaint with the Office for Civil Rights of the U.S. Department of Education and employee complainants may file a complaint with the Department of Fair Employment and Housing. All complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is also a criminal act. The District must investigate even if the complainant files a complaint with local law enforcement. In addition, the District should ensure that complainants are aware of any available resources, such as counseling, health, and mental health services. Vice Chancellor Human Resources and Police Services shall also notify the California Community Colleges Chancellor's Office of the complaint.
- Take interim steps to protect a complainant from coming into contact with an accused individual, especially if the complainant is a victim of sexual violence. The Vice Chancellor Human Resources and Police Services or designee should notify the complainant of his/her options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the complainant pending the results of the investigation. When taking steps to separate the complainant and accused individual, the District shall minimize the burden on the complainant. For example, it is not appropriate to remove complainants from classes or housing while allowing accused individuals to remain.

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Investigation

The Vice Chancellor Human Resources and Police Services shall:

- Authorize the investigation of the complaint, and supervise or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where the parties opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

Investigation of the Complaint: The District shall promptly investigate every complaint and claim of harassment or discrimination. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location. The District shall promptly investigate complaints of harassment or discrimination that occur off campus if the alleged conduct creates a hostile environment

~~on-campus.~~

~~As set forth above, where the parties opt for an informal resolution, the Vice Chancellor Human Resources and Police Services may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.~~

~~**Investigation Steps:** The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.~~

~~Investigators will use the following steps: interviewing the complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.~~

~~**Timeline for Completion:** The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the complaint.~~

~~**Cooperation Encouraged:** All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed. No employee will be retaliated against as a result of lodging a complaint or participating in any workplace investigation.~~

~~**Written Report**~~

~~The results of the investigation of a complaint shall be set forth in a written report that will include at least all of the following information:~~

- ~~• A description of the circumstances giving rise to the Formal Complaint;~~
- ~~• A summary of the testimony provided by each witness interviewed by the investigator;~~
- ~~• An analysis of relevant evidence collected during the course of the investigation;~~
- ~~• A specific finding as to whether there is probable cause to believe that discrimination, harassment, or retaliation occurred with respect to each allegation in the complaint; and~~
- ~~• Any other information deemed appropriate by the District.~~

Confidentiality of the Process

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation and to protect the rights of Accused students and employees during the investigation process and any ensuing discipline.

Administrative Determination

- In any case not involving employment discrimination, within 90 days of receiving a formal complaint, the district shall complete its investigation and forward a copy of the investigative report to the Chancellor of the California Community Colleges, a copy or summary of the report to both parties, and written notice setting forth all of the following to both the complainant and the Chancellor:
 - The determination of the Chancellor or his/her designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
 - A description of actions taken, if any, to prevent similar problems from occurring in the future;
 - The proposed resolution of the complaint; and
 - The complainant's right to appeal to the District governing board and the Chancellor

Filing a Timely Complaint: Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity or if the harassing conduct interferes with or limits a student's or employee's ability to participate in or benefit from the school's programs or activities.

Communicating that the Conduct is Unwelcome: The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste or inappropriate.

Intake and Processing of the Complaint: Upon receiving notification of a harassment or discrimination complaint, the Vice Chancellor Human Resources and Police Services or designee shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling, training, etc.
- Advise all parties that he/she/they need not participate in an informal resolution of the complaint, as described above, and they have the right to end the informal resolution process at any time.
- Advise a student Complainant that he/she/they may file a complaint with the Office for Civil Rights of the U.S. Department of Education and employee Complainants may file a complaint with the Department of Fair Employment and Housing. All Complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is also a criminal act. The District must investigate even if the Complainant files a complaint with local law enforcement. In addition, the District should ensure that Complainants are aware of any available resources, such as counseling, health, and mental health services. Vice Chancellor Human Resources and Police Services or designee shall also

notify the California Community Colleges Chancellor's Office of the complaint.

- Take interim steps to protect a Complainant from coming into contact with an accused individual, especially if the Complainant is a victim of sexual violence. The Vice Chancellor Human Resources and Police Services or designee should notify the Complainant of his/her/their options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the Complainant pending the results of the investigation. When taking steps to separate the Complainant and accused individual, the District shall minimize the burden on the Complainant. For example, it is not appropriate to remove Complainants from classes or housing while allowing accused individuals to remain.

Investigation

The Vice Chancellor Human Resources and Police Services or designee shall:

- Authorize the investigation of the complaint, and supervise or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where the parties opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the Complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

Investigation of the Complaint: The District shall promptly investigate every complaint and claim of harassment or discrimination. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location. The District shall promptly investigate complaints of harassment or discrimination that occur off campus if the alleged conduct creates a hostile environment on campus.

As set forth above, where the parties opt for an informal resolution, the Vice Chancellor Human Resources and Police Services or designee may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the Complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the Complainant if it cannot maintain confidentiality.

Investigation Steps: The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps: interviewing the Complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each party; identifying and

interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

Timeline for Completion: The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the complaint.

Cooperation Encouraged: All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a Complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed. No employee will be retaliated against as a result of lodging a complaint or participating in any workplace investigation.

Written Report

The results of the investigation of a complaint shall be set forth in a written report that will include at least all of the following information:

- : A description of the circumstances giving rise to the Formal Complaint;
- : A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- : A summary of the testimony provided by each witness the investigator interviewed;
- : An analysis of relevant evidence collected during the course of the investigation, including a list of relevant documents;
- : A specific finding as to whether there is probable cause to believe that discrimination, harassment, or retaliation occurred with respect to each allegation in the complaint;
- : A table of contents if the report exceeds ten pages; and
- : Any other information deemed appropriate by the District.

Confidentiality of the Process

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation and to protect the rights of Accused students and employees during the investigation process and any ensuing discipline.

Administrative Determination

- : In any case not involving employment discrimination, within 90 days of receiving a formal complaint, the district shall complete its investigation and forward a copy of the investigative report to the Chancellor of the California Community Colleges, a copy or summary of the report to both parties, and written notice setting forth all of the following to both the Complainant and the Chancellor:
 - o The determination of the Chancellor or his/her/their designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
 - o A description of actions taken, if any, to prevent similar problems from occurring in the

future:

- The proposed resolution of the complaint; and
 - The Complainant's right to appeal to the District governing board and the Chancellor
- In any case involving employment discrimination, within 90 days of receiving a formal complaint, the district shall complete its investigation and forward a copy or summary of the report to the Complainant and written notice setting forth all the following to the Complainant:
- The determination of the Chancellor or designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
 - A description of actions taken, if any, to prevent similar problems from occurring in the future;
 - The proposed resolution of the complaint; and
 - The Complainant's right to appeal to the district governing board and to file a complaint with Department of Fair Employment and Housing or the U.S Equal Employment Opportunity Commission.

Discipline and Corrective Action

If harassment, discrimination or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate consistent with state and federal law. The action will be prompt, effective, and commensurate with the severity of the offense. Remedies for the ~~complainant~~Complainant might include, but are not limited to:

- providing an escort to ensure that the ~~complainant~~Complainant can move safely between classes and activities;
- ensuring that the ~~complainant~~Complainant and alleged perpetrator do not attend the same classes or work in the same work area;
- preventing offending third parties from entering campus;
- providing counseling services or a referral to counseling services;
- providing medical services or a referral to medical services;
- providing academic support services, such as tutoring;
- arranging for a student-~~complainant~~Complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the ~~complainant~~Complainant's academic record; and
- reviewing any disciplinary actions taken against the ~~complainant~~Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the ~~complainant~~Complainant being disciplined.

If the District imposes discipline, the nature of the discipline will not be communicated to the ~~complainant~~Complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the ~~complainant~~Complainant; for example, the District may inform the ~~complainant~~Complainant that the harasser must stay away from the ~~complainant~~Complainant.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the ~~complainant~~Complainant from further harassment, or discrimination, and to protect the ~~complainant~~Complainant and witnesses from retaliation as a result of communicating the complaint or assisting in the investigation.

The District will ensure that ~~complainants~~Complainants and witnesses know how to report any subsequent

problems, and should follow-up with ~~complainants~~Complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

If the District cannot take disciplinary action against the accused individual because the ~~complainant~~Complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

Appeals

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the ~~complainant~~Complainant is not satisfied with the results of the administrative determination, he/she/~~they~~ may, within fifteen days, submit a written appeal to the Board of Trustees. The Board shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Board shall issue a final District decision in the matter within 45 days after receiving the appeal. A copy of the decision rendered by the Board shall be forwarded to the ~~complainant~~Complainant and to the California Community Colleges Chancellor's Office. The ~~complainant~~Complainant shall also be notified of his/her/~~their~~ right to appeal this decision.

If the Board does not act within 45 days the administrative determination shall be deemed approved and shall become the final decision of the District in the matter.

In any case not involving workplace discrimination, harassment, or retaliation, the ~~complainant~~Complainant shall have the right to file a written appeal with the California Community Colleges Chancellor's Office within thirty days after the Board issued the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350.

In any case involving employment discrimination, including workplace harassment, the ~~complainant~~Complainant may, at any time before or after the issuance of the final decision of the District, file a complaint with the Department of Fair Employment and Housing.

Extension of Time

Within 150 days of receiving a formal complaint that does not involve employment discrimination, the District shall forward to the California Community Colleges Chancellor's Office the original complaint, the investigative report, a copy of the written notice to the ~~complainant~~Complainant setting forth the results of the investigation, a copy of the final administrative decision rendered by the Board or indicating the date upon which the decision became final, and a copy of the notification to the ~~complainant~~Complainant of his/her/~~their~~ appeal rights. If, due to circumstances beyond its control, the District is unable to comply with the 150-day deadline for submission of materials, it may file a written request for an extension of time no later than ten days prior to the expiration of the deadline.

File Retention

The District will retain on file for a period of at least three years after closing the case copies of:

- the original complaint;
- the investigatory report;
- the summary of the report if one is prepared;
- the notice provided to the parties, of the District's administrative determination and the right to appeal;

- any appeal; and
- the District's final decision.

The District will make such documents available to the Chancellor of the California Community Colleges upon request.

~~Where the complaint allegation consists of Sexual Misconduct, as defined by Title IX, the following applies:~~

~~Sexual Misconduct:~~

~~Sexual misconduct includes sexual harassment and sexual violence.~~

- ~~• Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or education setting.~~
- ~~• Sexual violence refers to physical sexual acts perpetrated against a person's will or when a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.~~
- ~~• Affirmative consent means an affirmative, conscious, and voluntary agreement to engage in sexual activity.~~

~~Sexual misconduct creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the District's program. A single or isolated incident may create a hostile environment if the incident is sufficiently severe.~~

~~Complaint Procedure:~~

~~Where the complaint involves a minor, the District will comply with California mandated reporting requirements.~~

~~All responsible employees are required to report all actual or suspected sexual misconduct to the Title IX Coordinator immediately. A responsible employee is any employee who has the authority to take action to redress sexual misconduct, who has been given the duty of reporting incidents of sexual misconduct to the Title IX Coordinator or Vice Chancellor Human Resources and Police Services, or whom a student or employee could reasonable believe has this authority or duty. The District is on notice if a responsible employee knew, or in the exercise of reasonable care should have known, about the sexual misconduct.~~

~~Any person may make a complaint by contacting the Title IX Coordinator directly. The District's Title IX Coordinator is the Vice Chancellor Human Resources and Police Services, located at the Human Resources Department at the District Office. The Title IX Coordinator will receive all relevant details about the alleged sexual misconduct reported to the District responsible employee in order to determine what occurred and how to resolve the situation. This includes the names of alleged victim and alleged perpetrator (if known), and the date, time, and location of the alleged sexual misconduct.~~

~~Privileged or Confidential Reporting:~~

~~A District employee or responsible employee should, whenever possible, before a student or employee reveals information that he/she may wish to keep confidential, ensure that the person making the report understands the employees obligations to report to the Title IX Coordinator, the victims option to request confidentiality, which the District will take into consideration, and the victims ability to share the information confidentially with designated District employees.~~

~~Professional, licensed, mental health counselors and pastoral counselors, who provide mental health counseling to members of the District community, or interns, graduate students, and others supervised by professional licensed counselors, are not required to report any information to the Title IX Coordinator.~~

~~Non-professional counselors who work or volunteer in the health center including front desk personnel and student employees in the course of their duties, may maintain confidentiality. They are not required to report actual or suspected sexual misconduct to the Title IX Coordinator in a way that identifies the student without the victim's consent.~~

~~Authority over Parties:~~

~~The District has authority over students, employees, and third parties for alleged violations of this policy that occur on District property. The District has authority over District employees and students for alleged violations of this policy that occur at District activities or events. The District may exercise authority over events that occur off-campus to determine if the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus education program or activity.~~

~~Standard of Proof:~~

~~The District will use a "preponderance of the evidence" standard of proof in determining whether there has been a violation of this policy. This standard of proof is also known as "more likely than not" standard.~~

~~Upon Receiving the Complaint – Health and Safety:~~

~~The Title IX Coordinator will make an immediate assessment concerning the health and safety of the victim and campus community as a whole. The District will provide the reporting party and responding party with immediate, interim measures necessary to protect his/her health and safety. These immediate, interim measures may include providing an escort to ensure that the victim can move safely between classes, ensuring that the victim and perpetrator do not attend the same classes or work in the same area, preventing offending third parties from entering campus, providing counseling services or a referral to counseling services, providing academic support services, such as tutoring, arranging for a victim to retake a course or withdraw from a course without penalty, including ensuring that any changes do not adversely affect the victims' academic record, and reviewing any disciplinary actions taken against the victim to see *if there is a causal connection between the harassment, discrimination, or retaliation.*~~

~~Where the District determines that there is a substantial threat to the campus community, it will issue a timely warning. The District will issue the warning according to District Administrative Procedures. The District will not disclose the victim's name or other identifying information when issuing the warning.~~

~~Communicating that the Conduct is Unwelcome:~~

~~The employee or student may, but is not required to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste, or inappropriate. This is not required.~~

~~Intake and Processing of the Complaint:~~

~~If the District determines that a sexual misconduct complaint is appropriate for informal resolution, it may permit an informal resolution, including mediation. All parties, including the complainant and respondent, must receive full disclosure of the allegations and information about options for formal resolution before voluntarily agreeing to participate in an informal resolution. If all parties agree to an informal resolution, the District does not have to complete a full investigation and adjudication of a report of sexual misconduct.~~

~~Confidentiality:~~

~~Where the victim requests confidentiality regarding a reportable incident, the District will take all reasonable steps to comply with the victim's request or inform the victim when it cannot ensure confidentiality. The District will not disclose the name of the victim unless the victim provides written consent after being informed of his/~~

~~her right to have the information withheld. Where the victim insists that the District not disclose his/her name or other identifiable information to the alleged perpetrator, the District will inform the victim that its ability to respond will be limited. The District will evaluate this request in the context of its responsibility to provide a safe and nondiscriminatory environment for all employees and students. When weighing a request for confidentiality against the seriousness of the alleged harassment, the Title IX Coordinator will take the factors listed above into consideration.~~

~~Fact-Finding Investigation:~~

~~Where the victim has filed a criminal complaint with local law enforcement, the District will consider what information the District is able to share, pursuant to state and federal law, to ensure that victims are not unnecessarily required to give multiple statements about a traumatic event. The District will continue to conduct its own thorough, reliable, prompt, and impartial investigation. The District will normally complete its sexual misconduct investigation within 90 days of receiving the complaint, unless extended by the Title IX Coordinator for good cause. The Title IX Coordinator will notify the victim and accused in writing of the reason for the extension and the projected new timeline.~~

~~The victim and accused will have equal opportunity to present relevant witnesses and other evidence to the District investigator. The District will provide the same opportunities to the victim and accused,~~

~~The results of the fact-finding investigation will be set out in a formal investigative report, which will include the requirements listed above and a credibility determination of the victim, accused, and witnesses.~~

~~Reporting to California Community Colleges Chancellor's Office:~~

~~The District considers all sexual misconduct complaints to be formal complaints. The **Title IX Coordinator or designee** must notify the State Chancellor's Office of any sexual misconduct complaints. Upon completing the investigation, the District shall forward to the California Community Colleges Chancellor's Office a copy of the investigative report and administrative determination and to the parties a copy or summary of the investigative report and administrative determination.~~

Dissemination of Policy and Procedures

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence. District policy and procedures will be provided to all students, faculty members, members of the administrative staff and members of the support staff, and will be posted on campus and on the District's website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

Training

By January 1, ~~2020~~2021, the District shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees. All new employees must be provided with the training and education within six months of their assumption of his/her/their position. After January 1, ~~2020~~2021, the District shall provide sexual harassment training and education to each employee once every two years. An employee who received this training and education in 2019 is not required to have refresher training until after two years thereafter.

The training and education required by this procedure shall include information and practical guidance

regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment, a review of "abusive conduct," and harassment based on gender identity, gender expression, and sexual orientation. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. Supervisor's harassment training must also address potential exposure and liability for employers and individuals, supervisor's obligation to report sexual harassment, discrimination, and retaliation when they become aware of it, appropriate remedial measures to correct harassing behavior.

The District will maintain appropriate records of the training provided, including the names of the supervisory employees trained, the date of training, sign in sheets, copies of all certificates of attendance or completion issued, the type of training provided, a copy of all written or recorded training materials, and the name of the training provider. If the training is provided by webinar, the District will maintain a copy of the webinar, all written materials used by the training and all written questions submitted during the webinar, and document all written response or guidance the trainer provided during the webinar. The District will retain these records for at least two years.

The District will also provide training to students who lead student organizations. The District should provide copies of the sexual harassment policies and training to all District law enforcement unit employees regarding the grievance procedures and any other procedures used for investigating reports of sexual violence.

In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update or receive a copy of the revised policies and procedures.

Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the District's potential liability, or that they did not understand the policy and desire further training.

Education and Prevention for Students

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

References:

References:

Education Code Sections 212.5, 231.5, 66281.5, and 67386;

Government Code Section 12950.1;

[Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.:](#)

[Title 2 Sections 11023 and 11024](#)

~~Title 5 Sections 59320, 59324, 59326, 59328, and 59300 et seq.; Title 2 Sections 11023 and 11024; 20 U.S. Code Sections 1681 et seq.; 34 Code of Federal Regulations Part 106.8(b)~~

Attachments

[AP 3435 Discrimination and Harassment Investigation - Comments](#)
[AP 3435 Discrimination and Harassment Investigation - Legal Citations](#)
[AP3435-OLD.pdf](#)
[SBCCD - Overview for Legal Update 31 Final Version.docx](#)
[SBCCD - Overview for Legal Update 31 Final Version.docx](#)
[SBCCD - Overview for Legal Update 31 Final Version.docx](#)
[SBCCD - Overview for Legal Update 31 Final Version.docx](#)
[Special Summer 2020 Legal Update Overview.docx](#)

Current Status: *Draft*

PolicyStat ID: 8613727



| | |
|----------------|---|
| Origination: | N/A |
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| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>Chancellor's Cabinet</i> <i>Chancellor's Cabinet:</i> |
| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | <i>Legally Required</i> |

AP 3560 Alcoholic Beverages

The possession, sale or furnishing of alcohol on campus is governed by California state law and these procedures and controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the District Police Department. The campus has been designated "drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the District Police Department. Violators are subject to disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of this policy for anyone to consume or possess alcohol in any public or private area of campus without prior District approval. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the District.

Alcoholic beverages on campus are permitted if:

- The alcoholic beverage is beer or wine for use in connection with a course of instruction, sponsored dinner, or meal demonstration given as part of a culinary arts program at a community college campus, and the instructor or individual has been authorized by the governing board to acquire, possess, use, sell, or consume it.
- A student at least 18 years of age tastes, but does not swallow or consume, ~~beer or wine~~ an alcoholic beverage for educational purposes as part of the instruction in ~~an~~ a hotel management, culinary arts, or enology or brewing degree program, and the ~~beer or wine~~ alcoholic beverage remains in the control of the instructor.
- The alcoholic beverage is for use during a non-college event at a performing arts facility built on District property and leased to a nonprofit public benefit corporation.
- The alcoholic beverage is wine produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.
- The alcoholic beverage is wine that is for use during an event sponsored by the District, or an organization operated for the benefit of the District, in connection with the District's instructional program in viticulture or enology.
- The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained for special events held at the facilities of a public community college during the special event. "Special event" means events that are held with the permission of the governing board of the community college district that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the public community college and for which the principal attendees are members of the general public or invited guests and not students of the public community college.

- The alcoholic beverage is acquired, possessed, or used during an event sponsored by the District, or an organization operated for the benefit of the District, at a community college-owned facility in which any grade from kindergarten to grade 12, inclusive, is taught, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility.
- The alcoholic beverage is for use during a fundraiser held to benefit a nonprofit corporation that has obtained a license under the Business and Professions Code to do so provided that no alcoholic beverage can be acquired, possessed or used at a football game or other athletic contest sponsored by the District.
- The alcoholic beverage is acquired, possessed, or consumed pursuant to a license or permit obtained for special events held at facilities of a community college district at a time when pupils are not on the grounds. "Facilities" includes, but are not limited to, office complexes, conference centers, or retreat facilities.

As the population of San Bernardino and Riverside Counties is greater than 250,000, no alcoholic beverage is allowed at any professional minor league baseball game played on the District's athletic facilities.

References:

Business and Professions Code Sections 24045.4, 24045.6, 25608, ~~and-25658~~ and 25668;

34 Code of Federal Regulations ~~Section~~Part 668.46 subdivision (b)

Attachments

[AP 3560 Alcoholic Beverages - Comments](#)
[AP 3560 Alcoholic Beverages - Legal Citations](#)
[Legal Update 36.docx](#)
[Legal Update 32 Overview Rev. 4-21-18.docx](#)

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PolicyStat ID: 8613813



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| Last Revised: | N/A |
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| Owner: | <i>Chancellor's Cabinet</i> <i>Chancellor's Cabinet:</i> |
| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | <i>Legally Required</i> |

BP 3560 Alcoholic Beverages

~~(Replaces current SBCCD BP 3560)~~

The Chancellor is authorized to enact procedures as appropriate and permitted by law regarding serving alcoholic beverages on campus or at fund-raising events held to benefit non-profit corporations. Alcoholic beverages shall not be served on campus except in accordance with these procedures.

References:

Business and Professions Code Section 25608 ;
34 Code of Federal Regulations ~~Section~~Part 668.46 subdivision (b)

Attachments

[BP 3560 Alcoholic Beverages- Comments](#)
[BP 3560 Alcoholic Beverages- Legal Citations](#)
[BP3560 -OLD.pdf](#)

Current Status: *Draft*

PolicyStat ID: 7983010



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|----------------|--|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>Human Resources Human Resources</i> |
| Policy Area: | <i>Chapter 7 Human Resources</i> |
| References: | <i>Good Practice/Optional</i> |

AP 7240 Confidential Employees

From current SBCCD AP-7260 titled Classified Supervisors, Managers, and Confidential Employees

~~HOURS OF EMPLOYMENT~~

The workweek for all confidential employees shall be a minimum of forty (40) hours. Confidential employees may work alternative schedules during special summer hours or upon approval of supervisor.

~~Transfer and Reassignment~~

All confidential employees are District employees and may be assigned anywhere in the District to those positions for which they are qualified, subject to these regulations. This policy applies only to voluntary transfers.

~~A. Vacancies to be filled by transfer or reassignment.~~

- ~~1. Vacancies will be announced to all employees in that classification, at the same or higher pay range, and those who have taken a voluntary demotion.~~
- ~~2. Employees within the classification who are qualified and desire to transfer to another position and/or location must apply for the vacant position with the Director, Human Resources.~~
- ~~3. An employee within the same class or a higher class may volunteer to transfer. The employee requesting a voluntary demotion to a lower class will be given preference.~~
- ~~4. Should there be more than one employee requesting a transfer to the same vacancy, all things being equal, the position will be filled by the employee having the most seniority in that classification.~~
- ~~5. Each applicant shall be given, upon request, written rationale for non-acceptance to the vacant position.~~
- ~~6. An approved transfer resulting from the request of an employee is considered permanent; therefore, no additional probationary period is required.~~
- ~~7. An employee transferring within the class or taking a voluntary reduction in class will retain his/her old anniversary date and all seniority rights.~~
- ~~8. If the position from which an employee took a demotional transfer is again vacant, that employee will be given first consideration to fill the former position and, if selected, will regain his/her higher classification.~~
- ~~9. If no transfer or reassignment is requested, the vacancy will be announced publicly.~~

~~RE-EMPLOYMENT AFTER LAYOFF~~

~~A. Confidential employees who are terminated as a result of lack of work or lack of funds shall, upon re-employment within thirty-nine (39) months from the termination date, be reinstated with no loss of fringe benefits and seniority.~~

~~B. Fringe benefits and seniority are not earned during the period of the layoff.~~

~~C. Upon re-employment, the employee shall be credited with the fringe benefits to which he/she was entitled as of the date of his/her layoff.~~

~~DIFFERENTIAL PAY~~

~~A. Shift differential pay shall be for all classifications at a rate of 2 1/2% for swing shift or split shift; and a 5% rate of pay for the graveyard shift.~~

~~B. Definitions:~~

~~1. Swing: When hours of work regularly assigned exceed 4:30 p.m. by more than three (3) hours per day (regular five-day consecutive workweek). Employees must work this shift at least three of the five normal workdays.~~

~~2. Graveyard: When hours of work regularly assigned exceed 12 midnight by more than three (3) hours per shift (regular five-day consecutive workweek). Employees must work this shift for at least three of the five normal workdays.~~

~~3. Split: When hours of work regularly assigned are split by a break of two or more hours. Employees must work this shift for at least three of the five normal workdays.~~

~~1. Overtime: When hours worked are in excess of any shift, pay shall be at the overtime rate of that shift.~~

~~1. Approval for shift change or overtime must be obtained in advance from the appropriate manager.~~

~~WORKING OUT OF CLASSIFICATION~~

~~Any confidential employee who is required to work out of classification for a period of more than five (5) working days within a fifteen (15) working day period shall have his/her salary adjusted upward for the entire period he/she is required to work out of classification. These amounts will reasonably reflect the duties required to be performed outside his/her normally assigned duties.~~

~~The following procedures regulate the salary determination for a confidential employee working out of class:~~

~~A. A manager can make such an assignment but must have written approval by the Director, Human Resources.~~

~~B. Payment for working out of classification will be paid with the contract pay.~~

~~C. When an employee, who is assigned to work in a higher classification qualifies for extra pay, he/she will be paid at the probationary step on the range of the classification to which he/ she is assigned. If that salary is the same or less than his/her regular salary, he/she will be paid on the next step of the higher range which will give a salary increase for the additional responsibility. The increase will be no less than 5%.~~

~~EXAMPLE~~

~~A-B-C-D-E~~

~~Range 10 555 583 612 653 675~~

~~Range 12 583 612 643 675 709~~

~~Range 16 643 675 709 744 781~~

~~If the Range 10 employee were required to work in a Range 12 classification, he/she would be paid at the rate of Range 12, Step C. If he/she were assigned a responsibility in Range 16, his/her rate of pay would be Range 16, Step A.~~

~~OVERTIME~~

~~A. Overtime is defined to include any time required to be worked in excess of eight (8) hours in any one day and in excess of forty (40) hours in any calendar week.~~

~~B. Compensation for overtime shall be at one and one-half times the regular rate of pay of the employee designated and authorized to perform the overtime.~~

~~C. Any confidential employee required to return to work on the same day after completion of her/his regular assignment or called in to work on a day when the confidential employee is not scheduled to work shall be compensated for at least four (4) hours of work at the overtime rate, irrespective of the actual time required to be worked.~~

~~D. All overtime for which employees are to be paid must be authorized in advance by the employee's immediate supervisor.~~

~~E. Unauthorized overtime is subject to discipline.~~

~~F. Overtime shall be reported on the time sheet at the end of the month by dates, hours and emergency or event requiring overtime. The immediate supervisor shall sign the time sheet.~~

~~G. The foregoing provisions are not intended to apply to properly designated part-time positions with an assigned workday of less than eight (8) hours and a workweek of less than forty (40) hours.~~

~~LONG-SERVICE RECOGNITION~~

~~A. Recognition for length of service shall be provided in the form of an annual stipend in accordance with the following schedule:~~

| YEARS OF SERVICE WITH THE DISTRICT | COMPLETED NUMBER OF YEARS OF EMPLOYMENT WITH THE DISTRICT | AMOUNT OF STIPEND |
|---|--|------------------------------|
| 6-11 | 5-10 | \$850 |
| 12-16 | 11-15 | \$1000 |
| 17-21 | 16-20 | \$1150 |
| 22-26 | 21-25 | \$1300 |
| 27-31 | 26-30 | \$1450 |

~~B. The first long service payment will be made in December of the first year following five complete years of service. The maximum service credit to be allowed is for thirty years.~~

~~C. The amount of long service pay will be paid by separate check and will be available to Confidential employees no later than December 15, and only to those actually employed on the date of payment, except upon retirement in which case the long service payment will be in proportion to the fraction of the~~

~~year worked. The payment date and method is subject to change in accordance with County of San Bernardino payroll processing.~~

~~D. In order to be eligible for long service pay, an employee must qualify for inclusion in the Retirement Program, i.e., must be employed half time or more.~~

~~HEALTH AND WELFARE BENEFITS~~

~~A. A program of health and welfare benefits shall be provided to all confidential and employees.~~

~~**B. Hospitalization/Medical** The District pays the insurance premium for the least expensive Board approved medical plan for the employees and eligible dependents.~~

~~**C. Dental** The District pays the insurance premium for the least expensive Board approved dental plan for the employee and eligible dependents.~~

~~**D. Life Insurance** The District pays the Basic Life Insurance premium for the Board approved Basic Life Insurance plan for the employee.~~

~~**E. Health Service, Continuation After Retirement** Any confidential or employee who opts for early retirement will continue to receive hospitalization/medical plan benefits available to Confidential employees of the district, until age 65, subject to all the conditions for one of the following:~~

~~1. Service Retirement #1~~

- ~~a. Has attained the age of 60 before terminating employment with the district.~~
- ~~b. Has completed a minimum of ten years service with the district.~~
- ~~c. Has been an employee of the district immediately preceding retirement status.~~
- ~~d. Must be on retirement with the Pubic Employees Retirement System.~~

~~**OR**~~

~~2. Service Retirement #2~~

- ~~a. Has attained the age of 55 before terminating employment with the district.~~
- ~~b. Has completed a minimum of twenty years with the district.~~
- ~~c. Has been an employee of the district immediately preceding retirement status.~~
- ~~d. Must be on retirement with the Public Employees Retirement System.~~

~~**OR**~~

~~3. Disability Retirement~~

- ~~a. Regardless of age before terminating employment, has completed a minimum of five years of service with the district.~~
- ~~b. Has been an employee of the district immediately preceding retirement.~~
- ~~c. Must be accepted by and remain on disability retirement with the Public Employees Retirement System.~~
- ~~d. Retiree agrees to enroll in Parts A & B and pay the full premium as soon as they are eligible.~~

~~Approved: March 14, 1990~~

LEAVES OF ABSENCE

A. Sick Leave

~~1. Every confidential employee employed five days a week shall be entitled to twelve days leave of absence for illness and injury with full pay for a fiscal year of service.~~

~~2. A confidential employee employed five days a week, who is employed for less than a full fiscal year, is entitled to that proportion of twelve days leave of absence for illness or injury as the number of months he/she is employed bears to 12.~~

~~3. A confidential employee employed less than five days per week shall be entitled, for a fiscal year of service, to that proportion of twelve days leave of absence for illness or injury as the number of days he is employed per week bears to 5. When such persons are employed for less than a full fiscal year of service, this and the preceding paragraph shall determine that proportion of leave of absence for illness or injury to which they are entitled.~~

~~4. Pay for any day of such absence shall be the same as the pay that would have been received had the employee served during the day.~~

~~5. Credit for leave of absence need not be accrued prior to taking such leave by the employee, and such leave of absence may be taken at any time during the year. However, a new employee of the district shall not be eligible to take more than six days, or the proportionate amount to which he/she may be entitled under this section, until the first day of the calendar month after completion of six months of active service with the district.~~

~~6. If an employee does not take the full amount of leave allowed in any year under this policy, the amount not taken shall be accumulated from year to year.~~

~~7. The Board of Trustees may require proof of illness or injury.~~

B. Maternity Leave

~~1. An employee may use sick leave for absences necessitated by pregnancy, miscarriage, childbirth, and recovery therefrom. The length of absence, including the date on which the leave shall commence and the date on which the employee shall resume duties, shall be determined by the employee and the employee's physician.~~

~~2. Disabilities caused or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities, and shall be treated as such under any health or temporary disability insurance or sick leave.~~

~~3. This provision shall be construed as requiring the district to grant leave with pay only when it is necessary to do so in order that leaves of absence for disabilities caused or contributed to by pregnancy, miscarriage, or childbirth be treated the same as leaves for illness, injury, or disability.~~

C. Bereavement Leave

~~1. Every person employed in a confidential position is entitled to a paid leave of absence, not to exceed three days, or five days if travel out of state or a round trip of over 500 miles is required, on account of the death of any members of his/her immediate family.~~

~~2. Member of the immediate family means the mother, father, grandparent or a grandchild of the employee or the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, brother-in-~~

~~law or sister, sister-in-law of the employee, or any relative living in the immediate household of the employee.~~

~~D. Personal Necessity Leave~~

~~1. Any days of leave of absence for illness or injury allowed pursuant to Section 88207 of the Education Code may be used by a confidential or supervisory employee, at his/her election, in case of personal emergency.~~

~~Reference:~~

~~Government Code Section 3540.1(c)~~

~~Confidential Handbook Board Approved May 2018~~

The terms and conditions of employment for Confidential Employees are provided for as necessary by procedures developed by the Human Resources Department. A Confidential Employee Handbook has been developed and is located on the SBCCD website.

Attachments

No Attachments

Current Status: *Draft*

PolicyStat ID: 7982954



| | |
|----------------|--|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>Human Resources Human Resources</i> |
| Policy Area: | <i>Chapter 7 Human Resources</i> |
| References: | <i>Legally Required</i> |

BP 7240 Confidential Employees

Confidential employees are those who are required to develop or represent management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. The fact that an employee has access to confidential or sensitive information shall not in and of itself make the employee a confidential employee.

A determination whether a position is a confidential one shall be made by the Board of Trustees in accordance with applicable law and with the regulations of the California Public Employment Relations Board.

Confidential employees are not eligible for inclusion in a bargaining unit represented by an exclusive representative and the terms and conditions of their employment are not controlled by any collective bargaining agreement.

The terms and conditions of employment for confidential employees shall be provided for by procedures developed by the ~~Chancellor~~ [Human Resources Department](#). [Additional local practice is provided in the Confidential Handbook](#). Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers, and reassignments.

~~The probationary period for confidential employees shall be one year.~~

~~Also see BP/AP 7120 titled Recruitment and Hiring~~

~~See other BP's and AP's that apply to the confidential group~~

~~7130 Compensation (and Benefits)~~

~~7150 Evaluation~~

~~7160 Professional Development~~

~~7231 Seniority~~

~~7232 Classification Review~~

~~7233 Claims for Work Out of Classification~~

~~7234 Overtime~~

~~7237 Fingerprinting~~

~~7340 Leaves~~

~~7342 Holidays~~

~~7343 Industrial Accident and Illness Leave~~

~~7347 Paid Family Leave~~

~~7350 Resignation~~

~~7365 Discipline & Dismissal - Classified Employees~~

~~7381 Health & Welfare Benefits~~

~~Reference:~~

Reference:

Government Code Section 3540.1(c) and Confidential Handbook

~~Confidential Handbook~~

Attachments

[BP 7240 Confidential Employees - Comments](#)

[BP 7240 Confidential Employees - Legal Citations](#)

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Stacey K. Nikac, Administrative Officer

DATE: October 8, 2020

SUBJECT: Final Approval of Board Policies

RECOMMENDATION

It is recommended that the Board of Trustees approve the Board Policies for second reading and final approval. Administrative Procedures are submitted for information and review for consistency with Board policies.

OVERVIEW

The SBCCD has a process of continuous review of its Board Policies and Administrative Procedures to ensure compliance with Title 5, California Education Code and current district/college needs. The attached policies and procedures have been modified and or reviewed and have gone through the collegial consultation process as outlined in Board Policy 2410.

ANALYSIS

AP/BP 2105 Election of Student Trustees
 AP/BP 2110 Vacancies on the Board
 BP 2130 Term Limits
 AP/BP 2340 Agendas
 BP 2355 Decorum
 AP/BP 2431 Chancellor Selection
 BP 2432 Chancellor Succession
 AP 2712 Conflict of Interest Code
 AP/BP 3430 Prohibition of Harassment
 AP/BP 3433 Prohibition of Sexual Harassment Under Title IX
 AP/BP 3540 Sexual and Other Assaults on Campus
 AP/BP 5030 Fees
 AP/BP 5530 Student Rights and Grievances

The Board approved first reading on September 10, 2020. The changes to these policies include requirements of the Education Code, current laws, and those determined to be necessary for the efficient operation of the district.

INSTITUTIONAL VALUES

- I. Institutional Effectiveness
- II. Enhanced and Informed Governance and Leadership

FINANCIAL IMPLICATIONS

None.

Current Status: *Draft*

PolicyStat ID: 5966754



| | |
|----------------|------------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Legally Required</i> |

AP 2105 Election of Student Trustees

The student trustee(s) representing their respective college shall be elected, for a one year term, by a **simple majority plurality vote** of those voting in a regular election of the student body. All members of the student body may vote. The election will be conducted during the spring semester and will be completed in time for the student member to take office on June 1.

~~The office shall become vacant if a student trustee becomes ineligible for the office, resigns, is recalled, or dies.~~

The student trustee(s) may be recalled in an election conducted in the same manner as the election to office. An election will be called upon presentation to the Chancellor of a petition signed by at least 30% of the students enrolled at the time of filing the petition.

No recall election will be held if the petition is received within 30 days of a regularly scheduled election for the student trustee(s).

The office shall become vacant if the student member becomes ineligible for the office, resigns, is recalled, or dies. If the seat of a student member becomes vacant during his/her term, the **Board of Trustees governing board** may authorize the officers of ~~the~~ student body associations established pursuant to Education Code Section 76060 at each community college in the District to appoint a student to serve the remainder of the term in accordance with ~~the administrative~~ procedures established by the governing board.

No special election will be called if the vacancy occurs within 30 days prior to a regularly scheduled election for the student trustee(s).

~~The student trustee(s) may be recalled in an election conducted in the same manner as the election to office. An election will be called upon presentation to the Chancellor of a petition signed by at least 30% of the students enrolled at the time of filing the petition.~~

~~No recall election will be held if the petition is received within 30 days of a regularly scheduled election for the student trustee(s).~~

Reference:

Education Code Section 72023.5

Attachments

A: AP 2105 Election of Student Trustees - Comments

Current Status: *Draft*

PolicyStat ID: 8146452



| | |
|----------------|------------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Legally Required</i> |

BP 2105 Election of Student Trustees

Each college will elect a student trustee for a one-year term. An election will be held in the Spring semester so that the office is filled by June 1.

An election will be conducted at each college in accordance with administrative procedures. The ~~successful candidate must receive a simple majority of all votes cast~~ student member shall be elected by a plurality vote of those voting in a regular election of the student body. All members of the student body may vote.

Candidates for the position may nominate themselves or be nominated by others by the filing of an application certifying that the candidate is eligible for service under the criteria set forth in California law and these policies. The election will be conducted in accordance with administrative procedures.

If the seat of a student member becomes vacant for any reason during his/her term, the Board of Trustees may authorize the officers of the student body association(s) to appoint a student to serve the remainder of the term in accordance with administrative procedures.

A student trustee may be recalled by the student body at their respective college in a special election held for that purpose in accordance with administrative procedures.

~~Also see BP 2015 titled Student Trustee and AP 2105 titled Election of Student Trustees~~

References:

References:

Education Code Sections 72023.5 and 72103

Attachments

- [BP 2105 Election of Student Trustees - Comments](#)
- [BP 2105 Election of Student Trustees - Legal Citations](#)

Current Status: *Draft*

PolicyStat ID: 8146870



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|----------------|------------------------------------|
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| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Legally Advised</i> |

AP 2110 Vacancies on the Board

(Replaces current SBCCD AP 2080)

- ~~A. Vacancies are created on the Board for a regular Board Member when a written resignation or deferred resignation is filed with the County Superintendent of Schools. Once the written resignation or deferred resignation has been accepted by the County Superintendent of Schools, it is irrevocable.~~
- ~~B. An office becomes vacant on the happening of any of the following events before the expiration of the term:~~
- ~~1. The death of the incumbent.~~
 - ~~2. An adjudication pursuant to a quo warranto proceeding declaring that the incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his/her office for the remainder of his/her term. This subdivision shall not apply to offices created by the California Constitution or to federal or state legislators.~~
 - ~~3. His/her resignation.~~
 - ~~4. His/her removal from office.~~
 - ~~5. His/her ceasing to be an inhabitant of the state, or if the office be local and one for which local residence is required by law, of the district, county, or city for which the officer was chosen or appointed, or within which the duties of his/her office are required to be discharged.~~
 - ~~6. His/her absence from the state without the permission required by law beyond the period allowed by law.~~
 - ~~7. His/her ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law.~~
 - ~~8. His/her conviction of a felony or of any offense involving a violation of his/her official duties. An officer shall be deemed to have been convicted under this subdivision when trial court judgment is entered. For the purposes of this subdivision, "trial court judgment" means a judgment by the trial court either sentencing the officer or otherwise upholding and implementing the plea, verdict, or finding.~~
 - ~~9. His/her refusal or neglect to file his/her required oath or bond within the time prescribed.~~
 - ~~10. The decision of a competent tribunal declaring void his/her election or appointment.~~

- ~~11. The making of an order vacating his/her office or declaring the office vacant when the officer fails to furnish an additional or supplemental bond.~~
- ~~12. His/her commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict; but in that event the office shall not be deemed vacant until the order of commitment has become final.~~

~~C. Whenever a vacancy occurs, or whenever a resignation has been filed with the County Superintendent of Schools containing a deferred effective date the Board of Trustees shall within 60 days of the vacancy or the filing of the deferred resignation, either order an election or make a provisional appointment to fill the vacancy. A governing board member may not defer the effective date of his/ or her resignation for more than 60 days after he/she files the resignation with the County Superintendent of Schools.~~

- ~~1. When an election is ordered, it shall be held on the next regular election date provided pursuant to Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code not less than 130 days after the occurrence of the vacancy or after the written resignation is filed with the County Superintendent of Schools.~~
- ~~2. If a provisional appointment is made within the 60-day period, the registered voters of district may, within 30 days from the date of the appointment, petition for the conduct of a special election to fill the vacancy. The petition list shall meet the requirements of Education Code Section 5091.~~
- ~~3. A provisional appointment made pursuant to subdivision (a) confers all powers and duties of a governing board member upon the appointee immediately following his or her appointment.~~
- ~~4. A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for district governing board members, where unexpired term.~~
- ~~5. There shall be no special election or appointment to fill a vacancy on a governing board if the vacancy occurs within four months of the end of the term of that position.~~

~~D. Short-term appointments shall constitute a vacancy in excess of four months but with not more than ten months remaining until the next election. The Governing Board shall have the option of appointing a person to fill the vacancy. All vacancies in excess of ten months of the next general election shall be selected through a special election.~~

~~Filling a Vacancy~~

Filling a Vacancy

When the Board of Trustees determines to fill the vacancy by appointment, the Chancellor shall assure that there is ample publicity to and information for prospective candidates. Publicity shall include posting in three public places in the District and publication in a newspaper of general circulation.

The posted notice of vacancy shall include directions regarding applications or nominations of legally qualified candidates. Persons applying or nominated must meet the qualifications required by law for members of the Board.

~~Applying for an Appointment~~

Applying for an Appointment

Persons applying for appointment to the Board shall receive a letter from the Chancellor containing information about the District and the Board, and including a candidate information sheet to be completed and returned by a specific date.

~~Interviewing and Selecting Candidates~~

Interviewing and Selecting Candidates

The Board shall request interviews with candidates. Interviews will be conducted in a public hearing scheduled for that purpose.

Each Board member will review all candidate information sheets, with final selection made by a majority vote of the Board members at a public meeting called for that purpose.

Whenever a provisional appointment is made, the Board shall, within 10 days of the provisional appointment, post notices of both the actual vacancy or the filing of a deferred resignation and the provisional appointment in three public places in the District. It shall also publish a notice in a newspaper of general circulation.

The notice shall state the fact of the vacancy or resignation and the date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation. It shall also contain the full name of the provisional appointee to the Board, the date of appointment, and a statement that unless a petition calling for a special election, containing a sufficient number of signatures, is filed in the Office of County Superintendent of Schools within 30 days of the date of the provisional appointment, it shall become an effective appointment.

A provisional appointment confers all powers and duties of a Board member upon the appointee immediately following his/her appointment.

~~Term and Powers of Office~~

Term and Powers of Office

A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for Board members. An election shall be held to fill the vacancy for the remainder of the unexpired term. A person elected at an election to fill the vacancy shall hold office for the remainder of the term in which the vacancy occurs or will occur.

~~References:~~

References:

Education Code Sections 5090 et seq. ;
Government Code Sections 1770 and 6061

Attachments

- A: [AP 2110 Vacancies on the Board - Comments](#)
- B: [AP 2110 Vacancies on the Board - Legal Citations](#)

Current Status: *Draft*

PolicyStat ID: 8146833



| | |
|----------------|------------------------------------|
| Origination: | N/A |
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| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Legally Required</i> |

BP 2110 Vacancies on the Board

(Replaces current SBCCD BP 2080)

Vacancies on the Board may be caused by any of the events specified in Government Code Section 1770 or any applicable provision in the Elections Code, or by a failure to elect. Resignations from the Board shall be governed by Education Code Section 5090. Any resignation must be filed in writing with the County Superintendent of Schools.

Within 60 days of the vacancy or filing of a deferred resignation, the Board shall either order an election or make a provisional appointment to fill the vacancy.

If an election is ordered, it shall be held on the next regular election date not less than 130 days after the occurrence of the vacancy.

If a provisional appointment is made, it shall be subject to the conditions in Education Code Section 5091. The person appointed to the position shall hold office only until the next regularly scheduled election for district governing board members, when the election shall be held to fill the vacancy for the remainder of the unexpired term.

The provisional appointment will be made by a majority public vote of the Board members at a public meeting.

The Chancellor shall establish administrative procedures to solicit applications that assure ample publicity to and information for prospective candidates. The Board will determine the schedule and appointment process, which may include interviews at a public meeting.

~~Any vacancy on the Board shall be filled by special election or provisional appointment in accordance with the provisions of the Education Code. Vacancies are caused by any of the events specified in the Government Code or by failure to elect. Any resignation must be filed in writing with the County Superintendent of Schools.~~

~~Vacancies for the student board member(s) are addressed BP 2105 titled Election of Student Trustees. A vacancy exists in the student Board position when the student Board member resigns from the Board. A vacancy may occur if the student Board member misses three (3) consecutive Board meetings without authorization, is enrolled for fewer than nine (9) units, or does not maintain a cumulative grade point average of 2.5. The unit load and the GPA are to be maintained during the entire term of office.~~

References:

References:

Education Code Sections 5090 et seq.,

Current Status: *Draft*

PolicyStat ID: 8147012



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|----------------|------------------------------------|
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| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Legally Required</i> |

BP 2130 Term Limits

The District does not currently limit the number of terms a member of the Board of Trustees may serve on the Board.

The Board may adopt or the residents of the District may propose, by initiative, a proposal to limit the number of terms a member of the Board of Trustees may serve on the Board. Any proposal to limit the number of terms a member of the Board may serve shall not become operative unless it is submitted to the electors of the District at a regularly scheduled election and a majority of the votes cast on the question favor adoption of the proposal. Any such proposal shall be subject to requirements set forth in Elections Code Sections 9500 et seq.

References:

References:

Education Code Section 72103(c);
Elections Code Sections 9500 et seq.

Attachments

[BP 2130 Term Limits - Comments](#)
[BP 2130 Term Limits - Legal Citations](#)

Current Status: *Draft*

PolicyStat ID: 8147110



| | |
|----------------|------------------------------------|
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| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Legally Advised</i> |

AP 2340 Agendas

(Replaces current SBCCD AP 2120)

The agenda for the Board of Trustees Meetings is the official document under which business is transacted. The official agenda shall be posted on the District website and on the front door of the District Administration Building ~~and the Campus Administration Building on Buildings, and District Education Centers~~ at least 72 hours prior to each college campus, and District education centers at least 72 Regular Meeting and 24 hours prior to each Regular/Special Meeting and 24 hours prior to each Special Meeting of the Board. Copies of the agenda shall be available in the Chancellor's Office during regular office hours prior to the Board Meeting and in the Board Room prior to the start of each meeting.

Agenda Development

~~The agenda is prepared by the Secretary to the Board (the Chancellor) in consultation with the Officers of the Board and the Chancellor's Cabinet. Requests for placing items directly related to District business on the agenda can be submitted by any individual or group. Requests should include the name, address, and telephone number of the person submitting the request, the name of any organization represented, a statement of action requested of the Board, and pertinent background material leading to the request. The Chancellor will place the item on the agenda and notify the individual or group of the time and place the item will be heard.~~

The agenda is prepared by the Chancellor in consultation with the Officers of the Board.

Members of the public may place matters directly related to the business of the District on an agenda for a board meeting by submitting a written summary of the item to the Chancellor, although the District may defer a request to a later date. The written summary must be signed by the initiator. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.

Agenda items initiated by members of the public shall be placed on the Board's agenda following the items of business initiated by the Board and by staff. Any agenda item submitted by a member of the public and heard at a public meeting cannot be resubmitted before the expiration of a 90 day period following the initial submission.

References:

Education Code Section 72121

Current Status: *Draft*

PolicyStat ID: 8147086



| | |
|----------------|------------------------------------|
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| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Good Practice/Optional</i> |

BP 2340 Agendas

An agenda shall be posted adjacent to the place of meeting as well as on ~~he~~the District's Internet website at least 72 hours prior to the meeting time for regular meetings. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.

No business may be acted on or discussed which is not on the agenda, except when one or more of the following apply:

- a majority decides there is an "emergency situation" as defined for emergency meetings;
- two-thirds of the members (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to the attention of the Board of Trustees subsequent to the agenda being posted;
- an item appeared on the agenda of and was continued from a meeting held not more than five days earlier.

The order of business may be changed by consent of the Board of Trustees.

The Chancellor shall establish administrative procedures that provide for public access to agenda information and reasonable annual fees for the service.

Agendas shall be developed by the Chancellor in consultation with the Officers of the Board.

Members of the public may place matters directly related to the business of the District on an agenda for a Board meeting by submitting a written summary of the item to the Chancellor, although the District may defer a request to a later date. (See Education Code Section 72121.5 and Administrative Procedure 2340). The written summary must be signed by the initiator. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.

~~Agendas shall be developed by the Chancellor in consultation with the Officers of the Board.~~

For consideration, items from members of the public must be submitted and received by the Office of the Chancellor two weeks prior to the Board meeting.

Agenda items initiated by members of the public shall be placed on the Board's agenda following the items of business initiated by the Board and by staff. Any agenda item submitted by a member of the public and heard at a public meeting cannot be resubmitted before the expiration of a 90 day period following the initial submission.

References:

References:

Education Code Sections 72121 and 72121.5;
Government Code Sections 6250 et seq. and 54954 et seq.

Attachments

- [BP 2340 Agendas - Comments](#)
- [BP 2340 Agendas - Legal Citations](#)
- [BP 2340 Update #30.pdf](#)

Current Status: *Draft*

PolicyStat ID: 8393442



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|----------------|------------------------------------|
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| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Good Practice/Optional</i> |

BP 2355 Decorum

The following will be ruled out of order by the presiding officer:

- ~~• Remarks or discussion in public meetings on charges or complaints which the Board of Trustees has scheduled to consider in closed session.~~
- ~~• Profanity, obscenity, and other offensive language.~~
- ~~• Physical violence and/or threats of physical violence directed towards any person or property.~~
- Disrupting, disturbing, or otherwise impeding the orderly conduct of the meeting.
- Physical violence or threats of physical violence directed toward any person or property.

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the ~~person(s)~~persons may be removed from the meeting room.

Speakers who engage in such conduct may be removed from the podium and denied the opportunity to speak to the Board for the duration of the meeting.

Before removal, a warning and a request that the ~~person(s)~~persons curtail the disruptive activity will be made by the Chair of the Board. If the behavior continues, the ~~person(s)~~persons may be removed by a vote of the Board, based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting.

If order cannot be restored by the removal in accordance with these rules of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and may continue in session. The Board shall only consider matters appearing on the agenda. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this rule.

~~References:~~

References:

Education Code Section 72121.5;
Government Code Section 54954.3 - subdivision (b)

Attachments

[BP 2355 Decorum - Comments](#)

Current Status: *Draft*

PolicyStat ID: 8597487



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|----------------|------------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Legally Required</i> |

AP 2431 Chancellor Selection

The Board of Trustees shall designate a Board subcommittee to oversee the search process to fill the Chancellor position in the event of a vacancy. A search committee ~~shall~~may be formed which will include members of District governance groups and appropriate representatives from the community. ~~The search committee shall make recommendations concerning all aspects of the search process.~~

The Board of Trustees will interview finalists in closed session. The final selection will be announced in open session and voted on for approval pursuant to Title 5 Regulations and relevant Government Code sections.

Attachments

- A: AP 2431 Chancellors Selection - Comments
- B: AP 2431 Chancellors Selection - Legal Citations

Current Status: *Draft*

PolicyStat ID: 8516907



| | |
|----------------|------------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Legally Required</i> |

BP 2431 Chancellor Selection

In the case of a vacancy in the Chancellor position, the Board of Trustees shall establish a search process to fill the vacancy. The process shall be fair and open and comply with relevant regulations.

~~References:~~

References:

Title 5 Sections 53000 et seq.;

ACCJC Accreditation Standards IV.B and IV.C.3 (formerly IV.B.1 and IV.B.1.j)

Attachments

- [BP 2431 Chancellor Selection - Comments](#)
- [BP 2431 Chancellor Selection - Legal Citations](#)

Current Status: *Draft*

PolicyStat ID: 8466764



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|----------------|------------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>BOT Board of Trustees:</i> |
| Policy Area: | <i>Chapter 2 Board of Trustees</i> |
| References: | <i>Good Practice/Optional</i> |

BP 2432 Chancellor Succession

~~Acting Chancellor~~

Acting Chancellor

The Board delegates authority to the Chancellor to appoint an ~~acting~~Acting Chancellor to serve in their absence for short periods of time, not to exceed 30 calendar days at a time.

In the absence of the Chancellor and when an ~~acting~~Acting Chancellor has not been named, administrative responsibility shall reside with the Executive Vice Chancellor, ~~Business and Fiscal~~or the Vice Chancellor of Human Resources and Police Services, ~~or the~~if the Executive Vice Chancellor ~~of Human Resources and Police Services~~ if unavailable.

The Board shall appoint an ~~acting~~Acting Chancellor for periods exceeding 30 calendar days due to the Chancellor's absence.

~~Interim Chancellor~~

Interim Chancellor

In the event that the Chancellor position is vacant, the Board may appoint an interim Chancellor until a regular appointment is made. Appointment of an Interim Chancellor may not exceed two years.

~~Should the Chancellor not be able to perform his/her duties for any period of time, the Board will appoint an acting Chancellor.~~

~~References:~~

References:

Education Code Sections 70902(d) and 72400;

Government Code Section 53060

Title 5 Section 53021(b) and (c)(7)

Attachments

[BP 2432 Chancellor Succession - Comments](#)

Current Status: Pending

PolicyStat ID: 8453185



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Last Revised: 08/2020
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Owner: BOT Board of Trustees:
Policy Area: Chapter 2 Board of Trustees
References: Legally Advised

AP 2712 Conflict of Interest Code

(Replaces current SBCCD AP 2260)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency’s code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the San Bernardino Community College District (District).

Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction. (Gov. Code Sec. 81008.) All statements will be retained by the District.

APPENDIX A

DESIGNATED POSITIONS

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|---|------------------------------|
| Board of Trustees | 1,2 |
| Chancellor | 1,2 |
| President, CHC | 2 |
| President, SBVC | 2 |
| General Manager, KVCR TV/FM | 2 |
| Executive Vice Chancellor | 1,2 |
| Vice President of Instruction | 2 |
| Vice President of Student Services | 2 |
| Vice President of Administrative Services | 2 |
| Business Manager | 1,2 |
| General Counsel | 1,2 |

| | |
|--|-------------------------------------|
| Vice Chancellor, Workforce Development, Advancement & Media Systems | 2 |
| Director, Facilities Planning & Construction | 4 |
| Vice Chancellor of Human Resources and Police Services | 2 |
| Director, Fiscal Services | 2 |
| Chief Technology Officer | 2 |
| Director of Technology Services | 2 |
| Director, Campus Technology Services | 2 |
| Director, Alternative Text Production | 2 |
| Director, Administrative Application Systems | 2 |
| Director, Grant Development & Management | 2 |
| Director, DSP&S | 2 |
| Director, Labor Relations & Compliance | 3 |
| Police Chief | 3 |
| Deans | 2 |
| Associate Deans | 2 |
| Cafeteria/Snack Bar Manager | 3 |
| Director, Bookstore | 3 |
| Director of Maintenance & Operations | 3 |
| Consultants/New Positions | ± |
| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
| <u>Board of Trustees</u> | <u>1, 2</u> |
| <u>Chancellor</u> | <u>1, 2</u> |
| <u>Executive Vice Chancellor</u> | <u>1, 2</u> |
| <u>General Counsel</u> | <u>1, 2</u> |
| <u>Business Manager</u> | <u>1, 2</u> |
| <u>Director, Facilities Planning, Emergency Management & Construction</u> | <u>1</u> |
| <u>Associate Deans</u> | <u>2</u> |
| <u>Chief Technology Officer</u> | <u>2</u> |
| <u>College President, CHC</u> | <u>2</u> |
| <u>College President, SBVC</u> | <u>2</u> |
| <u>Deans</u> | <u>2</u> |
| <u>Director of Technology Services</u> | <u>2</u> |
| <u>Director, Administrative Application Systems</u> | <u>2</u> |
| <u>Director, Alternative Text Production Center</u> | <u>2</u> |
| <u>Director, Technology Services</u> | <u>2</u> |

| | |
|--|----------------------|
| <u>Director, DSP&S</u> | <u>2</u> |
| <u>Director, Fiscal Services</u> | <u>2</u> |
| <u>Director, Grants Development & Administration</u> | <u>2</u> |
| <u>General Manager, KVCR TV/FM</u> | <u>2</u> |
| <u>Vice Chancellor of Human Resources and Police Services</u> | <u>2</u> |
| <u>Vice Chancellor, Workforce Development, Advancement & Media Systems</u> | <u>2</u> |
| <u>Vice President of Administrative Services</u> | <u>2</u> |
| <u>Vice President of Instruction</u> | <u>2</u> |
| <u>Vice President of Student Services</u> | <u>2</u> |
| <u>Director, Facilities, Maintenance & Operations</u> | <u>3</u> |
| <u>Director, Human Resources, EEO, Legal Services and Labor Relations</u> | <u>3</u> |
| <u>Food Services Supervisor</u> | <u>3</u> |
| <u>Chief of Police</u> | <u>3</u> |
| <u>Consultants/New Positions</u> | <u>*</u> <u>-</u> |

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure requirements in this conflict of interest code subject to the following limitation:

The Chancellor may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chancellor’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

The following positions are NOT covered by the code because they must file under Government Code Section 87200 and, therefore, are listed for informational purposes only:

- **Retirement Board Authority**
- **Investment Advisors**

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been incorrectly categorized. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

APPENDIX B

DISCLOSURE CATEGORIES

Category 1. Designated positions assigned to this category must report:

- A. Interests in real property within the boundaries of the District that are used by the District or are of the type that could be acquired by the District as well as real property within two miles of the property used or the potential site.
- B. Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources of the type that engage in the acquisition or disposal of real property or are

engaged in building construction or design for school districts.

Category 2. Designated positions assigned to this category must report:

Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the District.

Category 3. Designated positions assigned to this category must report:

Investments and business positions in business entities and income (including receipt of gifts, loans, and travel payments) from sources that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the designated position's department.

References:

Government Code Sections 87103(e), 87300-87302, 89501, 89502, and 89503; Title 2 Section 18730

Any changes to this AP requires approval of the FPPC prior to board approval.

Attachments

- [AP 2712 Conflict of Interest Code - Comments](#)
- [AP 2712 Conflict of Interest Code - Legal Citations](#)
- [FPPC Approval of AP 2712 Conflict of Interest Code.pdf](#)
- [SBCCD - Overview for Legal Update 31 Final Version.docx](#)

Approval Signatures

| Step Description | Approver | Date |
|------------------|----------|------|
|------------------|----------|------|

Current Status: *Draft*

PolicyStat ID: 8393755



| | |
|----------------|---|
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| Next Review: | N/A |
| Owner: | <i>Chancellor's Cabinet</i> <i>Chancellor's Cabinet:</i> |
| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | |

AP 3430 Prohibition of Harassment

Procedures for handling complaints of unlawful discrimination under title 5 sections 59300 ET SEQ.

(Replaces current SBCCD AP 3430)

~~Introduction and Scope~~

Introduction and Scope

The District is committed to providing an academic and work environment free of unlawful discrimination and harassment. This procedure defines discrimination and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of discrimination by or against any staff or faculty member within the District.

This procedure and the related policy protects students and employees in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

These are procedures for filing and processing complaints of unlawful discrimination at San Bernardino Community College District. These procedures incorporate the legal principles contained in nondiscrimination provisions of the California Code of Regulations, title 5, sections 59300 et seq. as well as other state and federal substantive and procedural requirements.

A copy of relevant procedures on unlawful discrimination will be displayed in a prominent location in the Office of Human Resources, San Bernardino Valley College President's Office, Crafton Hills College President's Office and other areas where notices regarding the institution's rules, regulations, procedures, and standards of conduct are posted.

Authority: 20 U.S.C. § 1681 et seq.; Ed. Code, §§ 66270, 66271.1, 66281.5; Gov. Code, §§ 11135-11139.5; Cal. Code Regs., tit. 5, § 59326. Reference: Cal. Code Regs., tit. 5, §§ 59300 et seq.; 34 C.F.R. § 106.8(b).

The San Bernardino Community College District hereby implements the provisions of California Government Code sections 11135 through 11139.5, the Sex Equity in Education Act (Ed. Code, § 66250 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), Board Approved February 2010

U.S.C. § 794), section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794d), the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12100 et seq.) and the Age Discrimination Act (42 U.S.C. § 6101).

Authority: Cal. Code Regs., tit. 5, § 59300; Ed. Code §§ 66250 et seq., 66271.1, 66700, and 70901; Gov. Code § 11138. Reference: Ed. Code §§ 66250 et seq. and 72011; Gov. Code, §§ 11135-11139.5; Penal Code §§ 422.6 and 422.55; 20 U.S.C. § 1681; 29 U.S.C. §§ 794 and 794d; 42 U.S.C. §§ 6101, 12100 et seq. and 2000d; 36 C.F.R. § 1194.

~~Responsible District Officer~~

Responsible District Officer

The San Bernardino Community College District has identified the Vice Chancellor Human Resources and Police Services to the State Chancellor's Office and to the public as the single District officer responsible for receiving unlawful discrimination complaints filed pursuant to title 5, section 59328, and for coordinating their investigation and resolution. Informal charges of unlawful discrimination should be brought to the attention of the Vice Chancellor Human Resources and Police Services, who shall oversee the informal resolution process pursuant to section 59327. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract with the District. Such delegation procedures will be used whenever the Vice Chancellor is named in the complaint or is implicated by the allegations in the complaint.

Administrators, faculty members, other District employees, and students shall direct all complaints of unlawful discrimination to the Vice Chancellor Human Resources and Police Services.

Authority: Cal. Code Regs., tit. 5, § 59324; 34 C.F.R. § 106.8.

~~Informal/Formal Complaint Procedure~~

Informal/Formal Complaint Procedure

(see Complaint Procedure Checklist at the end of the procedure)

When a person brings charges of unlawful discrimination to the attention of the Vice Chancellor of Human Resources and Police Services, he/she will:

- Undertake efforts to informally resolve the charges;
- Advise the complainant that he or she need not participate in informal resolution;
- Notify the person bringing the charges of his or her right to file a formal complaint and explain the procedure for doing so;
- Assure the complainant that he or she will not be required to confront, or work out problems with, the person accused of unlawful discrimination;
- Advise the complainant that he or she may file a nonemployment-based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR) where such a complaint is within that agency's jurisdiction.
- If the complaint is employment-related, the complainant should also be advised that he or she may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency's jurisdiction.

Efforts at informal resolution need not include any investigation unless the responsible District officer determines that an investigation is warranted by the seriousness of the charges. Selecting an informal resolution does not extend the time limitations for filing a formal complaint. Efforts at informal resolution may continue after the filing of a formal written complaint, but after a complaint is filed an investigation is required to

be conducted pursuant to title 5, section 59334, and will be completed unless the matter is informally resolved and the complainant dismisses the complaint. Even if the complainant does dismiss the complaint, the responsible district officer may require the investigation to continue if he or she determines that the allegations are serious enough to warrant an investigation. Any efforts at informal resolution after the filing of a written complaint will not exceed the 90-day period for rendering the administrative determination pursuant to title 5, section 59336.

In employment-related cases, if the complainant also files with the Department of Fair Employment and Housing or with the U.S. Equal Employment Opportunity Commission, a copy of that filing will be sent to the State Chancellor's Office requesting a determination of whether a further investigation under title 5 is required. Unless the State Chancellor's Office determines that a separate investigation is required, the District will discontinue its investigation under title 5 and the matter will be resolved through the Department of Fair Employment and Housing or the U.S. Equal Employment Opportunity Commission.

The District will allow for representation where required by law and may allow for representation for the accused and complainant in other circumstances on a case by case basis.

Authority: Cal. Code Regs., tit. 5, §§ 59327, 59328, 59334, 59336, and 59339; NLRB v. Weingarten, Inc. (1975) 420 U.S. 251.

~~Filing of Formal Written Complaint~~

Filing of Formal Written Complaint

If a complainant decides to file a formal written unlawful discrimination complaint against the District, he or she must file the complaint on a form prescribed by the State Chancellor. These approved forms are available from the District and also at the State Chancellor's website, as follows:

<http://www.cccco.edu/SystemOffice/Divisions/Legal/Discrimination/tabid/294/Default.aspx>

The completed form must be filed with the District representative or mailed directly to the State Chancellor's Office of the California Community Colleges. Complainants may contact the Vice Chancellor of Human Resources and Police Services for assistance in filling out the form, if necessary.

Once a complaint is filed, the individual(s) accused of engaging in prohibited discriminatory conduct shall be advised of that filing and the general nature of the complaint. This should occur as soon as possible and in a manner that is appropriate under the circumstances. The District will also advise the accused that an assessment of the accuracy of the allegations has not yet been made, that the complaint will be investigated, that the accused will be provided an opportunity to present his/her side of the matter, and that any conduct that could be viewed as retaliatory against the complainant or any witnesses must be avoided.

Authority: Cal. Code Regs., tit. 5, §§ 59311 and 59328.

~~Threshold Requirements Prior to Investigation of a Formal Written Complaint~~

Threshold Requirements Prior to Investigation of a Formal Written Complaint

When a formal written complaint is filed it will be reviewed to determine if the complaint meets the following

requirements:

- The complaint must be filed on a form prescribed by the State Chancellor's Office.
- The complaint must allege unlawful discrimination prohibited under title 5, section 59300.
- The complaint must be filed by one who alleges that he or she has personally suffered unlawful discrimination or by one who has learned of such unlawful discrimination in his or her official capacity as a faculty member or administrator.
- In any complaint alleging discrimination in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred, except that this period will be extended by no more than 90 days following the expiration of that 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of 180 days.

Authority: Cal. Code Regs., tit. 5, § 59328.

~~Defective Complaint~~

Defective Complaint

If a complaint is found to be defective it will be immediately returned to the complainant with a complete explanation of why an investigation will not be initiated under California Code of Regulations, title 5, section 59300 et seq. The notice will inform the complainant that the complaint does not meet the requirements of section 59328, and shall specify in what requirement the complaint is defective. A copy of the notice to the complainant will also be sent to the State Chancellor's Office.

Authority: Cal. Code Regs., tit. 5, §§ 59328, 59332.

~~Notice to State Chancellor or District~~

Notice to State Chancellor or District

A copy of all formal complaints filed in accordance with the title 5 regulations will be forwarded to the State Chancellor's Office immediately upon receipt, regardless of whether the complaint is brought by a student or by an employee. Similarly, when the State Chancellor's Office receives a complaint a copy will be forwarded to the District.

Authority: Cal. Code Regs., tit. 5, § 59330.

~~Administrative Determination~~

Administrative Determination

In any case not involving employment discrimination, within 90 days of receiving an unlawful discrimination complaint filed under title 5, sections 59300 et seq., the responsible District officer will complete the investigation and forward a copy of the investigative report to the State Chancellor, a copy or summary of the report to the complainant, and written notice setting forth all the following to both the complainant and the State Chancellor:

- the determination of the chief executive officer or his/her designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
- a description of actions taken, if any, to prevent similar problems from occurring in the future;

- the proposed resolution of the complaint; and
- the complainant's right to appeal to the District governing board and to file a complaint with the Department of Fair Employment and Housing.

The District will keep these documents on file for a period of at least three years after closing the case, and make them available to the State Chancellor upon request.

The San Bernardino Community College District recognizes the importance of and is therefore committed to completing investigations and resolving complaints as quickly as possible, consistent with the requirements for a thorough investigation.

Authority: Cal. Code Regs., tit. 5, § 59336.

~~Complainant's Appeal Rights~~

Complainant's Appeal Rights

Complainants have appeal rights that they may exercise if they are not satisfied with the results of the District's administrative determination. At the time the administrative determination and summary is mailed to the complainant, the responsible District officer or his/her designee shall notify the complainant of his or her appeal rights as follows:

- First level of appeal: The complainant has the right to file an appeal to the District's governing board within 15 days from the date of the administrative determination. The District's governing board will review the original complaint, the investigative report, the administrative determination, and the appeal.
- The District's governing board will issue a final District decision in the matter within 45 days after receiving the appeal. Alternatively, the District's governing board may elect to take no action within 45 days, in which case the original decision in the administrative determination will be deemed to be affirmed and shall become the final District decision in the matter. A copy of the final decision rendered by the District's governing board will be forwarded to the complainant and to the State Chancellor's Office.

Complainants must submit all appeals in writing.

Authority: Cal. Code Regs., tit. 5, §§ 59338 and 59339.

~~Extensions~~

Extensions

If for reasons beyond its control, the District is unable to comply with the 90-day or 150-day deadlines specified above for submission of materials to the complainant and the State Chancellor's Office, the Vice Chancellor of Human Resources and Police Services will file a written request that the State Chancellor grant an extension of the deadline. Where an extension is deemed necessary by the District, it must be requested from the State Chancellor regardless of whether the case involves employment discrimination. The request will be submitted no later than 10 days prior to the expiration of the deadlines established by title 5 in sections 59336 and/or 59340 and will set forth the reasons for the request and the date by which the District expects to be able to submit the required materials.

A copy of the request for an extension will be sent to the complainant, who will be advised that he or she may file written objections with the State Chancellor within 5 days of receipt. The State Chancellor may grant the request unless delay would be prejudicial to the investigation. If an extension of the 90-day deadline is granted by the State Chancellor the 150-day deadline is automatically extended by an equal amount.

Authority: Cal. Code Regs., tit. 5, § 59342.

Definitions

Definitions

Definitions applicable to nondiscrimination policies are as follows:

Appeal means a request by a complainant made in writing to the San Bernardino Community College District governing board pursuant to title 5, section 59338, and/or to the State Chancellor's Office pursuant to title 5, section 59339, to review the administrative determination of the District regarding a complaint of discrimination.

Association with a person or group with these actual or perceived characteristics includes advocacy for or identification with people who have one or more characteristics of a protected category listed under "Unlawful Discrimination Policy" and title 5, section 59300, participation in a group associated with persons having such characteristics, or use of a facility associated with use by such persons.

Complaint means a written and signed statement meeting the requirements of title 5, section 59328 that alleges unlawful discrimination in violation of the nondiscrimination regulations adopted by the Board of Governors of the California Community Colleges, as set forth at title 5, sections 59300 et seq.

Days means calendar days.

District means the San Bernardino Community College District or any District program or activity that is funded directly by the state or receives financial assistance from the state. This includes the District Personnel Commission and any other organization associated with the District or its college(s) that receives state funding or financial assistance through the District.

Gender means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

General Harassment is based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, military and veteran status, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment is found where a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his-~~er~~/her/their ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

[For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.](#)

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender,

could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race, gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status, or sexual orientation; unwelcome flirting or propositions, demands for sexual favors, verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race, nationality, sexual orientation or other protected status.

Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

Environmental: A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation, or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his/her immediate surroundings, although the conduct is directed at other(s). The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

Mental disability includes, but is not limited to, all of the following:

- Having any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities, that limits a major life activity. For purposes of this section:
 - Limits shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
 - A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.
 - Major life activities shall be broadly construed and shall include physical, mental, and social activities and working.

- Any other mental or psychological disorder or condition not described in paragraph (1) that requires specialized supportive services.
- Having a record or history of a mental or psychological disorder or condition described in paragraph (1) or (2), which is known to the District.
- Being regarded or treated by the District as having, or having had, any mental condition that makes achievement of a major life activity difficult.
- Being regarded or treated by the District as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph 1 or 2.

Mental disability does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

Physical disability includes, but is not limited to, all of the following:

- Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that does both of the following:
 - Affects one or more of the following body systems: neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.
 - Limits a major life activity. For purposes of this section:
 - Limits" shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
 - A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity if it makes the achievement of the major life activity difficult.
 - Major life activities shall be broadly construed and include physical, mental, and social activities and working.
- Any other health impairment not described in paragraph (1) that requires specialized supportive services.
- Having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment described in paragraph (1) or (2), which is known to the District.
- Being regarded or treated by the District as having, or having had, any physical condition that makes achievement of a major life activity difficult.
- Being regarded or treated by the District as having, or having had, a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment that has no present disabling effect but may become a physical disability as described in paragraph 1 or 2.

Physical disability does not include sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs.

Quid Pro Quo sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.

Responsible District Officer means the officer identified by the District to the State Chancellor's Office as the person responsible for receiving complaints filed pursuant to title 5, section 59328, and coordinating their investigation. The Responsible District Officer for San Bernardino Community College District is the Vice Chancellor of Human Resources and Police Services.

Sex includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. 'Sex' also includes, but is not limited to, a person's gender, as defined in section 422.56 of the Penal Code. Discrimination on the basis of sex or gender also includes sexual harassment.

Sexual harassment is unlawful discrimination in the form of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the workplace or in the educational setting, and includes but is not limited to:

- Making unsolicited written, verbal, physical, and/or visual contacts with sexual overtones. (Examples of possible sexual harassment that appear in a written form include, but are not limited to: suggestive or obscene letters, notes, and/or invitations. Examples of possible visual sexual harassment include, but are not limited to: leering, gestures, display of sexually aggressive objects or pictures, cartoons, or posters.)
- Continuing to express sexual interest after being informed that the interest is unwelcome.
- Making reprisals, threats of reprisal, or implied threats of reprisal following a rebuff of harassing behavior. The following are examples of conduct in an academic environment that might be found to be sexual harassment: threatening to withhold, or actually withholding, grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied.
- Engaging in explicit or implicit coercive sexual behavior within the work environment which is used to control, influence, or affect the employee's career, salary, and/or work environment.
- Engaging in explicit or implicit coercive sexual behavior within the educational environment that is used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
- Offering favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassification, etc., in exchange for sexual favors.
- Awarding educational or employment benefits, such as grades or duties or shifts, recommendations, reclassification, etc., to any student or employee with whom the decision maker has a sexual relationship and denying such benefits to other students or employees.
- Unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from, or in, the work or educational setting when:
 - Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
 - Submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decision affecting the individual.
 - The conduct has the purpose or effect of having a negative impact upon the individual's work or educational environment.
 - Submission to, or rejection of, the conduct by the individual is used as the basis for any decisions affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.

Sexual orientation means heterosexuality, homosexuality, or bisexuality.

Unlawful discrimination means discrimination based on a category protected under Title 5, section 59300, including retaliation and sexual harassment.

Authority: Gov. Code, § 12926; Cal. Code Regs., tit. 5, §§ 59300, 59311; Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001.

~~Consensual Relationships~~

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty members, or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty member, or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

~~Confidentiality of the Process~~

Confidentiality of the Process

Investigative processes can best be conducted within a confidential climate. Therefore, the District does not reveal information about such matters except as necessary to fulfill its legal obligations.

Potential complainants are sometimes reluctant to pursue a complaint if their names will be revealed. The inability to reveal the name of a complainant or facts that are likely to reveal the identity of the complainant can severely limit the ability of the District to respond. Complainants must also recognize that persons who are accused of wrongdoing have a right to present their side of the matter, and this right may be jeopardized if the District is prohibited from revealing the name of the complainant or facts that are likely to disclose the identity of the complainant.

If a complainant insists that his or her name not be revealed, the responsible officer should take all reasonable steps to investigate and respond to the complaint consistent with the complainant's request as long as doing so does not jeopardize the rights of other students or employees.

It is also important that complainants and witnesses understand the possibility that they may be charged with allegations of defamation if they circulate the charges outside of the District's process. In general, persons who are participating in a District investigative or disciplinary process that is related to a charge of discrimination are protected from tort claims such as defamation. However, persons who make allegations outside of these processes or who discuss their claims with persons outside of the process may expose themselves to tort charges. Complainants, witnesses, and those accused of discrimination will all be asked to sign a confidentiality acknowledgement statement.

Where an investigation reveals the need for disciplinary action, the complainant may wish to have information about what disciplinary actions the District took. However, the privacy rights of the persons involved often prevent the District from providing such information. In student disciplinary actions for sexual assault/physical abuse charges, Education Code section 76234 provides that the victim shall be informed of the disciplinary action, but that the victim must keep the information confidential. Disciplinary actions taken against employees are generally considered confidential.

Authority: Cal. Const. Art. I, § 1; Civil Code § 47; Ed. Code, §§ 76234 and 87740; *Silberg v. Anderson* (1990)

50 Cal.3d. 205; Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001.

~~Notice, Training, and Education for Students and Employees~~

Notice, Training, and Education for Students and Employees

The San Bernardino Community College District's Vice Chancellor of Human Resources and Police Services shall make arrangements for or provide training to employees and students on the District's unlawful discrimination policy and procedures. Faculty members, members of the administrative staff, and members of the support staff will be provided with notice of online access to the District's written procedure on unlawful discrimination at the beginning of the first semester of the college year each time the procedure is revised.

All District employees will receive this training and a copy of the unlawful discrimination policies and procedures during the first year of their employment. Because of their special responsibilities under the law, supervisors will undergo mandatory training within six months of assuming a supervisory position and annually thereafter. In years in which a substantive policy or procedural change has occurred all District employees will attend a training update and/or receive a copy of the revised policies and procedures.

Authority: Ed. Code, § 66281.5; Cal. Code Regs., tit. 5, §§ 59324 and 59326. Reference: Cal. Code Regs., tit. 5, §§ 59300 et seq.; 34 C.F.R. § 106.8(b).

~~Academic Freedom~~

Academic Freedom

The San Bernardino Community College District Governing Board reaffirms its commitment to academic freedom, but recognizes that academic freedom does not allow any form of unlawful discrimination. It is recognized that an essential function of education is a probing of opinions and an exploration of ideas that may cause some students discomfort. It is further recognized that academic freedom ensures the faculty's right to teach and the student's right to learn. Finally, nothing in these policies and procedures shall be interpreted to prohibit bona fide academic requirements for a specific community college program, course or activity.

When investigating unlawful discrimination complaints containing issues of academic freedom San Bernardino Community College District will consult with a faculty member appointed by the Academic Senate with respect to contemporary practices and standards for course content and delivery.

No provision of this Administrative Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California anti-discrimination laws.

Reference: Cohen v. San Bernardino Valley College (1995) 883 F.Supp. 1407, 1412-1414, affd. in part and revd. in part on other grounds, (1996) 92 F.3d 968; Cal. Code Regs., tit. 5, § 59302.

~~Record Retention~~

Record Retention

Unlawful discrimination records that are part of an employee's employment records may be classified as Class-1 Permanent records and retained indefinitely or microfilmed in accordance with title 5, California Code of Regulations, section 59022. Unlawful discrimination records of a student that are deemed worthy of preservation but not classified as Class-1 Permanent may be classified as Class-2 Optional records or as Class-3 Disposable records. Class-2 Optional records shall be retained until reclassified as Class-3 Disposable Records. Class-3 Disposable Records shall be retained for a period of three years after being classified as Class-3 Disposable records.

Records related to a student discrimination complaint will be deemed worthy of preservation if, at the end of three years after the case is closed, a complaint on similar grounds has been filed against the same employee. In such cases, the records shall continue to be classified as Class 2 records and shall not be reclassified as Class-3 Disposable Records until complaints against that particular employee have been resolved.

Retaliation

It is unlawful for anyone to retaliate against someone who files an unlawful discrimination complaint, who refers a matter for investigation or complaint, who participates in an investigation of a complaint, who represents or serves as an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of this unlawful discrimination procedure.

Authority: 20 U.S.C. Sections 1681 et seq.; 34 C.F.R. Section 106; Cal. Code Regs., titl 5, Sections 59300 et Seq.;

~~Complaint Procedure Checklist~~

Complaint Procedure Checklist

- Complaint received by Vice Chancellor of Human Resources and Police Services
 - Acting in role of Equal Opportunity Officer
 - Within 180 days of occurrence
 - Extension of 90 days if knowledge attained after 180 days
- Acknowledgement of receipt in writing to complainant and State Chancellor's Office (SCO)
 - Within 10 days of complaint receipt
 - Designate resolution/investigation coordinator
 - Advise of formal complaint filing with Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH).
- Advise individual accused
 - General nature of complaint
 - Assessment of accuracy has not yet been made
 - An investigation will be conducted
 - Accused will be provided an opportunity to present his/her side of the matter
 - Retaliation of complainant or witnesses must be avoided
- District schedules informal resolution efforts or impartial investigation
 - Complete within 90 days of complaint receipt (extensions may be requested from SCO)

- Extension requests must
 - Be filed at least 10 days prior to the original 90-day deadline
 - State reason why extension is necessary
 - The date by which District expects a determination
 - Corresponding copy sent to complainant
 - Notice to complainant of right to send objection to SCO within 5 days
- Factual description of the matter
- Summary of testimony provided by each witness
- Analysis of data or evidence collected
- Probable cause determination for each allegation in the complaint
- Other appropriate information
- If a formal complaint is filed with EEOC or DFEH, send complaint copy to SCO and request whether to continue with District formal investigation
- Investigative report and administrative determination letter forwarded to complainant and SCO
 - Within 90 days of complaint receipt
 - Pertinent information in letter
 - Ultimate determination on probable cause
 - Description of actions taken to prevent similar future allegations
 - Proposed resolution
 - Complainant's appeal DFEH rights
- Complainant may file appeal to governing board
 - Within 15 days from date of administrative determination
 - Board issues final district decision within 45 days of receiving appeal
 - Forwarded to complainant with DFEH appeal rights
- Governing board determination is final
 - No appeal rights to SCO

~~References:~~

References:

Education Code Sections 212.5; 44100; 66281.5;

Government Code Sections 12940 and 12923;

Civil Code Section 51.9;

Title 2 Sections 10500 et seq.;

Title ~~IX, Education Amendments of 1972; Title~~ 5 Sections 59320 et seq.;

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

Attachments

[AP 3430 Prohibition of Harassment - Comments](#)

[AP 3430 Prohibition of Harassment - Legal Citations](#)

[AP3430-OLD.pdf](#)

Current Status: Draft

PolicyStat ID: 8392884



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| Policy Area: | Chapter 3 General Institution |
| References: | |

BP 3430 Prohibition of Harassment

Prohibition of Harassment (Replaces current SBCCD BP 3430)

This policy prohibits District employees, students, and student organizations from engaging in unlawful discrimination and harassment including sexual misconduct. Allegations that an employee, student or student organization has violated the Discrimination and Harassment Policy will be resolved consistent with AP 3430: Prohibition of Harassment.

All forms of harassment are contrary to basic standards of conduct between individuals ~~and are prohibited by state, State~~ and federal law, ~~as well as; and~~ this policy prohibit harassment, and the District will not tolerate harassment. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be tolerated. The District free of unlawful discrimination and harassment, including that which is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other unlawful discrimination and harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, pregnancy, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or because an individual is perceived to have one or more of the foregoing characteristics. Sexual violence (e.g.: non-consensual sexual intercourse and non-consensual sexual contact) and interpersonal/relationship violence are always violations of the sex and gender-based discrimination and harassment policies and stalking often can be as well.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of discrimination or harassment or for participating in a related investigation. Such conduct is illegal and constitutes a violation of this policy. ~~All~~ The District will investigate all allegations of retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it will ~~be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will~~ take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion. Retaliation is defined below.

Any individual who believes that they have been harassed, discriminated against, or retaliated against in violation of this policy may report such incidents by following the procedures described ~~below~~ in AP 3435. Supervisors are mandated The District requires supervisors to report all incidents of discrimination, harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to admission, classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

This policy applies to behaviors that take place on campus and at school-sponsored events and may also apply off-campus and to actions online when the Title IX Coordinator/Institutional Equity Officer determines that the off-campus conduct affects a substantial school interest or impacts the educational mission of the District.

~~A substantial school interest includes:~~

- ~~a) Any action that constitutes criminal offense as defined by federal or state law. This includes, but is not limited to, single or repeat violations of any local, state or federal law committed in the municipality where the school is located;~~
- ~~b) Any situation where it appears that the responding party may present a danger or threat to the health or safety of self or others;~~
- ~~c) Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or~~
- ~~d) Any situation that is detrimental to the educational interests of the school.~~

A substantial school interest includes:

- a. Any action that constitutes criminal offense as defined by federal or state law. This includes, but is not limited to, single or repeat violations of any local, state or federal law committed in the municipality where the school is located;
- b. Any situation where it appears that the responding party may present a danger or threat to the health or safety of self or others;
- c. Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- d. Any situation that is detrimental to the educational interests of the school.

Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc. occurring completely outside of the District's control will only be subject to this policy when those online behaviors can be shown to cause a substantial on campus disruption. Off-campus discriminatory or harassing speech by employees may be regulated by the District only when such speech is made in an employee's official or work-related capacity. The District's policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom.

The District reserves the right to address offensive conduct and/or harassment that does not rise to the level of discrimination, or that is of a generic nature not on the basis of a protected status. Addressing such issues may not result in the imposition of discipline under District policy, but will be addressed through civil confrontation, remedial actions, education and/or effective conflict resolution mechanisms.

Questions about this policy should be directed to the Title IX Coordinator/Institutional Equity Officer.

The Chancellor shall ensure that the institution undertakes education and training activities to counter discrimination and harassment and to prevent, minimize, and/or eliminate any hostile environment that impairs

access to equal education opportunity or impacts the terms and conditions of employment.

The Chancellor shall establish procedures that define harassment on campus. The Chancellor shall further establish procedures for employees, students, unpaid interns, volunteers, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures to resolve complaints of harassment and discrimination. State and federal law and this policy prohibit retaliatory acts by the District, its employees, students, and agents.

~~This~~The District will publish and publicize this policy and related written procedures ~~shall be widely published and publicized~~(including the procedure for making complaints) to administrators, faculty, staff, students, unpaid interns, and volunteers particularly when they are new to the institution. ~~They shall be~~The District will make this policy and related written procedures (including the procedure for making complaints) available ~~for students, employees, unpaid interns, and volunteers~~ in all administrative offices and will post them on the District's website.

References:

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the internship or other unpaid work experience program.

References:

Education Code Sections 212.5, 44100, 66252, and 66281.5;

Government Code Sections 12923, 12940 and 12950.1;

Civil Code Section 51.9;

Title 2 Sections 10500 et seq.;

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e;

Age Discrimination in Employment Act of 1967 (ADEA);

Americans with Disabilities Act of 1990 (ADA)

Attachments

- [BP 3430 Prohibition of Harassment - Comments](#)
- [BP 3430 Prohibition of Harassment- Legal Citations](#)
- [BP 3430 Update #30.pdf](#)

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AP 3433 Prohibition of Sexual Harassment under Title IX

The District is committed to providing an academic and work environment free of unlawful sex harassment under Title IX. This procedure defines sexual harassment on campus.

This procedure and the related policy protects students, employees, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

Definitions

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;
- Sexual assault, including the following:
 - **Sex Offenses.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sodomy.** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
 - **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
 - **Fondling.** The touching of the private body parts of another person for the purpose of sexual

gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.

- **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
 - **Incest.** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape – Non-Forcible.** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence.** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence.** Violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

References:

Title IX, Education Amendments of 1972; Title 5 Sections 59320 et seq.;
 Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

Attachments

No Attachments

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| References: | <i>Legally Required</i> |

BP 3433 Prohibition of Sexual Harassment under Title IX

All forms of sexual harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit sexual harassment and the District will not tolerate sexual harassment. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence.

The District seeks to foster an environment in which all employees, students, applicants for employment, and applicants for admission feel free to report incidents of sexual harassment in violation of this policy and Title IX, without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of sexual harassment in violation of this policy and Title IX or for participating, or refusing to participate, in a sexual harassment investigation. The District will investigate all allegations of Title IX retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it will take reasonable steps within its power to stop such conduct. Individuals who engage in Title IX retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any employee, student, applicant for employment, or applicant for admission who believes he/she/they has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3434 Responding to Harassment Based on Sex under Title IX. The District requires supervisors to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.

To this end, the Chancellor shall ensure that the institution undertakes education and training activities to counter sexual harassment and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Chancellor shall establish procedures that define sexual harassment on campus. The Chancellor shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment in violation of this policy, and procedures to resolve complaints of sexual harassment in violation of this policy. State and federal law and this policy prohibit retaliatory acts against all participants by the District, its employees, students, and

agents.

The District will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, applicants for employment, and applicants for admission, particularly when they are new to the institution. The District will make this policy and related written procedures (including the procedures for making complaints) available in all administrative offices and will post them on the District's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Volunteers or unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the volunteer assignment, internship, or other unpaid work experience program.

References:

Title IX of the Education Amendments Act of 1972;
34 Code of Federal Regulations Part 106

Attachments

No Attachments

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| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | <i>Legally Required</i> |

AP 3540 Sexual and Other Assaults on Campus

For additional information and resources on sexual assault, domestic violence, dating violence, and stalking in the educational/campus environment, the Department of Justice has established a clearinghouse of resources geared towards colleges and universities, which can be accessed at the California Attorney General's website.

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (See also AP 5500 titled Standards of Student Conduct.)

~~"Sexual assault" includes but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.~~

~~"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.~~

~~"Domestic violence" includes felony or misdemeanor crimes of violence committed by:~~

- ~~• a current or former spouse of the victim;~~
- ~~• a person with whom the victim shares a child in common;~~
- ~~• a person who is cohabitating with or has cohabitated with the victim as a spouse;~~
- ~~• a person similarly situated to a spouse of the victim under California law; or~~
- ~~• any other person against an adult or youth victim who is protected from that person's acts under California law.~~

~~"Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.~~

"Sexual assault," "dating violence," "domestic violence," and "stalking" are defined in Administrative Procedure 3434 – Responding to Harassment Based on Sex under Title IX.

It is the responsibility of each person involved in sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean

consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

"Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity.

These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, see also AP 3500, 3510, and 3515.)

All students, faculty members or staff members who allege they are the victims of domestic violence, dating violence, sexual assault or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the District Police, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the District Police is authorized to release such information.

The Office of Student Life, Student Health Services, Health & Welfare Center, District Police, Title IX Coordinator and Human Resources shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- A copy of the District's policy and procedure regarding domestic violence, dating violence, sexual assault, or stalking;
- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents;
 - Office of Student Life,
 - Student Health Services,
 - Health & Wellness Center,
 - District Police,
 - Title IX Coordinator
 - Human Resources
- Information about the importance of preserving evidence and the identification and location of witnesses:
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include:
 - transportation to a hospital, if necessary by Local Police, District Police or San Bernardino Sexual Assault Services;
 - counseling by Student Health Services, Health & Wellness Center or referral to a counseling center, San Bernardino Sexual Assault Services or Option House;
 - notice to the police, if desired, by Local Police or District Police;
 - a list of other available campus resources or appropriate off-campus resources at the Office of Student Life, Student Health Services, Health & Wellness Center, District Police, Title IX Coordinator and Human Resources.
- The victim's option to:
 - notify proper law enforcement authorities, including on-campus and local police;
 - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses;
 - and
 - decline to notify such authorities;
- Information about the participation of victim advocates and other supporting people;
- The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court;

- Information about how the district will protect the confidentiality of victims; and
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
- A description of each of the following procedures:
 - criminal prosecution;
 - civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - modification of class schedules;
 - tutoring, if necessary.

The Title IX Coordinator should be available to provide assistance to District law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

The District Title IX Coordinator or Human Resources will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, Responding to Harassment Based on Sex under Title IX, regardless of whether a complaint is filed with local law enforcement. ~~All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the Office of Student Services, District Police, Title IX Coordinator or Human Resources, of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.~~

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the Office of Student Services, District Police, Title IX Coordinator or Human Resources, of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality consistent with state and federal law.

A Complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the Complainant consented to the sexual activity under either of the following circumstances:

- The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the Complainant affirmatively consented.

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the Complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- The Complainant was asleep or unconscious.

- The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity.
- The Complainant was unable to communicate due to a mental or physical condition.

The District shall maintain the identity of any alleged victim or witness of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence consistent with state and federal law. unless the alleged victim or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on District property shall be referred to the District's Public Information Officer which shall work with the Office of Student Services, Student Health Services, Health & Wellness, District Police, Title IX Coordinator or Human Resources to assure that all confidentiality rights are maintained consistent with state and federal law.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests; and the right to decline to notify these authorities;
- Information about how the District will protect the confidentiality of victims;
- Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement;
- Notice to students that the campus will change a victim's academic situation after an alleged domestic violence, dating violence, sex offense, or stalking and of the options for those changes, if those changes are requested by the victim and are reasonably available;
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sex offense, or stalking including a clear statement that:
 - Such proceedings shall provide a prompt, fair, and impartial resolution;
 - Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any changes to the results that occurs prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to

the alleged domestic violence, dating violence, sex offense, or stalking and any sanction that is imposed against the accused.

- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

~~Education and Prevention Information~~

Education and Prevention Information

The Office of Student Life, Human Resources and the District Police shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, or stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.
The outreach programming included as part of an incoming student's orientation must include, at a minimum, all of the following:
 - The warning signs of intimate partner and dating violence.
 - Campus policies and resources relating to intimate partner and dating violence.
 - Off-campus resources and centers relating to intimate partner and dating violence.
 - A focus on prevention and bystander intervention training as it relates to intimate partner and dating violence.
- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

~~References:~~

References:

Education Code Sections 67385, 67385.7, and 67386;
20 U.S. Code Section 1092(f);
34 Code of Federal Regulations Section 668.46(b)(11)

Attachments

[AP 3540 Sexual and Other Assaults on Campus - Comments](#)
[AP 3540 Sexual and Other Assaults on Campus - Legal Citations](#)
[Legal Update 33 Overview Rev. 10-25-18.docx](#)

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BP 3540 Sexual and Other Assaults on Campus

Any sexual assault or physical abuse, including, but not limited to rape as defined by California law, whether committed by an employee, student or member of the public, that occurs on District property, is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures consistent with state and federal law. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The Chancellor shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.

The procedures shall meet the criteria contained in Education Code Sections 67385 and 67385.7, AND 67386 and 34 Code of Federal Regulations Section 668.46.

References:

References:

Education Code Sections 67382, 67385, and 67386;
 20 U.S. Code Section 1092 subdivision (f);
 34 Code of Federal Regulations Section 668.46(b)(11)
[Age Discrimination in Employment Act of 1967 \(ADEA\)](#);
[Americans with Disabilities Act of 1990 \(ADA\)](#)

Attachments

[BP 3540 Sexual and Other Assaults on Campus - Comments](#)
[BP 3540 Sexual and Other Assaults on Campus - Legal Citations](#)

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AP 5030 Fees

(Replaces current SBCCD AP 5030 and AP 5033)

Required fees include:

- Enrollment (Education Code Section 76300 and 76300.5; Title 5 Sections 58500 and 58509)

As prescribed by state law.

- Nonresident tuition with these permissive exemptions (Education Code Sections 76140 and 76140.5):

As prescribed by state law and established by the Board of Trustees no later than March 1 for the succeeding fiscal year.

- All nonresident students enrolling for 6 or fewer units; or
- A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);
- All students, other than non immigrant aliens under 18 U.S. Code Section 1101(a)(15), who meet the following requirements:
 - high school attendance in California for three or more years;
 - graduation from a California high school or attainment of the equivalent thereof;
 - registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
 - completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
 - in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.
- ~~Enrollment~~ Student representation (Education Code Section ~~76300 and 76300~~ 76060.5; Title 5 Sections ~~58500 and 58509~~ 54801 and 54805)

~~Nonresident tuition with these permissive exemptions (Education Code Sections 76140 and 76140.5):~~

- ~~• All nonresident students enrolling for 6 or fewer units; or~~
- ~~• A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);~~
- ~~• All students, other than non immigrant aliens under 18 U.S. Code Section 1101(a)(15), who meet the following requirements:~~
 - ~~▪ high school attendance in California for three or more years;~~
 - ~~▪ graduation from a California high school or attainment of the equivalent thereof;~~
 - ~~▪ registration or enrollment in a course offered for any term commencing on or after January 1,~~

~~2002;~~

- ~~▪ completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and~~
- ~~▪ in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.~~

Fees authorized by law include:

- Non-District physical education facilities (Education Code Section 76395)
- Noncredit courses (Education Code Section 76385)
- Community service courses (Education Code Section 78300)
- Auditing of courses (Education Code Section 76370)
- Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 59400 and 59408)
- Athletic insurance (Education Code Section 70902(b)(9))
- Cross-Enrollment with the California State University (CSU) or University of California (UC) (Education Code Section 66753)
- Health (Education Code Section 76355)
- Parking (Education Code Section 76360)
- Transportation (Education Code Sections 76361 and 82305.6)
- ~~Student representation (Education Code Section 76060.5; Title 5 Sections 54801 and 54805)~~
- Student Center (Education Code Section 76375; Title 5 Section 58510)
- Copies of student records (Education Code Section 76223)
- Dormitory (Education Code Section 81670)
- Child care (Education Code Sections 79121 et seq. and 66060)
- Nonresident capital outlay (Education Code Section 76141)
- Nonresident application processing (Education Code Section 76142)
- Credit ~~by Examination~~ for Prior Learning (Education Code Section 76300; Title 5 Section 55050)
- Use of facilities financed by revenue bonds (Education Code Section 81901(b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone registration (Education Code Section 70902(a))
- Physical fitness test (Education Code Section 70902(b)(9))
- Instructional Tape Lease/Deposit (Education Code Section 70902(b)(9))
- Credit Card Use (Education Code Section 70902(b)(9))
- International Student Medical Insurance (Education Code Section 70902(b)(9))

Prohibited fees include:

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- Student Identification Cards (CCCCO Student Fee Handbook)
- Student Body Organization (CCCCO Student Fee Handbook)
- Nonresident application (CCCCO Student Fee Handbook)
- Field trip (Title 5 Sections 55450 and 55451)
- For dependents of certain veterans (Education Code Section 66025.3)
- For dependents of certain victims of the September 11, 2001, terrorist attacks (CCCCO Student Fee

Handbook)

- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (Education Code Section 66025.3)
- For surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in California (Education Code Section 68120)
- For students who have been exonerated of a crime though writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)
- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Rental of practice rooms (CCCCO Student Fee Handbook)
- Apprenticeship courses (Education Code Section 76350)
- Technology fee (CCCCO Student Fee Handbook)
- Late payment fee (Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (Title 5 Section 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)
- Test proctoring (CCCCO Student Fee Handbook)

Collection and Refund of Fees

A. Associated Students Discount Sticker

\$9.50 - CHC

\$7.50 - SBVC

\$4.00 - Replacement for lost card

B. Breakage/Lost Property Fee

Replacement cost of item(s) broken or lost

C. Campus Center Fee

\$1.00/unit (not to exceed \$10 per fiscal year)

D. Capital Outlay Fee

As allowed by law and approved by the Board of Trustees prior to March 1 for the succeeding fiscal year.

~~Associated Students Discount Sticker~~

~~\$9.00 - CHC~~

~~\$7.50 - SBVC~~

~~\$4.00 - Replacement for lost card~~

~~Breakage/Lost Property Fee~~

~~Replacement cost of item(s) broken or lost~~

~~Campus Center Fee~~

~~\$1.00/unit (not to exceed \$10 per fiscal year)~~

~~Capital Outlay Fee for Students on a Visa~~

~~\$41.00/unit~~

- A. ~~Catalog~~
~~\$6.00 – purchased on campus~~ **Catalog**
\$6.00 - purchased on campus
- B. Credit by Examination
\$20.00 plus class unit fee
- C. Document Fee Handling
\$40.00 per hour for personnel time to find, retrieve, copy and re-file requested documents;
minimum charge of 1 hour
\$0.15 per side copy cost
Fees must be paid prior to document release
- D. Enrollment Fee
\$46.00/unit
- E. Insufficient Funds Check
\$15.00
- F. International Student Application
\$25.00 (nonrefundable)
- G. ~~Key Deposit/Replacement~~
~~\$15.00 plus cost of rekeying if needed (metal/electronic key)~~ **Key Deposit/Replacement**
\$15.00 plus cost of rekeying if needed (metal/electronic key)
- H. Learning Center Reproduction Fees, SBVC
\$0.20 - Laser printout: text, black and white printer
\$0.50 - Laser printout: graphics, black and white printer (over ½ page)
\$1.00 - Laser printout: graphics and/or text, color
\$2.00 - Scan text or graphics to disk, per scan
- I. Library Fines – SBVC/CHC
\$0.10 - Books: per day for 50 days; after 50 days, bill \$5 fine plus the replacement value \$0.25 - Reserve Books/Multimedia: per hour to a maximum of the replacement value of the reserve materials; after 14 days, bill \$5 fine plus the replacement value
\$0.50 - Videos: per day for 50 days; after 50 days, bill \$5 fine plus the replacement value
\$0.10 - Per page for laser printout of Internet, CD ROM, Periodicals
\$2.00 - replacement for lost library card
- J. Parking Permit Fees
~~\$90~~**100.00** - annual permit
~~\$35~~**39.00** - one semester (\$20 BOGG student)
~~\$20~~**22.00** - summer session
\$3.00 - daily
- K. Parking Violation Fees
\$ 50.00 - illegal parking
\$ 50.00 - decal violation
\$275.00 - handicap violation
- L. Refund Processing Charge
A fee of \$10.00 will be charged for each refund transaction, not to exceed \$10.00 per student per semester as defined in the Fee Refund Policy.

M. Replacement – Diploma/Certificate
\$10.00

~~Schedule of Classes~~

~~\$3.00 – mailed in U.S. only~~

N. Student Health and Accident Insurance
\$~~20~~21.00 - per semester (includes \$1.50 accident insurance)
\$~~17~~18.00 - summer session (includes \$1.50 accident insurance)
\$1.50 - accident insurance only

O. Student Representation
\$~~1~~2.00

P. Supplemental Health Services Fee
\$10.00 - TB skin test (one-step test)
\$10.00 - TB skin test (two-step test)
At cost - All Vaccines
\$25.00 - Physical Exams
\$50.00 - DMV Physical Exams
At cost - Prescription medications
At cost - In-house Lab Tests
At cost - Lab Test sent to external lab
At cost - Optional Medical Procedures
At cost - Optional Medical Supplies
\$ 8.00 - Vision screening (Titmus vision tester)
\$ 2.00 per item - Duplication of medical records
\$10.00 - Hearing Screening (Audiometer)
At cost - Birth Control Pills

Q. Testing Fees
At cost - Paramedic National Registry Testing
\$ 25.00 - Retest per skill
\$ 10.00 - CPR card
Repeat course from Career Tech Department
0.5 units - \$12.00
1.0 units - \$23.00
2.0 units - \$46.00
3.0 units - \$70.00

R. Transcripts/Verification
No cost - First two transcripts
\$10.00 - Additional transcripts
~~\$8.00 – 24 hour requests for transcripts~~
\$20.00 - Immediate requests for transcripts
\$5.00 plus cost - Online transcripts

S. Transportation Fee
Students registering for Spring or Fall semester to pay:
\$9.00 for 6 or more credits/semester
\$8.00 for less than 6 credits/semester
\$6.00 for 6 or more credits/summer

\$5.00 for less than 6 credits/summer

T. Crafton Hills College Recreation Fee

Students registering for CHC for Spring, Fall, or Summer semesters have the option to pay for the use of the aquatic and fitness centers:

\$8.00 per semester

Fee Refunds

A. Designated Fees

This regulation covers the following fees:

1. Enrollment fee
2. Nonresident tuition
3. Parking fee
4. Health fee
5. Accident Insurance fee
6. Student Services Card fee
7. Student Center fee
8. Student Representation Fee
9. Capital Outlay Fee
10. Student Transportation Fee

B. Conditions

If a refund is requested for parking or student services card fees, the parking decal or the student services card must be attached to the refund request.

C. Military Service Exception

If a student who is a member of an active or reserve military service receives orders compelling a withdrawal from courses, the District shall, upon petition and a copy of received orders of the affected student, refund the entire enrollment fee unless academic credit is awarded.

D. Refund Schedule

This refund schedule applies to all fees listed in Paragraph A, above.

1. Fees collected in error

Fees collected in error will be refunded in their entirety.

2. Class cancelled by the college

If a class is cancelled by the college, enrollment and/or non-resident tuition fees will be refunded in their entirety. If that cancellation results in a student's withdrawal from the college, refunds of the appropriate fees listed in Paragraph "A" will apply.

3. Withdrawal from the College

a. Enrollment Fee/Nonresident Tuition

If a student withdraws during the first two weeks of a full-term class or during the first 10% of a short-term class, enrollment fees or nonresident tuition fees will be refunded.

b. Parking Fee, Health Fee, Accident Insurance Fee, Student Services Card Fee, Student Center Fee, Student Representation Fee, Capital Outlay Fee, Student Transportation Fee.

In order to be eligible for a refund, a student must withdraw prior to the first day of the term for a full-term class or prior to the first day of instruction for a short-term class.

4. Unit Reduction

If a change of program within the first two weeks of a full-term class or during the first 10% of a short-term class results in a reduction in the number of units taken, the enrollment fee or non-resident fee will be refunded at the per unit cost of the reduction.

5. A student who withdraws from a class or the college after the second week of instruction for a full-term class or the first 10% of a short-term class is not eligible for any refund.

E. Refund Processing Fee

A charge of \$10 will be collected for each refund transaction not to exceed \$10 per student per semester, except for cancelled classes or over-payment.

Waiver of Fees

The District may waive enrollment fees which were not collected in a previous session where the enrollment fees were not collected as a result of the District's error in awarding a Board of Governors Fee Waiver to an ineligible student and not through the fault of the student, and to collect the enrollment fee would cause the student undue hardship.

References:

Education Code Sections 66025.3, [68120](#), 70902(b)(9), 76300, and 76300.5; [76370](#), [76360](#), [76365](#), [76395](#), [76060.5](#), [76361](#), [76223](#), and [76142](#)

Title 5 Sections 51012, 58520, 58629, and [59400 et seq](#)

California Community College Chancellor's Office (CCCCO) Student Fee Handbook

ACCJC Accreditation Standard I.C.6

Attachments

[AP 5030 Fees- Comments](#)

[AP 5030 Fees- Legal Citations](#)

Current Status: *Draft*

PolicyStat ID: 7687990



| | |
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| References: | <i>Legally Required</i> |

BP 5030 Fees

(Replaces current SBCCD BP 5030 and BP 5033)

The Board of Trustees authorizes the following fees. All fees must comply with Education Code and Title 5 regulations. The Chancellor is responsible for establishing procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also assure those who are exempt from or for whom the fee is waived are properly enrolled and accounted for. Fee amounts shall be published in the college catalogs or class schedules (Schedule of Classes).

Enrollment Fee (Education Code Section 76300)

Each student shall be charged a fee for enrolling in credit courses as required by law.

Course Auditing Fees (Education Code Section 76370)

Persons auditing a course shall be charged a fee (see AP 5030). The fee amount shall be adjusted proportionally based upon the term length. Students enrolled in classes to receive credit for 10 or more semester credit units shall not be charged this fee to audit three or fewer units per semester.

Parking Fee (Education Code Section 76360)

Students shall be required to pay a fee (see AP 5030).

To encourage ride sharing, a student may certify in writing at the time of payment of the fee that he/she regularly has two or more passengers commuting with him/her.

Instructional Materials (Education Code Section 76365; Title 5 Sections 59400 et seq.)

Students may be required to provide required instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District. (See BP/AP 5031 titled Instructional Materials Fees)

Physical Education Facilities (Education Code Section 76395)

Where the District incurs additional expenses because a physical education course is required to use non-district facilities, students enrolled in the course shall be charged a fee for participating in the course. Such fee shall not exceed the student's calculated share of the additional expenses incurred by the District.

Student Representation Fee (Education Code Section 76060.5)

Students will be charged a fee (see AP 5030) to be used to provide support for student governmental affairs representation. A student may refuse to pay the fee ~~for religious, political, financial or moral reasons~~ and shall submit such refusal in writing on a form provided by the District to collect fees.

Student Transportation Costs (Education Code Section 76361)

Students shall be charged a fee (see AP 5030) for the purpose of recovering transportation costs incurred by the District for services provided by common carriers to students. These fees will only be paid by students who use the transportation services, unless a vote of the students in accordance with the Education Code establishes otherwise.

Transcript Fees (Education Code Section 76223)

The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The Chancellor is authorized to establish the fee (see AP 5030), which shall not exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two transcripts of students' records, or for two verifications of various records. There shall be no charge for searching for or retrieving any student record.

International Students Application Processing Fee (Education Code Section 76142)

The District shall charge students who are both citizens and residents of a foreign country a fee to process his/her application for admission. This processing fee and regulations for determining economic hardship may be established by the Chancellor. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the U.S. government; or 2) one hundred dollars (\$100), which shall be deducted from the tuition fee at the time of enrollment.

Fee Refunds

The Board of Trustees authorizes refunds to be made according to administrative procedures established by the Chancellor. All refunds must comply with Education Code and Title 5 regulations, and the refund schedule shall be published in the college catalogs and class schedules.

References:

Education Code Sections [66025.3](#), [68120](#), [70902\(b\)\(9\)](#), ~~76300 et seq.~~, [76300.5](#), 76370, ~~76355~~, 76360, 76365, 76395, 76060.5, 76361, 76223, and 76142;

Title 5 Sections [51012](#), [58520](#), [58629](#), and 59400 et seq., ~~58520~~

[California Community College Chancellor's Office \(CCCCO\) Student Fee Handbook](#)

ACCJC Accreditation Standard I.C.6

Attachments

[BP 5030 Fees - Comments](#)

[BP 5030 Fees - Legal Citations](#)

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| References: | <i>Legally Required</i> |

AP 5530 Student Rights and Grievances

(Replaces current SBCCD AP 5530 and AP 5540)

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. These procedures shall be available to any student who reasonably believes a college decision or action by an instructor, college official, or by another student has adversely affected his-~~or~~/her/their status, rights or privileges as a student. The procedures shall include, but not be limited to, grievances regarding:

- ~~Sex~~For grievances related to sexual harassment, sexual assault, or illegal discrimination, ~~in education programs and activities, as prohibited by Title IX of the Higher Education Amendments of 1972. For grievances related to sexual harassment, sexual assault, or illegal discrimination~~ (i.e. age, ancestry, citizenship status, color, disability, ethnic group identification, gender, marital status, medical condition, national origin, parental status, race, religion, sexual orientation, or veteran status), students should contact the Human Resources Department and/or the San Bernardino Community College Police. Staff members in those areas will assist students with the correct processes for resolution. Complaint and investigation procedures related to harassment and discrimination (including sexual assault, sexual violence, dating violence, stalking, and domestic violence) can be found in Administrative Procedure 3435.
- Financial aid (see AP 5130 Financial Aid for appeals relating to financial aid);
- Course grades, to the extent permitted by Education Code Section 76224(a) (see AP 4231 Grade Changes for appeals relating to course grades)
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

In addition to San Bernardino Community College District Procedures, a student may address a grievance directly to the California Community Colleges Chancellor's Office by accessing the following website:

<http://californiacommunitycolleges.cccco.edu/ComplaintsForm.aspx>

This procedure does not apply to:

- Student disciplinary actions, which are covered under separate Board Policies and Administrative Procedures.
- Police citations (i.e. "tickets"); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.

Definitions

Party – The student or any persons claimed to have been responsible for the student's alleged grievance,

together with their representatives. "Party" shall not include the Grievance Hearing Committee or the College Grievance Officer.

Chancellor – The Chancellor or a designated representative of the Chancellor.

Student – A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224(a).

Respondent – Any person claimed by a grievant to be responsible for the alleged grievance.

Day – Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays and Sundays.

Informal Resolution

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the local college administration.

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

Formal Process

If informal resolution through discussion or mediation does not resolve the conflict, the student shall have the right to request a grievance hearing, in writing, to the Vice president of Student Services. The request for a hearing must be made within 180 calendar days of the incident being grieved.

The determination of whether the Statement of Grievance presents sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student as defined in these procedures, which include applicants and former students;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Vice president of Student Services shall notify the student in writing of the rejection of the Request for a Grievance Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within *five* days of the date the decision is made.

If the Request for Grievance Hearing satisfies each of the requirements, the Vice president of Student Services shall schedule a grievance hearing. The hearing will begin within *ten* days following the decision to

grant a Grievance Hearing. All parties to the grievance shall be given not less than *five* days notice of the date, time and place of the hearing.

Grievance Hearing

The formal grievance hearing will be scheduled within 10 days (during which the college is in session) of receipt of the request.

The grievance hearing committee will be composed of the following:

- One student appointed by the Student Senate president.
- One faculty member appointed by the Academic Senate president if the grievance is against a faculty member.
- One staff member appointed by the Classified Senate president if the grievance is against a staff member.
- Vice president of Student Services, who will chair the committee if the grievance is non-academic, or the Vice president of Instruction if the grievance is academic.

No person shall serve as a member of a Grievance Hearing Committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner.

Any party to the grievance may challenge for cause any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the chair, who shall determine whether cause for disqualification has been shown. If the chair feels that sufficient ground for removal of a member of the committee has been presented, he-~~or~~/she/they shall remove the challenged member or members and substitute a member or members from the panel described above. This determination is subject to appeal as defined below.

The chair will conduct the hearing. Possible protective measures that may be utilized include, but are not limited to, no-contact orders, remote participation during the hearing (telephone, videoconferencing, use of a privacy screen, etc.), separate waiting areas during hearing, safety escorts, and prohibitions against retaliation.

The members of the grievance hearing committee will be provided a copy of the grievance and any written response to the grievance.

Each party to the grievance may call witnesses and introduce oral and written testimony. Witnesses unable to be present may submit written statements.

Although the hearing is formal, rules of evidence do not apply as they would in a court of law.

Each party to the grievance will be permitted to make an opening statement; thereafter, the grievant will present evidence followed by the respondent.

The student may bring an advocate or attorney to the hearing provided the Vice President of Student Services is notified at least five calendar days in advance of the hearing. In the event the student serves notification that he-~~or~~/she/they will have representation, the respondent has the right to legal counsel and a right to receive notification that the student will have counsel present.

The hearing will be recorded, and the recording shall remain in the custody of the Vice president of Student Services. Any party to the grievance may request a copy of the recording.

Hearings shall be closed and confidential unless all parties request that they be open to the public. Any such

request must be made no less than three calendar days prior to the date of the hearing. In a closed hearing, witnesses will testify and be excused.

The grievance hearing committee will recommend a resolution of the grievance after listening to all of the participants. The committee will inform the student and the respondent in writing about its recommendation within 10 days of the hearing. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

Within *five* days following the close of the hearing, the Grievance Hearing Committee shall prepare and send to the President a written decision. The recommendation shall include specific factual findings regarding the grievance. The recommendation shall also include relief afforded to the student, if any.

Within *five* days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the President shall send to all parties his/her/[their](#) written decision, together with the Hearing Committee's decision and recommendations. The Chancellor may accept or reject the findings, decisions and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight; and if the President does not accept the decision or a finding or recommendation of the Hearing Committee, the President shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the President shall be final, subject only to appeal as provided below

Appeals

The student may appeal the recommendation of the grievance hearing committee by writing to the president within 10 calendar days of being notified of the grievance hearing committee's recommendation. The president will send the student a final decision in writing within 10 calendar days of receiving the appeal.

Any appeal relating to a Grievance Hearing Committee decision that the Statement of Grievance does not present a grievance as defined in these procedures shall be made in writing to the president within *five* days of that decision. The president shall review the Statement of Grievance and Request for Grievance Hearing in accordance with the requirements for a grievance provided in these procedures, but shall not consider any other matters. The Chancellor's decision whether or not to grant a grievance hearing shall be final and not subject to further appeal.

Any party to the grievance may appeal the decision of the president after a hearing before a Grievance Hearing Committee by filing an appeal with the Chancellor. The Chancellor may designate a District administrator to review the appeal and make a recommendation.

Any such appeal shall be submitted in writing within five days following receipt of the Chancellor's decision and shall state specifically the grounds for appeal.

The written appeal shall be sent to all concerned parties. All parties may submit written statements on the appeal.

The Chancellor or designee shall review the record of the hearing and the documents submitted in connection with the appeal, but shall not consider any matters outside of the record. Following the review of the record and appeal statements, the Chancellor's designee, if any, shall make a written recommendation to the Chancellor regarding the outcome of the appeal.

Time Limits

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all parties.

References:

References:

Education Code Section 76224(a); ~~Title IX, Education Amendments of 1972; 34 Code of Federal Regulations Parts 106.1 et seq.;~~

ACCJC Accreditation Eligibility Requirement 20;

ACCJC Accreditation Standard IV.D

Attachments

[AP 5530 Student Rights and Grievances - Comments](#)
[AP 5530 Student Rights and Grievances - Legal Citations](#)
[AP5530 -OLD.pdf](#)
[SBCCD - Overview for Legal Update 31 Final Version.docx](#)

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BP 5530 Student Rights and Grievances

(Replaces current SBCCD BP 5530 and BP 5540)

Students may initiate grievance proceedings against a district employee under the procedures provided by the Chancellor.

It is the policy of the District that there shall be an appeal process by which a dispute in the assigned final grade received by a student may be resolved in a fair and efficient manner according to State law. (See BP and AP 4231 titled Grade Changes)

References:

References:

Education Code Section 76224(a);
 Title 5 Section 55025
 Title IX, Education Amendments of 1972

Attachments

[BP 5530 Student Rights and Grievances - Comments](#)
[BP 5530 Student Rights and Grievances - Legal Citations](#)
[BP5530 -OLD.pdf](#)

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose Torres, Interim Chancellor

REVIEWED BY: Dr. Kevin Horan, President, CHC

PREPARED BY: Dr. Keith Wurtz, Vice President of Instruction, CHC

DATE: November 12, 2020

SUBJECT: Consideration of Approval of College and Career Access Pathways (CCAP) – CHC

RECOMMENDATION

College and Career Access Pathways (CCAP) dual enrollment partnership agreements:

- Redlands Unified School District

OVERVIEW

Pursuant to Education Code 76004(b), a participating community college district may enter into a CCAP partnership with a school district partner that is governed by a CCAP partnership agreement approved by the governing boards of both districts. After the initial Board of Trustees approval process, the CCAP agreement needs to annually be submitted to the governing board as an information item.

ANALYSIS

The purpose of offering and expanding dual enrollment opportunities is consistent with the provisions of AB 288 for high school students who may not already be college bound or who are underrepresented in higher education.

This complies with the student selection standards, curriculum guidelines, recommendations, and procedures promulgated by applicable law, the California Community College Chancellor’s Offices, San Bernardino Community College District, and Crafton Hills College.

INSTITUTIONAL VALUES

II. Learning Centered Institution for Student Access, Retention, and Success.

FINANCIAL IMPLICATIONS

None.

Note: All referenced Sections from AB 288 (Education Code §76004)

APPENDIX

COLLEGE AND CAREER ACCESS PATHWAYS (CCAP) A DUAL ENROLLMENT PARTNERSHIP AGREEMENT

WHEREAS, the College and Career Access Pathways Partnership Agreement (CCAP Agreement) is between San Bernardino Community College District on behalf of Crafton Hills College ("COLLEGE"), 11711 Sand Canyon Road, Yucaipa, CA 92399, and Redlands Unified School District ("SCHOOL DISTRICT"), 20 W. Lagonia Avenue, Redlands, CA 92374.

WHEREAS, the COLLEGE and the SCHOOL DISTRICT agree to record COLLEGE and SCHOOL DISTRICT specific components of the CCAP Agreement using the Appendix for purposes of addressing mandated reporting requirements to include, but not limited to, the total number of high school students to be served and the total number of full-time equivalent students projected to be claimed by the community college district for those students; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses; and Sec. 2 (c)(1)

WHEREAS, the CCAP Agreement Appendix shall also be used to record protocols for information sharing in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses; and Sec. 2 (c)(1)

WHEREAS, participation in the CCAP Agreement is consistent with the core mission of the community colleges pursuant to Section 66010.4, and that pupils participating in a CCAP Agreement will not lead to enrollment displacement of otherwise eligible adults in the community college; Sec. 2 (k)(3)

NOW THEREFORE, the COLLEGE and SCHOOL DISTRICT agree as follows:

1. CCAP AGREEMENT

- a. COLLEGE and SCHOOL DISTRICT shall ensure that two public (informational and adoption) meetings are held in the review and approval of this CCAP Agreement. Sec. 2 (b)
- b. COLLEGE shall file this CCAP Agreement with the office of the Chancellor of the California community colleges prior to the start of the partnership. Sec. 2 (c)(2)
- c. COLLEGE and SCHOOL DISTRICT shall review and establish new or amended CCAP Agreements annually on or before July 1st and follow the protocols set forth in (a) and (b) of this section.

Note: All referenced Sections from AB 288 (Education Code §76004)

e. COLLEGE and SCHOOL DISTRICT point of contact: Sec. 2 (c)(2)

| LOCATION | NAME | TELEPHONE | EMAIL |
|------------------|--|------------------------|--------------------------------|
| College: | Souts Nayaphanbong Director of Outreach and Educational Partnerships | 909-389-3212 | snayaphanbong@csufonthills.edu |
| School District: | Julie Swan Director of Secondary Education | 909-307-5300 x20309 | Julie_swan@redlands.k12.ca.us |

2. STUDENT SELECTION

- a. Minimum School Day - The SCHOOL DISTRICT shall certify that it shall teach SCHOOL DISTRICT students participating as part of a CCAP Agreement no less than the number of instructional minutes required to complete a minimum school day pursuant to Education Code §§ 46141 and 46142. In all circumstances the COLLEGE shall claim allowable FTES for the enrollment of high school students in a CCAP Agreement community college course.
- b. SCHOOL DISTRICT shall select students consistent with the intent of AB 288 to include: high school students "who may not already be college bound or who are underrepresented in higher education with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer improving high school graduation rates, and assisting high school pupils to achieve college and career readiness" *Sec. 2 (a)* and "underachieving students, those from groups underrepresented in postsecondary education, those who are seeking advanced studies while in high school, and those seeking a career technical education credential or certificate." *Sec. 1 (d)*
- c. COLLEGE and SCHOOL DISTRICT shall certify that participating students will have a signed parental consent form on file with the COLLEGE. *Preamble and Sec. 2 (c)(1)*
- d. COLLEGE and SCHOOL DISTRICT shall certify that participating students may enroll in up to a maximum of 15 unit load per term, the units may not constitute more than four courses per term, the units are part of an academic (educational) program identified as part of this CCAP Agreement and the units are part of an academic (educational) program designed to award students both a high school diploma and an associate degree or a certificate or credential. *Sec. 2 (p)(1-3)*

3. CCAP AGREEMENT EDUCATIONAL PROGRAM(S) AND COURSE(S)

- a. COLLEGE is responsible for all educational program(s) and course(s) and offered as part of this CCAP Agreement whether the educational program(s) and course(s) are offered at the SCHOOL DISTRICT or the COLLEGE.

Note: All referenced Sections from AB 288 (Education Code §76004)

4. **CCAP AGREEMENT PROGRAM YEAR: BEGINNING FALL 2020 THROUGH SPRING 2021** COLLEGE has identified the CSU and UC transfer pathways, course offerings per program year, estimated students served, and projected FTES. The employer of record for all courses under this CCAP Agreement is the COLLEGE and the location of the courses is the DISTRICT. The grid below is intended to project the courses that might be offered, subject to change based on the needs of the student cohorts within the pathway.

Note: All referenced Sections from AB 288 (Education Code 576004)

| Course | Fall 2020 - Spring 2021 |
|-------------------------------------|--|
| ENGL-010 with co-requisite ENGL-918 | ENGL-010 (Accelerated Preparation for College English)* (4 units) with support co-requisite ENGL-918 (English 010 Support Lab) (.5 – 1 unit)? |
| ENGL-010 | ENGL-010 (Accelerated Preparation for College English)* (4 units) |
| ENGL-101 with co-requisite ENGL 917 | ENGL-101 (Freshman Composition)* (4 units) with support co-requisite ENGL-917 (English 101 Support Lab) (.5 – 1 unit)? |
| ENGL-101 | ENGL-101 (Freshman Composition)* (4 units) |
| MATH-085 | MATH-085 (Pre-Statistics)* (4 – 6 units) |
| MATH-110 with co-requisite MATH-910 | MATH-110 (Introduction to Probability and Statistics)* (4 units) with support co-requisite MATH-910 (Introduction to Probability and Statistics Support) (2 units) |
| MATH-110 | MATH-110 (Introduction to Probability and Statistics)* (4 units) |
| MATH-095 | MATH-095 (Intermediate Algebra)* (4 units) |
| MATH-095 with co-requisite MATH-995 | MATH-095 (Intermediate Algebra)* (4 units) with support co-requisite MATH-995 (Intermediate Algebra Support) (3 units) |
| MATH-102 with co-requisite MATH-902 | MATH-102 (College Algebra)* (5 units) with support co-requisite MATH-902 (College Algebra Support) (2 units) |
| MATH-102 | MATH-102 (College Algebra)* (5 units) |
| MATH-115 with co-requisite MATH-915 | MATH-115 (The Ideas of Mathematics)* (3 units) with support co-requisite MATH-915 (Ideas of Mathematics Support) (1-2 units) |
| MATH-115 | MATH-115 (The Ideas of Mathematics)* (3 units) |
| WFPN/-601 | WFPN/-601 (Essential Workplace Traits and Skills), Non-Credit, 18 Hours – Job Readiness Skills Certificate Pathway (JRSCP) |
| WFPN/-602 | WFPN/-602 (Essential Customer Service), Non-Credit, 18 Hours, JRSCP |
| WFPN/-603 | WFPN/-603 (Essential Skills for New Employees), Non-Credit, 9 Hours, JRSCP |
| WFPN/-608 | WFPN/-608 (Essential Skills for Job Search Success), Non-Credit, 9 Hours, JRSCP |

*Prerequisite or placement not needed

Note: All referenced Sections from AB 288 (Education Code 576004)

BEGINNING PROGRAM YEAR: 2020-2021

COLLEGE: Crafton Hills College

EDUCATIONAL PROGRAM: College and Career Readiness and CTE Pathway

SCHOOL DISTRICT: Redlands Unified School District

HIGH SCHOOL: Citrus Valley, Redlands East Valley, Orangewood High School and / or Redlands High School

Required: Describe the criteria used to assess the ability of pupils to benefit from the course(s) offered (Sec. 2 (c)(1):

Students are being prepared to be college ready.

Projected Number of Students and FTES:

| | Fall 2020 | Spring 2021 |
|--------------------------|-----------|-------------|
| Estimated Student Served | 125 | 150 |
| Estimated FTES | 17.39 | 20.87 |

6. **BOOKS** - The total cost of books for students participating as part of this CCAP agreement will be borne by the SCHOOL DISTRICT. The COLLEGE will ensure, whenever possible, textbooks to remain the same throughout the term of the CCAP agreement.

| Course Name | Text | ISBN | Cost |
|---|---|------|------|
| Accelerated Preparation for College English ENGL-010 | To be determined by instructor teaching section | TBD | TBD |
| English 010 Support Lab ENGL-918 | To be determined by instructor teaching section | TBD | TBD |
| Freshman Composition ENGL-101 | To be determined by instructor teaching section | TBD | TBD |
| English 101 Support Lab ENGL-917 | To be determined by instructor teaching section | TBD | TBD |
| Pre-Statistics MATH-085 | To be determined by instructor teaching section | TBD | TBD |
| Introduction to Probability and Statistics MATH-110 | To be determined by instructor teaching section | TBD | TBD |
| Introduction to Probability and Statistics Support MATH-910 | To be determined by instructor teaching section | TBD | TBD |

Note: All referenced Sections from AB 288 (Education Code §76004)

| Course Name | Text | ISBN | Cost |
|--|---|------|------|
| Intermediate Algebra MATH-095 | To be determined by instructor teaching section | TBD | TBD |
| Intermediate Algebra Support MATH-995 | To be determined by instructor teaching section | TBD | TBD |
| College Algebra MATH-102 | To be determined by instructor teaching section | TBD | TBD |
| College Algebra Support MATH-902 | To be determined by instructor teaching section | TBD | TBD |
| The Ideas of Mathematics MATH-115 | To be determined by instructor teaching section | TBD | TBD |
| Ideas of Mathematics Support MATH-915 | To be determined by instructor teaching section | TBD | TBD |
| Essential Workplace Traits and Skills WFPN/-601 | To be determined by instructor teaching section | TBD | TBD |
| Essential Customer Service WFPN/-602 | To be determined by instructor teaching section | TBD | TBD |
| Essential Skills for New Employees WFPN/-603 | To be determined by instructor teaching section | TBD | TBD |
| Essential Skills for Job Search Success WFPN/-608 | To be determined by instructor teaching section | TBD | TBD |

7. MANDATED ANNUAL STATE REPORTING

- a. COLLEGE and SCHOOL DISTRICT shall ensure accurate and timely reporting of the total number of full-time equivalent students generated by CCAP partnership community college district participants.
- b. COLLEGE and SCHOOL DISTRICT shall report the annual total number of unduplicated high school student headcount by school site enrolled in each CCAP Agreement aggregated by gender and ethnicity and shall be reported annually in compliance with all applicable state and federal privacy laws. The COLLEGE shall annually report the student data to the office of the Chancellor of the California Community Colleges. *Sec. 2 (t) (1)(A)*
- c. COLLEGE and SCHOOL DISTRICT shall report the annual total number of community college courses by category and type and by school site enrolled in by this CCAP Agreement. *Sec. 2 (t) (1)(B)*
- d. COLLEGE and SCHOOL DISTRICT shall report the annual total number of the unduplicated high school student headcount and the percentage of successful course completions, by course category and

Note: All referenced Sections from AB 289 (Education Code §76004)

type and by school site. *Sec. 2 (1)(1)(C)*

- e. COLLEGE and SCHOOL DISTRICT shall report the annual total number of full-time equivalent students generated by this CCAP Agreement. *Sec. 2 (1)(1)(D)*
- f. COLLEGE and SCHOOL DISTRICT shall ensure that the point of contact for each site establish protocols for the collection and dissemination of participating student data each semester within 30 days of the end of the term.

8. CCAP AGREEMENT DATA MATCH AND REPORTING

- a. COLLEGE and SCHOOL DISTRICT shall ensure operational protocols consistent with the collection of participating student data and the timely submission of the data.
- b. COLLEGE shall report all program and participating student data to the office of the Chancellor of the California Community Colleges.

9. PRIVACY OF STUDENT RECORDS

- a. COLLEGE and SCHOOL DISTRICT understand and agree that education records of students enrolled in the CCAP course and personally identifiable information contained in those educational records are subject to the Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 C.F.R. Part 99, including the disclosure provisions of § 99.30 and state law as set forth in Education Code §§ 49064 and 49076). COLLEGE and SCHOOL DISTRICT agree to hold all student education records generated pursuant to this CCAP Agreement in strict confidence, and further agrees not to re-disclose such records except as authorized by applicable law or regulation or by the parent or guardian's prior written consent. (34 C.F.R. § 99.33 (a), (b); 34 C.F.R. § 99.34(b) and Education Code §§ 49064 and 49076.)
- b. **Limitation on Use.** COLLEGE and SCHOOL DISTRICT shall use each student education record that he or she may receive pursuant to this CCAP Agreement solely for a purpose(s) consistent with his or her authority to access that information pursuant to Federal and State law, as may be as applicable. (34 C.F.R. § 99.31, 34 C.F.R. § 99.34, and Education Code § 49076.)
- c. **Recordkeeping Requirements.** COLLEGE and SCHOOL DISTRICT shall comply with the requirements governing maintenance of records of each request for access to and each disclosure of, student education records set forth under Title 34, Code of Federal Regulations § 99.32 and under Education Code § 49064 as applicable.

Note: All referenced Sections from AB 288 (Education Code §76004)

- d. Acknowledgement of Receipt of Notice of FERPA Regulations. By signature of its authorized representative or agent on this Agreement, COLLEGE and SCHOOL DISTRICT hereby acknowledges that it has been provided with the notice required under 34 C.F.R. § 99.33(d) that it is strictly prohibited from re-disclosing student education records to any other person or entity except as authorized by applicable law or regulation or by the parent or guardian's prior written consent.

This CCAP Agreement may be executed by the parties in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument.

Executed on September 23 2020

By: _____


Mauricio Bellano
Superintendent
Redlands Unified School District
20 W. Lugonia Avenue
Redlands, CA 92374

By: _____


Steve Sutoris
Business Manager
San Bernardino Community College District
114 South Del Rosa Drive
San Bernardino, CA 92408

By: _____


Kevin Horan
President
Crafton Hills College
11711 Sand Canyon Road
Yucanipa, CA 92399

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose Torres, Interim Chancellor
REVIEWED BY: Dr. Kevin Horan, President, CHC
PREPARED BY: Dr. Keith Wurtz, Vice President, Instruction, CHC
DATE: November 12, 2020
SUBJECT: Consideration of Approval of Curriculum - CHC

RECOMMENDATION

It is recommended that the Board of Trustees approve the CHC curriculum modifications.

OVERVIEW

The courses, certificates, and degrees at CHC are continually being revised and updated to reflect and meet student needs.

ANALYSIS

These courses, certificates, and degrees have been approved for addition, modification, and deletion by the Curriculum Committee of the Academic Senate and will be included in the 2020-2021 and 2021-2022 College Catalog.

INSTITUTIONAL VALUES

II. Learning Centered Institution for Student Access, Retention, and Success.

FINANCIAL IMPLICATIONS

None.

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

**CRAFTON HILLS COLLEGE
SUBMITTED FOR BOARD OF TRUSTEE APPROVAL
November 12, 2020**

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-------------------|---------------------|
| ARABIC 101 | College Arabic I |

Student Learning Outcomes: Revised
Rationale: Six-year revision
Equate: Course is not currently equated with SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-------------------|---------------------|
| ARABIC 102 | College Arabic II |

Student Learning Outcomes: Revised
Rationale: Six-year revision
Equate: Course is not currently equated with SBVC
Effective: Fall 2021

| COURSE ID | COURSE TITLE |
|------------------|---------------------|
| ART 124 | Drawing I |

Catalog Description: Introduction to basic skills, strategies and techniques of direct observational, and freehand drawing, with development of conceptual and compositional skills. Exploration of traditional and non-traditional methods using a variety of media.
Schedule Description: Introduction to the basic skills, strategies and techniques of observational, freehand drawing, and exploration of drawing media.
Student Learning Outcomes: New
Rationale: Six-year revision
Equate: ART 124A at SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|------------------|---------------------|
| ART 125 | Drawing II |

Catalog Description: A continuation of ART 124. Review of essential concepts and skills, and development of intermediate-level drawing skills. Development of an individual approach to drawing and study of advanced conceptual artistic concerns, in both traditional and experimental media.

Curriculum Meeting: 09/14/20, 09/28/20
 Conjoint Meeting: 10/28/20
 Board of Trustees Meeting: 11/12/20

Student Learning Outcomes: New
Rationale: Six-year revision
Equate: ART 124B at SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|--------------|
| ART 126 | Painting I |

Catalog Description: Introduction to basic skills, processes, applications, techniques, color theory and composition as it applies to painting.
Schedule Description: Introduction to basic skills, processes, applications and techniques and color theory and composition as it applies to painting, including the development of painting as a means of self expression.
Student Learning Outcomes: New
Rationale: Six-year revision
Equate: ART 126A at SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|----------------|
| ART 132 | Life Drawing I |

Catalog Description: Introduction to the skills, strategies and techniques for drawing the human figure, and life drawing subjects, with a focus on traditional, contemporary, and experiential drawing media, techniques, and surfaces. Including an introduction to human anatomy within a life-drawing context.
Schedule Description: Introduction to the skills, strategies and techniques for drawing the human figure, and life drawing subjects.
Student Learning Outcomes: New
Rationale: Six-year revision
Equate: ART 132A at SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|--------------|
| ART 175 | Sculpture |

Catalog Description: Study of the fundamentals practices of sculpture. Exploration of form and space, as well as, exploration of materials; both traditional and non-traditional, such as: stone, clay, plaster, and variety of contemporary materials. Development of skills required for carving, modeling, and assembling methods typically employed in each media.

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

Schedule Description: Study of the fundamental practices of sculpture. Exploration of sculptural form, form relationship, and exploration, and use of traditional and non-traditional materials.

Student Learning Outcomes: Revised

Rationale: Six-year revision

Equate: ART 175A at SBVC

Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|------------------|---------------------|
| ART 232 | Life Drawing II |

Catalog Description: A continuation of ART 132. Review of essential concepts of skills of figure drawing and life drawing subjects, with focus on development of intermediate-level figure and life drawing skills with an emphasis on accurate analysis of anatomy and essential structures of life drawing subjects. Development of an individual thematic approach to figure drawing and study of advanced compositional concerns, traditional and experimental media and color.

Schedule Description: A continuation of ART 132. Review of essential concepts of skills of figure drawing and life drawing subjects, with further development of skills in intermediate-level figure drawing and life drawing subjects, with an emphasis on accurate analysis of anatomy and essential structures.

Student Learning Outcomes: New

Rationale: Six-year revision

Equate: ART 132B at SBVC

Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|------------------|--------------------------|
| ART 247D | Special Projects in Arts |

Student Learning Outcomes: New

Rationale: Six-year revision

Equate: Course is not currently equated with SBVC

Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|------------------|--------------------------|
| BUSAD 100 | Introduction to Business |

Departmental Recommendation: None

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

Catalog Description: Introduction to business is a survey course providing a multidisciplinary examination of how culture, society, economic systems, legal, international, political, financial institutions, and human behavior interact to affect a business organization's policy and practices within the U.S. and a global society. The course connects the multidisciplinary examination of society to the primary areas of business including: organizational structure and design; leadership, human resource management, organized labor practices; marketing; organizational communication; technology; entrepreneurship; legal, accounting, financial practices; the stock and securities market; and therefore affect a business' ability to achieve its organizational goals.

Schedule Description: Introduction to business is a survey course providing a multidisciplinary examination of how culture, society, economic systems, legal, international, political, financial institutions, and human behavior interact to affect a business organization's policy and practices within the U.S. and a global society. The course connects the multidisciplinary examination of society to the primary areas of business including: organizational structure and design; leadership, human resource management, organized labor practices; marketing; organizational communication; technology; entrepreneurship; legal, accounting, financial practices; the stock and securities market; and therefore affect a business' ability to achieve its organizational goals.

Student Learning Outcomes: Revised
Rationale: Six-year revision; adding DE component
Equate: BUSAD 100 at SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|-------------------------------|
| CD 182 | Teaching in a Diverse Society |

Course Title: Diversity and Child Development
Departmental Recommendation: Successful completion of CD 105
Catalog Description: This course examines the influence of diversity on all domains of child development. It addresses influences such as culture, race, socio-economic class, abilities and ethnicity on children's physical cognitive and social-emotional development. Theory and research as well as practical implications for working with children and families in an early childhood setting are addressed.

Schedule Description: This course examines the influence of diverse environments on child development. The course includes theoretical and practical implications for children, families and early childhood programs.

Student Learning Outcomes: New
Rationale: Six-year revision
Equate: CD 138 at SBVC
Effective: Fall 2021

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|--|
| CD 212 | Observation and Methods in Early Child Development |

Course Title: Observation and Assessment in Early Childhood Education
Catalog Description: Introduction to observation methodologies and assessment tools used in the field of early childhood education for the purpose of assessing and documenting child development, environments, classroom practices and interactions as well as understanding their relationship to curriculum and planning.
Schedule Description: Introduction to observation methodologies and assessment tools used in the field of early childhood education.
Student Learning Outcomes: New
Rationale: Six-year revision
Equate: CD 111 at SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|-----------------------------------|
| CD 250 | Child Guidance and Early Learning |

Course Title: Guidance of Young Children
Corequisite: CD 105
Catalog Description: This course presents a developmental approach to the guidance and discipline of young children. Effective guidance theories and methods based on development are presented for teachers and professionals working with children, including children with special needs. Effective communication methods for early childhood educators working with children and their parents will be emphasized.
Schedule Description: Effective, developmentally appropriate guidance theories and methods are presented for teachers and professionals with children and parents.
Student Learning Outcomes: New
Rationale: Six-year revision
Equate: CD 127 at SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|-----------------------------------|
| EMS 150 | Patient Assessment for Paramedics |

Prerequisite: Admission into the Paramedic Program
Student Learning Outcomes: New
Rationale: Six-year revision
Equate: Course is not offered at SBVC
Effective: Fall 2021

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|-----------------------------|
| ENGR 101 | Introduction to Engineering |

Student Learning Outcomes: New
Rationale: Six-year revision
Equate: Course is not currently equated with SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|-------------------------|
| FIRET 103 | Fire Protection Systems |

Departmental Recommendation: Eligibility for ENGL 101 and eligibility for MATH 995 as determined through the Crafton Hills College assessment process. Pass a standardized test of reading comprehension at or above the 12th grade level.

Catalog Description: Information relating to the features of design and operation of fire protection systems such as, fire detection and alarm systems, heat and smoke control systems, special protection and sprinkler systems, water supply for fire protection and portable fire extinguishers.

Schedule Description: This course provides information relating to the features of design and operation of fire protection systems.

Student Learning Outcomes: Revised

Rationale: Six-year revision; adding DE component
Equate: Course is not offered at SBVC
Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-----------|---|
| FIRET 114 | Principles of Fire and Emergency Services Safety and Survival |

Departmental Recommendation: Eligibility for ENGL 101 and eligibility for MATH 995 as determined through the Crafton Hills College assessment process. Pass a standardized test of reading comprehension at or above the 12th grade level.

Student Learning Outcomes: Revised

Rationale: Six-year revision; adding DE component
Equate: Course is not offered at SBVC
Effective: Fall 2021

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|------------------|---|
| FIRET 116 | Building Construction for Fire Protection |

Departmental Recommendation: Eligibility for ENGL 101 and eligibility for MATH 995 as determined through the Crafton Hills College assessment process.

Schedule Description: Provides the components of building construction related to firefighter and life safety.

Student Learning Outcomes: Revised

Rationale: Six-year revision; adding DE component

Equate: Course is not offered at SBVC

Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-------------------|---------------------|
| KIN/F 168A | Yoga I |

Student Learning Outcomes: Did not change

Rationale: Six-year revision; adding DE component

Equate: KINF 168A at SBVC

Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-------------------|---------------------|
| KIN/F 168B | Yoga II |

Student Learning Outcomes: Did not change

Rationale: Six-year revision; adding DE component

Equate: Course is not currently equated with SBVC

Effective: Fall 2021

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|-------------------|---------------------|
| KIN/F 168C | Yoga III |

Student Learning Outcomes: Did not change

Rationale: Six-year revision; adding DE component

Equate: Course is not currently equated with SBVC

Effective: Fall 2021

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

MODIFY COURSE

| COURSE ID | COURSE TITLE |
|------------------|---------------------|
| KIN/F 168D | Yoga IV |

Student Learning Outcomes: Did not change
Rationale: Six-year revision; adding DE component
Equate: Course is not currently equated with SBVC
Effective: Fall 2021

COURSE DELETIONS

| COURSE ID | COURSE TITLE |
|------------------|--|
| ARABIC 103* | College Arabic III |
| ARABIC 104* | College Arabic IV |
| ART 119* | Digital Video Art |
| ART 200* | Printmaking |
| ART 204* | Contemporary Topics in American Art |
| EMS 910 | Basic Life Support – Health Care Provider |
| EMS 913* | Basic Cardiac Life Support – Instructor (Recertification) |
| EMS 923 | Advanced Cardiac Life Support – Instructor (Recertification) |
| EMS 931 | Advanced Cardiac Life Support – Provider (Recertification) |
| FRENCH 101* | College French I |
| FRENCH 102* | College French II |
| FRENCH 103* | College French III |
| FRENCH 104* | College French IV |
| RUS 101* | College Russian I |
| RUS 102* | College Russian II |
| SPAN 158* | Spanish for Spanish Speakers II |

Rationale: There are no plans to offer the courses.*
 EMS 910: The course is no longer offered as a stand-alone course
 EMS 923: The course is no longer offered as a stand-alone course.
 EMS 931: The course is no longer offered as a stand-alone course.
Effective: Fall 2021

PROGRAM DELETION

| ACADEMIC PROGRAM |
|-----------------------------|
| Associate of Arts in Arabic |

Rationale: ARABIC 103 and ARABIC 104 are being deleted.
Effective: Fall 2021

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

| |
|-------------------------|
| PROGRAM DELETION |
|-------------------------|

| | |
|-------------------------|--|
| ACADEMIC PROGRAM | |
|-------------------------|--|

| |
|------------------------------------|
| Associate of Arts in French |
|------------------------------------|

Rationale: The French courses are being deleted.

Effective: Fall 2021

| |
|------------------------------|
| DISTRIBUTED EDUCATION |
|------------------------------|

| | | |
|----------------------|--------------------------|--------------------|
| Course ID: | BUSAD 100 | 100% Online |
| Course Title: | Introduction to Business | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

| |
|------------------------------|
| DISTRIBUTED EDUCATION |
|------------------------------|

| | | |
|----------------------|------------------------------|---------------|
| Course ID: | EMS 020 | Hybrid |
| Course Title: | Emergency Medical Technician | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

| |
|------------------------------|
| DISTRIBUTED EDUCATION |
|------------------------------|

| | | |
|----------------------|-------------------------|--------------------|
| Course ID: | FIRET 103 | 100% Online |
| Course Title: | Fire Protection Systems | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

| |
|------------------------------|
| DISTRIBUTED EDUCATION |
|------------------------------|

| | | |
|----------------------|---|--------------------|
| Course ID: | FIRET 114 | 100% Online |
| Course Title: | Principles of Fire and Emergency Services Safety and Survival | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

| |
|------------------------------|
| DISTRIBUTED EDUCATION |
|------------------------------|

| | | |
|----------------------|---|--------------------|
| Course ID: | FIRET 116 | 100% Online |
| Course Title: | Building Construction for Fire Protection | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

DISTRIBUTED EDUCATION

| | | |
|----------------------|-----------------------|--------------------|
| Course ID: | KIN/F 168A | 100% Online |
| Course Title: | Yoga I | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

DISTRIBUTED EDUCATION

| | | |
|----------------------|-----------------------|--------------------|
| Course ID: | KIN/F 168B | 100% Online |
| Course Title: | Yoga II | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

DISTRIBUTED EDUCATION

| | | |
|----------------------|-----------------------|--------------------|
| Course ID: | KIN/F 168C | 100% Online |
| Course Title: | Yoga III | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

DISTRIBUTED EDUCATION

| | | |
|----------------------|-----------------------|--------------------|
| Course ID: | KIN/F 168D | 100% Online |
| Course Title: | Yoga IV | |
| Rationale: | Increase DE Offerings | |
| Effective: | Fall 2021 | |

CORRECTION

| COURSE ID | COURSE TITLE |
|------------------|------------------------------|
| MATH 995 | Intermediate Algebra Support |

Units: 1 - 2**Minimum Semester****Hours:****Lecture:** 16 - 32**Lab:** 0**Student Learning****Outcomes:****Rationale:**

Approved at the October 8, 2020 Board meeting as a course modification. The semester units are being revised from 1-4 to 1-2 units and the lab hours were deleted.

Equate:

Course is not currently offered at SBVC

Effective:

Spring 2021

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

INFORMATION ONLY

The following course outlines were approved for Remote Instruction.

In emergency circumstances that require campus closure, remote instruction may be incorporated. Courses offered remotely will achieve or adapt stated learning outcomes for the remote environment. Instruction will maintain regular effective contact through conferencing and LMS applications. Instructional materials will be adapted to meet ADA compliance. Instructors will be supported through available campus resources including Alternative Media and Assistive Technology Specialist, DSPS Office, PD Lead, DE Lead, and other available resources to help ensure that instructional materials are accessible to persons with disabilities.

| Course ID: | Course Title: |
|--------------------|---|
| BUSAD 155 | Human Relations in the Workplace |
| CIS 091 | Essential Technology Skills for College and Career Success |
| CIS 095 | Employability Skills for Technical Careers |
| CIS 101 | Introduction to Computer and Information Technology |
| CIS 109 | Operating Systems and Environments |
| CIS 111 | Website Design & Development I |
| CIS 113 | Java Programming |
| CIS 117 | Web Page Scripting |
| CIS 125 | Introduction to C#.NET Programming |
| CIS 130 | Hardware and Information Technology Essentials |
| CIS 136 | Introduction to Cybersecurity |
| CIS 138 | CCNA Cybersecurity Operations |
| CIS 140 | Introduction to Networks (Cisco CCNA 1) |
| CIS 141 | Routing and Switching Essentials (Cisco CCNA 2) |
| CIS 142 | Scaling Networks (Cisco CCNA 3) |
| CIS 161 | Website Design with Adobe Dreamweaver |
| CIS 190A | Web Design Work Experience |
| CIS 190B | Network Administration Work Experience |
| CIS 190C | Hardware Technician Work Experience |
| CIS 190D | Software Development Work Experience |
| COA/N 605 | Plant-Based Nutrition for Older Adults |
| COMMST 100 | Elements of Public Speaking |
| COMMST 100H | Elements of Public Speaking – Honors |
| COMMST 110 | Voice and Diction |
| COMMST 111 | Interpersonal Communication |
| COMMST 111H | Interpersonal Communication – Honors |
| COMMST 120 | Oral Interpretation of Literature |
| COMMST 125 | Critical Thinking Through Argumentation and Debate |
| COMMST 125H | Critical Thinking Through Argumentation and Debate – Honors |
| COMMST 135 | Mass Communication in Society |
| COMMST 140 | Small Group Communication |
| COMMST 145 | Business Communication |
| COMMST 155 | Human Relations in the Workplace |
| COMMST 174 | Communication in a Diverse World |
| COMMST 178 | Communication in a Technological World |

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

| | |
|---------------------|---|
| COUN 100 | Student Success and the College Experience |
| COUN 110 | Introduction to Career, Education and Life Planning |
| COUN 120 | Stress Management and Emotional Well-Being |
| CSCI 110 | Introduction to Computer Science I (C++) |
| CSCI 120 | Introduction to Computer Science II (C++) |
| CSCI 240 | Computer Organization and Assembly Language Programming |
| DANCE 103 | Ballet I |
| DANCE 104 | Ballet II |
| DANCE 143A | Hip Hop I |
| DANCE 143B | Hip Hop II |
| DANCE 143C | Hip Hop III |
| DANCE 143D | Hip Hop IV |
| DANCE 163A | Ballroom/Swing/Salsa I |
| DANCE 163B | Ballroom/Swing/Salsa II |
| DANCE 163C | Ballroom/Swing/Salsa III |
| DANCE 163D | Ballroom/Swing/Salsa IV |
| DANCE 174X4 | Dance Production Workshop |
| EA 907 | Learning Disability Assessment |
| ECON 100 | Introduction to Economics |
| ECON 200 | Principles of Macroeconomics |
| ECON 200H | Principles of Macroeconomics – Honors |
| ECON 201 | Principles of Microeconomics |
| ECON 201H | Principles of Microeconomics – Honors |
| EDU 290 | Introduction to Education |
| GEOG 102 | Cultural Geography |
| GEOG 102H | Cultural Geography – Honors |
| GEOG 110 | Physical Geography |
| GEOG 110H | Physical Geography – Honors |
| GEOG 111 | Physical Geography Laboratory |
| GEOG 111H | Physical Geography Laboratory – Honors |
| GEOL 100 | Physical Geology |
| GEOL 100H | Physical Geology – Honors |
| GEOL 101 | Introduction to Geology |
| GEOL 101H | Introduction to Geology – Honors |
| GEOL 160 | Geology Laboratory |
| GEOL 180 | Geology of Joshua Tree National Park |
| GEOL 246ABCD | Special Problems in Geology |
| GEOL 251 | Geology of National Parks and Monuments |
| GEOL 270 | Geology of the Eastern Sierra Nevada |
| HEALTH 102 | Introduction to Health and Wellness |
| HEALTH 104 | Introduction to Public Health |
| HEALTH 263 | Nutrition and Health |
| HEALTH 263H | Nutrition and Health – Honors |
| HIST 100 | History of the United States to 1877 |
| HIST 100H | History of the United States to 1877 – Honors |
| HIST 101 | History of the United States 1865 to Present |
| HIST 101H | History of the United States 1865 to Present – Honors |
| HIST 107 | Native Peoples of North America |
| HIST 135 | Religion in America |

Curriculum Meeting: 09/14/20, 09/28/20

Conjoint Meeting: 10/28/20

Board of Trustees Meeting: 11/12/20

| | |
|-------------------|--|
| HIST 145 | California History |
| HIST 170 | World Civilizations (3500BCE – 1500CE) |
| HIST 170H | World Civilizations (3500BCE – 1500CE) – Honors |
| HIST 171 | World Civilizations (1500CE to the Present) |
| HIST 171H | World Civilizations (1500CE to the Present) – Honors |
| HIT 101 | Medical Terminology |
| HUM 101 | The Humanities I: Prehistoric to Medieval |
| HUM 102 | The Humanities II: Renaissance to Post Modern |
| HUM 140 | Humanities Through the Arts |
| JAPN 101 | College Japanese I |
| JAPN 103 | College Japanese III |
| JOUR 135 | Mass Communication in Society |
| KIN/D 143A | Hip Hop I |
| KIN/D 143B | Hip Hop II |
| KIN/D 143C | Hip Hop III |
| KIN/D 143D | Hip Hop IV |
| KIN/D 150A | Belly Dancing I |
| KIN/D 163A | Ballroom/Swing/Salsa I |
| KIN/D 163B | Ballroom/Swing/Salsa II |
| KIN/D 163C | Ballroom/Swing/Salsa III |
| KIN/D 163D | Ballroom/Swing/Salsa IV |
| KIN/D 167A | Tap Dance I |
| KIN/F 105A | Cardiovascular Conditioning I |
| KIN/F 105B | Cardiovascular Conditioning II |
| KIN/F 105C | Cardiovascular Conditioning III |
| KIN/F 105D | Cardiovascular Conditioning IV |
| KIN/F 106A | Total Body Fitness I |
| KIN/F 106B | Total Body Fitness II |
| KIN/F 106C | Total Body Fitness III |
| KIN/F 106D | Total Body Fitness IV |
| KIN/F 107A | Zumba Fitness I |
| KIN/F 107B | Zumba Fitness II |
| KIN/F 107C | Zumba Fitness III |
| KIN/F 107D | Zumba Fitness IV |
| KIN/F 108A | Resistance and Weight Training I |
| KIN/F 108B | Resistance and Weight Training II |
| KIN/F 108C | Resistance and Weight Training III |
| KIN/F 108D | Resistance and Weight Training IV |
| KIN/F 109A | Aerial Fitness I |
| KIN/F 109B | Aerial Fitness II |

Effective: Fall 2020

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Diana Rodriguez, President, SBVC
PREPARED BY: Dr. Dina Humble, Vice President, Instruction, SBVC
DATE: November 12, 2020
SUBJECT: Consideration of Approval of Curriculum - SBVC

RECOMMENDATION

It is recommended that the Board of Trustees approve the SBVC curriculum modifications.

OVERVIEW

The courses, certificates, and degrees at SBVC are continually being revised and updated to reflect and meet student needs.

ANALYSIS

These courses, certificates, and degrees have been approved for addition, modification, and deletion by the Curriculum Committee of the Academic Senate and will be included in the 2020-2021 College Catalog addendum.

INSTITUTIONAL VALUES

II. Learning Centered Institution for Student Access, Retention, and Success.

FINANCIAL IMPLICATIONS

None.

**SAN BERNARDINO VALLEY COLLEGE
SUBMITTED FOR BOARD OF TRUSTEE APPROVAL
November 11, 2020**

DEGREE CORRECTION

PREVENTATIVE MAINTENANCE TECHNICIAN CERTIFICATE

This certificate is designed to prepare students for employment as technicians performing entry-level preventative maintenance and minor repairs. Typical duties include new car preparation, vehicle inspections and assisting master technicians.

| REQUIRED COURSES: | Units |
|---|--------------|
| AUTO 050 Automotive Brakes | 4 |
| AUTO 052 Automotive Suspension and Steering | 4 |
| AUTO 064 Auto/Truck Electrical Systems | 4 |
| or | |
| HMDT 064 Auto/Truck Electrical Systems | 4 |
| AUTO 065 Electrical Systems Diagnosis and Repair | 5 |
| AUTO 084 General Automotive Technology | 3 |
| Students must complete one of the following or assess into MATH 096 or higher: | |
| MATH 962 Arithmetic and Prealgebra | 5 |
| TECALC 087 Technical Calculations | 4 |

Total Units **20 - 25**

Rationale: Updating units from 21-26 to 20-25.
Previous Board Approval: June 11, 2020
Effective: Fall 2020

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Diana Rodriguez, President, SBVC
Dr. Kevin Horan, President, CHC
Kristina Hannon, Vice Chancellor, Human Resources & Police Services

DATE: November 12, 2020

SUBJECT: Consideration of Approval of Adjunct and Substitute Academic Employees

RECOMMENDATION

It is recommended that the Board of Trustees approve the employment of adjunct and substitute academic employees as indicated on the attached list.

OVERVIEW

Part-time academic employees selected from the established pool are offered individual contracts on a semester-by-semester basis.

ANALYSIS

All requirements for employment processing have been completed and Human Resources has cleared the individuals for employment.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

The cost for employment of adjunct and substitute academic employees is included in the appropriate budgets.



Adjunct and Substitute Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.21.2020.p.1|1]

Academic Year 2020-21

| Employee Name | Location Assignment | Course Subject | Discipline per Minimum Qualifications |
|-------------------------|---------------------|----------------|---------------------------------------|
| Kassab, Mohamad | SBVC | Mathematics | Mathematics |
| Hoecherl, Krista | CHC | Anatomy | Biological Sciences |
| Holmes, Jacob | CHC | Anatomy | Biological Sciences |
| Roueintan, Mehdi | CHC | Physics | Physics |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Kristina Hannon, Vice Chancellor, Human Resources & Police Services
PREPARED BY: Diana Rodriguez, President, SBVC
Dr. Kevin Horan, President, CHC
DATE: November 12, 2020
SUBJECT: Consideration of Approval of Non-Instructional Pay for Academic Employees

RECOMMENDATION

It is recommended that the Board of Trustees approve non-instructional pay for academic employees as indicated on the attached.

OVERVIEW

Academic employees will be compensated at the agreed upon non-instructional rate of pay. This compensation is requested due to the periodic need for academic employees to assist with various department research, projects, committee work, or campus/community events.

ANALYSIS

As of July 1, 2019, non-instructional rates of pay are based on the Tentative Agreement by and between SBCCD and the CTA regarding *Article 10 Wages*, which was Board approved May 16, 2019.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

The cost of the non-instructional pay is included in the appropriate budget.



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.1|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|---|------------------------|----------|----------|---------|-------|-------------------------|--|
| Alvarez, Vicente Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 25 | \$1,300.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Aycock, Monique DSPS Categorical Funds | SBVC | 07/01/20 | 12/31/20 | \$58.00 | 422 | \$24,476.00 | Adjunct Counseling for DSPS <i>Amendment: Submitted for board approval June 11, 2020. The hourly rate is being amended from \$52.00 to \$58.00.</i> |
| Bennett, Devin CTE Online Pathways Grant Fund | SBVC | 11/13/20 | 12/07/20 | \$52.00 | 51 | \$2,652.00 | Research & development related to CTE courses moving from face-to-face to online format. |
| Bernardo, Yecica Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |
| Brown Jauregui, Janeth Promise Program Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$56.00 | 252 | \$14,112.00 | Adjunct Counseling |
| Burckel, Georgia Middle College High School General Fund | SBVC | 01/04/21 | 05/30/21 | \$54.00 | 252 | \$13,608.00 | Adjunct Counseling supporting the Middle College High School Program. |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.2|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|---|------------------------|----------|----------|---------|-------|-------------------------|--|
| Chen, Hsu-Chi Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Chiem, Vinh Promise Program Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$56.00 | 252 | \$14,112.00 | Adjunct Counseling |
| Corrales, Athena Nursing Growth & Enrollment Grant Fund | SBVC | 07/01/20 | 06/30/21 | \$58.00 | 1056 | \$61,248.00 | Nursing Enrollment & Growth - Nursing workshops for students, develop remediation strategies for nursing students and provide general counseling for pre and current nursing students. <i>Amendment: Original submission was approved at the June 11, 2020 board meeting. Incorrect pay rate was submitted. It should be \$58.00 and not \$52.00 as she is a counselor.</i> |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.3|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|--|------------------------|----------|----------|---------|-------|-------------------------|--|
| Cretu, Camelia Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Dennett, Loni DSPS Categorical Funds | SBVC | 07/01/20 | 12/31/20 | \$58.00 | 422 | \$24,476.00 | Adjunct Counseling for DSPS <i>Amendment: Submitted for board approval June 11, 2020. The hourly rate is being amended from \$52.00 to \$58.00.</i> |
| Fierro, Marie Student Equity Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$54.00 | 252 | \$13,608.00 | Adjunct Counseling |
| Ghazaleh, Rema Middle College High School Grant Fund | SBVC | 01/04/21 | 05/30/21 | \$54.00 | 252 | \$13,608.00 | Adjunct Counseling will be supporting the Middle College High School Program. |
| Glover, Earline Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |
| Gomez, Laura Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |
| Gray-Castro, Sara CTE Online Pathways Grant Fund | SBVC | 11/13/20 | 12/07/20 | \$52.00 | 34 | \$1,768.00 | Research & development related to CTE courses moving from face-to-face to online format. |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.4|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|--|------------------------|----------|----------|---------|-------|-------------------------|---|
| Hall, Courtney Promise Program Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$56.00 | 252 | \$14,112.00 | Adjunct Counseling |
| Hill, Monique Student Equity Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$58.00 | 252 | \$14,616.00 | Adjunct Counseling |
| Hoang, Dung Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Johnson, Stephen Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.5]12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|--|------------------------|----------|----------|---------|-------|-------------------------|--|
| Khan, Naveen Strong Workforce Grant Fund | SBVC | 07/01/20 | 08/16/20 | \$52.00 | 48 | \$2,496.00 | Working with Fall 2020 Students to prepare their clinical paperwork to meet the requirements of clinical sites. <i>Ratification: Department oversight as this information was thought to have been previously submitted to board</i> |
| Laguna, Tania Promise Program Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$56.00 | 252 | \$14,112.00 | Adjunct Counseling |
| Lai, Karen Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Lochard, Armone Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.6]12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|--|------------------------|----------|----------|---------|-------|-------------------------|--|
| Luna, Joana Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Majid, May Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Martin, Desiree Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.7|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|--|------------------------|----------|----------|---------|-------|-------------------------|--|
| Mendoza, Maria Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Miller, Frank Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Naim, Rozaena Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.8|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|---|------------------------|----------|----------|---------|-------|-------------------------|--|
| Nevarez, Cirilo Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Nguyen, Bryan Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Nguyen, Leon Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.9|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|--|------------------------|----------|----------|---------|-------|-------------------------|---|
| Perez, Alecia Student Equity Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$54.00 | 98 | \$5,292.00 | Adjunct Counseling |
| Quezada, Reyes STAR Program Categorical Funds | SBVC | 01/11/21 | 05/25/21 | \$58.00 | 400 | \$23,200.00 | Adjunct Counseling |
| Ramirez, Jessica Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Rife, Valecia EOPS Categorical Funds | SBVC | 01/19/21 | 05/25/21 | \$58.00 | 250 | \$14,500.00 | Adjunct Counseling for EOPS Students |
| Rodriguez, Andrea STAR Program Categorical Funds | SBVC | 01/11/21 | 05/25/21 | \$56.00 | 400 | \$22,400.00 | Adjunct Counseling |
| Romero, Markazan Strong Workforce Grant Fund | SBVC | 11/13/20 | 12/17/20 | \$52.00 | 40 | \$2,080.00 | Develop credit/non-credit Electricity/Electronics curriculum to support the BESP Project |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.10|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|--|------------------------|----------|----------|---------|-------|-------------------------|--|
| Sacdalan, Alvin Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 25 | \$1,300.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Sanchez, Crystal Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Silva, Steven EOPS Categorical Funds | SBVC | 01/19/21 | 05/25/21 | \$58.00 | 250 | \$14,500.00 | Adjunct Counseling for EOPS Students |
| Smith, Joyce Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |
| Solorio, Carlos Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.11|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|---|------------------------|----------|----------|---------|-------|-------------------------|--|
| Sullivan, Laurie CTE Online Pathways Grant Fund | SBVC | 11/13/20 | 12/07/20 | \$52.00 | 68 | \$3,536.00 | Research & development related to CTE courses moving from face-to-face to online format. |
| Ting, Lycretia Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Urell, Mary Kathryn Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |
| Valdez-Flynn, Veronica Student Success and Support Program Categorical Fund | SBVC | 01/04/21 | 05/25/21 | \$58.00 | 420 | \$24,360.00 | Adjunct Counseling |
| Valle, Samuel Strong Workforce Grant Fund | SBVC | 11/13/20 | 12/17/20 | \$52.00 | 40 | \$2,080.00 | Develop credit/non-credit Electricity/Electronics curriculum to support the BESP Project |
| Villanueva, Romana Promise Program Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$56.00 | 252 | \$14,112.00 | Adjunct Counseling |
| Wallace, Christopher Student Equity Categorical Fund | SBVC | 01/11/21 | 05/25/21 | \$56.00 | 18 | \$1,008.00 | Adjunct Counseling |



Non-Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.12|12]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|---|------------------------|----------|----------|---------|-------|-------------------------|--|
| Yeo, Michelle Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Yoo, Jane Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |
| Zuick, Nhan Basic Skills Categorical Fund | SBVC | 08/17/20 | 12/18/20 | \$52.00 | 20 | \$1,040.00 | Community of Practice (CoP) - Orient faculties regarding support courses, to share teaching strategies, and to provide support to our faculty teaching Math 102 and Math 108. <i>Ratification: We were just able to confirm account numbers and also solidify faculty that will be participating in this program.</i> |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Kristina Hannon, Vice Chancellor, Human Resources & Police Services

PREPARED BY: Diana Rodriguez, President, SBVC
Dr. Kevin Horan, President, CHC

DATE: November 12, 2020

SUBJECT: Consideration of Approval of Instructional Pay for Make-Up Laboratory Hours Due to COVID-19

RECOMMENDATION

It is recommended that the Board of Trustees approve instructional pay for academic employees as indicated on the attached.

OVERVIEW

Academic employees will be compensated at the agreed upon instructional hourly rate to instruct make-up laboratory hours. This compensation is requested due to laboratory hours that were stopped in spring 2020 term due to COVID-19 emergency. Specific laboratory courses were not able to be transitioned to an online environment. These laboratory course hours need to be made-up by students to receive a letter grade.

ANALYSIS

As of July 1, 2019, hourly instructional rates of pay are based on the Tentative Agreement by and between SBCCD and the CTA regarding *Article 10 Wages*, which was Board approved May 16, 2019.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

The cost of the instructional pay is included in the appropriate budget.



Instructional Pay for Academic Employees

Submitted for Board Approval November 12, 2020

[v.10.22.2020.p.2|1]

| Employee Name Funding Source | Location Assignment | From | To | Rate | Hours | Not to Exceed Amount | Project |
|--|------------------------|----------|----------|---------|-------|-------------------------|--|
| Bennet, Michael Jason COVID-19 Emergency Funds | SBVC | 09/09/20 | 12/18/20 | \$68.00 | 175 | \$11,900.00 | AERO 652L; AERO 654L; AERO 052L – 216; AERO 24 <i>Course make-up laboratory hours.</i> |
| Byars, Christopher COVID-19 Emergency Funds | SBVC | 09/09/20 | 12/18/20 | \$72.00 | 150 | \$10,800.00 | AERO 051L-02; AERO 651L-02 <i>Course make-up laboratory hours.</i> |
| Caliva, Joe COVID-19 Emergency Funds | SBVC | 09/09/20 | 12/18/20 | \$70.00 | 245 | \$17,150.00 | AERO 054L <i>Course make-up laboratory hours.</i> |
| Carlile, Bradley COVID-19 Emergency Funds | SBVC | 09/09/20 | 12/18/20 | \$66.00 | 100 | \$6,600.00 | AERO 052L <i>Course make-up laboratory hours.</i> |
| Casillas, David COVID-19 Emergency Funds | SBVC | 09/09/20 | 12/18/20 | \$72.00 | 306 | \$22,032.00 | AERO 055L; AERO 651L-01; AERO 655L <i>Course make-up laboratory hours.</i> |
| Fenton, Sherri COVID-19 Emergency Funds | SBVC | 09/09/20 | 12/18/20 | \$72.00 | 40 | \$2,880.00 | AERO 651LL <i>Course make-up laboratory hours.</i> |
| Moore, Allen COVID-19 Emergency Funds | SBVC | 09/09/20 | 12/18/20 | \$70.00 | 50 | \$3,500.00 | AERO 653L <i>Course make-up laboratory hours.</i> |
| Ortiz, Jose COVID-19 Emergency Funds | SBVC | 09/09/20 | 12/18/20 | \$68.00 | 245 | \$16,660.00 | AERO 051L-01; AERO 053L <i>Course make-up laboratory hours.</i> |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Jose F. Torres, Interim Chancellor
PREPARED BY: Diana Rodriguez, President, SBVC
Dr. Kevin Horan, President, CHC
Kristina Hannon, Vice Chancellor, Human Resources & Police Services
DATE: November 12, 2020
SUBJECT: Consideration of Approval to Pay Stipends

RECOMMENDATION

It is recommended that the Board of Trustees approve the payment of stipends per the attached list.

OVERVIEW

The stipends listed on the attachment are submitted for approval.

ANALYSIS

Stipends are based on negotiated agreement between SBCCD and the SBCCDTA and CSEA bargaining units, as applicable.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

The payment of stipends is included in the appropriate budgets.



Payment of Stipends

Submitted for Board Approval November 12, 2020

[v.10.21.2020.p.1|1]

Other Stipends – 11/13/20 – 12/07/20

| Employee Name | Location Assignment | Department | Stipend |
|------------------------------|---------------------|---|------------|
| Adams, Kathy | SBVC | Child Development (2nd course)-Quality Badge Course Training. | \$1,500.00 |
| Assasumma, Michael | SBVC | Business-Quality Badge Course Training. | \$1,500.00 |
| Batalo, Mandi | SBVC | Art-Quality Badge Course Training. | \$1,500.00 |
| Burns-Peters, Davena | SBVC | Modern Languages (2nd course)-Quality Badge Course Training. | \$1,500.00 |
| Hamdy, Rania | SBVC | Communication Studies-Quality Badge Course Training. | \$1,500.00 |
| Hopper, Randi | SBVC | Child Development-Quality Badge Course Training. | \$1,500.00 |
| Hughs-Curtis, Lindsay | SBVC | Child Development-Quality Badge Course Training. | \$1,500.00 |
| Loukeh, Alison | SBVC | Water Supply-Quality Badge Course Training. | \$1,500.00 |
| Notarangelo, Maria | SBVC | Library (2nd course)-Quality Badge Course Training. | \$1,500.00 |
| Parker, Garry | SBVC | Water Supply-Quality Badge Course Training. | \$1,500.00 |
| Perris, Christina | SBVC | Library Sciences-Peer Online Course Review Training (POCR) | \$1,500.00 |
| Valladeo, Gary | SBVC | Water Supply-Quality Badge Course Training. | \$1,500.00 |
| Voisard, Steve | SBVC | Library-Quality Badge Course Training. | \$1,500.00 |
| Wallick, Amber | SBVC | Child Development-Quality Badge Course Training. | \$1,500.00 |
| Walters, Sandi | SBVC | Child Development-Quality Badge Course Training. | \$1,500.00 |
| Wells, Nisha | SBVC | Water Supply-Quality Badge Course Training. | \$1,500.00 |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Jose F. Torres, Interim Chancellor
PREPARED BY: Kristina Hannon, Vice Chancellor, Human Resources & Police Services
DATE: November 12, 2020
SUBJECT: Consideration of Approval to Appoint District Employees

RECOMMENDATION

It is recommended that the Board of Trustees approve appointment of the employees on the attached list and, as necessary, approve the corresponding employment contracts as well.

OVERVIEW

The employees on the attached list are submitted for approval.

ANALYSIS

All requirements in the employment process have been or will be completed. Employees will not commence work until all requirements are met.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

The cost of employment for these employees is included in the appropriate budgets.



Appointment of District Employees

Submitted for Board November 12, 2020

[v.10.27.2020.p.1|1]

| Employee Name, Title Location Assignment & Department | Start Date | Salary Schedule, Range & Step | Rate | New or Replacing | Fund | Live Scan Clearance |
|---|------------|----------------------------------|--------------------------|------------------|---|------------------------|
| Bernal, Cynthia Assistant Manager, Workforce Development DSO EDCT | 11/16/20 | Management 4B | \$59,842.00 per year | Timothy Vasquez | EDCT Grant Fund | 07/26/19 |
| Bulgarelli, Nancy Administrative Secretary SBVC Counseling & Matriculation | 11/16/20 | Classified 37B | \$26.16 per hour | Anita Moore | Counseling & Matriculation Grant Fund | 10/14/20 |
| Hector, Leticia Division Dean SBVC Arts & Humanities | 11/16/20 | Management 21F | \$154,930.00 per year | Kay Weiss | General Fund | 07/18/01 |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Jose F. Torres, Interim Chancellor
PREPARED BY: Kristina Hannon, Vice Chancellor of Human Resources and Police Services
DATE: November 12, 2020
SUBJECT: Consideration of Approval of Demotion in Lieu of Layoff

RECOMMENDATION

It is recommended that the Board of Trustees approve the Demotion of Jacqueline Diaz in lieu of layoff.

OVERVIEW

Jacqueline Diaz change of position from Student Services Technician II, Water Supply Engineering Department, Applied Technology position at SBVC, to Admissions & Records Technician, Admission and Records Department at SBVC, full-time, 12-month position, with a change in salary to Range 32 Step C, effective November 16, 2020.

ANALYSIS

The Board of Trustees approved the elimination of the Student Services Technician II, Water Supply Engineering Department, Applied Technology position at SBVC on September 10, 2020. Jacqueline Diaz has elected to accept a demotion in lieu of layoff.

INSTITUTIONAL VALUES

None.

FINANCIAL IMPLICATIONS

No financial impact.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Lawrence P. Strong, Director of Fiscal Services

DATE: November 12, 2020

SUBJECT: Consideration of Approval to Adopt 2021-22 Budget Calendar

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached Budget Calendar.

OVERVIEW

District Administrative Procedure 6200 requires that the Board adopt a budget calendar prior to February 1 that identifies activities and sets dates for each step in the budget development process. The purpose of a Budget Calendar is to provide the timelines necessary for discussion and adoption of the District budget. This year the Budget Calendar is being presented in November in order to allow more time in the budgeting process.

ANALYSIS

The Fiscal Year 2021-22 budget calendar is presented to the Board of Trustees for approval.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

There are no financial implications associated with this board item.



Fiscal Year 2021-22 Budget Calendar

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.1|3]

| Date | Task | Responsibility |
|-------------------------------|---|---|
| November 2020 | Budget calendar to Board of Trustees for adoption. <i>(AP 6200 Prior to February 1, the Board will adopt a budget calendar that identifies activities and sets dates for each step in the budget development process.)</i> | Business & Fiscal Services Board of Trustees |
| December 2020 to January 2021 | District office development budget processes continue. | Business & Fiscal Services District Budget Committee |
| January - February 2021 | Recommendations for projected funds and tentative distribution to campuses are developed by District Budget Committee for Chancellor's Cabinet. | Business & Fiscal Services District Budget Committee |
| February 2021 | Receive budget directives from Board of Trustees. <i>(AP 6200: Prior to March 1, the Board will give direction for budget development to include: 1. Reaffirmation or change in mission; 2. Resource allocation (set level of Reserve for Contingency, Workers' Compensation Reserve, any special project reserve, etc.); 3. Determination of the amount of resources estimated to be available for General Fund expenditure with potential increases or decreases during the budget preparation period; 4. Preliminary establishment of budget allocations for the colleges, district office, and other sites.)</i> | Business & Fiscal Services Board of Trustees |
| February 2021 | Projected funds and assessments for fiscal year, and tentative distribution to campuses determined at Chancellor's Cabinet. <i>(AP 6200: Prior to March 1 information will be provided to Responsibility Center Managers that will include the status of current expenditures, state and county estimates of revenues, site "base budget" allocations, and targets for increases or decreases.)</i> | Business & Fiscal Services Chancellor's Cabinet |
| February 2021 | Prior and current year line budgets, instructions, and due dates are forwarded to Campus Presidents and Chancellor for distribution to responsibility centers. | Business & Fiscal Services |
| February - March 2021 | Campus budget processes determine priorities and reallocation of funds; responsibility center managers prepare budget forms for submittal to District. | College Presidents & VPs Business & Fiscal Services Responsibility Managers |
| March 2021 | Development Budget reports to establish Preliminary Budget due at District. | College Presidents |



Fiscal Year 2021-22 Budget Calendar

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.2]3]

| Date | Task | Responsibility |
|-------------|---|--|
| April 2021 | District Budget Committee reviews Preliminary Budget and develops recommended adjustments, if any, for Chancellor's Cabinet. | Business & Fiscal Services District Budget Committee |
| April 2021 | Chancellor's Cabinet is updated on status of Preliminary Budget. Reviews recommended adjustments as necessary. | Business & Fiscal Services Chancellor's Cabinet |
| May 2021 | Board is updated on status of budget process and receives Preliminary Budget (no formal action required). <i>(AP 6200: Preliminary Budget – a. No later than May of each year the Vice Chancellor of Business & Fiscal Services will present the preliminary budget to the Board. No formal action is required by the Board on the preliminary budget.)</i> | Business & Fiscal Services Board of Trustees |
| June 2021 | Tentative Budget is presented to the District Budget Committee and the Board of Trustees. <i>(AP 6200: Tentative Budget – No later than July 1 the Board will adopt a Tentative Budget. This budget will reflect changes made to the Preliminary Budget.)</i> | Business & Fiscal Services District Budget Committee Board of Trustees |
| July 2021 | Draft of Final Budget discussed at District Budget Committee meeting. Final recommendations, if any, are made from District Budget Committee to Chancellor's Cabinet. <i>(AP 6200: Final Budget – Prior to the state-prescribed date, the Board will adopt a final budget for SBCCD that reflects changes made to the Tentative Budget and provides the operational budget base for the District for the fiscal year.)</i> | Business & Fiscal Services |
| August 2021 | Review of Tentative Budget and development of Final Budget. Changes made based on internal discussion, Budget Committee recommendations, and changes in State financial picture. | Business & Fiscal Services Chancellor's Cabinet |
| August 2021 | Draft of Final Budget discussed at Chancellor's Cabinet. | Business & Fiscal Services Chancellor's Cabinet |



Fiscal Year 2021-22 Budget Calendar

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.3|3]

| Date | Task | Responsibility |
|----------------|---|---|
| August 2021 | Board Study session to review Final Budget. | Business & Fiscal Services Board of Trustees |
| September 2021 | Public Hearing and adoption of Final Budget by Board of Trustees. <i>(Budget and Accounting Manual (BAM): Public Hearing and Final Budget Adoption must be completed on or before September 15.)</i> | Business & Fiscal Services Board of Trustees |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services
PREPARED BY: Lawrence P. Strong, Director of Fiscal Services
DATE: November 12, 2020
SUBJECT: Consideration of Approval of Revised Authorized Signature List for Fiscal Year 2020-21

RECOMMENDATION

It is recommended that the Board of Trustees approve the Revised Authorized Signature List for Fiscal Year 2020-21, as attached.

OVERVIEW

In accordance with California legal code, the Board of Trustees may, via annual Board action, delegate its authority to named agents. Only the Board and/or those agents are authorized to commit the District to contracts, expenditure of funds, employment of personnel, and other legal actions.

ANALYSIS

The Authorized Signature List for Fiscal Year 2020-21 was approved by the Board of Trustees on June 11, 2020. The attached, revised list reflects the addition of Dr. James L. Buysse as Interim Vice Chancellor of Business & Fiscal Services.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

There are no financial implications connected with the approval of this item.



Revised Authorized Signature List for Fiscal Year 2020-21

Submitted for Board Approval November 12, 2020

[v.10.26.2020.p.1|2]

| AUTHORITY | NAMED AGENT(S) |
|--|---|
| <p>Contracts, Agreements, and Memos of Understanding</p> | <ul style="list-style-type: none"> ♦ <i>Jose Torres, Interim Chancellor</i> ♦ <i>Vacant, Chancellor</i> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Steven J. Sutorus, Business Manager</i> ♦ <i>(Employment Only) Kristina Hannon, Vice Chancellor, HR</i> |
| <p>Revenue Clearing Bank Accounts, SBCCD Commercial Property Bank Account & Lockbox</p> | <ul style="list-style-type: none"> ♦ <i>Jose Torres, Interim Chancellor</i> ♦ <i>Vacant, Chancellor</i> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Steven J. Sutorus, Business Manager</i> ♦ <i>Tenille Alexander, Associate Director, Fiscal Services</i> ♦ <i>Jorge Andrade, Accounting Services Manager</i> |
| <p>Revolving Cash Bank Account</p> | <ul style="list-style-type: none"> ♦ <i>Custodian: James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Custodian: Jose Torres, Executive Vice Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Steven J. Sutorus, Business Manager</i> ♦ <i>Tenille Alexander, Associate Director, Fiscal Services</i> ♦ <i>Jorge Andrade, Accounting Services Manager</i> |
| <p>KVCR Educational Foundation Bank Account</p> | <ul style="list-style-type: none"> ♦ <i>Jose Torres, Interim Chancellor</i> ♦ <i>Vacant, Chancellor</i> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Steven J. Sutorus, Business Manager</i> |
| <p>Safe Deposit Box</p> | <ul style="list-style-type: none"> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Steven J. Sutorus, Business Manager</i> |
| <p>Cafeteria, Associated Students, Clubs & Trusts, and Scholarship & Loan Bank Accounts</p> | <ul style="list-style-type: none"> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Steven J. Sutorus, Business Manager</i> ♦ <i>Tenille Alexander, Associate Director, Fiscal Services</i> ♦ <i>Jorge Andrade, Accounting Services Manager</i> |



Revised Authorized Signature List for Fiscal Year 2020-21

Submitted for Board Approval November 12, 2020

[v.10.26.2020.p.2]2]

| AUTHORITY | NAMED AGENT(S) |
|---|---|
| Financial Aid Bank Accounts | <ul style="list-style-type: none"> ♦ <i>Jose Torres, Interim Chancellor</i> ♦ <i>Vacant, Chancellor</i> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Steven J. Sutorus, Business Manager</i> ♦ <i>Tenille Alexander, Associate Director, Fiscal Services</i> ♦ <i>Jorge Andrade, Accounting Services Manager</i> |
| Commercial Warrants and Related Journal Entries | <ul style="list-style-type: none"> ♦ <i>Jose Torres, Interim Chancellor</i> ♦ <i>Vacant, Chancellor</i> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> |
| Payroll Orders and Related Journal Entries, and Voluntary Payroll Deductions (PAY620) | <ul style="list-style-type: none"> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Vacant, Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Colleen Gamboa, Payroll Manager</i> |
| Notices of Employment for Certificated, Classified, Student and Temporary Employees | <ul style="list-style-type: none"> ♦ <i>Jose Torres, Interim Chancellor</i> ♦ <i>Vacant, Chancellor</i> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Kristina Hannon, Vice Chancellor, HR</i> ♦ <i>Joe Opris, Director, HR</i> |
| Purchase Orders (no monetary limit) | <ul style="list-style-type: none"> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Steven J. Sutorus, Business Manager</i> |
| Journal Entries (not authorized by District or Payroll Orders), Interfund Transactions, and Budget Transfers | <ul style="list-style-type: none"> ♦ <i>James L. Buysse, Interim Vice Chancellor, B&FS</i> ♦ <i>Jose Torres, Executive Vice Chancellor</i> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Tenille Alexander, Associate Director, Fiscal Services</i> ♦ <i>Jorge Andrade, Accounting Services Manager</i> |
| Certify/Attest to Board Action | <ul style="list-style-type: none"> ♦ <i>Jose Torres, Interim Chancellor</i> ♦ <i>Gloria Macías Harrison, Clerk of the Board</i> |
| Access to San Bernardino County Schools Computer Consortium System with Secure I.D. Token | <ul style="list-style-type: none"> ♦ <i>Larry Strong, Director of Fiscal Services</i> ♦ <i>Steven J. Sutorus, Business Manager</i> ♦ <i>Tenille Alexander, Associate Director, Fiscal Services</i> ♦ <i>Jorge Andrade, Accounting Services Manager</i> |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Steven J. Sutorus, Business Manager

DATE: November 12, 2020

SUBJECT: Consideration of Approval of Sole Source Purchases from Johnson Controls Fire Protection

RECOMMENDATION

It is recommended that the Board of Trustees approve purchasing from Johnson Controls Fire Protection as a sole source supplier for Fiscal Year 2020-2021.

OVERVIEW

As new facilities are constructed and modernized, a need exists to provide additional fire protection infrastructure and monitoring. The District needs to obtain products and services which are compatible with existing systems that were competitively bid during the construction of the new facilities and remodel of current facilities in place throughout the District. Johnson Controls Fire Protection, under its former name SimplexGrinnell, was the awarded bidder in these projects. The existing infrastructure must be regularly maintained and inspected by Johnson Controls Fire Protection.

ANALYSIS

The equipment, technology, and monitoring required to operate with the existing fire protection system is only available from Johnson Controls Fire Protection. Other contractors are unable to install the equipment and provide the monitoring services. Therefore, there is no advantage to the District by competitively bidding the procurement and installation of this equipment and ongoing monitoring, maintenance and inspection. It is therefore recommended the District contract with Johnson Controls Fire Protection as the sole source.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The costs of these services is included in the Fiscal Year 2020-2021 budgets.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Dr. James L Buysse, Interim Vice Chancellor, Business & Fiscal Services
PREPARED BY: Steven J. Sutorus, Business Manager
DATE: November 12, 2020
SUBJECT: Consideration of Approval of Sole Source Purchases from Media Management LLC

RECOMMENDATION

It is recommended that the Board of Trustees approve purchasing from Media Management LLC as a sole source service and parts supplier for Fiscal Year 2020-2021.

OVERVIEW

As part of the modernization, master control was moved off-site and now all of KVCR-TV’s content is cloud-managed remotely. Media Management LLC is the specialized vendor chosen after the FCC Auction for this content delivery system. Using Media Management LLC allows KVCR to forego the use of in-house 24-hour master control personnel that was previously manned by four full-time employees.

ANALYSIS

SBCCD rebuilt the master control system for KVCR as part of the FCC project. Media Management’s system is proprietary and the parts, technology, and controls are only available from Media Management LLC. Also maintenance on this systems can only be performed by a Media Management LLC authorized technician do to specialized work and to ensure validity of all warranties.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The cost of this service is included in the Fiscal Year 2020-2021 budgets.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Steven J. Sutorus, Business Manager

DATE: November 12, 2020

SUBJECT: Consideration of Ratification for Contracts at or Above \$95,200

RECOMMENDATION

It is recommended that the Board of Trustees ratify the contracts on the attached list which are routine in nature, support the ongoing operation of the District, and have a total contract cost at or above \$95,200.

OVERVIEW

In accordance with SBCCD Board Policy 6100, Delegation of Authority, The Board of Trustees delegates authority to the Chancellor to supervise the general business procedures of the District to assure the proper administration of property and contracts. District staff is presenting the attached purchase and/or contract requests, which meet or exceed the formal bid limits, for Board approval in the form of ratification.

ANALYSIS

The California Board of Governors sets the formal bid limit for procurement of goods and/or services on an annual basis. The formal bid limit for the current calendar year has been set at \$95,200. Ratification of the contracts on the attached list will allow for the successful ongoing operation of the District. Construction services are not included in this board item.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The attached purchase and or contract requests have been budgeted for via purchase requisition.

**Contracts And Agreements
Over \$95,200**

Board Date 11-12-2020

1 of 1

| Control Number | Vendor Name | Contract Type | Dept/Location | Total New Contract Value | Amended |
|--|---|------------------|------------------|--------------------------|------------|
| 19879 | American Public Media (APM) | Broadcast Rights | KVCR/KVCR | \$240,000.00 | |
| Broadcast rights and service agreement for radio programs to be aired on KVCR-FM | | | | 07/01/2020 to 09/30/2025 | |
| 16597 | Stanley Convergent Security Solutions Inc. | Alarm Service | Facilities/SBCCD | \$1,006,000.00 | \$6,000.00 |
| Master agreement for alarm, panic button, and video monitoring for all sites; this is to approve Amendment 02 - to add Computer Services Building located on SBVC Campus for added cost of \$6,000 | | | | 07/01/2018 to 06/30/2023 | |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Steven J. Sutorus, Business Manager

DATE: November 12, 2020

SUBJECT: District & College Expenses

RECOMMENDATION

It is recommended that the Board of Trustees approve the requests for district and college expenses as required by Administrative Procedure 6925 and/or 6330.

OVERVIEW

AP 6925 requires the Board of Trustees to authorize the expenditure of funds related to various functions planned for the colleges and district office.

Meetings or trainings attended only by employees and/or currently enrolled students are authorized for up to a total \$1,000 for that meeting or training. Expenditures in excess of \$1,000 require prior Board approval.

Meetings or trainings attended by employees, currently enrolled students, and by one or more non-employees and/or non-students of the District, are authorized for up to \$500. Expenditures in excess of a total \$500 for that meeting or training require prior Board approval.

Any refreshments and/or meals for an event require Board approval prior to the event. Events are defined as activities in which non-employees and/or non-students will/can attend or participate (e.g. job fair, holiday event, recruitment event); or is on a large enough scale to be considered neither a meeting nor training.

ANALYSIS

The list of district and college expenses is attached for approval.

INSTITUTIONAL VALUES

IV. Enhanced and Informed Governance and Leadership

FINANCIAL IMPLICATIONS

The cost of these expenditures is included in the appropriate budgets.



District & College Expenses

Submitted for Board Approval November 12, 2020

[v.10.23.2020.p.1|1]

| | |
|---|--|
| <p>Site: SBVC Date of Event: 10/12-15/20 Total Estimated Cost: \$5,000</p> | <p>Event: Accreditation Visit Items Being Purchased: Meals and Refreshments. Sponsored by the Office of instruction, Meals and refreshments will be available on campus during the week of the ACCJC visit for all managers attending virtual interviews. Approximately 35 managers and staff will be picking up these meals. Funding Source: Accreditation General Fund Ratification: This expense request was intended to go to the October 2020 board, but campus was still in the process of building the menu and missed the deadline.</p> |
| <p>Site: SBVC Date of Event: 10/17/20 Total Estimated Cost: \$1,490</p> | <p>Event: National Student Leadership Diversity Convention (NSLDC) Items Being Purchased: Registration Fees. Sponsored by ASG, ASG students and staff to attend the virtual conference and discuss critical topics of diversity and social justice that is currently challenging college campuses. Also learn various elements of diversity and how everyone is being affected. Anticipated attendance is 10 students, faculty and staff. Raymond Carlos will serve as chaperone. Funding Source: Student Representation Fee Fund Ratification: This item is being ratified due to internal and external factors surrounding COVID-19 causing delay in event organization.</p> |
| <p>Site: SBVC Date of Event: 11/07/20 Total Estimated Cost: \$7,500</p> | <p>Event: Senior Day Items Being Purchased: Supplies and giveaways. Sponsored by Student Equity & Success. The purpose of this event is to showcase Valley College program and services to local high school senior classes from 17 different campuses. This year's event will be a drive thru event. Anticipated attendance is 500 staff and students. Sharaf Williams will serve as chaperone. Funding Source: Student Equity & Success Categorical Fund Ratification: This item is being ratified due to scheduling within the outreach and the availability of staff.</p> |
| <p>Site: SBVC Date of Event: 12/5/20 or 12/12/20 Total Estimated Cost: \$5,000</p> | <p>Event: SBVC Day of Service Items Being Purchased: Supplies, meals and giveaways. Sponsored by Student Equity & Success. The purpose of the event is to connect with the community while educating them on what Valley College programs and services. This will be a drive-thru or virtual event. Anticipated attendance is 200 staff and students. Carmen Rodriguez will serve as chaperone. Funding Source: Student Equity & Success Categorical Fund</p> |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Farrah Farzaneh, Director, Facilities Planning Emergency Management & Construction

DATE: November 12, 2020

SUBJECT: Consideration of Ratification of Master Services Agreements and Task Orders for Bond Construction

RECOMMENDATION

It is recommended that the Board of Trustees ratify Master Services Agreements (MSA) and Task Orders (TO) as indicated on the attached list.

OVERVIEW

To support the Measure CC Bond Program, SBCCD has created various shortlists of professional service consultants for specific pre-design, and engineering disciplines in accordance with the established Request for Qualifications process. These prequalified shortlists include:

- Architectural & Engineering, Civil Surveying, Geotechnical, and Mechanical (Board approved December 12, 2019); and
- Commissioning, Special Inspection & Material Testing, Hazardous Material Assessment, and Landscape Architecture (Board approved February 13, 2020).

As consulting firms are needed, Requests for Task Order Proposals are issued to the firms of each applicable shortlist. If selected, a Master Services Agreement with the chosen firm is executed, and the Task Order awarded.

ANALYSIS

Requests for Task Order Proposals are issued to all prequalified professional service consultants within the related pool. Unlike construction contracts, which are awarded by low bid, professional consulting contracts are awarded based on best value.

Each proposal is assessed by a committee comprised of representatives from the Facilities Department, campus staff, program management team, and other District stakeholders as appropriate. A qualitative evaluation based on weighted criteria (including fee, technical approach, project experience, key personnel, and delivery schedule) is performed to determine which firm's proposal provides SBCCD with the best value for the Task Order.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The costs will be included in the Bond Construction budget.



Master Services Agreements & Task Orders for Bond Construction Submitted for Ratification November 12, 2020

[v.10.20.2020.p.1|1]

| Firm | Pool Approval | Task Order Amount | Site | Project | Task Order | Date Issued | Date Ratified |
|---|---|-------------------|------|---|--|-------------|---------------|
| Omega Environmental Services, Inc. Newport Beach, CA | Hazardous Material Assessment 02/13/2020 | \$37,205.00 | CHC | Gym Demo | CC02-3623.03 Hazardous Materials Assessment | 9/15/2020 | 11/12/2020 |
| Omega Environmental Services, Inc. Newport Beach, CA | Hazardous Material Assessment 02/13/2020 | \$7,635.00 | CHC | Gym Demo | CC02-3623.03 Hazardous Materials Assessment | 9/18/2020 | 11/12/2020 |
| <i>* Supplemental TO to the above TO #CC02-3623.03 to add services to complete a supplemental hazardous materials survey and report</i> | | | | | | | |
| CASC Engineering Colton, CA | Civil Survey 12/12/2019 | \$10,000.00 | CHC | East Valley Public Safety Training Center | CC02-3625.02 Civil Survey | 9/4/2020 | 11/12/2020 |
| Leo A. Daly Los Angeles, CA | Architectural & Engineering 12/12/2019 | \$124,820.00 | CHC | Central Complex 2 | CC02-3633.01 Criteria Documents | 9/14/2020 | 11/12/2020 |
| RHA Landscape Riverside, CA | Landscape Architecture 02/13/2020 | \$38,680.00 | CHC | Campus Wide | CC02-3620.03 Landscape (Arborist) | 9/18/2020 | 11/12/2020 |
| West Group Designs, Inc. Irvine, CA | Architectural & Engineering 12/12/2019 | \$197,600.00 | CHC | East Valley Public Safety Training Center | CC02-3625.01 Criteria Documents | 9/14/2020 | 11/12/2020 |
| DLR Group Riverside, CA | Architectural & Engineering 12/12/2019 | \$1,844,353.00 | CHC | Performing Arts Center | CC02.3620.01 Design Services | 9/8/2020 | 11/12/2020 |



MEASURE CC

BUILDING NEW OPPORTUNITIES FOR
OUR STUDENTS & OUR COMMUNITY

Task Order Selection Summary

Campus & Project: Crafton Hills College—Gym Demolition

Task Order Awarded to: Omega Environmental Services, Inc.

Task Order Executed: September 21, 2020

Amount: \$37,205.00

Selection Summary:

The short list of pre-qualified Hazardous Materials Assessment firms includes five firms. Four firms out of the five firms submitted proposals in response to the Request for Task Order Proposal for Crafton Hills College Gym Demolition. Omega Environmental Services, Inc. was ranked first based on Best Value scoring from the Selection Committee, which included three evaluators from the District and one from the Program Management Office. The qualifications of the proposed team were very strong in both project experience and individual experience. Omega Environmental Services, Inc. received the highest cumulative score, and was awarded the Task Order.





MEASURE CC

BUILDING NEW OPPORTUNITIES FOR
OUR STUDENTS & OUR COMMUNITY

Task Order Selection Summary

Campus & Project: Crafton Hills College—East Valley Public Safety Training Center

Task Order Awarded to: CASC Engineering and Consulting, Inc.

Task Order Executed: September 14, 2020

Amount: \$10,000.00

Selection Summary:

The short list of pre-qualified Civil Survey Engineering firms includes eight firms. Four firms out of the eight firms submitted proposals in response to the Request for Task Order Proposal for Crafton Hills College East Valley Public Safety Training Center. CASC Engineering and Consulting, Inc. was ranked first based on Best Value scoring from the Selection Committee, which included three evaluators from the District and one from the Program Management Office. The qualifications of the proposed team were very strong in both project experience and individual experience. CASC Engineering and Consulting, Inc. received the highest cumulative score, and was awarded the Task Order.





MEASURE CC

BUILDING NEW OPPORTUNITIES FOR
OUR STUDENTS & OUR COMMUNITY

Task Order Selection Summary

Campus & Project: Crafton Hills College—Central Complex 2

Task Order Awarded to: Leo A. Daly

Task Order Executed: September 24, 2020

Amount: \$124,820.00

Selection Summary:

The short list of pre-qualified Architect & Engineering firms includes twenty firms. Five firms out of the twenty firms submitted proposals in response to the Request for Task Order Proposal for Crafton Hills College Central Complex 2. Leo A. Daly was ranked first based on Best Value scoring from the Selection Committee, which included four evaluators from the District and one from the Program Management Office. The qualifications of the proposed team were very strong in both project experience and individual experience. Leo A. Daly received the highest cumulative score, and was awarded the Task Order.





MEASURE CC

BUILDING NEW OPPORTUNITIES FOR
OUR STUDENTS & OUR COMMUNITY

Task Order Selection Summary

Campus & Project: Crafton Hills College—Campus-Wide Infrastructure

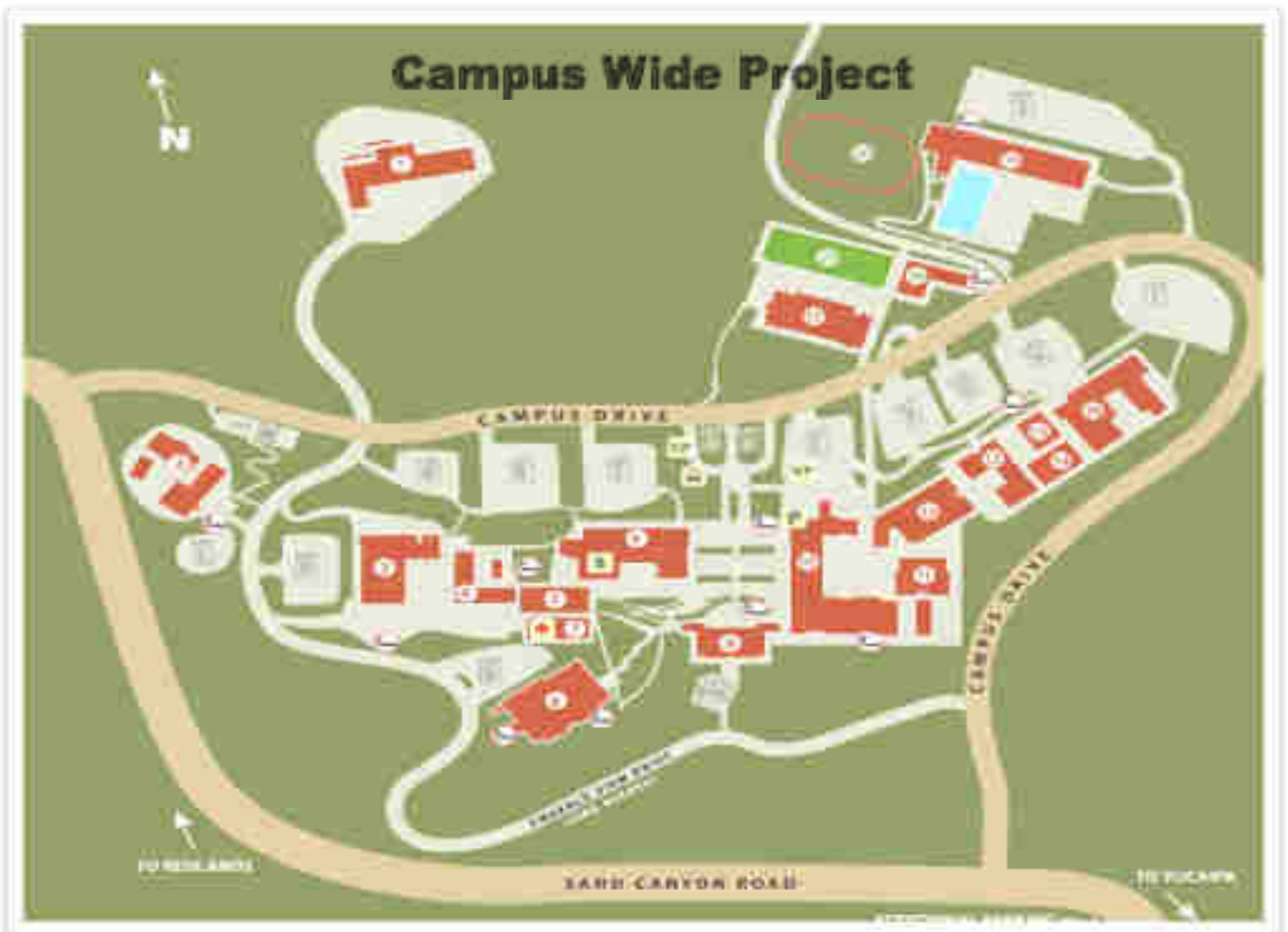
Task Order Awarded to: RHA Landscape Architects-Planners, Inc.

Task Order Executed: September 25, 2020

Amount: \$38,680.00

Selection Summary:

The short list of pre-qualified Landscape Architect firms includes six firms. One firm out of the five firms submitted proposals in response to the Request for Task Order Proposal for Crafton Hills College Campus-Wide Infrastructure. RHA Landscape Architects-Planners, Inc. was ranked based on Best Value scoring from the Selection Committee, which included three evaluators from the District and one from the Program Management Office. The qualifications of the proposed team were very strong in both project experience and individual experience. RHA Landscape Architects-Planners, Inc. received high scores from all four of the scorers, and was awarded the Task Order.





MEASURE CC

BUILDING NEW OPPORTUNITIES FOR
OUR STUDENTS & OUR COMMUNITY

Task Order Selection Summary

Campus & Project: Crafton Hills College—East Valley Public Safety Training Center

Task Order Awarded to: West Group Designs, Inc.

Task Order Executed: September 29, 2020

Amount: \$197,600.00

Selection Summary:

The short list of pre-qualified Architect & Engineering firms includes twenty firms. Two firms out of the twenty firms submitted proposals in response to the Request for Task Order Proposal for Crafton Hills College East Valley Public Safety Training Center. West Group Designs, Inc. was ranked first based on Best Value scoring from the Selection Committee, which included three evaluators from the District and one from the Program Management Office. The qualifications of the proposed team were very strong in both project experience and individual experience. Pricing was the lowest of the group. West Group Designs, Inc. was ranked highest overall by three of the four scorers, received the highest cumulative score, and was awarded the Task Order.





MEASURE CC

BUILDING NEW OPPORTUNITIES FOR
OUR STUDENTS & OUR COMMUNITY

Task Order Selection Summary

Campus & Project: Crafton Hills College— Performing Arts Center

Task Order Awarded to: DLR Group

Task Order Executed: October 5, 2020

Amount: \$1,844,353.00

Selection Summary:

The short list of pre-qualified Architect & Engineering firms includes twenty firms. Eleven firms out of the twenty firms submitted proposals in response to the Request for Task Order Proposal for Crafton Hills College Performing Arts Center. DLR Group was ranked first based on Best Value scoring from the Selection Committee, which included six evaluators from the District and two from the Program Management Office. The qualifications of the proposed team were very strong in both project experience and individual experience. DLR Group received the highest cumulative score and was awarded the Task Order.



SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Farrah Farzaneh, Director, Facilities Planning Emergency Management & Construction

DATE: November 12, 2020

SUBJECT: Consideration of Approval of Award Bid #CC02-3623 and Contract to Mac Dad Builders, Inc. of Irvine, CA

RECOMMENDATION

It is recommended that the Board of Trustees award Bid #CC02-3623 – Crafton Hills College Gym Demolition and contract to Mac Dad Builders, Inc., of Irvine, California in the amount of \$1,181,400.00. This includes the contract amount of \$1,074,000.00 as well as any and all change orders up to 10% of the contract value and approved by the Executive Vice Chancellor, as set forth in the original contract.

OVERVIEW

The contractor shall perform and complete all work required to demolish the entire Gymnasium (Building 17) at Crafton Hills College, including the basement, elevator pit, hydraulics, foundation, and a portion of the existing utilities and fencing. The site will be finished to gravel for a future parking and building site. The Contractor will also remediate hazardous materials.

ANALYSIS

A Notice Inviting Bids was publicly advertised on August 28, 2020 and bids were received on September 24, 2020. The District received 10 bids. On September 24, 2020, the Project Team, consisting of three District and four AECOM members, held a virtual meeting to review the bids for responsiveness. The lowest three were:

| Vendor | Total Bid |
|--------------------------------------|------------------|
| GGG Demolition, Inc. of Orange, CA | \$988,000.00 |
| Mac Dad Builders, Inc. of Irvine, CA | \$1,074,000.00 |
| NR Development, Inc. Downey, CA | \$1,089,500.00 |

Following review and analysis of all bids received and conduction of post-bid interviews, it was determined that the lowest bidder, GGG Demolition, Inc., was not responsive in their bid due to the absence of an original bid security via certified mail to the District office prior to the bid opening deadline, and a copy of the certified mail receipt in their electronic bid proposal, as was specifically called for in the Instruction to Bidders. Therefore, Mac Dad Builders, Inc. of Irvine, CA is recognized as the lowest responsive bidder.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The cost of this project is included in the Fund 445, Measure CC budget.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Farrah Farzaneh, Director, Facilities, Planning, Emergency Management & Construction

DATE: November 12, 2020

SUBJECT: Consideration of Approval to Award Bid #CC03-3640-7.01 and Contract to J. A. Urban Inc. of Monrovia, CA

RECOMMENDATION

It is recommended that the Board of Trustees award Bid #CC03-3640-7.01 – Project Management Office Tenant Improvement and contract to J. A. Urban Inc., of Monrovia, CA in the amount of \$204,385.68. This includes the contract amount of \$185,805.17 as well as any and all change orders up to 10% of the contract value and approved by the Executive Vice Chancellor, as set forth in the original contract.

OVERVIEW

The contractor shall perform and complete all work required for the Tenant Improvements (TI) of approximately 822 rentable square feet of office space located in a building owned by the San Bernardino Community College District. The Measure CC Program Management Office will be located in this space once it is complete.

ANALYSIS

A Notice Inviting Bids was publicly advertised on August 21, 2020 and bids were received on September 9, 2020. The District received 10 bids. On September 9, 2020, the Project Team, consisting of two District and five AECOM members, held a virtual meeting to review the bids for responsiveness, and the lowest three were:

| Vendor | Total Bid |
|---|------------------|
| JCOS Development Inc. of Buena Park, CA | \$184,900.00 |
| J. A. Urban Inc. of Monrovia, CA | \$185,805.17 |
| New Millennium Construction Services of Chino Hills, CA | \$197,890.00 |

Following review and analysis of all bids received and conduction of post-bid interviews, it was determined that the lowest bidder, JCOS Development Inc., was not responsive in their bid due to the absence of subcontractor declaration, and failure to identify fire protection and programming certifications, as was specifically called for in the invitation for bid and required by Business and Professions Code section 7057(c). Therefore, J. A. Urban Inc. of Monrovia, CA is recognized as the lowest responsive bidder.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The cost of this project is included in the Fund 445 - Measure CC budget.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Farrah Farzaneh, Director, Facilities Planning Emergency Management & Construction

DATE: November 12, 2020

SUBJECT: Consideration of Approval to Award Sole Source Contract to Trane U.S. Inc. dba Trane of Brea, CA

RECOMMENDATION

It is recommended that the Board of Trustees award a sole source contract to Trane U.S. Inc. dba Trane of Brea, CA in the amount of \$232,024.00.

OVERVIEW

The Board of Trustees approved the use of the sole source contract method for Trane on October 8, 2020, for infrastructure upgrades at Crafton Hills College to “Renew” and upgrade two Trane chillers at the Central Plant. These chillers are critical to the campus and cannot be allowed to go down for any significant amount of time.

The “Renewal” of the chillers is not the typical annual maintenance and service. The Chillers regularly undergo annual maintenance as required. However, the “Renewal” is a complete factory re-build of the chillers to extend their useful life by another 10+ years. Only Trane factory-authorized technicians can perform the “Renewal” that restores the Chiller units to new condition. In addition, the control units for these Chillers also needs to be completely replaced. The current controls are obsolete and need to be replaced.

ANALYSIS

The equipment, technology, and monitoring required to operate the existing chillers are only available through Trane. New equipment and “Renewal” of the units can only be performed by a Trane authorized technician. If the work is not performed by Trane, this will void all warranties that are in place with Trane. There is no advantage to the District by competitively bidding the procurement, installation of this equipment, or ongoing monitoring. It is therefore recommended that the District contract with Trane U.S. Inc. dba Trane as the sole source.

IONSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The cost of this project is included in the Fund 445 Measure CC budget.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Farrah Farzaneh, Director, Facilities, Planning, Emergency Management & Construction

DATE: November 12, 2020

SUBJECT: Consideration of Approval to Adopt CEQA Environmental Impact Report Addenda for San Bernardino Valley College and Crafton Hills College

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) Addenda for San Bernardino Valley College and Crafton Hills College.

OVERVIEW

In December 2019, the Board approved EIR Addenda to support design and construction of Measure CC projects.

In May 2020, the Board approved a reprioritized bond construction project list. The attached 2020 EIR Addenda have been prepared pursuant to that reprioritization and indicate no significant environmental effects.

ANALYSIS

The attached 2020 EIR Addenda state “the impacts of the Proposed Project(s) were evaluated against current regulations. No significant environmental effects or a substantial increase in the severity of a previously identified significant effect have been identified. Therefore, no substantial changes have occurred that would require major revisions...”

Adoption of these documents is necessary to move forward with design and construction of projects at both campuses and to file a Notice of Determination with the San Bernardino County Clerk upon Board approval.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

There are no direct financial implications associated with the approval of this board item.

**Environmental Impact Report Addendum
San Bernardino Valley College Master Plan 2020 Revisions**

State Clearinghouse Number 2009041098

September 2020

**Prepared for:
San Bernardino Community College District**



550 East Hospitality Lane, Suite 200
San Bernardino, CA 92408

Prepared by:



215 North 5th Street
Redlands, California 92374

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San Bernardino Valley College Master Plan 2020 Revisions
Environmental Impact Report Addendum

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LIST OF ACRONYMS AND ABBREVIATIONS

| | |
|-------------------|---|
| AB | Assembly Bill |
| BMP | Best Management Practice |
| CAL FIRE | California Department of Forestry and Fire Protection |
| CAL/OSHA | California Division of Occupational Safety and Health |
| CDFG | California Department of Fish and Game |
| CEQA | California Environmental Quality Act |
| CH ₄ | Methane |
| CO | Carbon Monoxide |
| CO ₂ | Carbon Dioxide |
| CO ₂ e | Carbon Dioxide Equivalent |
| CRHR | California Register of Historical Resources |
| DTSC | Department of Toxic Substances Control |
| EIR | Environmental Impact Report |
| GHG | Greenhouse Gas |
| I | Interstate |
| MBTA | Migratory Bird Treaty Act |
| MLD | Most Likely Descendent |
| NAHC | Native American Heritage Commission |
| NPDES | National Pollutant Elimination Discharge System |
| N ₂ O | Nitrous Oxide |
| PAC | Performing Arts Center |
| PEIR | Program Environmental Impact Report |
| PRK | Parking Structure |

**San Bernardino Valley College Master Plan 2020 Revisions
Environmental Impact Report Addendum**

| | |
|------------------|---|
| Proposed Project | 2017 Master Plan |
| RWQCB | Regional Water Quality Control Board |
| SBCCD | San Bernardino Community College District |
| SBVC | San Bernardino Valley College |
| SCAQMD | South Coast Air Quality Management District |
| SCE | Southern California Edison |
| SEIR | Supplemental Environmental Impact Report |
| SS/INST | Student Services/Instructional Building |
| SWPPP | Stormwater Pollution Prevention Plan |
| TAC | Toxic Air Contaminant |
| TCO | Traffic Control Officer |
| VHFHSZ | Very High Fire Hazard Severity Zone |

San Bernardino Valley College Master Plan 2020 Revisions
Environmental Impact Report Addendum

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1.0 INTRODUCTION

1.1 Background/Project History

San Bernardino Valley College (SBVC) was established in the 1920s and is part of the San Bernardino Community College District (SBCCD). SBVC currently serves the West Valley area of the SBCCD. In 1996, as a result of the 1992 Landers and Big Bear earthquakes, the SBCCD began investigations to locate the San Jacinto fault on the campus. As a result of the seismic hazard assessment conducted in 1996, building replacement projects were completed at the campus to replace buildings located within 50 feet of the fault zone, or within the folding zone, an area of uneven elevation changes during a seismic event.

Measure M, a \$500 million bond measure, was passed in February 2008. This bond measure allowed SBCCD to complete a campus Master Plan at SBVC and to provide funding for the design and construction of new facilities to implement the Master Plan.

A Master Plan for SBVC was completed in 2010 to account for the various academic buildings, infrastructure improvements, and associated parking required to meet the planning challenges related to the fault and folding zone and to support an estimated future enrollment of 17,000 total students by 2030. A California Environmental Quality Act (CEQA) Program Environmental Impact Report (PEIR) was prepared for the SBVC Master Plan which evaluated the environmental effects of buildout of the campus under the Master Plan. The SBCCD Board of Trustees certified the PEIR in April 2010. When the EIR was certified, a Statement of Overriding Considerations was adopted for significant, unavoidable adverse effects to historical resources, noise, and traffic in accordance with CEQA Guidelines Section 15093. Specifically, the SBCCD Board of Trustees found that the benefits of the expansion of SBVC had sufficient benefit to override the unavoidable significant adverse impacts.

After approval of the SBVC Master Plan and PEIR, a new stadium design was proposed that included an increase from 2,250 seats proposed in the 2010 Master Plan to 4,000 seats. After review, it was determined that this new stadium design could result in new or more severe impacts that were not discussed in the certified PEIR. A Supplemental EIR (SEIR) was prepared for the stadium expansion, which included updated studies for traffic and air quality/greenhouse gases. The SEIR was certified by the SBCCD Board of Trustees on July 11, 2013.

In 2017, the SBCCD prepared an update to the Master Plan, which plans for campus growth through the buildout year of 2031 (Proposed Project). In 2018, San Bernardino County voters passed Measure CC, a \$470 million bond measure to provide funding for improvement projects at SBCCD facilities, including the projects in the 2017 Master Plan. In 2019, ECORP prepared an EIR Addendum that provided environmental analysis of the 2017 Master Plan update.

Since that time, changes have been proposed to Career Pathways 1 and 2 that would involve minor changes in building location and configuration. This EIR Addendum provides an environmental analysis of the proposed changes.

1.2 Documents Incorporated by Reference

The following documents are incorporated by reference:

- *2017 Comprehensive Master Plan, San Bernardino Valley College* (SBCCD 2017)
- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098)* (SBCCD 2010a)
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098)* (SBCCD 2012)
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update* (SBCCD 2019)

1.3 Decision to Prepare an EIR Addendum

This Addendum addresses the minor changes that the Proposed Project makes to the SBVC Master Plan, which was analyzed in the 2019 Addendum EIR, certified PEIR and Supplemental EIR (SCH No. 2009041098). Pursuant to CEQA Guidelines Section 15164, the SBCCD shall consider this Addendum together with the 2019 EIR Addendum, PEIR and SEIR prior to making decisions on implementation of the Master Plan update projects.

The Proposed Project has been reevaluated using the current CEQA Guidelines updated by the Office of Planning And Research as of December 28, 2019. The evaluation used current regulations and thresholds to reflect current conditions at the site. This analysis shows that the Proposed Project's impacts remain the same or are lower than what was determined in the 2019 Addendum EIR, certified PEIR and SEIR for the 2010 Master Plan, and that an EIR Addendum is the appropriate CEQA document.

1.3.1 CEQA Guidelines Criteria for an Addendum

Pursuant to CEQA Guidelines Section 15164(b), an addendum to a previously certified EIR is appropriate if only minor changes or additions are necessary or none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of subsequent CEQA document have occurred. These criteria are listed, below, along with a brief discussion regarding the reasons the Proposed Project does not meet the criteria in CEQA Guidelines Section 15162.

- ***No substantial changes have been proposed to the project which will require major revisions of the previous EIR "due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects" (State CEQA Guidelines, Section 15162(a)(1)).***
Impacts would be less than or comparable to those evaluated in the 2019 Addendum EIR, certified PEIR and SEIR (see Section 3.0). Therefore, there would be no new significant effects or an increase in severity of a previously identified significant effect. Note that the substantial, unavoidable adverse effects to historical resources, noise, and traffic would be the same or, in the case of traffic, less than those evaluated in the 2019 Addendum EIR, PEIR and SEIR. The Statement of Overriding Considerations

adopted in April 2010 for these impacts remains in effect and no changes are required.

- ***No substantial changes have occurred "with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR...due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects" (Section 15162(a)(2)).*** The impacts of the Proposed Project were evaluated against current regulations. No significant environmental effects or a substantial increase in the severity of a previously-identified significant effect has been identified. Therefore, no substantial changes have occurred that would require major revisions to the 2019 Addendum EIR, certified PEIR or SEIR.
- ***No new information of substantial importance that was previously unknown or could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:***
 - ***"The project will have one or more significant effects not discussed in the previous EIR" (Section 15162(a)(3)(A)).*** No new information has come to light that would suggest that the Proposed Project would have previously undisclosed significant effects on the environment. A CEQA analyses was conducted for the Proposed Project (see Section 3.0), resulting in no new or more significant effects.
 - ***"Significant effects previously examined will be substantially more severe than shown in the previous EIR" (Section 15162(a)(3)(B)).*** As discussed above and detailed in Section 3.0, the Proposed Project would not have substantially more severe impacts than were disclosed in the 2019 Addendum EIR, certified PEIR or SEIR.
 - ***"Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative" (Section 15162(a)(3)(C)).*** As discussed above and detailed in Section 3.0, the SBCCD has agreed to all mitigation measures required by the 2019 Addendum EIR, certified PEIR and SEIR.
 - ***"Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effect on the environment, but the project proponents decline to adopt the mitigation measure or alternative" (Section 15162(a)(3)(D)).*** As discussed above and detailed in Section 3.0, the SBCCD has agreed to all mitigation measures required by the 2019 Addendum EIR, certified PEIR and SEIR. The Proposed Project is a similar buildout profile to the 2017 Master Plan, resulting in similar environmental effects.

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2.0 PROJECT DESCRIPTION

2.1 Project Location and Setting

SBVC is an 87-acre community college campus in the SBCCD. It is one of three facility locations in the SBCCD, which also includes Crafton Hills College, located approximately 16 miles to the east in the City of Yucaipa, and the SBCCD administrative offices, Professional Development Center, and Applied Technology Training Center, located in the City of San Bernardino (Figure 2-1). SBVC is located at 701 South Mount Vernon Avenue in the City of San Bernardino, with a small portion located in the City of Colton (Figure 2-2). The campus is generally bounded by Esperanza Street to the north, K Street to the east, Grant Avenue to the south, and Mount Vernon Avenue to the west. A small portion of the campus is located south of Grant Avenue. The campus is easily accessed from Interstate 215 (I-215) located 0.5 mile to the east and Interstate 10 (I-10) located 1.5 miles to the south.

SBVC is in a developed area surrounded by a mix of residential, commercial, and industrial land uses on the border between the cities of Colton and San Bernardino (Figure 2-2).

2.2 Project Description

The 2017 Master Plan (SBCCD 2017) was developed to address the anticipated growth in enrollment over 15 years (through 2031). The 2017 Master Plan updated the Master Plan adopted by the SBCCD in 2010.

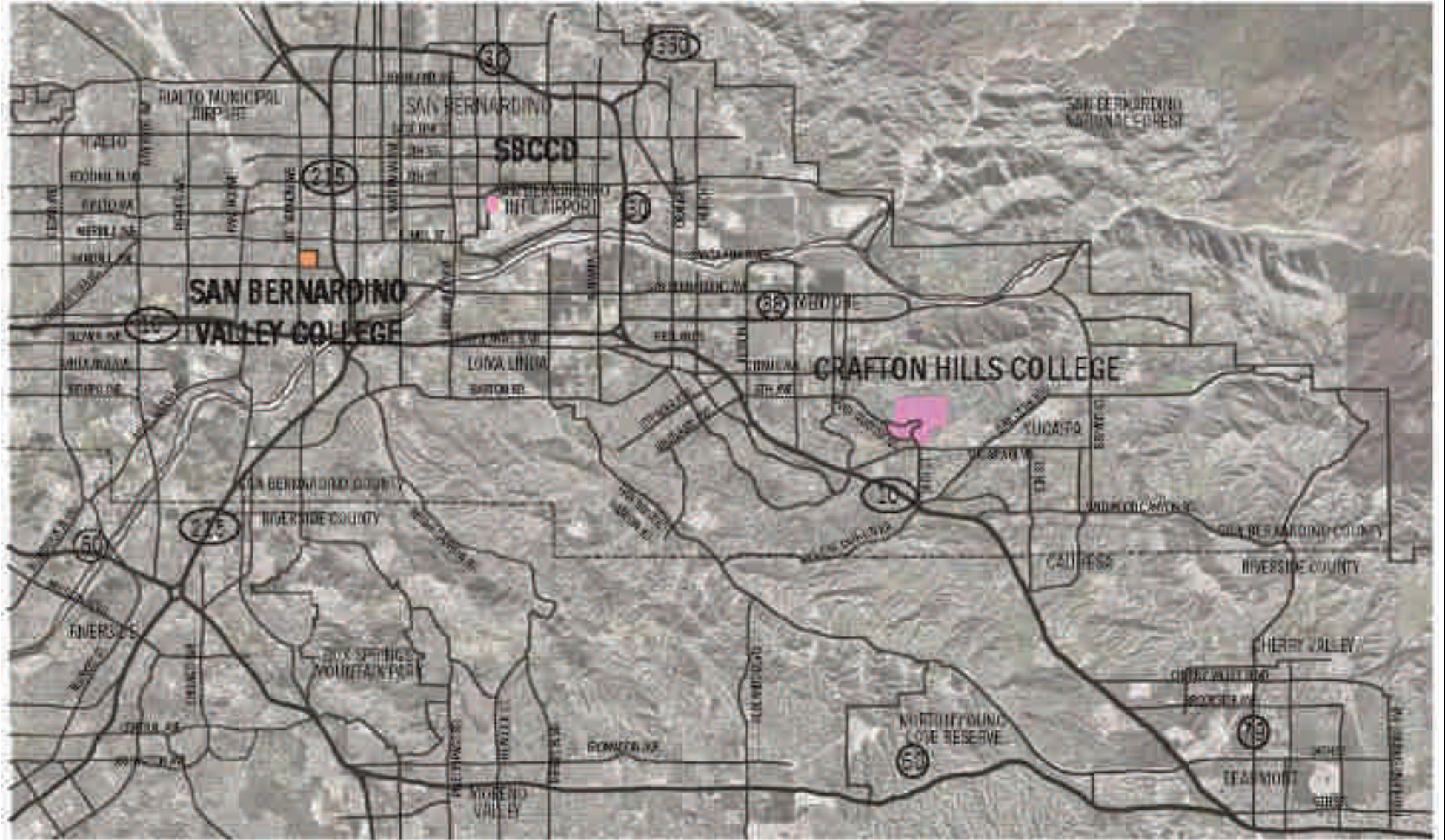
Based on recent enrollment trends, the total enrollment in the 2031 buildout year of the 2017 Master Plan is expected to be 16,128 students. Based on enrollment trends and academic needs, total building area is anticipated to be 451,387 assignable square feet (ASF). Total parking demand is also expected to be 2,101-2,214 spaces.

With the implementation of the Proposed Project, enrollment estimates and building square footage would remain similar to those analyzed in the 2019 Addendum EIR. Parking would increase by approximately 51 spaces.

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Map Date: 8/29/2019
Source: SBCCD

Figure 2-1. Vicinity Map

2019-166 SBCCD Measure CC Program EIR



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Map Date: 8/29/2019
Source: SBCCD

Figure 2-2. Location Map
2019-166 SBCCD Measure CC Program EIR



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Since the adoption of the 2017 Master Plan, changes have been proposed to Phase 1 and 2 of the Career Pathways project (CP1 and CP2) that would involve minor changes in building location and configuration. CP1 and CP2 are intended to build modern, new facilities for SBVC's Technical, Allied Health and Aeronautics Programs. In addition to flexible and well-equipped laboratories, the project will build space for student-faculty interaction, supplemental instruction, and offices. These changes are largely confined to the northeast portion of the campus.

Figure 2-3 shows existing campus facilities, Figure 2-4 shows the facilities and campus plan of the 2017 Master Plan, and Figure 2-5 shows the proposed changes to the Master Plan. The main changes to the Master Plan include:

- Parking Lot 6 would be demolished (shown as "Lot 6" on Figure 2-3) which would displace 85 parking spaces. As a replacement for Lot 6, an additional 136 parking spaces would be added between S. Eureka Street and the Aeronautics Building (Figure 2-5).
- A three-story Allied Health building would be located in place of Lot 6, near the Biological Science and Physical Sciences Programs in the HLS and PS Buildings (shown as "3-Story Allied Health" on Figure 2-5).
- The existing Technical Building (shown as "T" on Figure 2-3) would be demolished. A single-story Aeronautics Building and outdoor Aero Yard would be located in place of the existing Technical Building, adjacent to the indoor and outdoor laboratories of CP1 and the Welding Building (shown as "Single-Story Aero" on Figure 2-5).
- The CP1 Technical Building (shown as "TECH" on Figure 2-5) is proposed with a different configuration and location compared to CP1 the 2017 Master Plan (shown as PATH1 on Figure 2-4). The building is now proposed as a single building and relocated slightly further south.
- The CP2 Building is no longer proposed (shown as PATH2 on Figure 2-4). The elimination of this building would be offset by the addition of the Allied Health Building and Aeronautics Building.

Allied Health Building

A three-story Allied Health building that would house the Allied Health Programs would be located near the Biological Science and Physical Sciences Programs in the HLS and PS Buildings, forming a precinct that clusters related instructional facilities where they can be quickly accessed by students. The conceptual space program for Allied Health includes approximately 39,200 gross square feet (GSF), which includes approximately 25,000 ASF. The Allied Health Building is scaled and oriented to be compatible with the adjacent existing buildings. The two-story wing of the building's mass is oriented to align with Esperanza Street, while the third story faces to the south toward the interior of the campus.

The Allied Health Building fits within existing Student Parking Lot 5. A pedestrian-oriented courtyard is proposed for the outdoor space between the Allied Health Building, the Arts

Complex, and HLS Building—a space that also accommodates an extensive existing underground utilities corridor and would buffer the Allied Health Building from noisy activities in the Arts Complex.

Aeronautics Building

A single-story Aeronautics Building and outdoor Aero Yard would be located adjacent to the indoor and outdoor laboratories of CP1 and the Welding Building. Potentially noisy activities in the Aero Yard and Engine Test Cell would be shielded from the surrounding off-campus neighbors by the physical mass of the Aeronautics Building. The smaller eastern Welding Building would remain. The conceptual space program for Aeronautics includes approximately 24,500 GSF, which includes approximately 15,500 ASF. In addition to assignable space, non-assignable spaces such as restrooms and mechanical rooms are included to provide gross areas for the project.

The Aeronautics Building completes a technical education complex that is well connected within the campus by major pedestrian paths. Spaces for instructional activities with the potential to create the most noise are located near the center of the complex where they are buffered by its buildings and the adjacent parking lots. The Aeronautics Yard abuts the Welding and Automotive Technology instructional yards and could be directly linked via gates to support collaborative learning activities.

Technical Building

The proposed CP1 Technical Building would consolidate an increase laboratory capacity for Career Technical Education programs at SBVC by replacing the existing Technical Building with a larger new building. The new CP1 Tech Building would replace PATH1 as shown on Figure 2-4, which was proposed as two separate buildings totaling 67,873 ASF in the 2017 Master Plan. The new building would include classrooms, labs, and offices for applied technology.

Parking

Parking spaces would slightly increase from the 2017 Master Plan. Parking lot 5 would be replaced by the Allied Health building, which would displace 85 spaces. However, 136 additional parking spaces would be constructed between S Eureka Street and the proposed Aeronautics Building.

Phasing

The proposed phasing sequence would construct the Allied Health Building during the first phase, potentially even before the construction of CP1 is completed. It preserves the existing indoor Aeronautics Program space in the existing Technical Building until the new Aeronautics Building is constructed. Vacated space in the existing Technical Building could be adapted to serve as temporary space for functions currently in the existing Aeronautic Aero Yard and temporary building. The construction start date is anticipated for June 2023 and would last for approximately 20 months.

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Map Date: 8/29/2019
 Source: SBCCD

Figure 2-3. Existing Campus Facilities

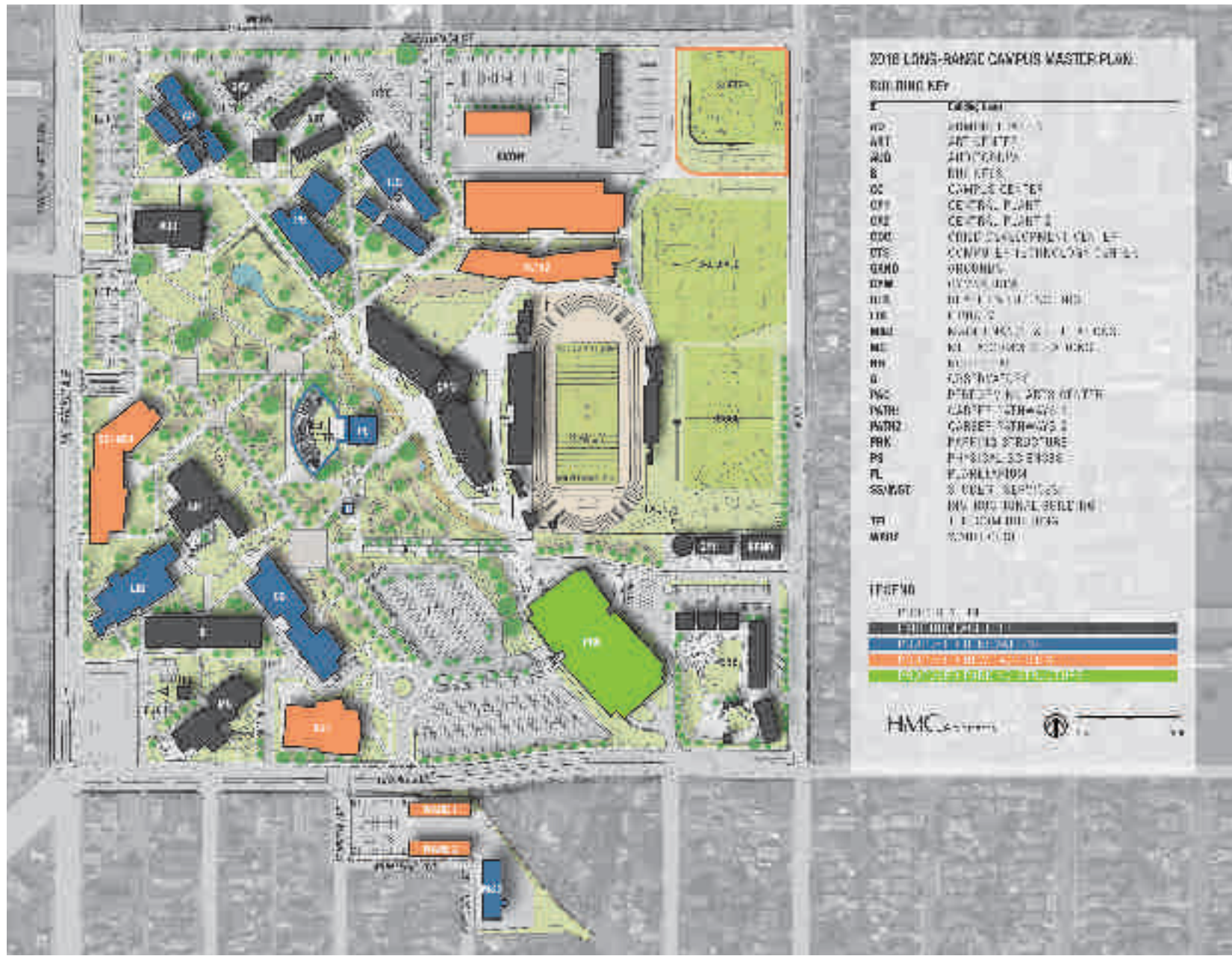
2019-166 SBCCD Measure CC Program EIR



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Source: SBCCD



Figure 2-4. 2017 Master Plan
2019-166 SBCCD Measure CC Program EIR

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3.0 ENVIRONMENTAL REVIEW

3.1 Introduction

This section provides a discussion of the existing environment within and surrounding SBVC followed by a summary of prior environmental review and an analysis of the impacts of the SBVC 2017 Master Plan update.

3.2 Aesthetics

3.2.1 Environmental Setting

The aesthetics environmental setting for the SBVC Master Plan Update, is similar to that discussed in the Addendum EIR completed in 2019, PEIR completed in September 2009 and the SEIR completed in 2012. Since certification of the 2019 Addendum EIR, PEIR and completion of the SEIR, several buildings have been demolished and replaced, including the Maintenance and Operations Building, a new North Hall Building, and a new Chemistry/Physical Science Building. Two new buildings have been constructed including a new Media and Communications Buildings and a new Student Health Services Building.

3.2.2 Prior Environmental Review

3.2.2.1 Previous Environmental Analysis

The aesthetics impacts associated with the SBVC Master Plan update were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.2.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts to aesthetics associated with the SBVC Master Plan update, as amended, with the incorporation of the proposed mitigation measures.

3.2.2.3 Previously Identified Mitigation Measures

The following mitigation measure was identified in the 2019 Addendum EIR, PEIR and SEIR to reduce light and glare impacts to less than significant.

A-1: Lighting fixtures for the sports field shall be shielded, directed downward, and have sharp cutoff qualities at property lines, in order to minimize light and glare spillover effects that would affect adjacent residential receptors.

3.2.3 Discussion

On Campus Views.

The Proposed Project would include the construction of three new buildings and one parking lot in the northeast portion of the SBVC campus (Figure 2-5). Parking Lot 6 would be demolished (shown as "Lot 6" on Figure 2-3) and a three-story Allied Health building would be located in its place, near the Biological Science and Physical Sciences Programs in the HLS and PS Buildings (shown as "3-Story Allied Health" on Figure 2-5). The existing Technical Building (shown as "T" on Figure 2-3) would be demolished and a single-story Aeronautics Building and outdoor Aero Yard would be constructed in its place, adjacent to the indoor and outdoor laboratories of Career Pathways Phase 1 and the Welding Building (shown as "Single-Story Aero" on Figure 2-5). The CP2 Building (shown as PATH2 on Figure 2-4) is no longer proposed south of CP1. The elimination of this building would be offset by the addition of the Allied Health Building and Aeronautics Building.

The CP1 Technology Building (shown as "Tech" on Figure 2-5) is proposed with a different configuration and location compared to the 2017 Master Plan. CP1 is now proposed as a single building and is located slightly further south.

The 85 parking spaces in Parking Lot 6 would be displaced by construction of the Allied Health Building, but an additional 136 parking spaces would be added between S. Eureka Street and the Aeronautics Building (Figure 2-5).

The proposed renovation, demolition, and construction projects would occur within the existing SBVC campus. The proposed SBVC construction and renovations would be of similar architectural style and scale as existing buildings on the SBVC campus. A less than significant aesthetics impact would occur.

Off-Campus Views. The proposed new facilities include the single-story Aeronautics Building and three-story Allied Health Building just south of W. Esperanza Street. The two-story wing of the Allied Health building is oriented to align with Esperanza Street and the three-story wing is oriented to the interior of the campus in order to reduce aesthetic impacts to the surrounding neighborhood. The aeronautics yard would be moved further south behind the Aeronautics building, which would provide a visual buffer for off-campus views from Esperanza Street. Furthermore, implementation of the Master Plan Update would transform the campus edge into a transitional zone between the public and academic community. Impacts to off-campus views would be less than significant.

Light and Glare. The Proposed Project would include light fixtures along the exterior of the proposed buildings and parking structure. These light fixtures would provide increased visibility and highlight elements of the buildings. Light fixtures at the periphery of the SBVC campus would

be directed downward to avoid spillover effects to surrounding land areas. Impacts would be less than significant with the previously-adopted mitigation.

3.3 Air Quality

Air quality reports were prepared for the SBVC Master Plan PEIR and Stadium Expansion SEIR. Similar to the 2019 Addendum EIR, the Proposed Project reflects a decrease in enrollment projections from what was analyzed in these air quality reports. Therefore, air quality impacts are anticipated to be similar to those analyzed in the 2019 Addendum EIR (less than those identified in the PEIR and SEIR) as summarized below.

3.3.1 Environmental Setting

The SBVC campus is located in a portion of San Bernardino County that is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). This portion of the South Coast Air Basin is a non-attainment area for both the federal and state standards for ozone and particulates less than 10 microns and 2.5 microns in diameter (PM₁₀ and PM_{2.5}).

3.3.2 Prior Environmental Review

3.3.2.1 Previous Environmental Analysis

Air quality impacts associated with the SBVC Master Plan and Stadium Expansion, as amended, were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.3.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project air quality impacts.

3.3.2.3 Previously Identified Mitigation Measures

No significant air quality impacts have been identified; therefore, no mitigation measures are required.

3.3.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All

construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed.

Construction Impacts. As analyzed in the PEIR, the SBVC Master Plan would not conflict with or obstruct implementation of the applicable air quality plan. Construction impacts were determined to be less than significant. Because the proposed Master Plan Update would involve less total building area than what was analyzed in the PEIR, impacts associated with construction of the Proposed Project would be less than significant.

Operational Impacts. As analyzed in the PEIR, the SBVC Master Plan would not conflict with or obstruct implementation of the applicable air quality plan. Operational impacts were determined to be less than significant. Operational impacts analyzed in the PEIR assumed an increase in student population. However, the Master Plan Update anticipates a decrease in enrollment from what was previously analyzed in the PEIR. Therefore impacts associated with operation of the Proposed Project are anticipated to be less than significant.

Cumulative Impacts. Based on the analysis of impacts in the PEIR and 2019 Addendum EIR, the emissions associated with the Master Plan update would be below the SCAQMD's significance thresholds. The thresholds are established based on the potential for a significant direct and cumulative impact based on major source thresholds. Because the emissions are below the significance thresholds, project construction and operations would not result a cumulatively considerable net increase of pollutants. Because the proposed Master Plan Update proposes the same total building area, impacts are anticipated to be similar to those analyzed in the 2019 Addendum EIR. Impacts would be less than significant.

Impacts to Sensitive Receptors. Construction activities would result in emissions of diesel particulate matter from heavy construction equipment used on site and truck traffic to and from the site, as well as minor amounts of toxic air contaminants (TAC) emissions from motor vehicles (such as benzene, 1, 3-butadiene, toluene, and xylenes). Health effects attributable to exposure to diesel particulate matter are long-term effects based on chronic (i.e., long-term) exposure to emissions. Health effects are generally evaluated based on a lifetime (70 years) of exposure. Due to the short-term nature of construction at the site, no adverse health effects would be anticipated from short-term diesel particulate emissions. Motor vehicle emissions would not be concentrated in any one area but would be dispersed along travel routes and would not be anticipated to pose a significant health risk to receptors.

As discussed in the 2019 Addendum EIR, with mitigation, the SBVC Master Plan update would not result in CO "hot spots" or expose sensitive receptors to substantial pollutant concentrations. Because the proposed Master Plan Update proposes less building area as a result of decreased enrollment forecasts, impacts are anticipated to be less than those analyzed in the PEIR. Impacts to sensitive receptors would be less than significant.

Odors. Typically, odors are regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation,

anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache).

According to the SCAQMD, land uses commonly considered to be potential sources of obnoxious odorous emissions include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Proposed Project does not include any uses identified by the SCAQMD as being associated with odors. No odor-related impact would occur.

3.4 Biological Resources

3.4.1 Environmental Setting

The site setting for this Addendum EIR remains relatively unchanged from that described in the 2019 Addendum EIR, PEIR and SEIR. Biological resources are limited to those typically found in urban settings, including potential habitat for sensitive bats and the potential for nesting birds protected under the Migratory Bird Treaty Act (MBTA) to occur on campus. Since certification of the PEIR, several buildings have been demolished including the Maintenance and Operations Building, the North Hall Building, and the Chemistry/Physical Science Buildings. Several buildings have been built to replace the demolished buildings including a new Maintenance and Operations Building, a new North Hall Building, a new Chemistry/Physical Science Building, and a new Gymnasium. Two new buildings have been built including the Media and Communications Building and the Student Health Services Building. Stadium facilities have also been constructed.

3.4.2 Prior Environmental Review

The biological resources impacts associated with the SBVC Master Plan and Stadium Expansion were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.4.2.1 Previous Environmental Analysis

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts on biological resources associated with the SBVC Master Plan, as amended, with the incorporation of the proposed mitigation measures.

3.4.2.2 Previously Identified Mitigation Measures

The following mitigation measures were identified in the PEIR to reduce project impacts to less than significant:

- B-1:** A qualified bat biologist shall conduct a preconstruction survey of potential bat roosting sites prior to removal of mature trees and existing structures. If an active bat roost is detected, bat exclusionary devices shall be installed during the non-breeding season (outside of May 1 – October 1) and after bats voluntarily leave the roost for the night to forage. Demolition shall occur once the biologist deems the structure void of bats.
- B-2:** Demolition or construction activities that require the removal of occupied trees or shrubs or other disturbances, such as constant noise and dust, shall take place outside of the bird breeding season (February 15 to September 1) to the maximum extent practicable. If construction activity occurs within the bird breeding season then pre-construction nesting surveys shall be conducted in order to ensure compliance with the MBTA and CDFG Code 3503.5. If active nests are found during the breeding season then buffer zones shall be established around the active nest by a qualified biologist (typically 250 feet radius for a songbird and 500 feet radius for a raptor). Demolition and construction activities shall be avoided within the buffer zone until a qualified biologist determines that the nest(s) is no longer active. If the nest(s) must be removed the removal shall take place in the non-breeding season (September 1 to February 14).

3.4.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed. Project impacts to biological resources would remain less than significant with the implementation of the previously adopted mitigation measures.

3.5 Cultural Resources

3.5.1 Environmental Setting

The cultural resources for the SBVC Master Plan update, are the same as those identified in the previously prepared 2019 Addendum EIR, PEIR and SEIR.

Archaeological Resources

There are several resources that have been previously documented within or near the SBVC campus. Site CA-SBR-3001 (SBCM-10) was originally recorded in 1938 on the ridge east of Mount Vernon Avenue and south of Mill Street and is described as several burials rumored to have been uncovered by workers during construction. The site is also reported as having been destroyed. Two articles from the *San Bernardino Sun* newspaper, dated April 3, 1897 and June 1897 reported

that this was the site of an Indian cemetery that was to be ploughed up for an orchard. The articles also noted the concerns of the Indian community regarding the desecration of the graves.

Site P1074-28-H was recorded as the location of a 1840s-era ditch that supplied water from a spring located north of Mill Street and west of Mount Vernon Avenue to the community of *Politana*. The water ditch bisected the southwest corner of the current SBVC campus. This ditch has been completely destroyed or buried by development within and around the SBVC campus between the 1930s and 1960s.

It was also reported that local citizens collected Native American artifacts from within what became the campus area. Further when the Auditorium was being constructed in the 1930s, historic period burials were unearthed. Historic records document a settlement called *Politana*, which was described as located in the vicinity of the present SBVC campus. It is variously described as having Native American, early *Californio*, and Mormon phases of occupation. Late nineteenth and early twentieth century homes were also once located within the project area. These were demolished between the 1930s and 1960s as the SBVC campus was established and expanded.

Historic Structures

The Auditorium (1935/1938) is constructed in the Mission Revival style with irregular massing of multiple elevations, arcaded colonnade, tiered tile roofs, and prominent bell tower. It has been determined eligible for inclusion in the National Register of Historic Places (NRHP), which automatically makes it eligible of the California Register of Historical Resources. The Observatory, Business, and Technical buildings are historic in age (50 years or older). Several other buildings will become more than 50 years in age during the planning period for the Master Plan (Table 3.5-1).

| Building | Year of Construction | Year Building Becomes 50 Years in Age |
|-----------------|-----------------------------|--|
| Observatory | 1931 | 1981 |
| Business | 1961 | 2011 |
| Technical | 1964 | 2014 |
| Liberal Arts | 1970 | 2020 |
| Planetarium | 1977 | 2027 |

3.5.2 Prior Environmental Review

3.5.2.1 Previous Environmental Analysis

The cultural resources impacts associated with the 2017 SBVC Master Plan were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.5.2.2 Previously Identified Significant Project Impacts

Impacts to cultural resources included demolition and renovation of structures that are historic in age or may become historic in age during the planning period (Technical, Liberal Arts, and Planetarium) and the potential for discovery of unknown, buried archaeological resources during building construction and demolition. The PEIR identified a potential for a significant, unavoidable impact to historical resources. A Statement of Overriding Considerations was adopted for this impact on April 8, 2010. The 2019 Addendum EIR, PEIR and SEIR did not identify any other significant project impacts on cultural resources associated with the SBVC Master Plan and Stadium Expansion, as amended, with the incorporation of the proposed mitigation measures.

3.5.2.3 Previously Identified Mitigation Measures

Previously-identified mitigation measures are listed below. Please note that CR-1 originally required submittal of a data recovery report to the San Bernardino Information Center. Since the publication of the PEIR and SEIR, this information center has been consolidated with the South-Central Coastal Information Center at California State University, Fullerton. Mitigation Measure CR-1 has been updated to reflect the new information center location.

CR-1: To avoid inadvertent impacts to subsurface archaeological resources, all ground disturbing activities in undisturbed sediments shall be monitored by a qualified archaeologist. The archaeological monitor shall have the power to temporarily halt or divert equipment to allow for recordation and evaluation of any encountered resources. If evaluated as eligible for the CRHR and determined eligible by the San Bernardino Community College District, the archaeological site must be avoided and preserved. If this is not feasible, an archeological data recovery program shall be developed by a qualified archaeologist. The data recovery report shall be submitted to the South-Central Coastal Information Center at California State University, Fullerton.

- CR-2:** To avoid inadvertent impacts to Native American resources, all ground disturbing activities in undisturbed sediments shall be observed by a Native American monitor. In the event that subsurface resources are encountered, the Native American monitor shall coordinate with the archaeological monitor to temporarily halt or divert equipment to allow for recordation and evaluation of the resource. If human remains of any kind are found during construction activities, all activities must cease immediately and the San Bernardino County Coroner must be notified, as required by state law (Section 7050.5 of the Health and Safety Code). If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendant(s) (MLD) to be consulted regarding treatment and/or reburial of the remains (Section 5097.98 of the Public Resources Code). If an MLD cannot be identified, or the MLD fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to the remains, SBCCD shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. Work can continue once the MLD's recommendations have been implemented or the remains have been reburied if no agreement can be reached with the MLD (Section 5097.98 of the Public Resource Code).
- CR-3:** To mitigate potential impacts to the Auditorium and any other identified historic resource from proposed renovations, a renovation plan shall be developed by a qualified architect with experience with historic buildings or an Architectural Historian. The plans shall include specifications to ensure that the renovations do not alter its significant historic fabric that make it eligible for inclusion in the NRHP and CRHR.
- CR-4:** In the event that any building is scheduled for demolition or renovation after the building becomes 50 years in age, a qualified architect with experience with historic buildings or an Architectural Historian shall evaluate the building to determine if it is a historical resource in accordance with the CEQA Guidelines (CCR Title 14 Section 15064.5). If the building is determined not to be a historic resource, then no further work shall be required. If the building is determined to be a historic resource, then Mitigation Measure CR-3 shall apply for renovation work.

3.5.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed. Project impacts to cultural resources would remain less than significant with the implementation of the previously adopted mitigation measures.

3.6 Energy

3.6.1 Environmental Setting

Electricity/Natural Gas Services

Southern California Edison (SCE) provides electrical services to San Bernardino through State-regulated public utility contracts. SCE, the largest subsidiary of Edison International, is the primary electricity supply company for much of Southern California. It provides 14 million people with electricity across a service territory of approximately 50,000 square miles. SCE has met or exceeded all Renewable Portfolio Standard requirements to date, procuring renewable energy from diverse sources, including biomass, biowaste, geothermal, hydroelectric, solar and wind. This Standard requires all California utilities to generate 33 percent of their electricity from renewables by 2020, 60 percent of their electricity from renewables by 2030, and 100 percent by 2045.

The Southern California Gas Company provides natural gas services to the Project area. As the nation's largest natural gas distribution utility, the Southern California Gas Company delivers natural gas energy to 21.6 million consumers through 5.9 million meters in more than 500 communities. The Southern California Gas Company's service territory encompasses approximately 20,000 square miles throughout Central and Southern California, from Visalia to the Mexican border.

3.6.2 Prior Environmental Review

3.6.2.1 Previous Environmental Analysis

The requirement to analyze energy was added as part of the 2019 amendments to the CEQA Guidelines. Energy impacts were analyzed in the 2019 Addendum EIR:

- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.6.2.2 Previously Identified Significant Project Impacts

The Addendum EIR did not identify any significant project energy impacts.

3.6.2.3 Previously Identified Mitigation Measures

No significant energy impacts have been identified; therefore, no mitigation measures are required.

3.6.3 Discussion

Construction and Operation. Due to the short-term nature of the project construction and reduced scope of the Proposed Project it is anticipated that fuel consumption during project construction would have a nominal effect on local and regional energy supplies, especially over the long-term. Additionally, construction equipment fleet turnover and increasingly stringent state and federal regulations on engine efficiency combined with state regulations limiting engine

idling times and require recycling of construction debris, would further reduce the amount of transportation fuel demand during project construction. For these reasons, it is expected that construction fuel consumption associated with the Proposed Project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. Additionally, the consumption of energy would be similar to that anticipated for the 2017 Master Plan because building square footage and enrollment would remain similar. The new buildings would be more energy-efficient than the existing buildings. For these reasons, this impact would be less than significant.

Local Plans and Policies. The Proposed Project would be designed in a manner that is consistent with relevant energy conservation plans designed to encourage development that results in the efficient use of energy resources. Relevant energy conservation plans specific to the Proposed Project include the City of San Bernardino General Plan, more specifically the Energy and Water Conservation Element and the SBCCD Sustainability Plan. An overarching goal of the Energy and Water Conservation Element is to provide policy guidance that addresses the efficient use and conservation of energy and water resources (City of San Bernardino 2005). Strategies proposed by the SBCCD Sustainability Plan include maximizing energy efficient design in new and renovated buildings, providing energy efficient equipment and appliances, and monitoring energy use of individual buildings. The Proposed Project would not conflict or obstruct any local or state plans for renewable energy or energy efficiency. For these reasons, this impact would be less than significant.

3.7 Geology and Soils

3.7.1 Environmental Setting

The site setting for this Addendum EIR remains similar to that described in the 2019 Addendum EIR, PEIR and SEIR. Seismic, soils, and liquefaction conditions on the project site remain the same as those described in the PEIR and SEIR. The most important geologic feature on the campus is the San Jacinto Fault, which bisects the western portion of SBVC. The San Jacinto Fault is one of the most seismically active faults in southern California. The western two thirds of the campus lies within the State-designated Alquist-Priolo Earthquake Fault Zone. Much of the planning effort for this and previous Master Plans was to avoid construction in the Alquist-Priolo zone and to construct or renovate buildings to withstand the effects of an earthquake on this fault.

3.7.2 Prior Environmental Review

3.7.2.1 Previous Environmental Analysis

The geology and soils impacts associated with the 2017 SBVC Master Plan Update were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*

- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.7.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts on geology and soils associated with the SBVC Master Plan, as amended, with the incorporation of the proposed mitigation measures.

3.7.2.3 Previously Identified Mitigation Measures

The following mitigation measures were identified in the PEIR to reduce project impacts to less than significant:

- G-1:** All temporary excavations, including utility trenches, retaining wall excavations and other excavations shall be performed in accordance with project plans, specifications, and all OSHA requirements, and the current editions of the California Construction Safety Orders.
- G-2:** Utility trenches onsite shall be backfilled with the onsite material, provided it is free of debris, significant organic material, and oversized material. Prior to backfilling the trench, pipes shall be bedded in a granular material, backfilled, and compacted as specified by the project engineer.
- G-3:** A qualified geotechnical firm shall review the site and grading plans for each project as the Master Plan is implemented and comment further on the geotechnical aspects of the project. Geotechnical observations and testing shall be conducted during excavation and all phases of grading operations.

3.7.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed. As such, impacts related to seismic groundshaking, grading, and erosion would not be different than what was previously analyzed in the 2019 Addendum EIR, PEIR and SEIR. Impacts would be less than significant with the implementation of Mitigation Measures G-1 through G-3, as applicable.

Because no significant geology and soil impacts associated with the Master Plan Update were identified, no new mitigation measures are required. Mitigation measures identified in the previously certified PEIR for the SBVC Master Plan SEIR for the Stadium Expansion would not change.

The evaluation of impacts to paleontological resources was moved from the Cultural Resources section to the Geology section of the Initial Study checklist in 2019, and is, therefore, discussed here. Paleontological impacts would remain the same as discussed in the Addendum EIR, PEIR and SEIR. Impacts to paleontological resources associated with the Proposed Project would remain less than significant with the implementation of the previously adopted mitigation measure CR-5.

CR-5: A qualified vertebrate paleontologist, as defined by the County of San Bernardino (Development Code § 82.20.040), shall develop and implement a mitigation program for paleontological resources. This program shall consist of:

1. Monitoring by a qualified paleontological monitor when previously undisturbed subsurface sediments are excavated, graded, or otherwise disturbed. The monitor will be equipped to recover fossils and sediment samples during excavation but shall have the power to temporarily halt or divert equipment to allow for recovery of large or numerous fossils.
2. Preparation of recovered specimens to a point of identification and permanent preservation. This includes washing sediments to recover small invertebrate and vertebrate fossils.
3. Identification of the specimens and curation of all specimens into an established accredited museum repository (e.g., San Bernardino County Museum) with permanent retrievable paleontological storage. Preparation of the mitigation program shall include obtaining a signed curation agreement with the museum repository prior to initiation of mitigation activities.
4. Preparation of a report of findings with an appended itemized inventory of identified specimens. The report and inventory shall be submitted to the San Bernardino Community College District and the museum repository (e.g., San Bernardino County Museum). When the San Bernardino Community College District receives the report, inventory, and verification of acceptance of the specimens by the museum repository, mitigation will be complete.

3.8 Greenhouse Gas Emissions

3.8.1 *Environmental Setting*

Greenhouse gas (GHG) emissions are released as byproducts of fossil fuel combustion, waste disposal, energy use, land use changes, and other human activities. This release of gases, such as CO₂, methane (CH₄), nitrous oxide (N₂O), and chlorofluorocarbons, creates a blanket around the earth that allows light to pass through, but traps heat at the surface, preventing its escape into space. While this is a naturally occurring process known as the greenhouse effect, human

activities have accelerated the generation of GHGs beyond natural levels. The overabundance of GHGs in the atmosphere has led to an unexpected warming of the earth and has the potential to severely impact the earth's climate system.

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. CH₄ traps over 25 times more heat per molecule than CO₂, and N₂O absorbs 298 times more heat per molecule than CO₂. Often, estimates of GHG emissions are presented in carbon dioxide equivalents (CO₂e). Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted.

3.8.2 Prior Environmental Review

3.8.2.1 Previous Environmental Analysis

The greenhouse gas emissions impacts associated with the SBVC Master Plan and Stadium Expansion were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.8.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts as a result of greenhouse gas emissions.

3.8.2.3 Previously Identified Mitigation Measures

No significant impacts were identified; therefore, no mitigation measures were required.

3.8.3 Discussion

Construction and Operation. The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed.

As analyzed in the PEIR, the SBVC Master Plan would not result in greenhouse gas emissions either directly or indirectly that would result in a significant impact on the environment. Because

the proposed Master Plan Update would involve less total building area than what was analyzed in the PEIR. Impacts associated with construction and operation of the Proposed Project would be less than significant.

With implementation of the Energy Action Plan and state and federal vehicle emission reduction programs, plus continued access to mass transit, bicycle networks, and pedestrian access, the Proposed Project would not result in a significant impact on global climate.

3.9 Hazards and Hazardous Materials

3.9.1 Environmental Setting

Hazards and hazardous materials found at the SBVC campus are the same as those identified in the PEIR and SEIR.

3.9.2 Prior Environmental Review

3.9.2.1 Previous Environmental Analysis

Hazard and hazardous materials impacts associated with the SBVC Master Plan and Stadium Expansion were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.9.2.2 Previously Identified Significant Project Impacts

Potential impacts involve the presence of building hazards, such as asbestos and lead-based paint, in buildings identified for demolition or renovation. The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts as a result of hazards and hazardous materials associated with the SBVC Master Plan and Stadium Expansion, as amended, with the incorporation of the proposed mitigation measures.

3.9.2.3 Previously Identified Mitigation Measures

The following mitigation measures were identified in the PEIR to reduce project impacts to less than significant:

- HAZ-1:** Prior to demolition of buildings or structures, a survey for building-related hazardous materials shall be conducted by qualified and properly-certified individuals. Asbestos surveys must be conducted by a California Division of Occupational Safety and

Health-certified asbestos consultant or site surveillance technician. Surveys for lead-based/bearing substances and lead-containing surface coatings must be conducted by a California Department of Health Service-certified lead inspector/risk assessor. If present, all recommendations regarding the removal and disposal of hazardous materials in accordance with federal, state, and local regulations shall be observed.

- HAZ-2:** All asbestos disturbance and/or removal operations shall be conducted by a California Occupational Safety and Health Administration (Cal/OSHA) registered and State licensed asbestos removal contractor. All disturbance and/or abatement operations shall be under the direction of a California Certified Asbestos Consultant. At no time shall identified or suspect asbestos-containing materials be drilled, cut, sanded, scraped, or otherwise disturbed by untrained personnel.
- HAZ-3:** All construction activities that may affect asbestos-containing materials shall be conducted in accordance with Title 8 of the California Code of Regulations, Section 1529.
- HAZ-4:** For all abatement activities that will involve the removal of 100 square feet or more of identified asbestos-containing materials, notification shall be made to the South Coast Air Quality Management District in accordance to SCAQMD Rule 1403 and to Cal/OSHA. Notification to both entities shall occur 10 working days prior to the initiation of such activities.
- HAZ-5:** Notification to employees and contractors working within the buildings shall be made in accordance with the California Health and Safety Code Section 25915 *et seq.* and Proposition 65.
- HAZ-6:** All demolition involving potential and identified lead-containing surfaces shall be conducted in accordance with 8 CCR 1532.1 and 29 CFR 1926.62. In addition, all activities involving identified lead-based paints shall be conducted in accordance with 17 CCR, Division 1, Chapter 8, Sections 35001 through 36100.
- HAZ-7:** Any welding, cutting, or heating of interior metal surfaces containing lead surface coating shall be conducted in accordance with 29 CFR 1926.354.
- HAZ-8:** Proper waste characterization and disposal of lead contaminated debris shall be conducted in accordance with Title 22 of the California Code of Regulations and the California Health and Safety Code.
- HAZ-9:** All identified and potential PCB-containing light fixture ballasts shall be handled, collected, transported, and disposed in accordance with the requirements of 22 CCR 67426.1.

- HAZ-10:** All fluorescent light tubes, mercury containing thermostat switch capsules, batteries, and other Universal Waste Rule components shall be handled in accordance with 22 CCR 66273.
- HAZ-11:** All identified and potential refrigerants shall be captures and recycled in accordance with requirements of the South Coast Air Quality Management District and the California Air Resources Board.
- HAZ-12:** Prior to demolition or construction activities in existing buildings, a follow-up inspection shall be performed to identify and sample potential environmental hazards located beneath finishes and/or enclosed in wall voids, pipe chases, etc.

3.9.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed. According to the Department of Toxic Substances Control (DTSC) EnviroStor database, there are no hazardous materials sites located on the SBVC campus (DTSC 2020). Because no significant hazards and hazardous materials impacts associated with the Proposed Project were identified, no new mitigation measures are required. Mitigation measures identified in the previously certified PEIR for the SBVC Master Plan and SEIR for the Stadium Expansion would not change.

3.10 Hydrology and Water Quality

3.10.1 Environmental Setting

The SBVC Master Plan Update is located within the same project site analyzed in the 2019 Addendum EIR, PEIR and SEIR. The water resources and drainage setting for the SBVC Master Plan Update has not significantly changed since the PEIR was completed in February 2010. A National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity in compliance with Section 402 of the Clean Water Act has been acquired and a Storm Water Pollution Prevention Plan (SWPPP) has been implemented per Mitigation Measures H-1.

3.10.2 Prior Environmental Review

3.10.2.1 Previous Environmental Analysis

Hydrology and Water Quality impacts associated with the SBVC Master Plan and Stadium Expansion were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*

- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.10.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts on hydrology and water quality resources associated with the SBVC Master Plan and Stadium Expansion, as amended, with the incorporation of the proposed mitigation measures.

3.10.2.3 Previously Identified Mitigation Measures

The following mitigation measure was identified in the PEIR to reduce project impacts to less than significant:

- H-1:** Prior to ground disturbing activities related to grading or any activity affecting federal or state waters, SBCCD shall submit for approval to the State Water Resources Control Board, a Notice of Intent (NOI) to be covered under a National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) in compliance with Section 402 of the Clean Water Act. As part of the General Permit, the SBCCD shall prepare a Storm Water Pollution Prevention Plan (SWPPP) which will: (1) require implementation of Best Management Practices (BMPs) so as to prevent a net increase in sediment load in stormwater discharges relative to preconstruction levels; (2) prohibit discharges of stormwater or non-stormwater at levels which would cause or contribute to an exceedance of any applicable water quality standard contained in the regional basin plan; (3) discuss in detail the BMPs for the project related to control of sediment and erosion, non-sediment pollutants, and potential pollutants in non-stormwater discharges; (4) describe post-construction BMPs for the project; (5) explain the monitoring and maintenance program for the project's BMPs; (6) require reporting of violations to the RWQCB; and (7) list the parties responsible for SWPPP implementation and BMP maintenance both during and after construction. Upon acceptance of the NOI by the State Board, the SBCCD shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.

3.10.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed.

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The CP1 and CP2 sites would be designed to maintain the existing drainage patterns that generally drain west to south-east and ultimately connects to an existing storm drain system at the eastern and southern part of the campus. Treated storm water would be collected throughout the site, treated, and conveyed to the existing storm drain system via an extension of that system that will be built to serve the Career Pathways Complex. Post-development treatment Best Management Practice's (BMP) shall be designed to treat stormwater before it leaves the project site. Geotechnical testing would be required to establish existing soil percolation and infiltration rates so that appropriate BMP design measures can be implemented. A combination of pervious and impervious surfaces should be considered for the site. Storm water would be directed to landscaped areas and collected, treated, and detained per regulations. Bio-filtration basins and/or tree wells are being considered as a method to provided water quality treatment.

No significant hydrology and water quality impacts associated with the Master Plan Update were identified; no new mitigation measures are required. Mitigation measures identified in the previously certified PEIR for the SBVC Master Plan and SEIR for the Stadium Expansion would not change.

3.11 Land Use and Planning

3.11.1 Environmental Setting

The SBVC campus is located in a developed area surrounded by a mix of residential, commercial, and industrial land uses in the City of San Bernardino bordering the City of Colton. The land uses and land use designations are summarized in Table 3.11-1 below.

| | Land Use | Zoning | General Plan Designations |
|-------|---------------------------|---|---|
| SBVC | Community College Campus | PF (Public Facilities) SB | Public Facilities (PF) SB |
| North | Residential Commercial | RS (Residential Suburban – 4.5 du/ac) SB RU (Residential Urban – 9 du/ac) SB CG-1 (Commercial General) SB | Residential Suburban (RS) SB Residential Urban (RU) SB Commercial General (CG-1) SB |
| South | Commercial Residential | C2 (General Commercial) C R3 (Multi Family Residential) C R2 (Duplex Residential) C RS (Residential Suburban – 4.5 du/ac) SB | Multi-Use Area (MU) C High Density Residential (HD) C Medium Density Residential (MD) C Residential Suburban (RS) SB |
| East | Industrial Residential | IL (Industrial Light) SB RS (Residential Suburban – 4.5 du/ac) SB | Industrial Light (IL) SB Residential Suburban (RS) SB |
| West | Commercial Residential | CG-1 (Commercial General) SB C2 (General Commercial) C R1 (Single Family Residential) C | Commercial General (CG-1) SB Multi-Use Area (MU) C Low Density Residential (LD)/ Multi-Use Area (MU) C |

Notes: SB = City of San Bernardino
C = City of Colton
du/ac = dwelling units per acre

3.11.2 **Prior Environmental Review**

3.11.2.1 **Previous Environmental Analysis**

The land use and planning impacts associated with the SBVC Master Plan were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.11.2.2 **Previously Identified Significant Project Impacts**

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts on land use and planning. The proposed building construction, demolition, and renovations are consistent with the existing community college use of the campus.

3.11.2.3 **Previously Identified Mitigation Measures**

No significant impacts were identified; therefore, no mitigation measures were required.

3.11.3 **Discussion**

Physically Divide an Established Community. The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed. These project changes would not physically divide an established community; no impacts would occur.

Conflict with Existing Land Use Plans and Policies. SBVC is located in a Public Facilities (PF) District where public uses and facilities and similar compatible uses are allowed. No land use change is proposed by the SBVC Master Plan Update. No impacts to existing land use plans and policies would occur.

3.12 **Noise**

3.12.1 **Environmental Setting**

The noise setting for the SBVC Master Plan update is similar as that discussed in the 2019 Addendum EIR, PEIR and SEIR.

3.12.2 **Prior Environmental Review**

3.12.2.1 **Previous Environmental Analysis**

The noise impacts associated with the SBVC Master Plan were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.12.2.2 **Previously Identified Significant Project Impacts**

The PEIR identified significant project impacts to noise associated with the noise sources from outdoor sporting events associated with the stadium as continuing to be significant and unavoidable with or without the Master Plan amendment. This noise source would continue with the Proposed Project. The SBCCD Board of Trustees adopted a Statement of Overriding Considerations for this significant, unavoidable impact on April 8, 2010.

3.12.2.3 **Previously Identified Mitigation Measures**

The following mitigation measures were identified in the PEIR to reduce project impacts to a less than significant level:

- N-1:** Construction and demolition shall be confined, to the extent practicable, between the hours of 7:00 a.m. and 8:00 p.m.
- N-2:** Notice shall be posted prior to construction identifying the location and dates of construction, and the name and phone number of a contact person at SBVC in case of complaints. The notice shall encourage the residents to call SBVC's contact person rather than the police in case of complaint. The notice shall inform residents of any changes to the schedule, including instances where construction may take place outside of the hours of between 7:00 a.m. and 8:00 p.m. The designated contact person shall be available throughout project construction with a mobile phone. If a complaint is received, SBVC's contact person shall take whatever reasonable steps are necessary to resolve the complaint.
- N-3:** Where feasible, temporary solid noise barriers or berms shall be erected between construction equipment and sensitive off-site receptors.
- N-4:** Construction storage areas shall be located away from sensitive receptors to the extent possible. Where this is not possible, the storage of waste materials, earth, and other

- supplies shall be positioned in a manner that will function as a noise barrier to the closest sensitive receivers.
- N-5:** All construction equipment shall be equipped with properly operating mufflers of a type recommended by the manufacturer.
- N-6:** Noisy construction equipment items shall be located as far as practicable from the surrounding residential properties and campus buildings.
- N-7:** The quietest construction equipment owned by the contractor shall be used. The use of electric powered equipment is typically quieter than diesel, and hydraulic powered equipment is quieter than pneumatic power. If compressors powered by diesel or gasoline engines are to be used, they shall be contained or have baffles to help abate noise levels.
- N-8:** All construction equipment shall be properly maintained. Poor maintenance of equipment typically causes excessive noise levels.
- N-9:** Noisy construction equipment shall be operated only when necessary and shall be switched off when not in use.
- N-10:** To avoid potential building damage due to vibration from heavy construction equipment (bulldozers or drill rigs), the following measures shall be implemented when use of such equipment will take place within 11 feet of existing buildings:
- a. Qualified structural and geotechnical engineers shall review the peak vibration velocities estimated in this report and determine if there are any risks to the building, including possible risks from dynamic soil settlement induced by the vibration. If the structural or geotechnical engineers identify any potential risks, they shall take all necessary steps to protect the building including, but not limited to, photographing and/or videotaping the building in order to provide a record of the existing conditions before construction.
 - b. If considered appropriate by a qualified structural engineer or geotechnical engineer, an engineer shall be on-site during the construction activities and perform such tests and observations as are necessary to ensure the structural stability of the building. This may include vibration measurements obtained inside or outside of the building.
- N-11:** An acoustical analysis shall be required for the future Technical Building to verify that noise from the facility (including auto maintenance and repair, aircraft engine testing, fans and other mechanical equipment) does not exceed a 1-hour L_{eq} of 65 dBA at noise-sensitive offsite receptors. The design features required to achieve this requirement may include one or more of the following elements, as verified by the acoustical study: noise

- barriers, locating activities inside the building, upgrading the design of the building to increase noise reduction, locating noisy activities away from the nearby homes, and providing silencers for air extraction fans.
- N-12:** An acoustical analysis shall be required for the future central plant to verify that the overall noise levels generated by the mechanical equipment (i.e., air conditioners, heat pumps, refrigeration equipment, etc.) do not exceed a 1-hour L_{eq} of 65 dBA at noise-sensitive offsite receptors. The design features required to achieve this requirement may include one or more of the following elements, as verified by the acoustical study: selecting quieter equipment, adding or upgrading silencers, improving the design of mechanical penthouses, raising the height of rooftop parapet walls, placing equipment inside a building, and/or installing screen walls around individual equipment items.
- N-13:** Bleacher seating on the east side of the football field may be closed-backed to provide a barrier to crowd noise. The backing material may extend at least 5 feet above the level of the highest seats in each bleacher so that a barrier is also provided for noise from the higher seating levels.
- N-14:** An acoustical study shall be required for Building 25 (Liberal Arts) to verify that the building has been properly designed to comply with the L_{dn} threshold of 45 dB for interior areas. The design features required to achieve the noise standard may include one or more of the following elements, as verified by the acoustical study: sound-rated windows and doors, orientation of windows relative to Mount Vernon Avenue, upgraded exterior wall and/or roof construction, insulation batts, and/or forced air ventilation.
- N-15:** Mechanical ventilation shall be installed at all new SBVC buildings since the interior threshold of 45 dB L_{dn} is to be met with windows and doors closed.

3.12.3 Discussion

Construction. Construction noise impacts from the SBVC Master Plan Update would remain similar to the noise impacts analyzed in the 2019 Addendum EIR, PEIR and SEIR. Construction noise impacts would be temporary and less than significant. In compliance with the City Code requirements, construction of the Proposed Project would occur only between 7:00 a.m. and 8:00 p.m. on Monday through Saturday. There would be no construction activities on Sundays or Federal holidays. Therefore, construction of the Proposed Project would be exempt from the City of San Bernardino noise ordinance standards and would not constitute a significant impact.

Operation. Operational noise impacts from the SBVC Master Plan Update would remain similar to the noise impacts analyzed in the PEIR and the SEIR. Neighboring land uses across West Esperanza Street to the north of campus include Valley College's Middle College High School (MCHS) and single-family residences. These neighbors would be sensitive to noise during both daytime and evening hours that could be generated by activities in the Aeronautics Yard and Engine Test Cell and measures should be taken to mitigate sounds that originate from these

spaces. However, in comparison to the current configuration of buildings in this location, potentially noisy activities in the Aero Yard and Engine Test Cell would be shielded from the surrounding off-campus neighbors by the physical mass of the Aeronautics Building. The SBVC Master Plan Update also involves the construction, demolition, and renovation of campus facilities including new instructional and a parking lot. Operation of these facilities would not create a significant impact as it relates to noise.

Noise impacts analyzed in the SEIR associated with future sporting events at the SBVC stadium would continue to be unfeasible to mitigate. However, it should be noted that these noise sources already exist at SBVC and would continue with or without the Master Plan Update. Additionally, a Statement of Overriding Considerations was adopted for stadium noise on April 8, 2010. Mitigation Measure N-13 would provide some reduction in the noise levels associated with outdoor sporting events. However, even with this measure, noise from outdoor sporting events would continue to be significant and unavoidable.

3.13 Public Services

3.13.1 Environmental Setting

The public services for the SBVC Master Plan Update are similar as those identified in the PEIR.

3.13.2 Prior Environmental Review

3.13.2.1 Previous Environmental Analysis

The public services impacts associated with the SBVC Master Plan were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.13.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts to public services.

3.13.2.3 Previously Identified Mitigation Measures

There were no significant impacts to public services associated with the SBVC Master Plan. Therefore, there were no mitigation measures identified in the 2019 Addendum EIR, PEIR and SEIR.

3.13.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed. As such, public service impacts from the SBVC Master Plan Update would be less than significant.

3.14 Transportation

3.14.1 Environmental Setting

The traffic and parking conditions for the SBVC Master Plan have changed since the completion of the PEIR and SEIR. The proposed Master Plan Update reevaluated enrollment projections and facilities in light of enrollment demand and parking compared to the PEIR and SEIR. The Master Plan Update would involve a reduction of building square footage, enrollment, and parking. A parking assessment and a traffic study were prepared for the PEIR and SEIR. Additionally, a trip generation and parking assessment memo was prepared for the Master Plan Update (Fehr and Peers 2019). The results of these studies are summarized below.

3.14.2 Prior Environmental Review

3.14.2.1 Previous Environmental Analysis

Traffic and parking impacts associated with the SBVC Master Plan were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.14.2.2 Previously Identified Significant Project Impacts

The PEIR identified significant impacts at the following intersections:

- Grant Avenue and South K Street (significant and unavoidable)
- Grant Avenue and South J Street (significant and unavoidable)

The SBCCD Board of Trustees adopted a Statement of Overriding Considerations for these impacts on April 8, 2010.

3.14.2.3 Previously Identified Mitigation Measures

The following mitigation measures were identified in the PEIR and SEIR to reduce project impacts to less than significant:

- T-1:** The installation of a traffic signal at the unsignalized intersection of Inland Center Drive/I Street by 2020 will improve operations to an acceptable level of service. Given the close spacing of this intersection with the interchange improvements at the Inland Center Drive/I-215 interchange, a signal interconnect system shall be required to ensure that the corridor is coordinated. Also, because the impact occurs in 2030 and is a result of both project-related traffic and cumulative growth, the SBCCD shall be responsible for a fair-share contribution toward the improvement.
- T-2:** The installation of a traffic signal at these unsignalized intersections of Grant Avenue/K Street and Grant Avenue/I Street by 2030 would improve operations to an acceptable level of service. Since this occurs in a future scenario and is associated with both project traffic and cumulative growth assumptions, the SBCCD shall be required to make a fair-share contribution toward these improvements.
- T-3:** For events in excess of 2,250 to 4,000 seats, the SBCCD shall prepare a traffic management plan (TMP) that shall include traffic control officers (TCOs) placed at key locations in the project vicinity on days when large events are being held. The TCOs will direct vehicles along the most direct route from a key entrance point to the project parking lots. For example, one TCO will direct the vehicles entering the project area from the I-215 freeway ramps at Inland Center Drive to the southern parking structure, while another will direct vehicles entering the project area from the north along Mount Vernon to the Swap Meet parking lots. By coupling TCOs with additional directional signage along the key routes, project traffic will be limited to a few routes with ample parking and vehicle delay at the impacted intersections will be reduced. SBCCD shall coordinate with the City of San Bernardino to contract TCOs and get approval for directional signage.

3.14.3 Discussion

PEIR Trip Generation Assessment. The PEIR trip generation estimate was based on the projected increase in the number of enrolled students more than the 2009 existing enrollment of 12,561 students. The number of enrolled students during year 2030 was estimated to increase by 4,439. This increase in enrollment resulted in an increase in trip generation and transportation impacts at the following intersections:

- Grant Avenue and South K Street (significant and unavoidable)
- Grant Avenue and South J Street (significant and unavoidable)
- Inland Center and South I Street (less than significant after mitigation)

A Statement of Overriding Considerations was adopted for the significant, unavoidable impacts at the Grant Avenue and South K Street and Grant Avenue and South J Street intersections on April 8, 2010.

The 2017 Master Plan has a projected enrollment of 16,128 students, a decrease of 872 students from the PEIR enrollment projection. The decrease in project enrollment would result in a decrease in the trip generation as compared to the PEIR. The decrease in trip generation would result in the same or fewer transportation impacts than the enrollment projection studied as part of the PEIR.

Parking Supply Assessment. The campus currently supplies 1,737 total parking spaces, including:

- 1,316 student spaces
- 311 staff spaces
- 110 other spaces (handicap, reserved, loading)

With a current enrollment of approximately 13,614 students, the campus has a parking supply ratio of 0.13 spaces per student. The campus has indicated that the existing supply sufficiently meets current demand.

It is recommended that the campus at least maintain the same supply ratio as the campus grows. The 2017 Master Plan proposes to provide 2,101 parking spaces for the proposed enrollment of 16,128 students. This would result in a parking supply ratio of 0.13 spaces per student. As the parking supply ratio would be equal to the current parking supply ratio, it is determined to be an adequate supply of parking for the master plan buildout. With implementation of the Proposed Project, parking would increase by approximately 51 spaces.

3.15 Tribal Cultural Resources

3.15.1 Environmental Setting

The PEIR prepared for the SBVC Master Plan requested a search of the Sacred Lands File (SLF) from the Native American Heritage Commission (NAHC) in Sacramento. The SLF did not indicate the presence of any Native American cultural resources within the SBVC campus. The NAHC also provided a list of Native American groups and contacts with traditional and historical ties to the region encompassing the project area. During the PEIR process, in an effort to further identify Native American resources that could be affected by the implementation of the Master Plan, letters were sent to eight Native American contacts identified by the NAHC. The letters described the Proposed Project and asked for comments. In addition, follow-up phone calls were made to each contact to further solicit their input. Only one written response was received. The Soboba Band of Luiseño Indians recommended contacting the San Manuel Band of Mission Indians for assistance in identifying any issues or concerns that the tribes might have in regard to the implementation of the Master Plan. In a voicemail message from the Pechanga Band of Mission

Indians, they also recommended contacting the San Manuel Band of Mission Indians for this project. The only other response received was from Goldie Walker of the Serrano Nation of Indians. Ms. Walker requested to be notified if any artifacts and/or burial sites associated with the Serrano Indians were located during construction associated with the project. No responses were received from the letters or the phone calls to the San Manuel Band of Mission Indians.

There are several resources that have been previously documented within or near the SBVC campus. Site CA-SBR-3001 (SBCM-10) was originally recorded in 1938 on the ridge east of Mount Vernon Avenue and south of Mill Street and is described as several burials rumored to have been uncovered by workers during construction. The site is also reported as having been destroyed. Two articles from the *San Bernardino Sun*, dated April 3, 1897 and June 1897 reported that this was the site of an Indian cemetery that was to be ploughed up for an orchard. The articles also noted the concerns of the Indian community regarding the desecration of the graves.

It was also reported that local citizens collected Native American artifacts from within what became the campus area. Further when the Auditorium was being constructed in the 1930s, historic period burials were unearthed. Historic records document a settlement called *Politana*, which was described as located in the vicinity of the present SBVC campus. It is variously described as having Native American, early *Californio*, and Mormon phases of occupation.

3.15.2 Prior Environmental Review

3.15.2.1 Previous Environmental Analysis

Tribal Cultural Resources as a separate section were not evaluated in the SBVC Master Plan PEIR and Stadium Expansion SEIR. As a result of Assembly Bill (AB) 52, the Tribal Cultural Resources section was added to the CEQA Guidelines. AB 52 also required consultation with California Native American tribes for EIRs with Notices of Preparation published after July 1, 2015. The Notice of Preparation for the PEIR and SEIR were published before July 1, 2015; therefore, consultation in compliance with the procedures of AB 52 was not conducted. However, Native American tribes were contacted for input, as described above. The Addendum process does not require publication of a Notice of Preparation; therefore, the AB 52 process is not triggered with an Addendum EIR.

3.15.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR determined that, as described above, the potential for unidentified, buried resources affiliated with Native Americans was identified on the campus. The PEIR determined that these impacts would be less than significant with mitigation.

3.15.2.3 Previously Identified Mitigation Measures

The PEIR and SEIR identified mitigation measures in the Cultural Resources section that would be applicable to the proposed Master Plan Update. These are repeated here for reference. Please note that CR-1 originally required submittal of a data recovery report to the San Bernardino Information Center. Since the publication of the PEIR and SEIR, this information center has been

consolidated with the South-Central Coastal Information Center at California State University, Fullerton. Mitigation Measure CR-1 has been updated to reflect the new information center location.

CR-1: To avoid inadvertent impacts to subsurface archaeological resources, all ground disturbing activities in undisturbed sediments shall be monitored by a qualified archaeologist. The archaeological monitor shall have the power to temporarily halt or divert equipment to allow for recordation and evaluation of any encountered resources. If evaluated as eligible for the CRHR and determined eligible by the San Bernardino Community College District, the archaeological site must be avoided and preserved. If this is not feasible, an archeological data recovery program shall be developed by a qualified archaeologist. The data recovery report shall be submitted to the South-Central Coastal Information Center at California State University, Fullerton.

CR-2: To avoid inadvertent impacts to Native American resources, all ground disturbing activities in undisturbed sediments shall be observed by a Native American monitor. In the event that subsurface resources are encountered, the Native American monitor shall coordinate with the archaeological monitor to temporarily halt or divert equipment to allow for recordation and evaluation of the resource. If human remains of any kind are found during construction activities, all activities must cease immediately and the San Bernardino County Coroner must be notified, as required by state law (Section 7050.5 of the Health and Safety Code). If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendant(s) (MLD) to be consulted regarding treatment and/or reburial of the remains (Section 5097.98 of the Public Resources Code). If an MLD cannot be identified, or the MLD fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to the remains, SBCCD shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. Work can continue once the MLD's recommendations have been implemented or the remains have been reburied if no agreement can be reached with the MLD (Section 5097.98 of the Public Resource Code).

3.15.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed. The proposed Master Plan Update has the potential to impact Tribal Cultural Resources during project construction. With the implementation of mitigation measures identified in the PEIR and SEIR for cultural resources, impacts to tribal cultural resources would be less than significant.

3.16 Utilities and Service Systems

3.16.1 Environmental Setting

The utilities and service systems for the SBVC Master Plan Update are the same as those identified in the 2019 Addendum EIR, PEIR and SEIR.

3.16.2 Prior Environmental Review

3.16.2.1 Previous Environmental Analysis

The utilities and service systems impacts associated with the SBVC Master Plan and Stadium Expansion were evaluated in the following documents:

- *San Bernardino Valley College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2010a); and*
- *San Bernardino Valley College Master Plan - Stadium Expansion Final Supplemental Environmental Impact Report (State Clearinghouse 2009041098) (SBCCD 2012)*
- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.16.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts on utilities and service systems with the incorporation of the proposed mitigation measures.

3.16.2.3 Previously Identified Mitigation Measures

With the implementation of mitigation measures as described in other sections of the PEIR and SEIR, impacts from the on-campus installation and connection of utilities were found to be less than significant.

3.16.3 Discussion

The SBVC Master Plan Update involves the construction, demolition, and renovation of campus facilities including new instructional buildings and a parking lot. Compared to the 2017 Master Plan, total building area would remain the same and parking demand would slightly increase. All construction, demolition, and renovations would be located within the existing SBVC campus. No expansion of the campus area is proposed. No substantial increases in water, sewer, solid waste, electrical, or natural gas demand are expected, as the Master Plan Update would maintain total building area and parking demand as described in the 2017 Master Plan. Impacts would be less than significant.

3.17 Wildfire

3.17.1 Environmental Setting

Government Code 51175-89 directs the California Department of Forestry and Fire Protection (CALFIRE) to identify areas of very high fire hazard severity zones within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of potential fuels over a 30 to 50-year time horizon and their associated expected fire behavior, and expected burn probabilities to quantify the likelihood and nature of vegetation fire exposure to buildings.

According to the Department of Forestry and Fire Protection (CAL FIRE) the SBVC campus is not located within a State or Local Responsibility area designated as a Fire Hazard Severity Zone (CALFIRE 2007; 2008). The SBVC campus is located in a developed area surrounded by a mix of residential, commercial, and industrial land uses in the City of San Bernardino.

3.17.2 Prior Environmental Review

3.17.2.1 Previous Environmental Analysis

Wildfire impacts associated with the SBVC Master Plan and Stadium Expansion were not evaluated in the previous environmental documents. The wildfire section was added as part of the 2019 amendments to the CEQA Guidelines and addressed in the 2019 Addendum EIR.

- *Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update (SBCCD 2019)*

3.17.2.2 Previously Identified Significant Project Impacts

The PEIR and SEIR did not review wildfire impacts as a separate section and therefore did not identify any significant project impacts as a result of wildfire. The 2019 Addendum EIR did not identify any project impacts associated with wildfire.

3.17.2.3 Previously Identified Mitigation Measures

Because the PEIR and SEIR did not review wildfire impacts as a separate section, no mitigation measures were identified. The 2019 Addendum EIR did not identify any necessary mitigation measures.

3.17.3 Discussion

The Proposed Project is not located in or near a fire hazard severity zone state responsibility area or land classified as a Very High Fire Hazard Severity Zone in a local responsibility area (CAL FIRE 2007; 2008). The SBVC campus is located in a developed area surrounded by a mix of residential, commercial, and industrial land uses in the City of San Bernardino. As such, the Proposed Project would not expose project occupants to pollutant concentrations from wildfire as a result of slope, prevailing winds, or other factors, and/or exacerbate fire risk resulting in temporary or ongoing impacts to the environment. Additionally, the Proposed Project would not result in impacts of downslope or downstream flooding or landslides as a result of wildfire. No impact would occur.

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- City of San Bernardino. 2005. San Bernardino General Plan. November 1, 2005.
- County Of San Bernardino. 2011. County of San Bernardino Greenhouse Gas Emissions Reduction Plan. September 2011.
- FEHR & PEERS. 2019. Trip Generation and Parking Assessment for the San Bernardino Valley College Memorandum. September 27, 2019.
- San Bernardino Community College District (SBCCD). 2019. Environmental Impact Report Addendum - San Bernardino Valley College Master Plan Update. November 2019.
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5.0 LIST OF PREPARERS

5.1 Lead Agency**San Bernardino Community College District**

Farrah Farzaneh, CCM, LEED AP, Assoc. DBIA, Director, Facilities Planning and Construction

Ryan Smith, PMP, Campus Project Manager

5.2 Consultants**AECOM**

Scott Preston, Principal/Vice President

Carolyn Stegon, P.E.,MSCE, Senior Program Manager

Ray Loving, Finance Manager

ECORP Consulting, Inc.

Anne Surdzial, Director of CEQA/NEPA Services/Vice President

Lindsay Liegler, Associate Environmental Planner

San Bernardino Valley College Master Plan 2020 Revisions
Environmental Impact Report Addendum

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Environmental Impact Report Addendum Crafton Hills College Master Plan 2020 Revisions

State Clearinghouse Number 2006011080

September 2020

Prepared for:

San Bernardino Community College District



550 East Hospitality Lane, Suite 200
San Bernardino, CA 92408

Prepared by:



215 North 5th Street
Redlands, California 92374

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LIST OF ACRONYMS AND ABBREVIATIONS

| | |
|-------------------|---|
| AB | Assembly Bill |
| BMP | Best Management Practice |
| CAL FIRE | California Department of Forestry and Fire Protection |
| CDFG | California Department of Fish and Game |
| CEQA | California Environmental Quality Act |
| CH ₄ | Methane |
| CO | Carbon Monoxide |
| CO ₂ | Carbon Dioxide |
| CO ₂ e | Carbon Dioxide Equivalent |
| DTSC | Department of Toxic Substances Control |
| EIR | Environmental Impact Report |
| GHG | Greenhouse Gas |
| MBTA | Migratory Bird Treaty Act |
| MLD | Most Likely Descendent |
| NAHC | Native American Heritage Commission |
| NPDES | National Pollutant Elimination Discharge System |
| N ₂ O | Nitrous Oxide |
| PEIR | Program Environmental Impact Report |
| Proposed Project | 2017 Master Plan |
| RWQCB | Regional Water Quality Control Board |
| SBCCD | San Bernardino Community College District |
| SCAQMD | South Coast Air Quality Management District |
| SCE | Southern California Edison |
| SEIR | Supplemental Environmental Impact Report |
| SWPPP | Stormwater Pollution Prevention Plan |
| TAC | Toxic Air Contaminant |
| VHFHSZ | Very High Fire Hazard Severity Zone |

1.0 INTRODUCTION

1.1 Background/Project History

Crafton Hills College (CHC) was established in the 1970s and is part of the San Bernardino Community College District (SBCCD). CHC currently serves the East Valley area of the SBCCD. A Master Plan for CHC was completed in 2006 to account for the various academic buildings, infrastructure improvements, and associated parking required to support an estimated future enrollment of 11,470 total students by 2025. A California Environmental Quality Act (CEQA) Program Environmental Impact Report (PEIR) was prepared for the CHC Master Plan which evaluated the environmental effects of buildout of the campus under the Master Plan. The SBCCD Board of Trustees certified the PEIR on December 14, 2006. When the EIR was certified, a Statement of Overriding Considerations was adopted for significant, unavoidable adverse effects to air quality in accordance with CEQA Guidelines Section 15093. Specifically, the SBCCD Board of Trustees found that the benefits of the expansion of CHC had sufficient benefit to override the unavoidable significant adverse impacts.

After approval of the CHC Master Plan and PEIR, Measure M, A \$500 million bond measure, was passed by the voters in 2008. Using Measure M funding, the SBCCD updated the CHC Master Plan in 2011 to prioritize and define the Measure M projects and to better define the full buildout of the campus in 2025. A Supplemental EIR (SEIR) was prepared for the 2011 Master Plan update. The SEIR was certified by the SBCCD Board of Trustees on July 11, 2013.

In 2017, the SBCCD prepared an update to the Master Plan, which plans for campus growth through the buildout year of 2031 (Proposed Project). In 2018, San Bernardino County voters passed Measure CC, a \$470 million bond measure to provide funding for improvement projects at SBCCD facilities, including the projects in the 2017 Master Plan. In 2019, ECORP prepared an EIR Addendum that provides environmental analysis of the 2017 Master Plan update.

Since that time, changes have been proposed to the Performing Arts Center and East Instructional Building that would involve changes in location and configuration. This EIR Addendum provides an environmental analysis of the proposed changes.

1.2 Documents Incorporated by Reference

The following documents are incorporated by reference:

- *2017 Comprehensive Master Plan, Crafton Hills College (SBCCD 2017)*
- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2006)*
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

1.3 Decision to Prepare an EIR Addendum

This Addendum addresses the minor changes that the Proposed Project makes to the CHC Master Plan, which was analyzed in the 2019 Addendum EIR, certified PEIR and SEIR (SCH No. 2006011080). Pursuant to CEQA Guidelines Section 15164, the SBCCD shall consider this Addendum together with the PEIR and SEIR prior to making decisions on implementation of the Master Plan update projects.

The Proposed Project has been reevaluated using the current CEQA Guidelines updated by the Office of Planning and Research as of December 28, 2019. The evaluation used current regulations and thresholds to reflect current conditions at the site. This analysis shows that the Proposed Project's impacts remain the same or are lower than what was determined in the 2019 Addendum EIR, certified PEIR and SEIR for the 2011 Master Plan, and that an EIR Addendum is the appropriate CEQA document.

1.3.1 CEQA Guidelines Criteria for an Addendum

Pursuant to CEQA Guidelines Section 15164(b), an addendum to a previously certified EIR is appropriate if only minor changes or additions are necessary or none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of subsequent CEQA document have occurred. These criteria are listed, below, along with a brief discussion regarding the reasons the Proposed Project does not meet the criteria in CEQA Guidelines Section 15162.

- ***No substantial changes have been proposed to the project which will require major revisions of the previous EIR "due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects" (State CEQA Guidelines, Section 15162(a)(1)).*** Impacts would be less than or comparable to those evaluated in the certified PEIR and SEIR (see Section 3.0). Therefore, there would be no new significant effects or an increase in severity of a previously identified significant effect. Note that the substantial, unavoidable adverse effect to air quality would be the same as or less than that evaluated in the 2019 Addendum EIR, PEIR and SEIR. The Statement of Overriding Considerations adopted in December 2006 for this impact remains in effect and no changes are required.
- ***No substantial changes have occurred "with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR...due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects" (Section 15162(a)(2)).*** The impacts of the Proposed Project were evaluated against current regulations. No significant environmental effects or a substantial increase in the severity of a previously-identified significant effect has been identified. Therefore, no substantial changes have occurred that would require major revisions to the certified 2019 Addendum EIR, PEIR or SEIR.

- **No new information of substantial importance that was previously unknown or could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows any of the following:**
 - **"The project will have one or more significant effects not discussed in the previous EIR" (Section 15162(a)(3)(A)).** No new information has come to light that would suggest that the Proposed Project would have previously undisclosed significant effects on the environment. A CEQA analyses was conducted for the Proposed Project (see Section 3.0), resulting in no new or more significant effects.
 - **"Significant effects previously examined will be substantially more severe than shown in the previous EIR" (Section 15162(a)(3)(B)).** As discussed above and detailed in Section 3.0, the Proposed Project would not have substantially more severe impacts than were disclosed in the certified 2019 Addendum EIR, PEIR or SEIR.
 - **"Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative" (Section 15162(a)(3)(C)).** As discussed above and detailed in Section 3.0, the SBCCD has agreed to all mitigation measures required by the certified 2019 Addendum EIR, PEIR and SEIR.
 - **"Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effect on the environment, but the project proponents decline to adopt the mitigation measure or alternative" (Section 15162(a)(3)(D)).** As discussed above and detailed in Section 3.0, the SBCCD has agreed to all mitigation measures required by the certified 2019 Addendum EIR, PEIR and SEIR. The Proposed Project has a similar buildout profile to the 2017 Master Plan, resulting in similar or fewer environmental effects.

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2.0 PROJECT DESCRIPTION

2.1 Project Location and Setting

CHC is a 586-acre community college campus in the SBCCD. It is one of three facility locations in the SBCCD, which also includes San Bernardino Valley College, located approximately 16 miles to the west in the City of San Bernardino, and the SBCCD administrative offices, Professional Development Center, and Applied Technology Training Center, located in the City of San Bernardino (Figure 2-1). CHC is located at 11711 Sand Canyon Drive in the City of Yucaipa, San Bernardino County (Figure 2-2). Approximately one-third of the southwest portion of the CHC property is developed. The remainder of the property is undeveloped open space (Figure 2-2).

CHC is surrounded by undeveloped rolling hills (the Crafton Hills) to the north, east, and northwest. Because of the terrain, the majority of CHC buildings are not visible from public viewpoints such as Sand Canyon Road, Chapman Heights Road, and Yucaipa Boulevard.

2.2 Project Description

The 2017 Master Plan (SBCCD 2017) was developed to address the anticipated growth in enrollment over 15 years (through 2031). The 2017 Master Plan updates the Master Plan adopted by the SBCCD in 2006 and the Master Plan update adopted by the SBCCD in 2011.

The 2017 Master Plan update reevaluated enrollment projections and facilities needs in light of enrollment demand and educational requirements. Based on recent enrollment trends, the total enrollment in the 2031 buildout year of the 2017 Master Plan is expected to be 7,147 students. Based on enrollment trends and academic needs, total building area is anticipated to be 241,199 square feet. Total parking demand is also expected to be 1,817 spaces.

With the implementation of the Proposed Project, enrollment estimates and building square footage would remain similar to those analyzed in the 2019 Addendum EIR. Parking would remain the same or slightly increase.

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Map Date: 8/29/2019
Source: SBCCD



Figure 2-1. Vicinity Map
2019-166 SBCCD Measure CC Program EIR

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Map Date: 8/29/2019
Source: SBCCD



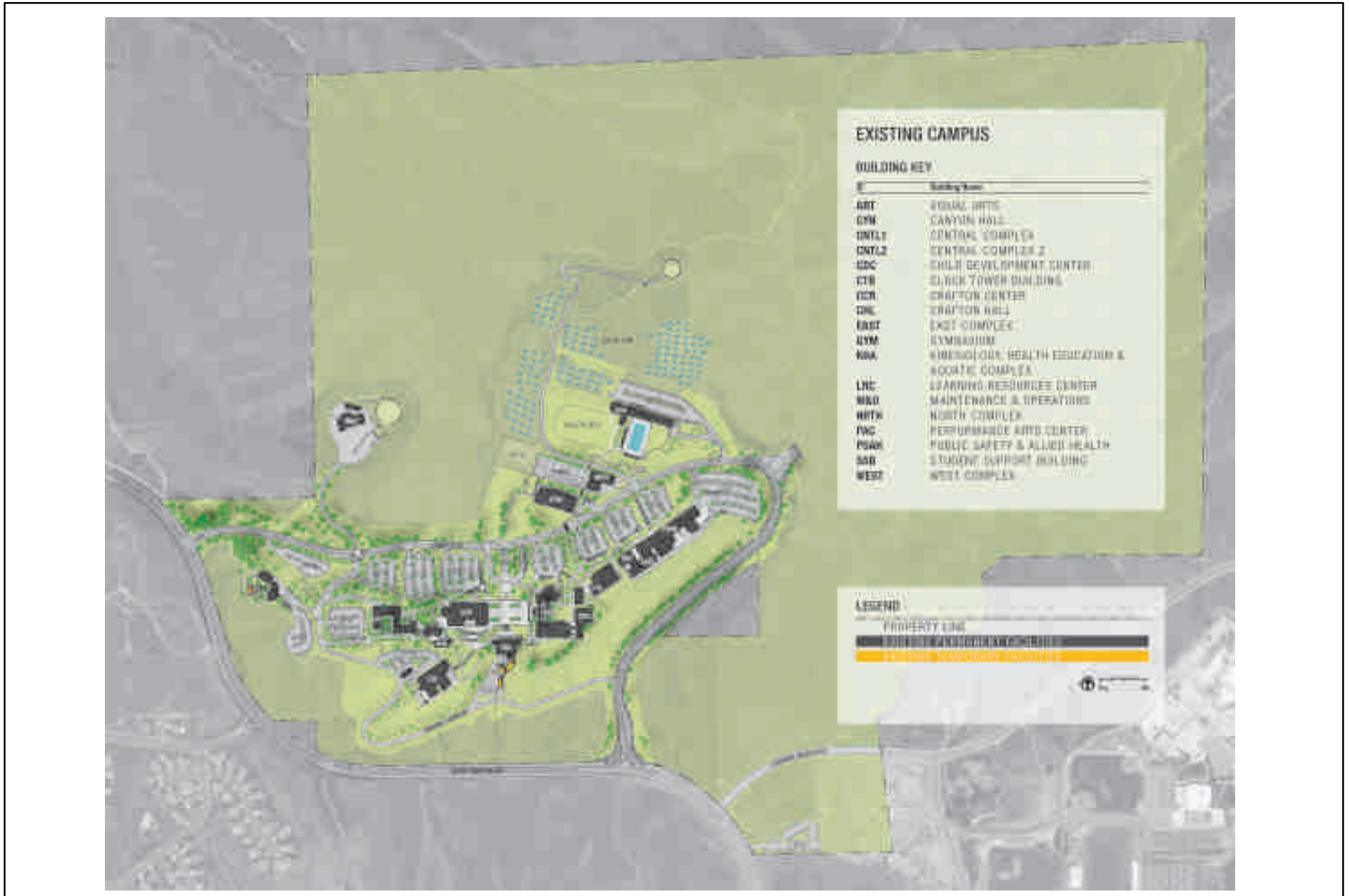
Figure 2-2. Location Map
2019-166 SBCCD Measure CC Program EIR

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Since the adoption of the 2017 Master Plan, changes have been proposed to the Performing Arts Center and East Instructional Building that would involve changes in location and configuration. Figure 2-3 shows existing campus facilities, Figure 2-4 shows the facilities and campus plan of the 2017 Master Plan, and Figure 2-5 shows the proposed changes to the 2017 Master Plan. The main changes to the Master Plan include:

- The Performing Arts Center (PAC) would be relocated to replace the existing gym (GYM on Figure 2-3) and golf course (GOLF on Figure 2-4). The new PAC (PAC on Figure 2-5) would decrease in gross square footage (GSF) but would maintain the same available square footage (ASF) as proposed in the 2017 Master Plan. The new PAC would be approximately 24,444 GSF and 16,771 ASF. An additional 69 parking spaces would be constructed adjacent to the new building.
- The existing PAC (shown as PAC on Figure 2-3 and 2-4) would be demolished and a new Instructional Building would be constructed in its place. The Instructional Building was originally proposed within the east quad (EIB in Figure 2-4). The Instructional Building would be the same square footage as the original proposed building, approximately 40,000 SF.
- The Arts Building (ART on Figure 2-3) and East Complexes 1 and 2 (EAST on Figure 2-3) would be demolished and replaced with quad open space and/or a future building pad.

Other aspects of the 2017 Master Plan would not change. The existing Arts Building and Gymnasium would still be demolished. A new public safety training center (EVPSTC on Figure 2-4) would be located south of Lot I. As a replacement for the previously proposed parking structure at the existing Lot I, parking would be provided south of the tennis courts (Central Parking Lot) and north of the Learning Resources Center (Lot N). An addition to the existing Maintenance & Operations Building is proposed (M&O on Figure 2-4). These proposed changes were previously analyzed in the 2019 Addendum EIR.



Map Date: 8/29/2019
 Source: SBCCD

Figure 2-4. Existing Campus Facilities

2019-166 SBCCD Measure CC Program EIR

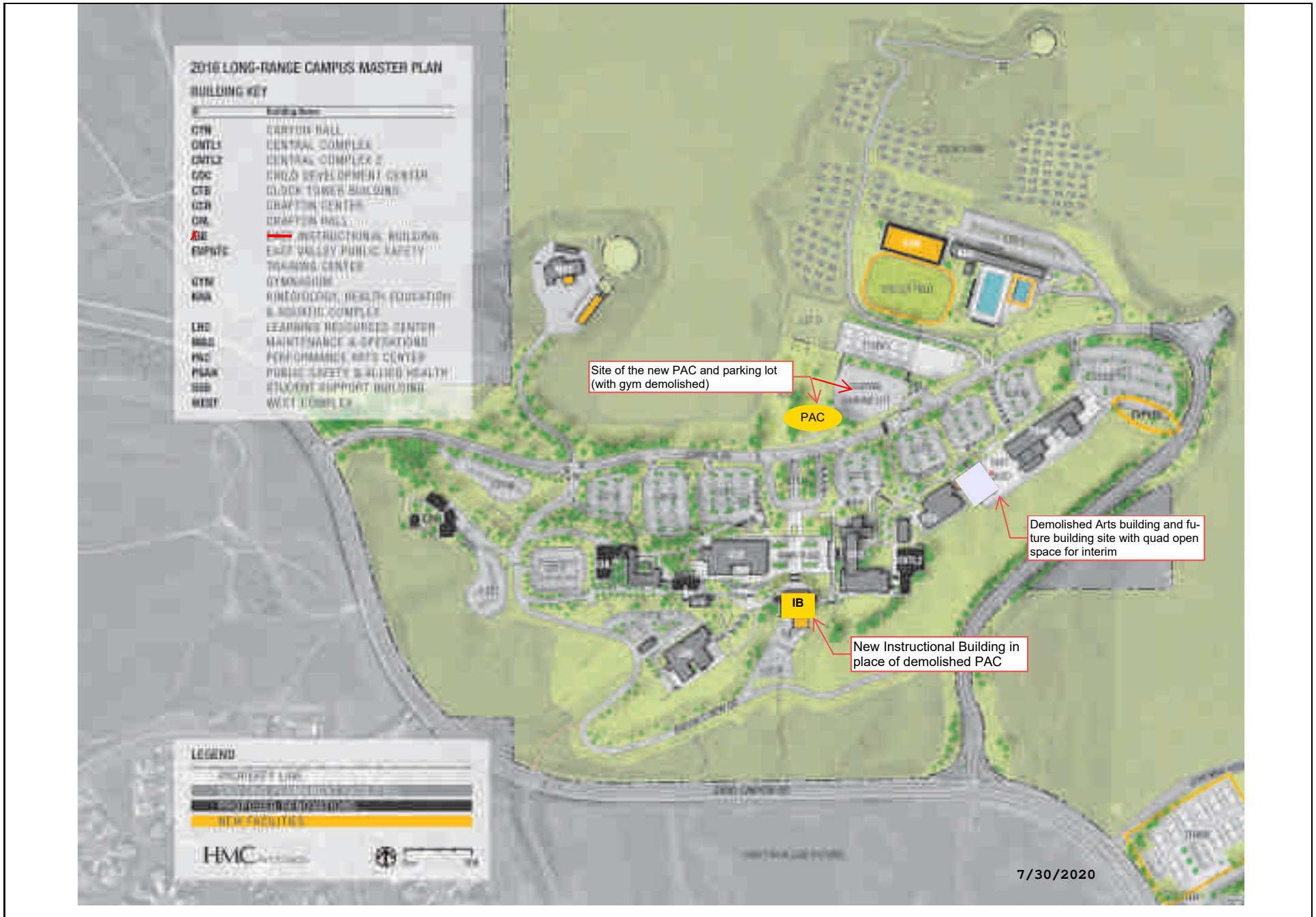
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Map Date: 8/29/2019
 Source: SBCCD

Figure 2-4. 2017 Master Plan
 2019-166 SBCCD Measure CC Program EIR

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3.0 ENVIRONMENTAL REVIEW

3.1 Introduction

This section provides a discussion of the existing environment within and surrounding CHC followed by a summary of prior environmental review and an analysis of the impacts of the CHC Master Plan update.

3.2 Aesthetics

3.2.1 Environmental Setting

The aesthetics environmental setting for the CHC Master Plan Update, is similar to that discussed in the Addendum EIR completed in 2019, PEIR completed in November 2006 and the SEIR completed in March 2013. The campus is located on 523 acres of land, of which approximately one-third in the southwestern portion of the site is developed. The developed portion of the campus is situated within the topography of the Crafton Hills, overlooking Sand Canyon Road. The majority of campus buildings are not visible from public viewpoints such as Sand Canyon Road, Yucaipa Boulevard, and Chapman Heights Road.

Since the 2019 Addendum EIR, certification of the PEIR and completion of the SEIR, mass grading has been completed, the library building has been demolished, the Performing Arts Center has been expanded, and the Learning Resource Center and a solar farm located in the northeastern portion of the campus north of the Aquatic Center have been built.

3.2.2 Prior Environmental Review

3.2.2.1 Previous Environmental Analysis

The aesthetics impacts associated with the CHC Master Plan and 2011 Master Plan Update were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2006); and*
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.2.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR did not identify any significant project impacts to aesthetics associated with the 2017 Master Plan Update.

3.2.2.3 Previously Identified Mitigation Measures

No significant impacts were identified; therefore, no mitigation measures were required.

3.2.3 Discussion

On Campus Views. Updates to the CHC 2017 Master Plan involve the relocation and reconfiguration of previously proposed buildings. The Proposed Project would relocate the PAC to replace the existing gym. The new PAC would decrease in GSF but would maintain the same ASF as proposed in the 2017 Master Plan. The existing PAC would be demolished, and a new Instructional Building would be constructed in its place. The Instructional Building would be the square footage as the original proposed building. The Arts Building and East Complexes 1 and 2 would be demolished and replaced with quad open space. The quad would serve as a potential future building site.

The proposed construction and renovation projects would occur within the existing CHC campus. The proposed CHC construction and renovations would be of similar architectural style and scale as existing buildings on the CHC campus. No expansion of the campus area is proposed. A less than significant aesthetics impact would occur.

Off Campus Views. The new development and renovations proposed by these changes to CHC 2017 Master Plan would not be visible from community viewpoints such as Sand Canyon Road, Yucaipa Boulevard, and Chapman Heights Road. Impacts would be less than significant.

Light and Glare. The Proposed Project would include light fixtures along the exterior of the proposed buildings and building additions. Light fixtures at the periphery of the CHC campus would be directed downward to avoid spillover effects to surrounding land areas. Modern light fixtures that meet the minimum standards of the Illuminating Engineering Society of North America (IESNA) and that provide light pollution and glare minimization as recommended by the Leadership in Energy and Environmental Design (LEED) would be used for the facilities and facility additions proposed in the CHC 2017 Master Plan changes. Less than significant impacts would occur.

3.3 Air Quality

Air quality reports were prepared for the PEIR and SEIR. Because the 2017 Master Plan update reflected a decrease in enrollment projections from the conditions that were analyzed in the PEIR and SEIR air quality reports, air emissions were anticipated to be lower than those identified in the PEIR and SEIR as summarized below when analyzed in the 2019 Addendum EIR. Because the proposed changes to the Master Plan analyzed in this Addendum would not affect enrollment, impacts would be similar to those identified in the 2019 Addendum EIR.

3.3.1 Environmental Setting

The CHC campus is located in a portion of San Bernardino County that is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). This portion of the South Coast Air

Basin is a non-attainment area for both the federal and state standards for ozone and particulates less than 10 microns and 2.5 microns in diameter (PM₁₀ and PM_{2.5}).

3.3.2 Prior Environmental Review

3.3.2.1 Previous Environmental Analysis

Air quality impacts associated with the CHC Master Plan and Master Plan Update were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080)* (SBCCD 2006); and
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080)* (SBCCD 2013)
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update* (SBCCD 2019)

3.3.2.2 Previously Identified Significant Project Impacts

The PEIR and SEIR identified significant project impacts as a result of construction emissions for Reactive Organic Gases (ROG) and nitrogen oxide (NO_x). Additionally, the PEIR and SEIR determined that operational emissions for Carbon Monoxide (CO) and NO_x would exceed daily and annual thresholds. Even with the implementation of mitigation, air quality impacts would remain significant and unavoidable. The SBCCD Board of Trustees adopted a Statement of Overriding Considerations for this significant, unavoidable impact on December 14, 2006.

3.3.2.3 Previously Identified Mitigation Measures

The following mitigation measure was identified in the PEIR and SEIR to reduce project impacts:

AQ-1: Construction contract specifications shall include the following:

- Compliance with all SCAQMD Rules and Regulations;
- Maintenance programs to assure construction vehicles and equipment are in good operating condition; and
- Avoid unnecessary idling of construction vehicles and equipment.

3.3.3 Discussion

Updates to the CHC 2017 Master Plan involve the relocation and reconfiguration of previously proposed buildings. The Proposed Project would relocate the PAC to replace the existing gym. The new PAC would decrease in GSF but would maintain the same ASF as proposed in the 2017 Master Plan. The existing PAC would be demolished, and a new Instructional Building would be constructed in its place. The Instructional Building would be the square footage as the original

proposed building. The Arts Building and East Complexes 1 and 2 would be demolished and replaced with quad open space. The quad would serve as a potential future building site.

The proposed construction and renovation projects would occur within the existing CHC campus. The proposed CHC construction and renovations would be of similar architectural style and scale as existing buildings on the CHC campus. No expansion of the campus area is proposed.

Construction Impacts. As analyzed in the PEIR, construction emissions for ROG and NO_x would be above SCAQMD thresholds and would be significant. The total building area would be less than that analyzed in the PEIR and emissions would likely be slightly lower; however, a Statement of Overriding Considerations was adopted for this impact on December 14, 2006 and remains in effect for the Proposed Project.

Operational Impacts. As analyzed in the PEIR, operations emissions for CO and NO_x would exceed daily and annual thresholds. Because the proposed Master Plan Update (2017) would involve lower enrollment projections than what was analyzed in the PEIR, impacts associated with operation of the Proposed Project are anticipated to be less than those analyzed in the PEIR. However, a Statement of Overriding Considerations was adopted for this impact on December 4, 2006 and remains in effect for the Proposed Project.

Cumulative Impacts. Based on the analysis of impacts in the PEIR, construction emissions for ROG and NO_x would be above SCAQMD thresholds and would be significant. Additionally, operations emissions for CO and NO_x would exceed daily and annual thresholds in both 2012 and 2025 phases. Even with mitigation, these impacts would remain significant. Because the emissions are above the significance thresholds, project construction and operations could result in a cumulatively considerable net increase of pollutants. Because the proposed Master Plan Updates would result in the total building area and enrollment forecasts, impacts are anticipated to be similar to those identified in the 2019 Addendum EIR (less than those analyzed in the PEIR). The SBCCD Board of Trustees adopted a Statement of Overriding Considerations for this significant, unavoidable impact on December 14, 2006, which remains in effect for the Proposed Project.

Impacts to Sensitive Receptors. Construction activities would result in emissions of diesel particulate matter from heavy construction equipment used on site and truck traffic to and from the site, as well as minor amounts of toxic air contaminants (TAC) emissions from motor vehicles (such as benzene, 1, 3-butadiene, toluene, and xylenes). Health effects attributable to exposure to diesel particulate matter are long-term effects based on chronic (i.e., long-term) exposure to emissions. Health effects are generally evaluated based on a lifetime (70 years) of exposure. Due to the short-term nature of construction at the site, no adverse health effects would be anticipated from short-term diesel particulate emissions. Motor vehicle emissions would not be concentrated in any one area but would be dispersed along travel routes and would not be anticipated to pose a significant health risk to receptors.

As discussed in the PEIR, with mitigation, the CHC Master Plan would not result in CO "hot spots" or expose sensitive receptors to substantial pollutant concentrations. Because the proposed Master Plan Update proposes less building area as a result of decreased enrollment forecasts,

impacts are anticipated to be less than those analyzed in the PEIR and would be less than significant.

Odors. Typically, odors are regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache).

According to the SCAQMD, land uses commonly considered to be potential sources of obnoxious odorous emissions include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Proposed Project does not include any uses identified by the SCAQMD as being associated with odors. No odor-related impact would occur.

3.4 Biological Resources

The site setting for this Addendum EIR remains relatively unchanged from that described in the previously prepared 2019 Addendum EIR, PEIR and SEIR. Biological resources in the developed portion of campus are limited to those typically found in developed and urban settings, including potential habitat for sensitive bats and nesting birds protected under the Migratory Bird Treaty Act (MBTA). There are approximately 10 acres of coastal sage scrub and 16.5 acres of nonnative grassland habitat on the slopes surrounding the developed area of campus to the west, south, and southeast. One listed wildlife species, the coastal California gnatcatcher (*Polioptila californica californica*) has a high potential to occur within the sage scrub habitat. Other California Species of Concern could also occur in the sage scrub habitat. The PEIR also identified 0.13 acre of federally jurisdictional waters and 0.23 acre of state jurisdictional waters on the site. It should be noted that the only Master Plan project in the sensitive coastal sage scrub habitat was the extension of Emerald View Drive from south of the Performing Arts Center east to Campus Drive, which was completed in an earlier phase of the Master Plan. The federal and state jurisdictional waters were located in the areas graded for the Emerald View Drive extension and the construction of the Kiniesiology, Health Education & Aquatic Complex, both of which have been completed in earlier phases of the Master Plan. Since certification of the PEIR and SEIR, the library building has been demolished, the Performance Arts Center has been expanded, and the solar farm, Canyon Hall, Gymnasium, and Kinesiology, Health Education, and Aquatic Complex buildings, and the Learning Resource Center have been built.

3.4.1 Prior Environmental Review

3.4.1.1 Previous Environmental Analysis

The biological resources impacts associated with the CHC Master Plan and Master Plan Update (2011), as amended, were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080)* (SBCCD 2006); and

- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.4.1.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts on biological resources associated with the CHC Master Plan and Master Plan Update (2011), as amended, with the incorporation of the proposed mitigation measures.

3.4.1.3 Previously Identified Mitigation Measures

The following mitigation measures were identified in the PEIR to reduce project impacts to less than significant:

- B-1:** Focused plant surveys and protocol coastal California gnatcatcher surveys in accordance with the most recent protocol guidelines shall be conducted within 1 year of ground-disturbing activities in coastal sage scrub and nonnative grassland habitats to update the current status of these species on the site. A review of the most recent state and federal lists and survey protocol for the special status plant and wildlife species shall be conducted within 1 year of proposed ground-disturbing activities in potential habitats for these species to update listed and special status species that may have been added or removed from these lists between the preparation of the EIR and project implementation. Focused plant and wildlife species in accordance with the most recent protocol shall be conducted for any plant and wildlife species that are listed at the time of the review process and that have the potential to occur within the project area. In the event that a listed or special-status species is detected, occupied habitat shall be avoided. If habitat cannot be avoided, consultation with the California Department of Fish and Game and/or the U.S. Fish and Wildlife Service shall be conducted and the appropriate take permits shall be obtained prior to construction. On-site mitigation that includes the preservation of open space, enhancement of habitat, creation of suitable habitat, and/or relocation of populations (plants only) shall be conducted at a ratio that is acceptable and approved by the appropriate agency(ies).
- B-2:** Habitat clearing activities shall be conducted outside the bird breeding season (outside February 1 – August 31). This includes, but is not limited to, removal of non-native landscaped trees, non-native grassland habitat, native sage scrub, native riparian habitat, and existing structures (buildings, antennas, etc.). If clearing is to occur during the bird breeding season, a pre-construction nesting bird survey shall be conducted by a qualified biologist and an appropriate buffer zone (typically 300' radius for songbirds, 500' radius for raptors) shall be established around all active nests (contains eggs, chicks, or fledglings dependent on the nest) and construction activities shall be avoided within the buffer zone until the nest is deemed no longer active by the biologist.

- B-3:** A qualified bat biologist shall conduct a pre-construction survey of potential bat roosting sites prior to removal of mature trees and existing structures. If an active bat roost is detected, bat exclusionary devices shall be installed during the non-breeding season (outside May 1 – October 1) and after bats voluntarily leave the roost for the night to forage. Demolition shall occur once the biologist deems the structure devoid of bats.
- B-4:** The project shall obtain a CFGC Section 1602 Streambed Alteration Agreement prior to the commencement of construction in drainages with state jurisdiction. Permanent and temporary habitat removal in delineated jurisdiction shall be mitigated at a ratio acceptable to the CDFG through purchase of credits in a mitigation bank or through other CDFG-approved methods. A Clean Water Act Section 401 permit from the Regional Water Quality Control Board and a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers shall also be obtained for the project prior to construction in areas with state and federal jurisdiction (see Mitigation Measures H-1, H-2, and H-3). In addition to obtaining the necessary permits from the US Army Corps of Engineers, CDFG, and California Regional Water Quality Control Board, the following measures shall be implemented to minimize impacts to jurisdictional waters, wetlands, and riparian communities:
1. Except where authorized by a CDFG Streambed Alteration Agreement, sediment barriers and erosion control devices shall be installed in order to prevent sedimentation (either directly deposited or through runoff) from entering jurisdictional waterways. Drainage and sedimentation control devices shall be routinely cleaned, maintained, and repaired prior to and during the rainy season. All repairs to these systems shall be immediately executed to minimize erosion problems.
 2. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, construction waste, cement or concrete or washings thereof, oil or petroleum products or other organic or earthen material from any logging, construction, or associated activity of whatever nature shall be allowed to enter into or placed where it may be washed by rainfall or runoff into federal and state jurisdictional waters. Fueling of equipment and stockpiles shall not be deposited within 150 feet of the high-water mark of any drainage.
 3. Revegetation and landscaping in and adjacent to waterways shall avoid the use of non-native invasive plant species. Only native trees and shrubs typical of the drainage system and surrounding habitat shall be planted.

Sycamores (*Platanus* sp.) associated with drainages and that are damaged or removed during construction operations shall be replaced in kind at a 3:1 ratio or as stated by the Streambed Alteration Agreement.

3.4.2 Discussion

Updates to the CHC 2017 Master Plan involve the relocation and reconfiguration of previously proposed buildings. The Proposed Project would relocate the PAC to replace the existing gym. The new PAC would decrease in GSF but would maintain the same ASF as proposed in the 2017 Master Plan. The existing PAC would be demolished, and a new Instructional Building would be constructed in its place. The Instructional Building would be the square footage as the original proposed building. The Arts Building and East Complexes 1 and 2 would be demolished and replaced with quad open space. The quad would serve as a potential future building site.

The proposed construction and renovation projects would occur within the existing CHC campus. The proposed CHC construction and renovations would be of similar architectural style and scale as existing buildings on the CHC campus. No expansion of the campus area is proposed. No disturbance of coastal sage scrub habitat or jurisdictional waters is proposed, as these impacts occurred in previous phases of the Master Plan. Project impacts to biological resources would remain less than significant with the implementation of the previously adopted mitigation measures.

3.5 Cultural Resources

3.5.1 Environmental Setting

The cultural resources for the CHC Master Plan update, are the same as those identified in the previously prepared 2019 Addendum EIR, PEIR and SEIR.

As a result of the records search conducted for the PEIR no prehistoric archaeological sites, one prehistoric isolated artifact, and two historic archaeological sites were recorded within 1 mile of the project area. Two historic structures were recorded within 1 mile of the project area. No previously recorded sites were located within the boundaries of the Master Plan area. As a result of the intensive systematic pedestrian survey of the Master Plan area for the PEIR, no prehistoric archaeological resources were identified within the project area as a result of the survey. One potential historic age site (a trash scatter associated with Sand Canyon Road) was recorded and designated CHC-1.

3.5.2 Prior Environmental Review

3.5.2.1 Previous Environmental Analysis

The cultural resources impacts associated with the CHC Master Plan and Master Plan Update (2011), as amended, were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2006); and*
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.5.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts to cultural resources associated with the CHC Master Plan and 2011 Master Plan Update. However, if unknown, buried archaeological deposits are encountered during construction, impacts to these resources would be potentially significant without mitigation.

3.5.2.3 Previously Identified Mitigation Measures

Previously-identified mitigation measures are listed below. Please note that CR-1 originally required submittal of a data recovery report to the San Bernardino Information Center. Since the publication of the PEIR and SEIR, this information center has been consolidated with the South-Central Coastal Information Center at California State University, Fullerton. Mitigation Measure CR-1 has been updated to reflect the new information center location.

CR-1: In the event that archaeological materials are encountered during ground-disturbing construction activities, these activities must be suspended in the vicinity of the find until the deposits are recorded and evaluated by a qualified archaeologist. If evaluated as eligible and determined eligible by the San Bernardino Community College District, the archaeological site must be avoided and preserved. If this is not feasible, an archaeological data recovery program shall be completed. The data recovery report will be submitted to the San Bernardino Community College District and filed with the South-Central Coastal Information Center at California State University, Fullerton.

If human remains of any kind are found during construction activities, all activities must cease immediately and the San Bernardino County Coroner must be notified, as required by state law (Section 7050.5 of the Health and Safety Code). If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendant(s) (MLD) to be consulted regarding treatment and/or reburial of the remains (Section 5097.98 of the Public Resources Code). Work can continue once the MLD's recommendations have been implemented or the remains have been reburied by the landowner if no agreement can be reached with the MLD (Section 5097.98 of the Public Resources Code).

3.5.3 Discussion

Updates to the CHC 2017 Master Plan involve the relocation and reconfiguration of previously proposed buildings. The Proposed Project would relocate the PAC to replace the existing gym. The new PAC would decrease in GSF but would maintain the same ASF as proposed in the 2017 Master Plan. The existing PAC would be demolished, and a new Instructional Building would be constructed in its place. The Instructional Building would be the square footage as the original proposed building. The Arts Building and East Complexes 1 and 2 would be demolished and replaced with quad open space. The quad would serve as a potential future building site.

The proposed construction and renovation projects would occur within the existing CHC campus. The proposed CHC construction and renovations would be of similar architectural style and scale as existing buildings on the CHC campus. No expansion of the campus area is proposed. Project impacts to cultural resources would remain less than significant with the implementation of the previously adopted mitigation measures.

3.6 Energy

3.6.1 Environmental Setting

Southern California Edison (SCE) provides electrical services to San Bernardino through State-regulated public utility contracts. SCE, the largest subsidiary of Edison International, is the primary electricity supply company for much of Southern California. It provides 14 million people with electricity across a service territory of approximately 50,000 square miles. SCE has met or exceeded all Renewable Portfolio Standard requirements to date, procuring renewable energy from diverse sources, including biomass, biowaste, geothermal, hydroelectric, solar and wind. This Standard requires all California utilities to generate 33 percent of their electricity from renewables by 2020, 60 percent of their electricity from renewables by 2030, and 100 percent by 2045.

The Southern California Gas Company provides natural gas services to the Project area. As the nation's largest natural gas distribution utility, the Southern California Gas Company delivers natural gas energy to 21.6 million consumers through 5.9 million meters in more than 500 communities. The Southern California Gas Company's service territory encompasses approximately 20,000 square miles throughout Central and Southern California, from Visalia to the Mexican border.

3.6.2 Prior Environmental Review

3.6.2.1 Previous Environmental Analysis

Energy impacts associated with the CHC Master Plan and Master Plan Update (2011) were not evaluated separately in the previous environmental documents. The requirement to analyze energy was added in the 2009 amendments to the CEQA Guidelines and clarified again as part of the 2019 amendments to the CEQA Guidelines. Energy impacts were analyzed in the 2019 Addendum EIR.

- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update* (SBCCD 2019)

3.6.2.2 Previously Identified Significant Project Impacts

The PEIR and SEIR did not review energy impacts as a separate section and therefore did not identify any significant project impacts as a result of energy. No significant energy impacts were identified in the 2019 Addendum EIR.

3.6.2.3 Previously Identified Mitigation Measures

No mitigation measures related to energy impacts were identified in the 2019 Addendum EIR.

3.6.3 Discussion

Construction and Operation. Due to the short-term nature of the project construction and reduced scope of the Proposed Project it is anticipated that fuel consumption during project construction would have a nominal effect on local and regional energy supplies, especially over the long-term. Additionally, construction equipment fleet turnover and increasingly stringent state and federal regulations on engine efficiency combined with state regulations limiting engine idling times and require recycling of construction debris, would further reduce the amount of transportation fuel demand during project construction. For these reasons, it is expected that construction fuel consumption associated with the Proposed Project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature.

The consumption of energy would be similar to that identified in the 2019 Addendum EIR because total enrollment, building area and parking would not change. Additionally, the new buildings would be more energy-efficient than the existing buildings. For these reasons, this impact would be less than significant.

Local Plans and Policies. The Proposed Project would be designed in a manner that is consistent with relevant energy conservation plans designed to encourage development that results in the efficient use of energy resources. Relevant energy conservation plans specific to the Proposed Project include the City of Yucaipa General Plan, more specifically Goal PSF-8.2: Energy and Conservation and the SBCCD Sustainability Plan. Goal PSF-8.2 encourages the use of renewable energy sources (solar and other technologies) through demonstration projects at public facilities and development or financial incentives, where feasible (City of Yucaipa 2016). Strategies proposed by the SBCCD Sustainability Plan include maximizing energy efficient design in new and renovated buildings, providing energy efficient equipment and appliances, and monitoring energy use of individual buildings. The Proposed Project would not conflict or obstruct any local or state plans for renewable energy or energy efficiency. Additionally, Crafton Hills College maintains a 1.3 million-watt photovoltaic system that can supply 90 percent of the CHC's energy electrical energy needs. For these reasons, this impact would be less than significant.

3.7 Geology and Soils

3.7.1 Environmental Setting

The site setting for this Addendum EIR remains similar to that described in the 2019 Addendum EIR, PEIR and SEIR. Seismic, soils, and liquefaction conditions on the project site remain the same as those described in the 2019 Addendum EIR, PEIR and SEIR.

The campus is located within the Crafton Hills, which consist of very old (Pleistocene-age) alluvial deposits in the southern portion of the campus and granitic bedrock to the north. The campus contains a substantial amount of fill used to create the existing building pads, roads, parking lots,

and other improvements. There are no known active or potentially active faults that traverse the campus and the campus is not located within a designated Alquist-Priolo Earthquake Fault Zone. The known regional active and potentially active faults that could produce the most significant ground shaking are the San Andreas and San Jacinto faults, located approximately 4 miles to the northeast and 7 miles to the southwest, respectively. CHC is in an area mapped as having moderate to high slope instability.

3.7.2 Prior Environmental Review

3.7.2.1 Previous Environmental Analysis

The geology and soils impacts associated with the CHC Master Plan and Master Plan Update (2011), as amended, were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080)* (SBCCD 2006); and
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080)* (SBCCD 2013)
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update* (SBCCD 2019)

3.7.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts on geology and soils associated with the CHC Master Plan and Master Plan Update (2011), as amended, with the incorporation of the proposed mitigation measures.

3.7.2.3 Previously Identified Mitigation Measures

Mitigation Measures G-1 through G-37 were identified in the PEIR to reduce project impacts to a less than significant level. These mitigation measures, as applicable, were implemented for the mass grading associated with the Community Recreational Facility and the extension of Emerald View Road. These mitigation measures are repeated below for reference.

Earthwork and Grading

G-1: Grading shall be performed in accordance with the General Earthwork and Grading Specifications presented in Appendix G of the March 2006 Preliminary Geotechnical Investigation, unless specifically revised or amended by future recommendations based on final development plans.

Site Preparation

G-2: Prior to construction, the areas of the proposed improvements shall be cleared of vegetation, trash, and debris. Any underground obstructions onsite shall be removed.

Efforts shall be made to locate any existing utility lines. Those lines shall be removed or rerouted if they interfere with the proposed construction, and the resulting cavities shall be properly backfilled and compacted as stated in Mitigation Measures G-4 and G-5. In addition, any uncontrolled artificial fill shall be excavated from proposed building footprints (this may not be practical for the pool building; see Section 3.6.4.4). Backfill of the Earth Consultant, Inc. (2005) fault trenches shall be removed and replaced as compacted fill (additional recommendations for backfill of this trench are provided in Mitigation Measure G-3).

Overexcavation and Recompaction

- G-3:** To reduce the potential for adverse differential settlement of proposed improvements, the underlying earth materials shall be prepared in such a manner that a uniform response to applied loads is achieved. Below are recommendations for proposed building locations.

Building Cut Pads in Very Old Alluvial (Qvoa) Soil: For building cut pads where the pads will be founded *solely* in competent material (i.e., underlain by very old alluvial soil), these pads shall be over excavated and recompacted to a minimum depth of 2 feet below the existing grade or 1 foot below finish grade, whichever is deeper. Under these conditions, footings may be founded directly on undisturbed native older alluvial soil. These conditions are anticipated under the Parking Structures (provided at least 6 feet of cut is planned across the pads), the LRC building, the Humanities building, and the OE-2 building, if these are to be cut pads, with a minimum cut of 3 feet.

Efforts shall be made to avoid creating cut/fill transition zones within the structural footprint. If artificial fill or soft, loose, or otherwise incompetent soil is exposed in any portion of the footing excavations, this material shall be removed and replaced at 95 percent relative compaction. However, if a transition zone is created, over excavation recommendations are provided below.

Building Fill or Cut/Fill Transition Pads in Qvoa Soil: For building pads or cut/fill transition pads over very old alluvial soil, the pads shall be over excavated and recompacted to a minimum depth of 2 feet below the existing grade or 3 feet below the bottom of the proposed foundations, whichever is deeper. The over excavation and recompaction shall extend outside the structure footprint a minimum lateral distance equal to the depth of over excavation or 5 feet, whichever is greater. These conditions will also apply to the Parking Structure, the LRC building, the Humanities building, and the OE-2 building, depending upon the depth of fill and cut for these pads.

Building Pads in Qal, Qc or Af (Aquatic Center Building): For the aquatic center building, which is to be founded over existing artificial fill over relatively deep recent alluvial/colluvial soil, this building pad shall be over excavated and recompacted to a minimum depth of 5 feet below the existing grade or 6 feet below the bottom of the

proposed foundations, whichever is deeper. The over excavation and recompaction shall extend outside the structure footprint a minimum lateral distance equal to the depth of over excavation or 5 feet, whichever is greater. This mitigation measure is provided as an alternative to complete removal of the compressible soils. However, the mitigation measures for stiffened foundations for the Aquatic Center Building provided in Section 3.6.4.4 shall also be used.

Additional Overexcavation Recommendations for Cut/Fill Transition Pads: In addition to the above, to minimize the potential for adverse effects of differential settlement, transitions from bedrock, very old alluvium, or relatively shallow fill to *relatively deep fill* shall be reduced. On building pads underlain by significant differences in the depth of fill (10 feet or more difference across a pad), the pad shall be over excavated such that there is a minimum depth of fill on the shallow portion equal to ½ of the greatest depth of fill on the pad. Pads underlain by fill depth differences greater than 30 feet shall be evaluated by Leighton Consulting, Inc. or another qualified geotechnical company on a case-by-case basis.

Swimming Pool: Since the proposed swimming pool will be situated over a bedrock to deep fill transition, soil/bedrock below the pool shall be over excavated a minimum depth of 10 feet. Alternatively, the pool footprint may be shifted to the west such that the pool is founded entirely in bedrock.

Overexcavation of ECI Fault Trench: It is assumed that the Earth Consultants, Inc. (2005) fault trenches were backfilled without significant compactive effort. Therefore, the backfill within these trenches shall be removed and replaced as compacted fill prior to constructing new fill or structures. Fill shall be placed in accordance with Mitigation Measures G-4 and G-5. However, if either the LRC or Humanities buildings will be founded directly on undisturbed native older alluvial soil as described above, then the backfill of the fault trench under these buildings shall be recompacted to 95 percent relative compaction (as determined by ASTM Test Method D1557) within the building footprints and extending to a 1:1 (horizontal to vertical) projection from the bottom of the perimeter footings.

Retaining Walls and Appurtenant Structures: For the Living Wall, retaining walls up to 6 feet in height (taller walls other than the Living Wall shall be evaluated on a case-by-case basis), site walls, and other appurtenant structures, over excavation is not necessary, provided the footings are founded solely on competent bedrock or firm very old alluvium. For other cases, including walls or structures that will straddle a transition zone, the over excavation shall extend a minimum of 3 feet below the existing grade or 4 feet below the bottom of the footings/subgrade, whichever is deeper. The over excavation and recompaction shall extend outside the structure footprint a minimum lateral distance equal to the depth of over excavation.

Non-Building Areas: Areas outside the over excavation limits of buildings planned for asphalt or concrete pavement, flatwork, and non-building areas to receive fill shall be over excavated to a minimum depth of 1.5 feet below the existing ground surface or 1.5 feet below the proposed subgrade, whichever is deeper.

Additional Overexcavation Recommendations for All Areas: Local conditions may require that deeper over excavation be performed; such areas shall be evaluated by Leighton Consulting, Inc. or another qualified geotechnical company during grading.

After over excavation, the removal bottoms shall be scarified to 6 inches, moisture-conditioned, and compacted to a minimum 90 percent relative compaction.

Fill Placement and Compaction

- G-4:** Any soil to be placed as fill, whether onsite or imported material, shall be accepted by a qualified geotechnical company.
- G-5:** All fill soil shall be placed in thin, loose lifts, moisture-conditioned, as necessary, to near optimum moisture content, and compacted to a minimum 90 percent relative compaction as determined by ASTM Test Method D 1557. However, some conditions will require a minimum 95 percent relative compaction, as discussed in Mitigation Measure G-3. Aggregate base for pavement shall be compacted to a minimum of 95 percent relative compaction.

Rippability and Oversize Material

- G-6:** Oversize material (greater than 8 inches in largest dimension) shall be removed from the site, crushed, or placed in deeper fill areas under the direction of a qualified geotechnical company. If deeper fill areas (greater than 10 feet) are not available, crushing or removal of oversized rock will be required. Rocks shall be placed in accordance with finer grained soils and copious amounts of water, such that voids between rocks are filled. Grading plan changes with respect to cut areas within bedrock shall be reviewed by a qualified geotechnical company.

Settlement Monitoring and Delay of Construction

- G-7:** Settlement monitoring shall be performed in areas of deeper fill (greater than 50 feet) and in areas where fill is placed over existing fill. Settlement monuments may be recommended in the area of the proposed aquatic center and the west sports fields, depending on the depth of fill to be placed. In addition, settlement monuments may be recommended in fill areas associated with the southern access road (south of the proposed Emergency Services building). For fill settlement monitoring, surface settlement monuments shall be constructed. The grading contractor shall be responsible for the construction and protection of all settlement monuments. The actual location of the settlement monuments

will be determined based upon the grading plans and the conditions encountered during grading.

The settlement monuments shall be accurately surveyed by the civil engineer every two weeks for the first three months and monthly thereafter. The settlement monitoring shall continue until a qualified geotechnical consulting company has determined that the rate of settlement, and the estimated total and differential settlement projected over the design life of the campus improvements are within acceptable limits.

Construction of improvements in the areas where settlement monitoring is being performed shall be delayed until the completion of the monitoring program in the respective areas. It is difficult to accurately predict the length of time that the settlement monitoring program will be required. That period is typically about 3 to 6 months, depending on the depth of fill and the underlying soil conditions.

Natural Slopes and Mud/Debris Flow Potential

G-8: The location and design of debris basins, berms and/or walls, if needed, shall be provided at the grading plan review stage, when the specific location and conditions of the slope areas are determined.

Fill Slopes

G-9: Fill slopes shall be constructed in accordance with the General Earthwork and Grading Specifications (Appendix G of the Preliminary Geotechnical Investigation), following typical canyon clean out and benching. In order to achieve good compaction at the slope face, fill slopes shall be overfilled a minimum of 4 feet and then cut back to compacted material. After cutting back, the final slope shall be rolled with compaction equipment where indicated by the geotechnical engineer. If care is not taken during fill slope construction, additional measures to compact the face of fill slopes will be required to achieve adequate compaction. These may include track walking with heavy equipment, vibratory rolling the slope face, or reconstructing the fill slope.

Subdrains

G-10: Canyon subdrain systems shall be provided for all canyon areas to receive fill. The canyon subdrain systems shall be designed to drain into existing or planned storm drain system improvements if possible. Drainage downstream into existing canyons may also be acceptable under certain conditions. All subdrains shall be constructed in accordance with the standard specifications presented in Appendix G of the Preliminary Geotechnical Investigation prepared by Leighton Consulting, Inc. Subdrain installation shall be anticipated in all canyon areas with fill depths greater than 15 feet.

Slope Protection and Structural Setbacks

- G-11:** Provisions for surface drainage, terrace drains, slope planting and other measures in accordance with regulatory guidelines shall provide adequate protection for areas without severe erosion potential. Drainage shall be directed away from tops of slopes.
- G-12:** Slope protection may be required in areas where a qualified geotechnical company identifies a higher potential for erosion. Erosion potential shall be evaluated further during grading plan review.
- G-13:** Buildings to be built near the top of slopes shall be setback, as a minimum, $H/3$ (H = height of slope) from the face of the footing to the face of the slope, 40 feet maximum. The measurement shall be a horizontal line extending from the lowest point on the footing to the face of the slope. Buildings to be built near the toe of slopes shall be setback, as a minimum, $H/2$ from the face of the structure to the toe of the slope. Walls with descending slopes below shall have deepened footings, such that the bottom edges of footings are a minimum of 7 feet laterally from the face of slopes.

Minimum Embedment and Width

- G-14:** The footings for 1- to 2-story structures shall have a minimum embedment of 18 inches, with a minimum width of 24 and 15 inches for isolated and continuous footings, respectively.

Allowable Bearing

- G-15:** An allowable bearing capacity of 2,000 psf may be used, based on the minimum embedment depth and width. The allowable bearing value may be increased by 300 psf per foot increase in depth or width to a maximum allowable bearing pressure of 4,500 psf. The allowable bearing pressures are for the total dead load and frequently applied live loads. Footing reinforcement shall be designed by the structural engineer.

Increase in Bearing and Friction – Short Duration Loads

- G-16:** The allowable bearing pressure and coefficient of friction values may be increased by one third when considering loads of short duration, such as those imposed by wind and seismic forces.

Settlement Estimates

- G-17:** The recommended allowable bearing capacity is generally based on a total allowable, post construction settlement of 1 inch. Differential settlement due to static loading is estimated at 0.5 inch over a horizontal distance of 30 feet. Since settlement is a function of footing size and contact bearing pressure, differential settlement can be expected between adjacent columns or walls where a large differential loading condition exists. These settlement estimates shall be reevaluated by a qualified geotechnical company when foundation plans and actual loads for the proposed structures become available and when grading plans are available.

Pool House Foundation

- G-18:** The structure shall be founded on a post-tensioned slab foundation, since the building is to be constructed over fill that was placed over compressible native soils. The post-tensioned slab foundation shall be designed by the project structural engineer. Post-tension foundations shall be designed in accordance with Section 1816 of the current edition of the UBC. Assuming the pool house is founded on a post-tension slab foundation, over excavation and recompaction of pool house subgrade shall be performed in accordance with recommendations contained in Section 3.6.4.1.
- G-19:** For preliminary design purposes, differential settlement of the pool house area due to static loading may be assumed to be 2 inches over a horizontal distance of 30 feet. However, these parameters shall be reviewed when grading plans and building loads are further developed for this area.
- G-20:** Exterior footings (thickened edges) shall have a minimum depth of 12 inches below the lowest adjacent soil grade and a minimum width of 12 inches. These footings shall be designed for a maximum allowable bearing pressure of 2,000 pounds per square foot. The allowable bearing capacity shall be increased by one-third for short-term loading.

Slab-On-Grade

- G-21:** Concrete slabs-on-grade subjected to special loads shall be designed by the structural engineer. Where conventional light floor loading conditions exist, the following minimum recommendations, which are based on a low soil expansion potential, shall be used:
- For conventional spread footing foundation systems, a minimum slab thickness of 4 inches (nominal). Reinforcement steel shall be designed by the structural engineer, but as a minimum shall be No. 3 rebar placed at 24 inches on center, each direction, mid-depth in the slab.
 - A moisture barrier consisting of 15-mil Visqueen (or equivalent) shall be placed below slabs where moisture-sensitive floor coverings or equipment is planned. The moisture barrier shall be placed on top of 2 inches of sand and shall be covered with a minimum of 2 inches of sand.
 - The subgrade soil shall be moisture conditioned to at least optimum moisture content to a minimum depth of 12 inches prior to placing the moisture barrier, steel or concrete.
- G-22:** Minor cracking of the concrete as it cures, due to drying and shrinkage, is normal and should be expected. However, cracking is often aggravated by a high water/cement ratio, high concrete temperature at the time of placement, small nominal aggregate size, and rapid moisture loss due to hot, dry, and/or windy weather conditions during placement and curing. Cracking due to temperature and moisture fluctuations can also be expected. Low slump concrete shall be used to reduce the potential for shrinkage cracking. Additionally, the use

of reinforcement in slabs and foundations can generally reduce the potential for concrete cracking.

Moisture barriers can retard, but not eliminate moisture vapor movement from the underlying soils up through the slab. Floor covering manufacturers shall be consulted for specific recommendations.

Seismic Design Parameters

G-23: Seismic parameters presented in the Preliminary Geotechnical Investigation shall be considered during project design. In order to reduce the effects of ground shaking produced by regional seismic events, seismic design shall be performed in accordance with the most recent edition of the California Building Code (CBC). The following seismic design parameters shall be considered for the seismic analysis of the subject site:

- Seismic Source: San Andreas Fault System
- Distance: Approximately 6.5 kilometers
- Seismic Source Type (CBC, Table 16A-U): A
- Seismic Zone Factor, Z (CBC, Table 16A-I): 0.4
- Soil Profile Type (CBC, Table 16A-J): SB /SD
- Near-Source Factor Na (CBC, Table 16A-S): 1.14/1.14
- Near-Source Factor Nv (CBC, Table 16A-T): 1.48/1.48
- Seismic Coefficient Ca (CBC, Table 16Q): 0.46/0.50
- Seismic Coefficient Cv (CBC, Table 16R): 0.59/0.89

Retaining Walls

G-24: Retaining walls shall be backfilled with onsite, very low expansive soil and constructed with a backdrain in accordance with the recommendations provided on Figure 7 of the Preliminary Geotechnical Investigation. Using expansive soil as retaining wall backfill will result in higher lateral earth pressures exerted on the wall. Based on these recommendations, the following parameters shall be used for the design of conventional retaining walls up to 6 feet tall. Wall plans for taller walls shall be reviewed on a case-by-case basis:

- Active Conditions: Level Backfill = 33 pcf/ 2:1 Backfill = 47 pcf
- At-Rest Conditions: Level Backfill = 51 pcf/2:1 Backfill = 73 pcf
- Passive Conditions: Level Backfill = 400 pcf (maximum 3,500 psf)

The above values do not contain an appreciable factor of safety, so the structural engineer shall apply the applicable factors of safety and/or load factors during design. Walls taller than 6 feet shall be evaluated on a case by case basis.

Cantilever walls that are designed to yield at least $0.001H$, where H is equal to the wall height, may be designed using the active condition. Rigid walls and walls braced at the top shall be designed using the at-rest condition.

Passive pressure is used to compute soil resistance to lateral structural movement. In addition, for sliding resistance, a frictional resistance coefficient of 0.40 may be used at the concrete and soil interface. The lateral passive resistance shall be taken into account only if it is ensured that the soil providing passive resistance, embedded against the foundation elements, will remain intact with time.

In addition to the above lateral forces due to retained earth, surcharge due to improvements, such as an adjacent structure or traffic loading, shall be considered in the design of the retaining wall. Loads applied within a 1:1 projection from the surcharging structure on the stem of the wall shall be considered in the design.

Depending on the rigidity of the wall, the structural engineer may consider the dynamic lateral earth pressure resulting from earthquakes. The following recommendations are for retaining walls 12 feet or more in height. The additional earth pressure that is applied to an unrestrained wall or fixed wall (i.e., basement), resulting from an earthquake, is estimated to be on the order of 18 psf and 27 psf, per foot of depth, respectively. This assumes a relatively level backfill. The distribution of lateral earth pressure shall be an inverted triangle. The resultant force shall be applied at a point of 0.6 times the height of the wall measuring from the bottom of the wall.

A soil unit weight of 120 pcf may be assumed for calculating the actual weight of the soil over the wall footing.

Retaining wall footings shall have a minimum width of 24 inches and a minimum embedment of 12 inches below the lowest adjacent grade. An allowable bearing capacity of 4,000 psf may be used for retaining wall footing design, based on the minimum footing width and depth. This bearing value may be increased by 300 psf per foot increase in width or depth to a maximum allowable bearing pressure of 5,500 psf. Retaining wall footings shall be deepened, where necessary, so that the bottom edge of the footing is a minimum of 7 feet laterally from the slope face.

Cement Type and Corrosion Protection

G-25: Common Type II cement shall be used for concrete construction onsite and the concrete shall be designed in accordance with Table 19-A-4 of the California Building Code.

G-26: The onsite soil is considered moderately corrosive to ferrous metals. The corrosion information presented in the Preliminary Geotechnical Report shall be provided to the utility subcontractors.

Aquatic Center Pool

G-27: A cut/fill transition zone underlying the pool shall be avoided; therefore, the pool shall be supported solely by properly compacted fill (see Mitigation Measure G-3). Alternatively, the pool location may be shifted west such that the pool is founded solely on competent bedrock. A qualified geotechnical company shall observe the pool excavation to confirm the soil conditions. The Aquatic Center swimming pool shall be designed assuming a medium Expansion Index to mitigate transitional underlying bedrock/soil strata. Any foundations required in the design shall be designed using the allowable bearing pressure as described in Section 3.6.4.4, Foundations.

The areas around swimming pools shall be constructed with an area drain system to collect surface water and direct it away from improvements to an appropriate drainage structure or area.

Pavement Design

G-28: Based on the design procedures outlined in the current Caltrans Highway Design Manual and an R-value of 50 for subgrade, flexible pavement sections may consist of the following for the Traffic Indices indicated:

- Traffic Index 6 or less (auto access): Asphaltic Concrete Thickness 0.25 feet/Class 2 Aggregate Base thickness 0.35 feet
- Traffic Index 7 (buses): Asphaltic Concrete Thickness 0.30 feet/Class 2 Aggregate Base thickness 0.40 feet

If asphalt pavement is to be constructed prior to construction of buildings, the full pavement thickness shall be placed to support heavy construction traffic.

G-29: For trash enclosure areas and areas frequently subjected to heavy truck traffic, 8 inches of Portland Cement Concrete (P.C.C.) shall be used. The P.C.C. pavement sections shall be provided with appropriate steel reinforcement and crack-control joints as designed by the project structural engineer. Crack-control joints shall be spaced no more than 12 feet on center each way. If sawcuts are used, they shall be a minimum depth of $\frac{1}{4}$ of the slab thickness and made within 24 hours of concrete placement. Sections shall be as nearly square as possible.

G-30: All pavement construction shall be performed in accordance with the Standard Specifications for Public Works Construction. Field observations and periodic testing, as needed during placement of the base course materials, shall be undertaken to ensure

that the requirements of the standard specifications are fulfilled. Prior to placement of aggregate base, the subgrade soil shall be processed to a minimum depth of 6 inches, moisture-conditioned, as necessary, and recomacted to a minimum of 90 percent relative compaction. Aggregate base shall be moisture conditioned, as necessary, and compacted to a minimum of 95 percent relative compaction.

Temporary Excavations

- G-31:** All temporary excavations, including utility trenches, retaining wall excavations and other excavations shall be performed in accordance with project plans, specifications and all OSHA requirements, and the current edition of the California Construction Safety Orders (2003 or more current).
- G-32:** No surcharge loads shall be permitted within a horizontal distance equal to the height of cut or 5 feet, whichever is greater from the top of the slope, unless the cut is shored appropriately. Excavations that extend below an imaginary plane inclined at 45 degrees below the edge of any adjacent existing site foundation shall be properly shored to maintain support of the adjacent structures.
- G-33:** Typical cantilever shoring shall be designed based on the active fluid pressure presented in the retaining wall section. If excavations are braced at the top and at specific design intervals, the active pressure shall then be approximated by a rectangular soil pressure distribution with the pressure per foot of width equal to $22H$, where H is equal to the depth of the excavation being shored.
- G-34:** During construction, the soil conditions shall be regularly evaluated to verify that conditions are as anticipated. The contractor shall be responsible for providing the "competent person" required by OSHA, standards to evaluate soil conditions. Close coordination between the competent person and a qualified geotechnical consulting company shall be maintained to facilitate construction while providing safe excavations.

Trench Backfill

- G-35:** Utility trenches onsite shall be backfilled with the onsite material, provided it is free of debris, significant organic material and oversized material. Prior to backfilling the trench, pipes shall be bedded and shaded in a granular material that has a sand equivalent of 30 or greater. The sand shall extend 12 inches above the top of the pipe. This bedding/shading sand shall be densified in-place by jetting. The native backfill shall be placed in loose layers, moisture conditioned, as necessary, and mechanically compacted using a minimum standard of 90 percent relative compaction. The thickness of layers shall be based on the compaction equipment used in accordance with the Standard Specifications for Public Works Construction.

Surface Drainage

G-36: Surface drainage shall be designed to be directed away from foundations and toward approved drainage devices. Irrigation of landscaping shall be controlled to maintain, as much as possible, a consistent moisture content sufficient to provide healthy plant growth without overwatering.

Additional Geotechnical Investigation

G-37 A qualified geotechnical firm shall review the site and grading plans for each project as the Master Plan is implemented when they are available, and comment further on the geotechnical aspects of the project. Geotechnical observation and testing shall be conducted during excavation and all phases of grading operations. The conclusions and recommendations/mitigation measures in the Preliminary Geotechnical Investigation shall be reviewed and verified by a qualified geotechnical firm during construction and revised accordingly if geotechnical conditions encountered vary from the findings and interpretations of the preliminary investigation.

Geotechnical observation and testing shall be provided:

- After completion of site clearing.
- During over excavation of compressible soil.
- During compaction of all fill materials.
- After excavation of all footings and prior to placement of concrete.
- During utility trench backfilling and compaction.
- During pavement subgrade and base preparation.
- When any unusual conditions are encountered.

Mitigation Measure G-38 was identified in the SEIR to reduce project impacts to a less than significant level. This mitigation measure, as applicable, was implemented for the construction and grading associated with the Crafton Center, Occupational Education 2, Physical Education/Athletics Complex, Science Building, and associated site improvements. This mitigation measure was not repeated here as it pertained predominantly to the construction and grading of the facilities mentioned above and is incorporated by reference.

G-38: Construction and site grading for the Crafton Center, Occupational Education 2, Physical Education/Athletics Complex, Science Building, and associated site improvements shall be performed per the recommendations in the building-specific Geotechnical Investigations prepared by Leighton Consulting, Inc. dated, June 15, 2012, June 15, 2012, July 18, 2012 (including Addendums 1-3) and August 30, 2012, respectively.

3.7.3 Discussion

Updates to the CHC 2017 Master Plan involve the relocation and reconfiguration of previously proposed buildings. The Proposed Project would relocate the PAC to replace the existing gym. The new PAC would decrease in GSF but would maintain the same ASF as proposed in the 2017 Master Plan. The existing PAC would be demolished, and a new Instructional Building would be constructed in its place. The Instructional Building would be the square footage as the original proposed building. The Arts Building and East Complexes 1 and 2 would be demolished and replaced with quad open space. The quad would serve as a potential future building site.

The proposed construction and renovation projects would occur within the existing CHC campus. The proposed CHC construction and renovations would be of similar architectural style and scale as existing buildings on the CHC campus. No expansion of the campus area is proposed. As such, impacts related to seismic groundshaking, grading, and erosion would not be different than what was previously analyzed in the 2019 Addendum EIR, PEIR and SEIR. Impacts would be less than significant with the implementation of Mitigation Measures G-1 through G-38, as applicable.

Because no significant geology and soil impacts associated with the Master Plan Update were identified, no new mitigation measures are required. Mitigation measures identified in the previously certified PEIR for the CHC Master Plan and SEIR for the Master Plan Update (2011) would not change.

The evaluation of impacts to paleontological resources was moved from the Cultural Resources section to the Geology section of the Initial Study checklist in 2019, and is, therefore, discussed here. Paleontological impacts would remain the same as discussed in the 2019 Addendum EIR, PEIR and SEIR. Impacts to paleontological resources associated with the Proposed Project would remain less than significant with the implementation of the previously adopted mitigation measure CR-2.

CR-2: A qualified vertebrate paleontologist will develop a mitigation program for paleontologic resources and the program will be implemented. This program will consist of:

1. Monitoring by a qualified paleontological monitor when previously undisturbed Pleistocene alluvial sediments are excavated, graded, or otherwise disturbed. The monitor will be equipped to recover fossils and sediment samples during excavation but will have the power to temporarily halt or divert equipment to allow for recovery of large or numerous fossils.
2. Preparation of recovered specimens to a point of identification and preservation. This includes washing of sediments to recover small invertebrate and vertebrate fossils.
3. Identification of the specimens and curation of all specimens into an established accredited museum repository with permanent retrievable paleontologic storage. Preparation of the mitigation program plan should include obtaining a signed

curation agreement with the museum repository prior to initiation of mitigation activities.

4. Preparation of a report of findings with an appended itemized inventory of identified specimens. The report and inventory shall be submitted to the San Bernardino Community College District and the museum repository. When the San Bernardino Community College District receives the report, inventory, and verification of acceptance of the specimens by the museum repository, mitigation will be complete.

3.8 Greenhouse Gas Emissions

The CEQA Guidelines were amended in 2010 to include Section 15064.4 which requires the analysis of greenhouse gas (GHG) emissions. As such, greenhouse gas impact analysis was not included in the 2006 PEIR, but was analyzed in the 2013 SEIR and 2019 Addendum EIR.

3.8.1 Environmental Setting

Greenhouse gas emissions are released as byproducts of fossil fuel combustion, waste disposal, energy use, land use changes, and other human activities. This release of gases, such as CO₂, methane (CH₄), nitrous oxide (N₂O), and chlorofluorocarbons, creates a blanket around the earth that allows light to pass through, but traps heat at the surface, preventing its escape into space. While this is a naturally occurring process known as the greenhouse effect, human activities have accelerated the generation of GHGs beyond natural levels. The overabundance of GHGs in the atmosphere has led to an unexpected warming of the earth and has the potential to severely impact the earth's climate system.

Each GHG differs in its ability to absorb heat in the atmosphere based on the lifetime, or persistence, of the gas molecule in the atmosphere. CH₄ traps over 25 times more heat per molecule than CO₂, and N₂O absorbs 298 times more heat per molecule than CO₂. Often, estimates of GHG emissions are presented in carbon dioxide equivalents (CO₂e). Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted.

3.8.2 Prior Environmental Review

3.8.2.1 Previous Environmental Analysis

The greenhouse gas impacts associated with the CHC Master Plan Update (2011), as amended, were evaluated in the following document:

- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.8.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR and SEIR did not identify any significant project impacts as a result of greenhouse gas emissions.

3.8.2.3 Previously Identified Mitigation Measures

No significant impacts were identified; therefore, no mitigation measures were required.

3.8.3 Discussion

Construction and Operation. Updates to the CHC 2017 Master Plan involve the relocation and reconfiguration of previously proposed buildings. The Proposed Project would relocate the PAC to replace the existing gym. The new PAC would decrease in GSF but would maintain the same ASF as proposed in the 2017 Master Plan. The existing PAC would be demolished, and a new Instructional Building would be constructed in its place. The Instructional Building would be the square footage as the original proposed building. The Arts Building and East Complexes 1 and 2 would be demolished and replaced with quad open space. The quad would serve as a potential future building site.

The proposed construction and renovation projects would occur within the existing CHC campus. The proposed CHC construction and renovations would be of similar architectural style and scale as existing buildings on the CHC campus. No expansion of the campus area is proposed. Based on enrollment trends and academic needs identified in the 2017 Master Plan Update, total building area and parking demand are expected to remain the same.

As analyzed in the SEIR, the CHC Master Plan Update would not result in greenhouse gas emissions either directly or indirectly that would result in a significant impact on the environment. Because the proposed Master Plan Update would involve the same total building area and enrollment as what was analyzed in the 2019 Addendum EIR, impacts associated with construction and operation of the Proposed Project would be less than significant.

3.9 Hazards and Hazardous Materials

3.9.1 Environmental Setting

Hazards and hazardous materials found at the CHC campus are the same as those identified in the 2019 Addendum EIR, PEIR and SEIR. Existing buildings identified for demolition or renovation have the potential to contain hazardous materials, such as asbestos, lead-based paints, thermostats with mercury capsules, and others.

3.9.2 Prior Environmental Review

3.9.2.1 Previous Environmental Analysis

Hazards and hazardous materials impacts associated with the CHC Master Plan and Master Plan Update (2011), as amended, were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2006); and*
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.9.2.2 Previously Identified Significant Project Impacts

Potential impacts involve the presence of building hazards, such as asbestos and lead-based paint, in buildings identified for renovation. Additionally, underground storage tanks and the wash rack at the Maintenance & Operations facility were of concern. The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts as a result of hazards and hazardous materials associated with the CHC Master Plan and Master Plan Update (2011), as amended, with the incorporation of the proposed mitigation measures.

3.9.2.3 Previously Identified Mitigation Measures

The following mitigation measures were identified in the PEIR to reduce project impacts to less than significant:

- HAZ-1:** All asbestos disturbance and/or removal operations shall be conducted by a California Occupational Safety and Health Administration (Cal/OSHA) registered and State licensed asbestos removal contractor. All disturbance and/or abatement operations shall be under the direction of a California Certified Asbestos Consultant. At no time shall identified or suspect asbestos-containing materials be drilled, cut, sanded, scraped, or otherwise disturbed by untrained personnel.
- HAZ-2:** All construction activities that may affect asbestos-containing materials shall be conducted in accordance with Title 8 of the California Code of Regulations, Section 1529.
- HAZ-3:** For all abatement activities that will involve the removal of 100 square feet or more of identified asbestos-containing materials, notification shall be made to the South Coast Air Quality Management District in accordance to SCAQMD Rule 1403 and to Cal/OSHA. Notification to both entities shall occur 10 working days prior to the initiation of such activities.
- HAZ-4:** Notification to employees and contractors working within the building shall be made in accordance with the California Health and Safety Code Section 25915 et seq. and Proposition 65.
- HAZ-5:** All demolition involving potential and identified lead-containing surfaces shall be conducted in accordance with 8 CCR 1532.1 and 29 CFR 1926.62. In addition, all

activities involving identified lead-based paints shall be conducted in accordance with 17 CCR, Division 1, Chapter 8, Sections 35001 through 36100.

- HAZ-6:** Any welding, cutting, or heating of interior metal surfaces containing lead surface coating shall be conducted in accordance with 29 CFR 1926.354.
- HAZ-7:** Proper waste characterization and disposal of lead contaminated debris shall be conducted in accordance with Title 22 of the California Code of Regulations and the California Health and Safety Code.
- HAZ-8:** All identified and potential PCB-containing light fixture ballasts shall be handled, collected, transported, and disposed in accordance with the requirements of 22 CCR 67426.1.
- HAZ-9:** All fluorescent light tubes, mercury containing thermostat switch capsules, batteries, and other Universal Waste Rule components shall be handled in accordance with 22 CCR 66273.
- HAZ-10:** All identified and potential refrigerants shall be captured and recycled in accordance with requirements of the South Coast Air Quality Management District and the California Air Resources Board.
- HAZ-11:** Prior to demolition or construction activities in existing buildings, a follow-up inspection shall be performed to identify and sample potential environmental hazards located beneath finishes and/or enclosed in wall voids, pipe chases, etc.
- HAZ-12:** A file review shall be conducted at the San Bernardino County Fire Department to evaluate whether all of the USTs have been removed. If USTs remain on the site, it shall either be avoided or removed according to San Bernardino County requirements.
- HAZ-13:** Prior to ground disturbing activities at the Maintenance Facility, the soils at the base of the wash rack drain pipe should be evaluated for the presence of total petroleum hydrocarbons, volatile organic compounds, semi-volatile organic compounds, CAM 17 metals, pesticides, herbicides, fungicides, and insecticides. If soil removal or other remediation is required, it shall be conducted according to San Bernardino County requirements.

3.9.3 Discussion

Updates to the CHC 2017 Master Plan involve the relocation and reconfiguration of previously proposed buildings. The Proposed Project would relocate the PAC to replace the existing gym. The new PAC would decrease in GSF but would maintain the same ASF as proposed in the 2017 Master Plan. The existing PAC would be demolished, and a new Instructional Building would be constructed in its place. The Instructional Building would be the square footage as the original proposed building. The Arts Building and East Complexes 1 and 2 would be demolished and replaced with quad open space. The quad would serve as a potential future building site.

The proposed construction and renovation projects would occur within the existing CHC campus. The proposed CHC construction and renovations would be of similar architectural style and scale as existing buildings on the CHC campus. No expansion of the campus area is proposed.

According to the Department of Toxic Substances Control (DTSC) EnviroStor database, there are no hazardous materials sites located on the CHC campus (DTSC 2020). Because no significant hazards and hazardous materials impacts associated with the Proposed Project were identified, no new mitigation measures are required. Mitigation measures identified in the previously certified PEIR for the CHC Master Plan and SEIR for the CHC Master Plan Update (2011) would not change.

3.10 Hydrology and Water Quality

3.10.1 Environmental Setting

The hydrology and drainage setting of the CHC campus has not substantially changed since the SEIR was completed in 2013. Several permits were acquired for previous grading and building projects (the Kinesiology, Health Education & Aquatics Complex and the extension of Emerald View Drive) to comply with regulations related to hydrology and water quality from agencies including the Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), and CDFW. A National Pollution Discharge Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity in compliance with Section 402 of the Clean Water Act was acquired and a Storm Water Pollution Prevention Plan (SWPPP) has been implemented per Mitigation Measure H-1 of the PEIR. A Water Quality Standards Certification from the RWQCB was acquired in compliance with Mitigation Measure H-2 of the PEIR. A Section 404 Nationwide Permit from the U.S. Army Corps of Engineers to avoid impacts and to mitigate losses of jurisdictional waters due to impacts from Master Plan projects was acquired per Mitigation Measure H-3 of the PEIR. Furthermore, a Fish and Game Code Section 1602 Streambed Alteration Agreement was acquired per Mitigation Measure B-4 of the PEIR.

Since certification of the PEIR and SEIR, the Library building has been demolished, the Performance Arts Center has been expanded, a solar farm has been built, the Learning Resource Center and the Community Recreational Facility/Aquatic Center have been built, and several campus wide infrastructure upgrades, including the extension of Emerald View Drive, have been completed.

3.10.2 Prior Environmental Review

3.10.2.1 Previous Environmental Analysis

Hydrology and water quality impacts associated with the CHC Master Plan and 2011 Master Plan Update were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080)* (SBCCD 2006); and

- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.10.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant project impacts on hydrology and water quality resources associated with the CHC Master Plan, with the incorporation of the proposed mitigation measures. It is not anticipated that any of the remaining building projects in the Master Plan require permits from the USACE, RWQCB and/or CDFW.

3.10.2.3 Previously Identified Mitigation Measures

The following mitigation measures were identified in the PEIR to reduce project impacts to less than significant:

- H-1:** Prior to ground disturbing activities related to grading in Packages 1, 3, and 7, or any activity affecting federal or state waters, the SBCCD shall submit for approval to the State Water Resources Control Board, a Notice of Intent (NOI) to be covered under a National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) in compliance with Section 402 of the Clean Water Act. As part of the General Permit, the SBCCD shall prepare a Storm Water Pollution Prevention Plan (SWPPP) which will: (1) require implementation of Best Management Practices (BMPs) so as to prevent a net increase in sediment load in stormwater discharges relative to preconstruction levels; (2) prohibit discharges of stormwater or non-stormwater at levels which would cause or contribute to an exceedance of any applicable water quality standard contained in the regional basin plan; (3) discuss in detail the BMPs for the project related to control of sediment and erosion, non-sediment pollutants, and potential pollutants in non-stormwater discharges; (4) describe post-construction BMPs for the project; (5) explain the monitoring and maintenance program for the project's BMPs; (6) require reporting of violations to the RWQCB; and (7) list the parties responsible for SWPPP implementation and BMP maintenance both during and after construction. Upon acceptance of the NOI by the State Board, the SBCCD shall implement the SWPPP and will modify the SWPPP as directed by the Storm Water Permit.
- H-2:** Prior to ground disturbing activities related to grading in Packages 1, 3, and 7, or any activity affecting federal or state waters, the SBCCD shall obtain a Section 401 Water Quality Standards Certification from the RWQCB. This certification process involves development and implementation of BMPs to avoid or reduce impacts to water quality standards during and after construction. BMPs could include, but not be limited to grassy swales, various types of detention features or basins, grass buffers, constructed wetland

basins or channels, retention ponds, and spill containment and control features. BMPs shall be incorporated into project design as required by RWQCB.

- H-3:** Prior to ground disturbing activities related to grading in Package 1, Package 3, and Package 7, or any activity affecting federal waters, the SBCCD shall obtain a Section 404 Nationwide Permit from the U.S. Army Corps of Engineers to avoid impacts to or to mitigate for any loss of jurisdictional waters as a result of the project. All requirements of the permit shall be followed before, during, and after construction.

3.10.3 Discussion

Hydrology and water quality impacts from the Proposed Project would be a result of grading activities associated with construction activities and new building development. Grading activities can result in construction-related erosion and sedimentation, increased stormwater runoff and flow rates, altered drainage patterns, project related (post construction) erosion, and water quality issues. Mass grading for the majority of the Master Plan projects and infrastructure improvements have already occurred. As a result, impacts to jurisdictional waters that require permits from the USACE, RWQCB, and CDFW have occurred and have been mitigated to a less than significant level with the implementation of Mitigation Measures H-1, H-2, and H-3.

The Proposed Project includes the construction of two new buildings in the same general footprint of existing buildings that would be demolished. These improvements would not require extensive grading or earthmoving not considered in the previous documents. Impacts to hydrology and water quality would be less than significant.

3.11 Land Use and Planning

3.11.1 Environmental Setting

Land uses surrounding the CHC campus include steep, undeveloped Crafton Hills to the north, northeast, and northwest; Sand Canyon Road and single-family residential developments to the southwest; Sand Canyon Road, Chapman Heights Road, and undeveloped commercial properties to the south; Yucaipa High School to the southeast, and single-family residential to the east.

Surrounding land use designations include Rural Living (RL) to the north (San Bernardino County General Plan), General Commercial (CG), Single-Residential (RS) to the south (City of Yucaipa General Plan), Planned Development (PD) to the east (City of Yucaipa General Plan), and PD, RS, and RL to the west of the college (San Bernardino County and City of Yucaipa General Plan). The County areas north and northwest of CHC are also within the City of Redlands' sphere of influence; the City has designated these areas as Very Low Density Residential.

3.11.2 Prior Environmental Review

3.11.2.1 Previous Environmental Analysis

Land use and planning impacts associated with the CHC Master Plan and 2011 Master Plan Update were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2006); and*
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.11.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify significant project impacts on land use and planning.

3.11.2.3 Previously Identified Mitigation Measures

No significant impacts were identified; therefore, no mitigation measures were required.

3.11.3 Discussion

With the Proposed Project, educational and related facilities proposed in the 2017 Master Plan would be relocated and reconfigured on the CHC campus. All of the development would take place within CHC's existing campus boundary. The additional development proposed with the Proposed Project would maintain the existing undeveloped buffer between Sand Canyon Road and the fire access road as well as the undeveloped buffer to the north and east of the main campus. Because these buffers would remain in place, there is little potential for incompatibility with existing and allowed off-campus uses. The development proposed with the Proposed Project is consistent with the campus' existing City of Yucaipa General Plan designation.

3.12 Noise

3.12.1 Environmental Setting

3.12.2 Prior Environmental Review

The main noise source for the campus is traffic noise. Existing noise levels on and near the campus are low, reflecting the campus' setting in the Crafton Hills, buffered by undeveloped areas.

3.12.2.1 Previous Environmental Analysis

Noise impacts associated with the CHC Master Plan and 2011 Master Plan Update were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080)* (SBCCD 2006); and
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080)* (SBCCD 2013)
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update* (SBCCD 2019)

3.12.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant noise impacts.

3.12.2.3 Previously Identified Mitigation Measures

There were no mitigation measures identified in the 2019 Addendum EIR, PEIR and SEIR because impacts were considered less than significant.

3.12.3 Discussion

Noise impacts from construction and operation of the new campus facilities would be similar to the impacts identified in the 2019 Addendum EIR (less than the impacts analyzed in the PEIR and SEIR). Construction noise from heavy equipment would be similar to that analyzed when construction is occurring. It is anticipated that, because the total building area would be less than that analyzed in the PEIR and SEIR, construction could be completed in a shorter time frame. Overall, enrollment is expected to be the same as identified in the 2019 Addendum EIR, resulting in similar traffic and its associated noise on local streets.

3.13 Public Services

3.13.1 Environmental Setting

Fire protection is provided to the City of Yucaipa, including the CHC campus, through a contractual agreement with the California Department of Forestry. Police protection is provided by the San Bernardino County Sheriffs Department. School services in Yucaipa are provided by the Yucaipa-Calimesa Joint Unified School District.

3.13.2 Prior Environmental Review

3.13.2.1 Previous Environmental Analysis

Public services impacts associated with the CHC Master Plan and 2011 Master Plan Update were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2006); and*
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.13.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant impacts to public services.

3.13.2.3 Previously Identified Mitigation Measures

There were no significant impacts identified. Therefore, no mitigation measures were adopted for public services.

3.13.3 Discussion

The Proposed Project would include the relocation and reconfiguration of new buildings and facilities and infrastructure upgrades proposed in the 2017 Master Plan. All of these activities would occur within the existing campus footprint and would not interfere with public services. Additionally, the Proposed Project would have less total building area and lower enrollment than the previous Master Plan, further reducing the potential burden on public services.

3.14 Transportation

3.14.1 Environmental Setting

The traffic and parking conditions for the SBVC Master Plan have changed since the completion of the PEIR and SEIR. The proposed Master Plan Update reevaluated enrollment projections and facilities in light of enrollment demand and parking compared to the PEIR and SEIR. The Master Plan Update would involve a reduction of building square footage, enrollment, and parking. A parking assessment and a traffic study were prepared for the PEIR and SEIR. Additionally, a trip generation and parking assessment memo was prepared for the 2019 Addendum EIR for the Master Plan Update (Fehr and Peers 2019). The results of these studies are summarized below.

3.14.2 Prior Environmental Review

3.14.2.1 Previous Environmental Analysis

Transportation impacts associated with the CHC Master Plan and 2011 Master Plan Update were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2006); and*

- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*
- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update (SBCCD 2019)*

3.14.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant impacts to traffic and parking after implementation of mitigation measures.

3.14.2.3 Previously Identified Mitigation Measures

The following mitigation measures were identified in the PEIR to reduce project impacts to less than significant:

- T-1:** Prior to the commencement of construction activities in Sand Canyon Road, a Traffic Control Plan shall be prepared and approved by the City of Yucaipa. The Traffic Control Plan shall include measures to ensure emergency access at all times to the CHC campus and other properties on Sand Canyon Road. Prior to the commencement of construction on Master Plan projects located on-campus that require closure of lanes on Campus Drive or other roads, a Traffic Control Plan shall be prepared and approved by SBCCD. The Traffic Control Plan shall include measures to ensure emergency access at all times to campus buildings during construction.
- T-2:** The SBCCD shall pay the fair share of the proposed Master Plan’s contribution to intersection deficiencies for the 2012 and 2025 phases of the project. To determine the Master Plan’s contribution to study area intersection deficiencies, the SBCCD shall establish a traffic monitoring program to monitor traffic at the intersections of Sand Canyon Road and Campus Drive West and Sand Canyon Road and Campus Drive East every 5 years. Every 5 years, development projects and ambient growth rates shall be updated and combined with the traffic monitoring data to determine the actual LOS at study area intersections, and the Master Plan’s actual contribution to study area intersection deficiencies. When and if intersection deficiencies are determined, the SBCCD shall pay the project’s fair share of the required improvement to the City of Yucaipa.

3.14.3 Discussion

PEIR Trip Generation Assessment. The PEIR trip generation estimate was based on the projected increase in the number of enrolled students more than the 2005 existing enrollment of 5,400 students. The number of enrolled students during year 2025 was estimated to increase by 6,070. This increase in enrollment resulted in an increase in trip generation and transportation impacts at the following intersections:

- Sand Canyon Road and Campus Drive West
- 16th Street and Yucaipa Boulevard

- Yucaipa Boulevard and I-10 Westbound Ramps
- Crafton Avenue and Sand Canyon Road
- Sand Canyon Road and Chapman Heights Road
- Yucaipa Boulevard and I-10 Eastbound ramps

Impacts to these intersections were determined to be less than significant after mitigation.

Traffic impacts would be similar to those analyzed in the 2019 Addendum EIR because the changes in location of the PAC and Instructional Building would not affect enrollment. The 2017 Master Plan has a projected enrollment of 7,417 students, a decrease of 4,053 students from the PEIR enrollment projection. The decrease in project enrollment would result in a decrease in the trip generation as compared to the PEIR. The decrease in trip generation would result in the same or fewer transportation impacts than the enrollment projection studied as part of the PEIR.

Parking Supply Assessment. The campus currently supplies 1,737 total parking spaces, including:

- 1,937 student spaces
- 290 staff spaces
- 130 other spaces (handicap, reserved, loading)

With a current enrollment of approximately 6,260 students, the campus has a parking supply ratio of 0.38 spaces per student. A Crafton Hills College Parking Analysis memorandum was prepared in February 2012, which documented a peak parking demand ratio of 0.19 spaces per student (Fehr & Peers 2012). With a 15 percent circulation and turnover factor, the peak parking demand ratio is 0.22 spaces per student. The existing parking supply this demand.

It is recommended that the campus parking supply sufficiently meet the documented peak parking demand ratio a 15 percent circulation and turnover factor, which is 0.22 spaces per student. The 2017 Master Plan proposes to provide 1,817 parking spaces for the proposed enrollment of 7,417 students. This would result in a parking supply ratio of 0.24 spaces per student. With implementation of the Proposed Project, parking would remain the same or slightly increase compared to the 2017 Master Plan. This would exceed the documented peak parking demand of 0.22 spaces per student and is determined to be an adequate supply of parking for master plan buildout.

3.15 Tribal Cultural Resources

3.15.1 *Environmental Setting*

Ethnographic accounts of Native Americans indicate that the Yucaipa area lies predominantly within the original territory of the Cahuilla while the Serrano occupied the area immediately to the north in the San Bernardino Mountains. The Cahuilla had a Uto-Aztecan language and their

ancestors probably originated in the Great Basin. The Cahuilla occupied a territory ranging from the San Bernardino Mountains in the north to the Chocolate Mountains and Borrego Springs in the south, and from the Colorado Desert in the east to Palomar Mountain in the west. They engaged in trade, marriage, shared rituals, and war with other groups of Native Americans whose territories they overlapped, primarily the Serrano and Gabrielino (SBCCD 2006). The records search and field survey for the PEIR determined that the campus has a low potential for prehistoric resources. Field survey of the campus for the PEIR identified one historic-period archaeological site (a trash scatter near Sand Canyon Road). No prehistoric sites were identified.

3.15.2 Prior Environmental Review

3.15.2.1 Previous Environmental Analysis

As described above, the records search and field survey for the PEIR determined that the campus has a low potential for prehistoric resources, and no prehistoric resources were identified during the field survey.

Tribal Cultural Resources as a separate section were not evaluated in the PEIR and SEIR. As a result of Assembly Bill (AB) 52, the Tribal Cultural Resources section was added to the CEQA Guidelines after the PEIR and SEIR were certified. AB 52 also required consultation with California Native American tribes for EIRs with Notices of Preparation published after July 1, 2015. The Notice of Preparation for the PEIR and SEIR were published before July 1, 2015; therefore, consultation in compliance with the procedures of AB 52 was not conducted for the PEIR and SEIR. The Addendum process does not require publication of a Notice of Preparation; therefore, the AB 52 process is not triggered with an Addendum EIR. However, the potential for presence of Tribal Cultural Resources was evaluated in the 2019 Addendum EIR as summarized below.

3.15.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant impacts to cultural resources with the incorporation of mitigation measures.

3.15.2.3 Previously Identified Mitigation Measures

Mitigation measures that were identified in the PEIR to reduce project impacts to less than significant are listed below. Please note that CR-1 originally required submittal of a data recovery report to the San Bernardino Information Center. Since the publication of the PEIR and SEIR, this information center has been consolidated with the South-Central Coastal Information Center at California State University, Fullerton. Mitigation Measure CR-1 has been updated to reflect the new information center location.

CR-1: In the event that archaeological materials are encountered during ground-disturbing construction activities, these activities must be suspended in the vicinity of the find until the deposits are recorded and evaluated by a qualified archaeologist. If evaluated as eligible and determined eligible by the San Bernardino Community College District, the archaeological site must be avoided and preserved. If this is not feasible, an

archaeological data recovery program shall be completed. The data recovery report will be submitted to the San Bernardino Community College District and filed with the South-Central Coastal Information Center at California State University Fullerton.

If human remains of any kind are found during construction activities, all activities must cease immediately and the San Bernardino County Coroner must be notified, as required by state law (Section 7050.5 of the Health and Safety Code). If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendant(s) (MLD) to be consulted regarding treatment and/or reburial of the remains (Section 5097.98 of the Public Resources Code). Work can continue once the MLD's recommendations have been implemented or the remains have been reburied by the landowner if no agreement can be reached with the MLD (Section 5097.98 of the Public Resources Code).

3.15.3 Discussion

Based on enrollment trends and academic needs identified in the 2017 Master Plan Update, total building area and enrollment are expected to remain the same with implementation of the Proposed Project. All construction, demolition, and renovations would be located within the existing CHC campus. No expansion of the campus area is proposed. The proposed Master Plan Update has low potential to impact Tribal Cultural Resources during project construction. With the implementation of mitigation measures identified in the PEIR and SEIR for cultural resources, impacts to tribal cultural resources would be less than significant.

3.16 Utilities and Service Systems

3.16.1 Environmental Setting

Water and sewer service are provided to CHC by the City of Redlands Municipal Utilities Department. Solid waste is currently hauled to the San Timoteo Sanitary Landfill. Electrical services is provided by SCE and natural gas service is provided by the Southern California Gas Company.

3.16.2 Prior Environmental Review

3.16.2.1 Previous Environmental Analysis

Utilities impacts associated with the CHC Master Plan and 2011 Master Plan Update were evaluated in the following documents:

- *Crafton Hills College Master Plan Final Program Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2006); and*
- *Crafton Hills College Master Plan Update Final Supplemental Environmental Impact Report (State Clearinghouse 2006011080) (SBCCD 2013)*

- *Environmental Impact Report Addendum – Crafton Hills College Master Plan Update* (SBCCD 2019)

3.16.2.2 Previously Identified Significant Project Impacts

Impacts could occur to environmental resources, including air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and hydrology and water quality, from extension of utilities infrastructure to new buildings on the campus. The 2019 Addendum EIR, PEIR and SEIR did not identify significant impacts to utilities with the incorporation of mitigation measures.

3.16.2.3 Previously Identified Mitigation Measures

With the implementation of mitigation measures provided in the PEIR and SEIR, and listed in this Addendum EIR, for other environmental resources, impacts from extension of utilities to new buildings would be less than significant.

3.16.3 Discussion

The 2019 Addendum EIR, PEIR and SEIR determined that utility providers had sufficient capacity to accommodate the Master Plan buildout. The Proposed Project would have similar building area as the 2017 Master Plan. Therefore, the Proposed Project would have a less than significant impact.

3.17 Wildfire

3.17.1 Environmental Setting

Government Code 51175-89 directs the California Department of Forestry and Fire Protection (CALFIRE) to identify areas of very high fire hazard severity zones within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of potential fuels over a 30 to 50-year time horizon and their associated expected fire behavior, and expected burn probabilities to quantify the likelihood and nature of vegetation fire exposure to buildings.

According to the Department of Forestry and Fire Protection (CAL FIRE) the CHC campus is located within a State or Local Responsibility area designated as a Fire Hazard Severity Zone (CALFIRE 2007; 2008). The campus is also located in the City of Yucaipa's Fire Safety Overlay District.

3.17.2 Prior Environmental Review

3.17.2.1 Previous Environmental Analysis

Wildfire impacts were not evaluated separately in the previous environmental documents. The wildfire section was added as part of the 2019 amendments to the CEQA Guidelines. The 2019 Addendum EIR analyzed impacts associated with wildfire.

The PEIR and SEIR determined that the impacts related to wildfire would be less than significant. This is because the Master Plan includes a 100-foot fuel modification zone surrounding the current and proposed campus development. Additionally, the Master Plan includes upgrades to the campus water distribution system at several locations and 17 new fire hydrants providing improved fire flow and hydrant access. Finally, construction of the loop road around the southern portion of the campus allowed improved emergency access to that portion of the campus.

3.17.2.2 Previously Identified Significant Project Impacts

The 2019 Addendum EIR, PEIR and SEIR did not identify any significant impacts.

3.17.2.3 Previously Identified Mitigation Measures

No significant impacts were identified; therefore, no mitigation measures are required.

3.17.3 Discussion

The Proposed Project does not include changes to the fuel modification zone or water service/fire hydrant improvements. Impacts would remain the same and would be less than significant.

4.0 REFERENCES

California Department of Forestry & Fire Protection (CAL FIRE). 2007. Fire Hazard Severity Zones in SRA.

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City of Yucaipa. 2016. Yucaipa General Plan. April 2016.

Department of Toxic Substances Control (DTSC). 2020. EnviroStor Database. Available at: <https://www.envirostor.dtsc.ca.gov/public/>. Accessed on August 14, 2020.

Fehr & Peers. 2012. Crafton Hills College Parking Analysis. February 9, 2012.

_____. 2019. Trip Generation and Parking Assessment for the San Bernardino Valley College Memorandum. September 27, 2019.

San Bernardino Community College District (SBCCD). 2019. Environmental Impact Addendum Crafton Hills College Master Plan Update. November.

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5.0 LIST OF PREPARERS

5.1 Lead Agency

San Bernardino Community College District

Larry Cook, Facilities Director

Farrah Farzaneh, CCM, LEED AP, Assoc. DBIA, Director, Facilities Planning and Construction

Ryan Smith, PMP, Campus Project Manager

5.2 Consultants

AECOM

Scott Preston, Principal/Vice President

Carolyn Stegon, P.E.,MSCE, Senior Program Manager

Ray Loving, Finance Manager

ECORP Consulting, Inc.

Anne Surdzial, Director of CEQA/NEPA Services/Vice President

Lindsay Liegler, Associate Environmental Planner

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SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Steven J. Sutorus, Business Manager

DATE: November 12, 2020

SUBJECT: Consideration of Approval to Award RFP 2020-06 and Contract to EMCOR Services Mesa Energy, Inc. of Irvine, CA

RECOMMENDATION

It is recommended that the Board of Trustees award Request for Proposals (RFP) 2020-06 SBVC HVAC Equipment Services and contract to EMCOR Services Mesa Energy, Inc. of Irvine, CA. The cost for this service is not to exceed \$650,000 during the initial three years of the contract.

OVERVIEW

SBVC is seeking a vendor to assist the campus in administering a program for HVAC Equipment Services specifically for specialized repairs and services. In order to remain compliant with OSHA requirements, the specialized equipment requires these routine services and this work cannot be performed by District personnel. SBVC is undertaking a position recruitment for the routine services, but must hire a contractor now due to the health and safety related issues of not having regular maintenance and repair. In addition, this agreement serves to consolidate several smaller service and repair contracts, promoting efficiency in campus operations.

ANALYSIS

After soliciting for services via local advertising and on its website, SBCCD received four responsive and responsible proposals. Unlike construction contracts, which are awarded based on low bid, RFP contracts are awarded based on best value. Each proposal was assessed by a committee comprised of representatives from the Business Services Department and project stakeholders, as appropriate, resulting in the following ranking of the four proposals:

| <u>Vendor</u> | <u>Ranking</u> |
|--|-----------------------|
| EMCOR Services Mesa Energy, Inc., Irvine CA | 1 |
| ACCO Engineered Systems, Pasadena CA | 2 |
| ABM Building Solutions, LLC, Tustin CA | 3 |
| Airite Heating and Air Conditioning., Ontario CA | 4 |

A qualitative evaluation involving RFP-specific criteria as developed by the stakeholders, indicates that EMCOR Services Mesa Energy, Inc. is the vendor that will best meet the needs of the District.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The cost of this contract will be included in the 2020-21 and subsequent budgets.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Stacey K. Nikac, Administrative Officer

DATE: November 12, 2020

SUBJECT: Board Committee Reports

RECOMMENDATION

This item is for information only.

OVERVIEW

Per Board Policy 2220, the Board may, by action, establish committees that it determines are necessary to assist the Board in its responsibilities. Any committee established by Board action shall comply with the requirements of the California Public Meetings Act (Brown Act) and with these policies regarding open meetings.

Board committees that are composed solely of less than a quorum of members of the Board that are advisory are not required to comply with the Brown Act, or with these policies regarding open meetings, unless they are standing committees.

Board committees that are only advisory have no authority or power to act on behalf of the Board. Findings or recommendations shall be reported to the Board for consideration.

Standing committees of the Board can be found on the Board of Trustees page of the District Website http://www.sbccd.org/Board_of_Trustees

ANALYSIS

The purpose of the reports is for BOT Committee Chairs to communicate information to the full Board, leading to more engagement and interaction at upcoming board meetings. Updates are provided orally by the BOT Committee Chairs, as needed. The Board may ask staff to review a matter or may ask that a matter be put on a future agenda.

INSTITUTIONAL VALUES

- I. Institutional Effectiveness
- II. Learning Centered Institution for Student Access, Retention, and Success
- III. Resource Management for Efficiency, Effectiveness, and Excellence
- IV. Enhanced and Informed Governance and Leadership

FINANCIAL IMPLICATIONS

No impact to the budget.



Committees of the Board

Subject to the Brown Act

| BOT COMMITTEES (with committee charge) | 2020 BOARD MEMBERS (chairs are bold) |
|---|---|
| <p>Finance Committee</p> <p>The committee is charged with:</p> <ul style="list-style-type: none"> • Increasing the efficiency of the Board of Trustees by performing time-consuming research on its behalf. • Improving clarity by providing a platform for detailed questions not conducive to the flow of monthly business meetings. • Promoting transparency of the SBCCD budgeting process and fiscal matters through detailed discussion of these topics in an open forum. • Fostering an environment of understanding by communicating findings and formulating final recommendations to the Board of Trustees. • Increasing the efficiency of the Board of Trustees by performing time-consuming research on its behalf regarding the implementation and operation of bond measures. | <ol style="list-style-type: none"> 1. Gloria Harrison 2. Donald Singer 3. Stephanie Houston |
| <p>Legislative Committee</p> <p>The committee is charged with:</p> <ul style="list-style-type: none"> • To establish and cultivate relationships with policymakers and organizations that represent the communities served by the district. • To advocate for legislative change that can positively impact SBCCD and its mission to serve students. • To examine public policy proposals and recommend legislative action to the full Board of Trustees. | <ol style="list-style-type: none"> 1. Frank Reyes 2. Anne Viricel 3. John Longville |



CHANCELLOR'S REPORT

As the Thanksgiving holiday approaches, I feel very fortunate that we have so much to be thankful for at SBCCD. It is not an exaggeration to say that our accomplishments this year have been absolutely phenomenal. We have continued to grow and maintain our standards of access and excellence during the recent past, despite unforeseen challenges. To all of you: Thank you for everything we have accomplished together. Your strength gives our community hope as we continue to meet hardship with courage and navigate what is undoubtedly the most unusual year we have ever faced.

Shared Goals of Improving Student Success

I am grateful to be part of a community of individuals with diverse opinions but a shared goal of improving student success. The benefits of diversity in education, especially higher education, stretch far and wide — affecting students' academic and social experiences, as well as having a direct impact on their future and their families. Because of you, we are still open, still accessible, and, most importantly, still providing a path forward for our students and their families.

SBCCD's Continued Momentum – Nothing Short of Heroic

It seems incredible that we are now in our eighth month of battling this pandemic. I do not believe anyone could have predicted the longevity of this crisis. All of our faculty members, administrators, and classified professionals are continuing their excellent work teaching online, with a few on-campus demonstration components, and conducting operations remotely. I want to thank all of you for your swift transition to a new way of working and your unwavering dedication to supporting our students. We have all had to learn and grow alongside our students while providing services to support the whole student – including food and shelter, technology, emergency funds, and other critical supports. Your work is the key to our success in serving students in this enduring crisis.

SBCCD the Place to Work

I am thankful to work at a District that values the safety and the health of all of us and our families. I am thankful to work at a District where layoffs and furloughs are not part of balancing the budget, even in a time with economic crisis. I am thankful to work in a place where we make a very significant impact to many lives. I am thankful to work in a place where we see the future leaders of our region grow. I am thankful to work with each and every one of you.

As we move closer to the Thanksgiving holiday, please keep in mind the good things that are happening in your life and I wish you a happy Thanksgiving.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jose F. Torres".

Jose F. Torres
Interim Chancellor

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose Torres, Interim Chancellor

REVIEWED BY: Jose Torres, Interim Chancellor

PREPARED BY: Christopher M. Crew, Interim Director, Research & Planning

DATE: November 12, 2020

SUBJECT: Key Performance Indicator (KPI) Dashboard Updates

RECOMMENDATION

This item is for information only. No action is required.

OVERVIEW

The attached data sheets provide updates to the KPIs that have been revised with 2019-20 data.

ANALYSIS

The KPI Dashboard has been revised and renumbered. To provide the Board with a monthly update, the following KPIs have been included. KPI's II.C, II.D, II.E contain 2018-19 data as 2019-20 data will not become available until December 2020. KPI II.F contains 2019-20 data.

- KPI II.C (CA Promise Grant)
- KPI II.D (Pell Grant)
- KPI II.E (Licensure and Certificate Pass Rate)
- KPI II.F (Capture Rate)

INSTITUTIONAL VALUES

I. Institutional Effectiveness

FINANCIAL IMPLICATIONS

None.



Office of Research, Planning & Institutional Effectiveness Key Performance Indicator (KPI) Dashboard

Goal II – Enrollment and Access

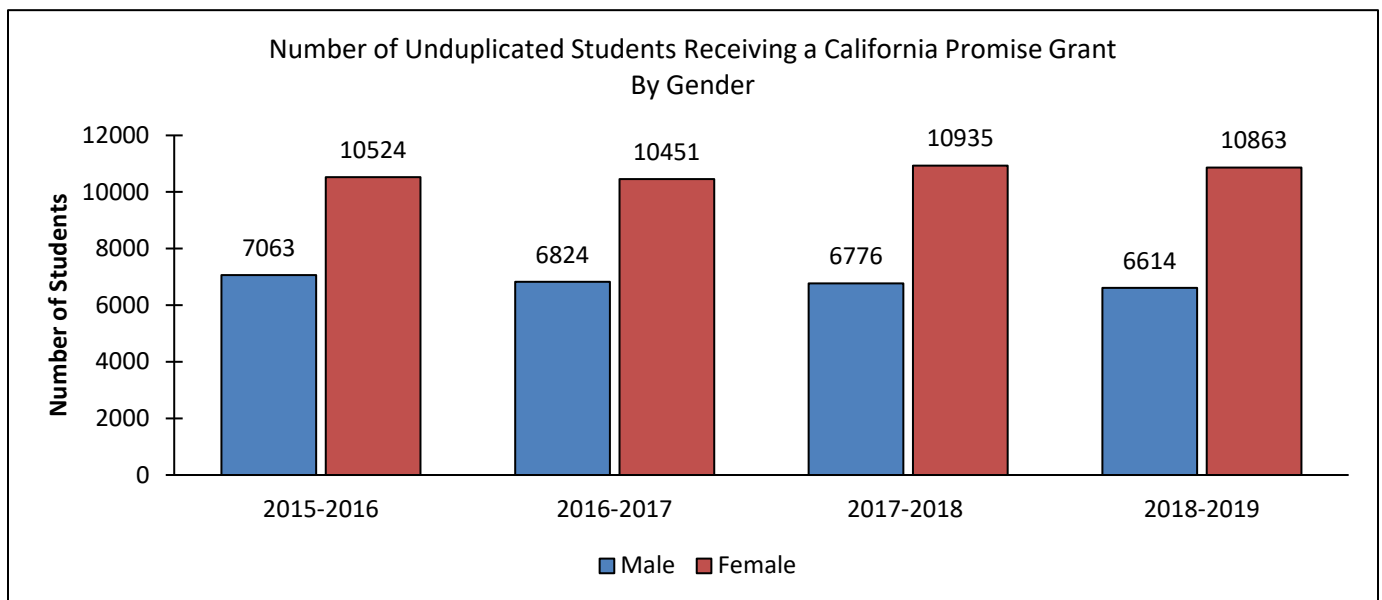
KPI II.C – Number of Unduplicated Students Receiving a California Promise Grant

Objective: Increase our student population to improve the higher education participation rate and supply a well-equipped, educated workforce for our communities.

Definition: This measurement reflects a count of the number of enrolled students that received a California Promise Grant in the academic year.

Measurement Frequency: Annual

| KPI II.C: # of Unduplicated Students Receiving a California Promise Grant | 2015-2016 | 2016-2017 | 2017-2018 | 2018-2019 |
|---|-----------|-----------|-----------|-----------|
| Crafton Hills College (CHC) | 4,640 | 4,234 | 4,792 | 4,929 |
| San Bernardino Valley College (SBVC) | 12,952 | 13,046 | 12,924 | 12,552 |
| SBCCD (District Total) | 17,592 | 17,280 | 17,716 | 17,481 |

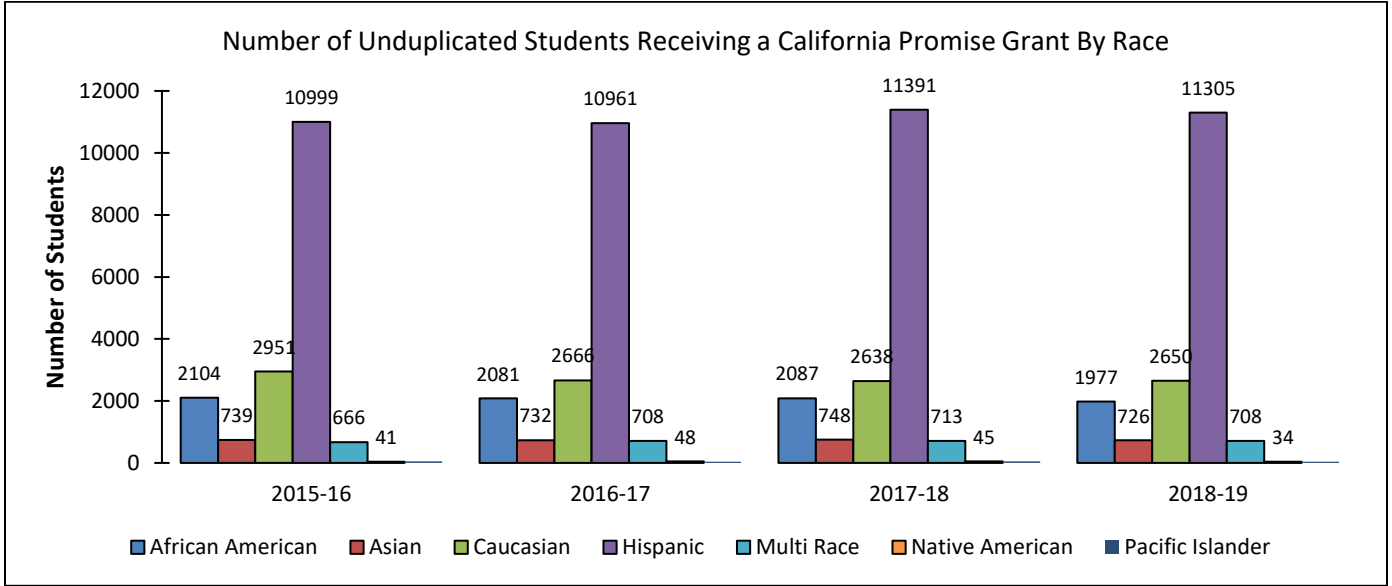


Note: Unknown gender students were excluded from this Bar Graph but were included in SBCCD total in Table above.

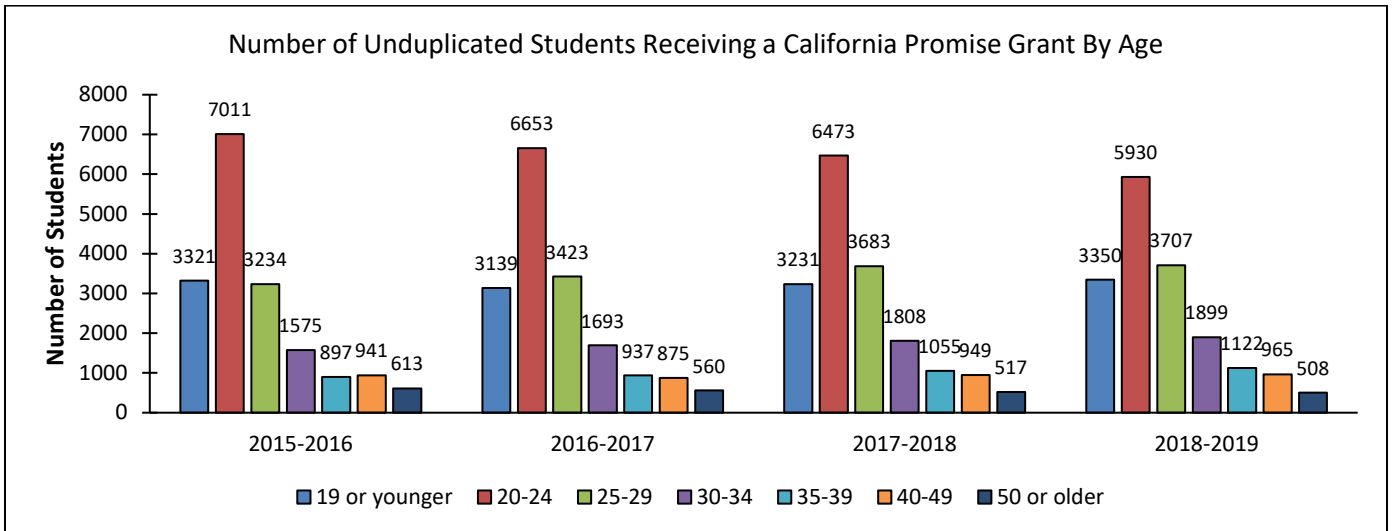
Analysis: The total number of unduplicated students receiving a California Promise Grant has remained stable over the last four years (four-year average of 17521). On average, more females received a California Promise Grant than males (four-year average of 10793 and 6819, respectively). The number of females receiving a California Promise Grant increased by 3.2%, while the number of males receiving a California Promise Grant declined by 6.4%.



Office of Research, Planning & Institutional Effectiveness Key Performance Indicator (KPI) Dashboard



Analysis: On average, over this four-year period, Hispanics had the highest number of students receiving a California Promise Grant (11164 students per year). The percentage of Hispanics rose from 62.5% of recipients in 2015-2016 to 64.7% in 2018-2019. The next highest was Caucasians (2726), followed by African Americans (2026), Asians (736), Multi Race (699), Native Americans (42), and Pacific Islanders (41).



Analysis: On average, over this four-year period, the 20-24 age group comprised approximately 37.2% (6517 students per year) of all SBCCD California Promise Grant recipients. The next highest was the 25-29 age group (3512), followed by the 19 or Younger age group (3260), the 30-34 age group (1744), the 35-39 age group (1003), the 40-49 age group (993), and the age 50 or older group (550).



Office of Research, Planning & Institutional Effectiveness
Key Performance Indicator (KPI) Dashboard

Goal II – Enrollment and Access

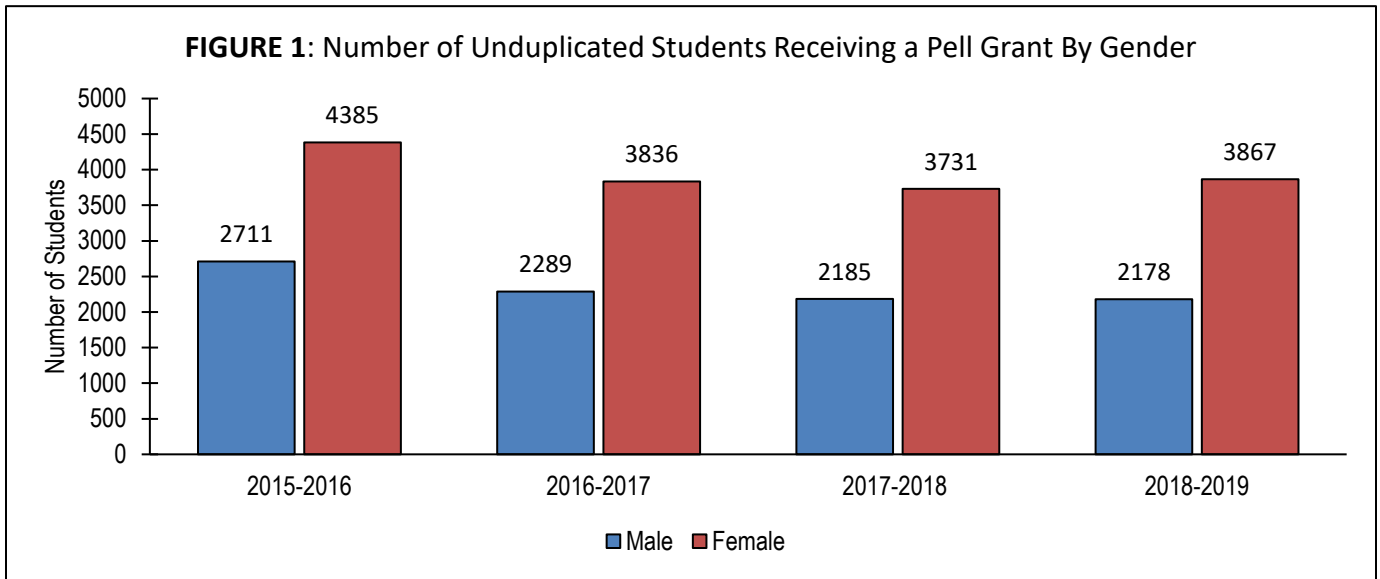
KPI II.D – Number of Unduplicated Students Receiving a Pell Grant

Objective: Increase our student population to improve the higher education participation rate and supply a well-equipped, educated workforce for our communities.

Definition: This measurement reflects a count of the number of enrolled students that received a Pell Grant in the academic year.

Measurement Frequency: Annual

| KPI II.D: # of Unduplicated Students Receiving a Pell Grant | 2015-2016 | 2016-2017 | 2017-2018 | 2018-2019 |
|---|-----------|-----------|-----------|-----------|
| Crafton Hills College (CHC) | 1,402 | 1,148 | 1,116 | 1,038 |
| San Bernardino Valley College (SBVC) | 5,694 | 4,978 | 4,800 | 5,007 |
| SBCCD (District Total) | 7,096 | 6,126 | 5,916 | 6,045 |

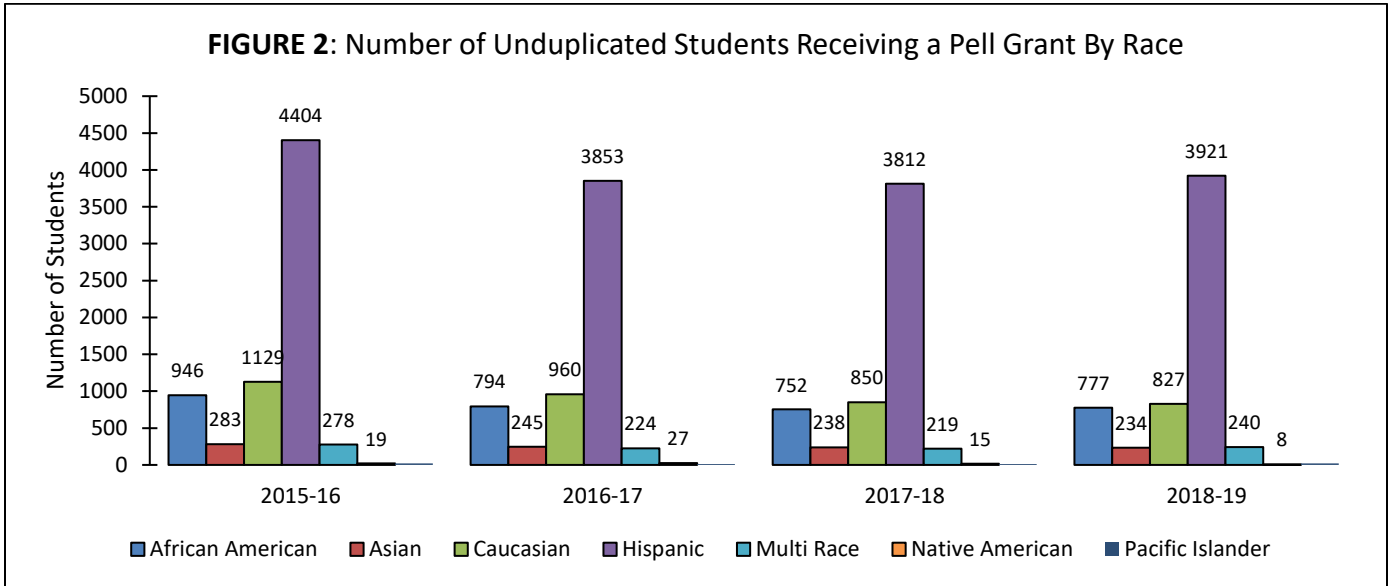


Note: Unknown gender students were excluded from this Bar Graph but were included in SBCCD total in Table above.

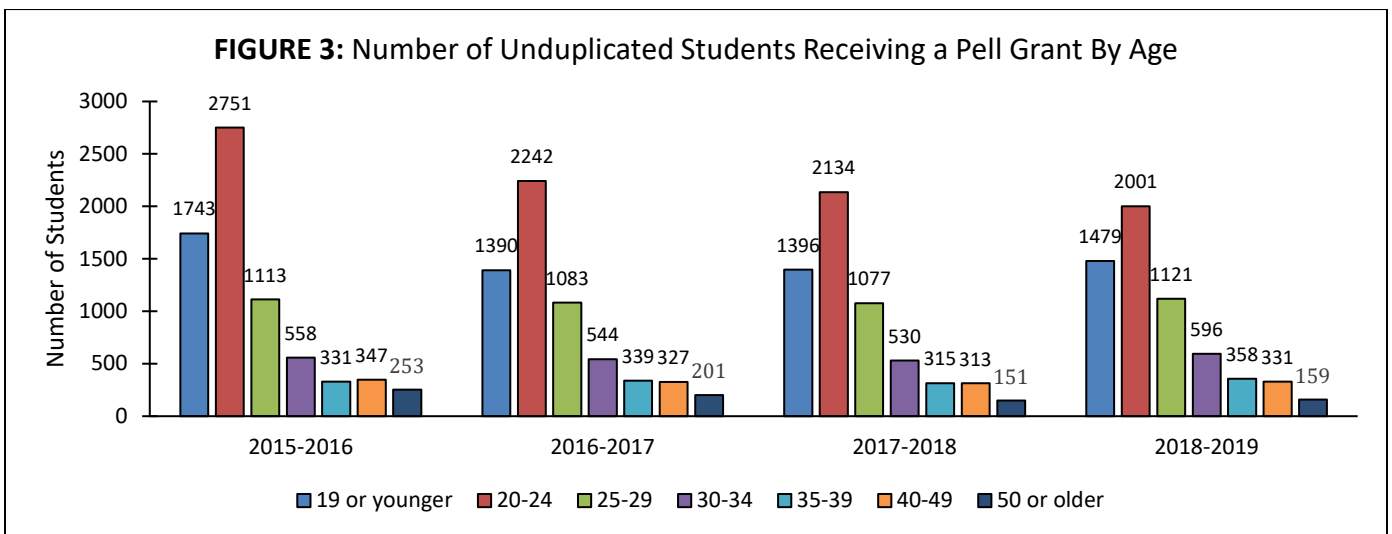
Analysis: The total number of unduplicated students receiving a Pell Grant declined by 14.8%, from 7096 in 2015-16 to 6045 in 2018-19, with a four-year average of 6296. On average, more females received a Pell Grant than males (four-year average of 3955 and 2341, respectively). The number of females and males receiving a Pell Grant declined by 11.8% and 19.7%, respectively.



Office of Research, Planning & Institutional Effectiveness
Key Performance Indicator (KPI) Dashboard



Analysis: On average, over this four-year period, Hispanics had the highest number of students receiving a Pell Grant (3998 students per year). The percentage of Hispanics rose from 62.1% of recipients in 2015-2016 to 64.9% in 2018-2019. The next highest was Caucasians (942), followed by African Americans (817), Asians (250), Multi Race (240), Native Americans (17), and Pacific Islanders (15). Caucasians and Asians saw a consistent decrease in number of students who received a Pell Grant.



Analysis: On average, over this four-year period, the 20-24 age group comprised approximately 36.2% (2282 students per year) of all SBCCD California Pell Grant recipients. The next highest was the 19 or Younger age group (1502), followed by the 25-29 age group (1099), the 30-34 age group (557), the 35-39 age group (336), the 40-49 age group (330), and the age 50 or older group (191).



Office of Research, Planning & Institutional Effectiveness Key Performance Indicator (KPI) Dashboard

Goal II – Enrollment and Access

KPI II.E – Licensure and Certification Pass Rates

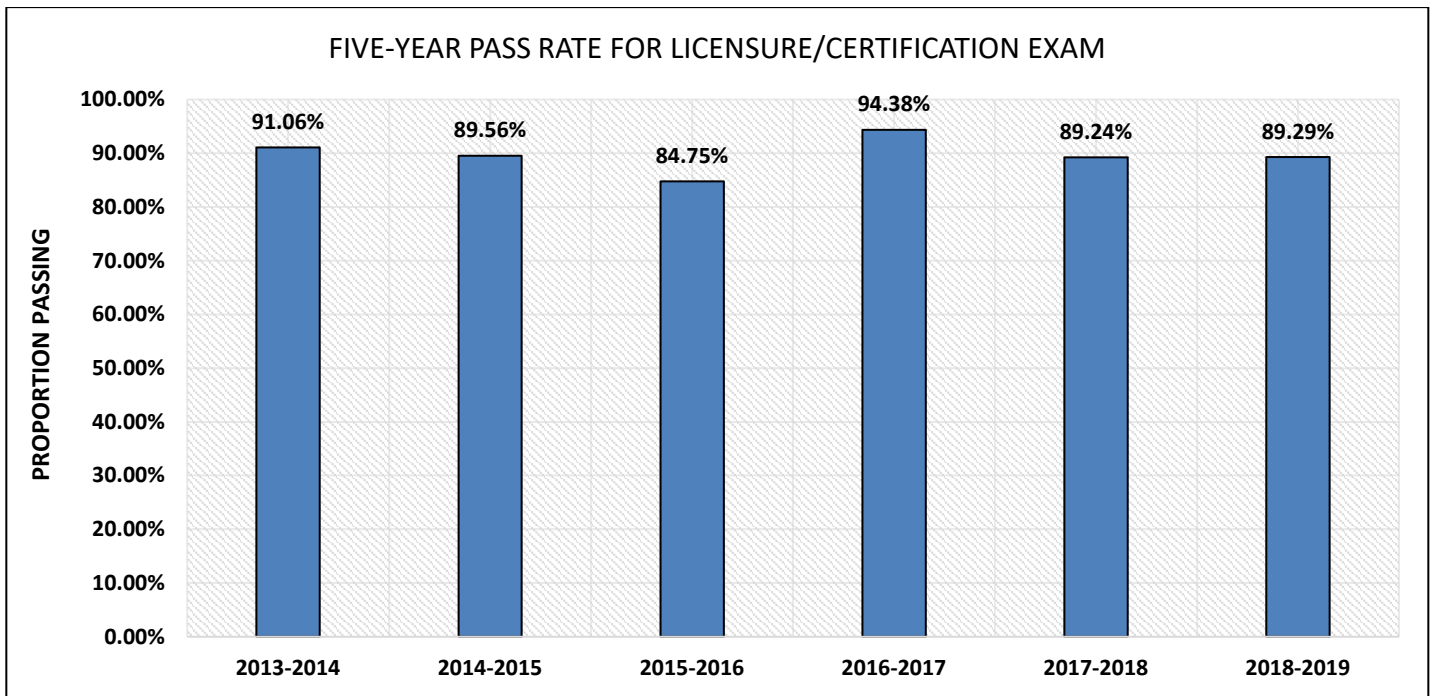
Objective: Increase our student population to improve the higher education participation rate and supply a well-equipped, educated workforce for our communities.

Definition: The total number of examinees that received a passing score divided by the total number of examinees that took a licensure or certification examination. Note, this data is collected and distributed by the ACCJC.

Measurement Frequency: Annual

| KPI II.E: Licensure/Certification Pass Rates | 2013-14 | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
|--|---------|---------|---------|---------|---------|---------|
| Crafton Hills College (CHC) | 91.13% | 82.13% | 83.50% | 92.75% | 93.00% | 95.25% |
| San Bernardino Valley College (SBVC) | 91.00% | 97.00% | 86.00% | 96.00% | 85.48% | 83.33% |
| SBCCD (Total) | 91.06% | 89.56% | 84.75% | 94.38% | 89.24% | 89.29% |

Note: Data for this KPI is collected from the various licensure agencies. They do not provide equity data in their reports; thus, the graph below simply shows the overall SBCCD pass rates for the past six years.



Analysis: The average licensure/certification pass rate is 89.71% during this 6-year period, with a high of 94.38% in 2016-17 and a low of 84.75% in 2015-16.



Office of Research, Planning & Institutional Effectiveness Key Performance Indicator (KPI) Dashboard

Goal II – Enrollment and Access

KPI II.F – Participation Rate in Service Area

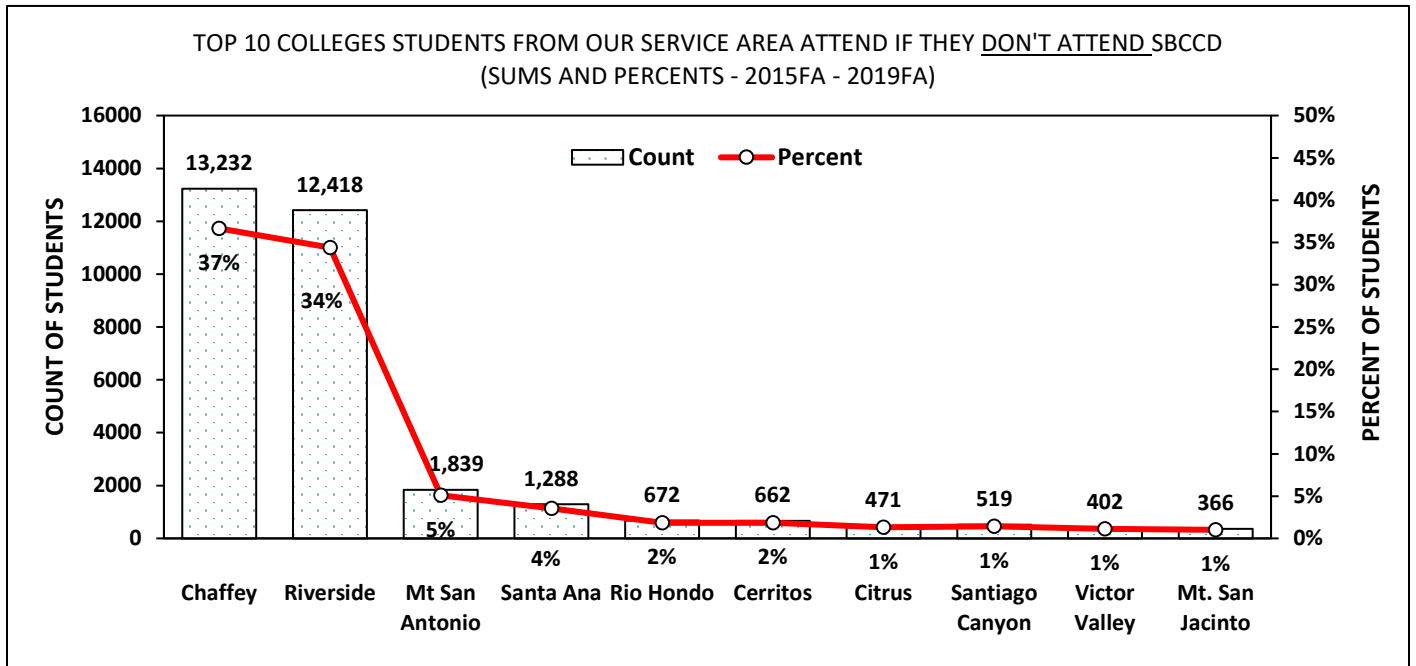
Objective: Increase our student population to improve the higher education participation rate and supply a well-equipped, educated workforce for our communities.

Definition: The rate of matriculating SBCCD students that are residents of cities in our service area. It is measured by taking the total number of SBCCD matriculating students that are residents of our service area divided by the total number of community college students from our service area (**CHC Service Area Cities:** Lake Arrowhead, Loma Linda, Mentone, Redlands, Running Springs, Yucaipa ; **SBVC Service Area Cities:** San Bernardino, Colton, Rialto, Highland).

Measurement Frequency: Annual

| KPI II.F: Participation Rate in Service Area | 2015FA Total | 2016FA Total | 2017FA Total | 2018FA Total | 2019FA Total |
|--|--------------|--------------|--------------|--------------|--------------|
| Crafton Hills College (CHC) | 55.50% | 55.91% | 54.44% | 55.69% | 55.41% |
| San Bernardino Valley College (SBVC) | 55.68% | 52.71% | 53.64% | 52.84% | 55.68% |
| SBCCD (Total) | 55.63% | 53.55% | 53.85% | 53.58% | 55.61% |

EQUITY ANALYSIS: Please note that current data sources do not provide the race/ethnicity or gender for students in each service area city. Also note that college participation rates are for the entire service area.



Analysis: Over this five-year period (Fall 2015 to Fall 2019), 36,104 students from our service area chose not to attend SBCCD. The majority (71%) of these students attended Chaffey (37%), Riverside CCD (34%) or Mt. San Antonio College (5%).

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose Torres, Interim Chancellor

REVIEWED BY: Jose Torres, Interim Chancellor

PREPARED BY: Christopher M. Crew, Interim Director, Research & Planning

DATE: November 12, 2020

SUBJECT: Analysis of AB 705 Compliance, Implementation, and Student Success

RECOMMENDATION

This item is for information only. No action is required.

OVERVIEW

The attached report provides an analysis of AB 705 compliance, implementation, student success, and student retention.

ANALYSIS

AB 705 was designed to maximize the probability that a student will enter and complete transfer-level coursework in English and Math within a one-year timeframe. The attached report provides information on SBCCD's compliance with the measures, instruments, and placement model components of the AB 705 legislation (Table A) and briefly describes SBCCD's implementation approach (Table B). This is followed by course success and retention comparisons for the district and by college.

INSTITUTIONAL VALUES

- I. Institutional Effectiveness
- II. Learning Centered Institution for Student Access, Retention and Success
- III. Resource Management for Efficiency, Effectiveness and Excellence
- IV. Enhanced and Informed Governance and Leadership

FINANCIAL IMPLICATIONS

None.



PRELIMINARY ANALYSIS OF AB 705 COMPLIANCE, IMPLEMENTATION, STUDENT SUCCESS, AND STUDENT RETENTION

REPORT 4 of 6: AGE

SBCCD Office of Research, Planning, and Institutional Effectiveness:

Christopher M. Crew, Ph.D. – Interim District Director

Myung H. Koh, Ph.D. – Research and Planning Analyst

OVERVIEW: AB 705 was designed to increase the number of students that complete transfer-level Math and English within one year of matriculation at a Community College. One key component of the legislation is that the placement of students into English and Math courses must use a combination of high school coursework, high school grades, and high school grade point average in lieu of traditional placement exams.

The bill also gives the Board of Governors the authority to establish and modify regulations on the use of measures, instruments, and placement models. A few regulations and compliance metrics are provided in the tables on the subsequent page. Table 1 provides information on SBCCD's compliance with the measures, instruments, and placement model components of the AB 705 legislation and Table 2 briefly describes our implementation approach.

ISSUES TO CONSIDER: There remains some confusion around compliance with the legislation as it relates to the start of the 1-year timeframe (the confusion is state-wide). However, both colleges are corresponding with the State Chancellors Office and making use of professional development opportunities to ensure adherence to the regulations.

TABLE A: COMPLIANCE WITH MEASURES, INSTRUMENTS, AND PLACEMENT MODELS

| | CRAFTON HILLS COLLEGE | | VALLEY COLLEGE | |
|---|-----------------------|-------------|----------------|-------------|
| | English | Math | English | Math |
| No remedial courses greater than 1 level below transfer. | ✓ | ✓ | ✓ | ✓ * |
| Guided Self-placement using multiple measures. | ✓ | ✓ | ✓ | ✓ |
| Transfer-level placement percentages publicly available. ** | In progress | In progress | In progress | In progress |

* SBVC's Mathematics department still offers courses greater than 1-level below transfer-level Math but placement is based on the students' self-assessment and the decision on where to be placed is up to the student. This approach is still in compliance with AB 705 legislation.

** AB-1805 – Is a requirement to provide students with easily understandable community college placement policies and requires colleges to report the percentage of students placed into college-level courses.

TABLE B: IMPLEMENTATION

| | CRAFTON HILLS COLLEGE | | VALLEY COLLEGE | |
|--|-----------------------|------|----------------|------|
| | English | Math | English | Math |
| Increased the number of sections for transfer-level Math and English. | ✓ | ✓ | ✓ | ✓ |
| Faculty are attending community of practice workshops to support integration. | ✓ | ✓ | ✓ | ✓ |
| Developed linked support courses with embedded tutors. Used corequisite model. | ✓ | ✓ | ✓ | ✓ |
| The same faculty teaches the transfer course and the support course. | ✓ | ✓ | ✓ | ✓ |

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EXECUTIVE SUMMARY:

TRANSFER-LEVEL ENGLISH:

Table C: Change in Course Enrollment, Successes, and Retention Post-AB 705 by Age (SBCCD)

| | Change in Enrollments | Change in Successes ^A | Change in Success Rate ^B | Change in Retention | Change in Retention Rate ^C |
|----------------------|-----------------------|----------------------------------|-------------------------------------|---------------------|---------------------------------------|
| 19 or Younger | +1,742 (138.7%) | +1,230 (201.3%) | +12.8% | +1,400 (110.9%) | -0.4% |
| 20 to 24 | +366 (35.1%) | +313 (62.2%) | +9.7% | +206 (20.6%) | +2.0% |
| 25 to 29 | +160 (36.2%) | +170 (72.0%) | +14.0% | +109 (26.0%) | +3.7% |
| 30 to 34 | +128 (65.0%) | +116 (99.1%) | +12.3% | +95 (50.8%) | +5.5% |
| 35 to 39 | +104 (102.0%) | +88 (120.5%) | +6.6% | +84 (84.8%) | +2.7% |
| 40 to 49 | +54 (56.3%) | +37 (50.0%) | -3.1% | +43 (47.3%) | +2.7% |
| 50 or Older | +42 (95.5%) | +11 (25.6%) | -34.9% | +27 (60.0%) | -2.8% |

^A **Change in Successes** = Number of students that completed the course with a grade of A, B, C, P, IA, IB, IC, or IPP

^B **Change in Success Rate** = (A, B, C, P, IA, IB, IC, and IPP Grades / A, B, C, D, F, P, NP, I*, IPP, INP, FW, and W Grades) × 100

^C **Change in Retention Rate** = (A, B, C, D, F, I*, IPP, P, NP, & FW Grades / A, B, C, D, F, FW, I*, IPP, P, NP, FW, & W Grades) × 100

Post-AB 705 Change in Course Enrollment and Success:

Enrollment in transfer-level English courses **increased** in all age ranges post AB 705 (+2,596 enrollments), most notably in the 19 or less age group (+1,742 enrollments, from 1,256 to 2,998). Additionally, the number of successes also **increased** in all age ranges post AB 705 (+1,965 enrollments).

Success rates increased in most age categories (overall increase of 10.6%), with the largest **increases** occurring in the 25 to 29, 19 or less, and 30 to 24 age groups (14%, 12.8%, 12.3%, respectively). Notable success rate **decreases** were seen in two age groups, with the largest decrease occurring in the 50 or older group (-34.9%) followed by the 40 to 49-year old's (-3.1%).

Taken together, the SBCCD implementation of the AB 705 legislation has been successful. We have increased enrollments and success in transfer-level English.

Note: See tables 1, 5, and 9 below for a more detailed district and college-level analysis of course enrollments and successes in transfer-level English.

Post-AB 705 Change in Course Retention:

As seen with course enrollments and successes, course retention in transfer-level English also **increased** in all age ranges post AB 705, most notably in the 19 or less age group (+1,400, increase from 1,262 to 2,662).

Retention rates also **increased** in most age categories, with the largest **increase** occurring in the 30 to 34-year old's (5.5%). The 19 or younger age group had a slight **decrease** in retention rate (-0.4%).

Note: See Tables 2, 6, and 10 below for a more detailed district and college-level analysis of course retention and retention rate in transfer-level English.

TRANSFER-LEVEL MATH:**Table D: Change in Course Enrollment, Successes, and Retention Post-AB 705 by Age (SBCCD)**

| | Change in Enrollments | Change in Successes ^A | Change in Success Rate ^B | Change in Retention | Change in Retention Rate ^C |
|----------------------|-----------------------|----------------------------------|-------------------------------------|---------------------|---------------------------------------|
| 19 or Younger | +1,508 (152.2%) | +770 (162.1%) | +1.9% | +1,163 (110.1%) | +0.3% |
| 20 to 24 | +29 (21.8%) | +389 (65.3%) | +16.0% | +97 (7.4%) | +2.2% |
| 25 to 29 | +151 (31.5%) | +169 (74.4%) | +15.5% | +98 (22.1%) | +5.0% |
| 30 to 34 | +65 (30.1%) | +74 (62.2%) | +13.6% | +47 (24.2%) | +6.6% |
| 35 to 39 | +81 (81.0%) | +65 (103.2%) | +7.7% | +58 (61.1%) | +5.4% |
| 40 to 49 | +52 (63.4%) | +37 (64.9%) | +0.6% | +44 (57.1%) | +8.4% |
| 50 or Older | +14 (41.2%) | -10 (-27.0%) | -52.6% | +9 (28.1%) | +5.4% |

^A **Change in Successes** = Number of students that completed the course with a grade of A, B, C, P, IA, IB, IC, or IPP

^B **Change in Success Rate** = (A, B, C, P, IA, IB, IC, and IPP Grades / A, B, C, D, F, P, NP, I*, IPP, INP, FW, and W Grades) × 100

^C **Change in Retention Rate** = (A, B, C, D, F, I*, IPP, P, NP, & FW Grades / A, B, C, D, F, FW, I*, IPP, P, NP, FW, & W Grades) × 100

Post-AB 705 Change in Course Enrollment and Success:

Enrollment in transfer-level Math courses **increased** in all age ranges post AB 705 (+1,900 enrollments), most notably in the 19 or less age group (+1,508 enrollments, from 991 to 2,499). Additionally, the number of successes also **increased** in all age ranges post AB 705 (+1,494 successes).

Success rates increased in most age categories (overall increase of 8.2%), with the largest **increases** occurring in the 20 to 24-year old's (+16%). The 50 or older age group had a decrease in success rate (-52.6%)

Taken together, the SBCCD implementation of the AB 705 legislation has been successful in **increasing** access to and success in transfer-level Math across all age categories.

Note: See Tables 3, 7, and 11 below for a more detailed district and college-level analysis of course enrollments and successes in transfer-level Math.

Post-AB 705 Change in Course Retention:

As seen with course enrollments and successes, course retention in transfer-level Math also increased in all age ranges post AB 705, most notably in the 19 or younger age group (+1,163, increase from 1,056 to 2,219).

Retention rates in transfer-level Math saw **notable increases** for all age groups with the largest increase occurring in the 40 to 49-year old's (+8.4%).

Note: See Tables 4, 8, and 12 below for a more detailed district and college-level analysis of course retention and retention rate in transfer-level Math.

COURSE SUCCESS AND RETENTION BY AGE (SBCCD)

Table 1: Comparison of Transfer-Level English Success Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Success Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-English Course Successes Post-AB 705 (C-A) |
|-------------|--|-------------------------------|--------------------------|--------------------|-----------------------|------------------|---|---|
| | Average Enrollment | Average Number of Success (A) | Average Success Rate (B) | Total Enrollment | Number of Success (C) | Success Rate (D) | | |
| 19 or Less | 1,256 | 611 | 48.6% | 2,998 | 1,841 | 61.4% | +12.8% | 1,230 (+201.3%) |
| 20 to 24 | 1,042 | 503 | 48.3% | 1,408 | 816 | 58.0% | +9.7% | 313 (+62.2%) |
| 25 to 29 | 442 | 236 | 53.4% | 602 | 406 | 67.4% | +14.0% | 170 (+72.0%) |
| 30 to 34 | 197 | 117 | 59.4% | 325 | 233 | 71.7% | +12.3% | 116 (+99.1%) |
| 35 to 39 | 102 | 73 | 71.6% | 206 | 161 | 78.2% | +6.6% | 88 (+120.5%) |
| 40 to 49 | 96 | 74 | 77.1% | 150 | 111 | 74.0% | -3.1% | 37 (+50.0%) |
| 50 or older | 44 | 43 | 97.7% | 86 | 54 | 62.8% | -34.9% | 11 (+25.6%) |

Table 2: Comparison of Transfer-Level English Retention Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Retention Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-English Course Retention Post-AB 705 (C-A) |
|-------------|--|-----------------------------|----------------------------|--------------------|---------------------|--------------------|---|---|
| | Average Enrollment | Average Number Retained (A) | Average Retention Rate (B) | Total Enrollment | Number Retained (C) | Retention Rate (D) | | |
| 19 or Less | 1,415 | 1,262 | 89.2% | 2,998 | 2,662 | 88.8% | -0.4% | 1,400 (+110.9%) |
| 20 to 24 | 1,195 | 998 | 83.5% | 1,408 | 1,204 | 85.5% | +2.0% | 206 (+20.6%) |
| 25 to 29 | 499 | 419 | 84.0% | 602 | 528 | 87.7% | +3.7% | 109 (+26.0%) |
| 30 to 34 | 230 | 187 | 81.3% | 325 | 282 | 86.8% | +5.5% | 95 (+50.8%) |
| 35 to 39 | 115 | 99 | 86.1% | 206 | 183 | 88.8% | +2.7% | 84 (+84.8%) |
| 40 to 49 | 105 | 91 | 86.7% | 150 | 134 | 89.3% | +2.7% | 43 (+47.3%) |
| 50 or older | 52 | 45 | 86.5% | 86 | 72 | 83.7% | -2.8% | 27 (+60.0%) |

Table 3: Comparison of Transfer-Level Math Success Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Success Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-Math Course Successes Post-AB 705 (C-A) |
|-------------|--|-------------------------------|--------------------------|--------------------|-----------------------|------------------|---|--|
| | Average Enrollment | Average Number of Success (A) | Average Success Rate (B) | Total Enrollment | Number of Success (C) | Success Rate (D) | | |
| 19 or Less | 991 | 475 | 47.9% | 2,499 | 1,245 | 49.8% | +1.9% | 770 (+162.1%) |
| 20 to 24 | 1,329 | 596 | 44.8% | 1,619 | 985 | 60.8% | +16.0% | 389 (+65.3%) |
| 25 to 29 | 479 | 227 | 47.4% | 630 | 396 | 62.9% | +15.5% | 169 (+74.4%) |
| 30 to 34 | 216 | 119 | 55.1% | 281 | 193 | 68.7% | +13.6% | 74 (+62.2%) |
| 35 to 39 | 100 | 63 | 63.0% | 181 | 128 | 70.7% | +7.7% | 65 (+103.2%) |
| 40 to 49 | 82 | 57 | 69.5% | 134 | 94 | 70.1% | +0.6% | 37 (+64.9%) |
| 50 or older | 34 | 37 | 108.8% | 48 | 27 | 56.3% | -52.6% | -10 (-27.0%) |

Table 4: Comparison of Transfer-Level Math Retention Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Retention Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-Math Course Retention Post-AB 705 (C-A) |
|-------------|--|-----------------------------|----------------------------|--------------------|---------------------|--------------------|---|--|
| | Average Enrollment | Average Number Retained (A) | Average Retention Rate (B) | Total Enrollment | Number Retained (C) | Retention Rate (D) | | |
| 19 or Less | 1,193 | 1,056 | 88.5% | 2,499 | 2,219 | 88.8% | +0.3% | 1,163 (+110.1%) |
| 20 to 24 | 1,546 | 1,309 | 84.7% | 1,619 | 1,406 | 86.8% | +2.2% | 97 (+7.4%) |
| 25 to 29 | 548 | 444 | 81.0% | 630 | 542 | 86.0% | +5.0% | 98 (+22.1%) |
| 30 to 34 | 245 | 194 | 79.2% | 281 | 241 | 85.8% | +6.6% | 47 (+24.2%) |
| 35 to 39 | 120 | 95 | 79.2% | 181 | 153 | 84.5% | +5.4% | 58 (+61.1%) |
| 40 to 49 | 94 | 77 | 81.9% | 134 | 121 | 90.3% | +8.4% | 44 (+57.1%) |
| 50 or older | 40 | 32 | 80.0% | 48 | 41 | 85.4% | +5.4% | 9 (+28.1%) |

COURSE SUCCESS AND RETENTION BY AGE (SBVC)

Table 5: Comparison of Transfer-Level English Success Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Success Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-English Course Successes Post-AB 705 (C-A) |
|-------------|--|-------------------------------|--------------------------|--------------------|-----------------------|------------------|---|---|
| | Average Enrollment | Average Number of Success (A) | Average Success Rate (B) | Total Enrollment | Number of Success (C) | Success Rate (D) | | |
| 19 or Less | 604 | 289 | 47.8% | 1,928 | 1063 | 55.1% | +7.3% | 774 (+267.8%) |
| 20 to 24 | 695 | 331 | 47.6% | 1,023 | 572 | 55.9% | +8.3% | 241 (+72.8%) |
| 25 to 29 | 314 | 170 | 54.1% | 455 | 294 | 64.6% | +10.5% | 124 (+72.9%) |
| 30 to 34 | 151 | 93 | 61.6% | 249 | 172 | 69.1% | +7.5% | 79 (+84.9%) |
| 35 to 39 | 74 | 58 | 78.4% | 159 | 122 | 76.7% | -1.6% | 64 (+110.3%) |
| 40 to 49 | 71 | 60 | 84.5% | 112 | 79 | 70.5% | -14.0% | 19 (+31.7%) |
| 50 or older | 35 | 36 | 102.9% | 68 | 42 | 61.8% | -41.1% | 6 (+16.7%) |

Table 6: Comparison of Transfer-Level English Retention Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Retention Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-English Course Retention Post-AB 705 (C-A) |
|-------------|--|-----------------------------|----------------------------|--------------------|---------------------|--------------------|---|---|
| | Average Enrollment | Average Number Retained (A) | Average Retention Rate (B) | Total Enrollment | Number Retained (C) | Retention Rate (D) | | |
| 19 or Less | 692 | 603 | 87.1% | 1,928 | 1,673 | 86.8% | -0.4% | 1,070 (+177.4%) |
| 20 to 24 | 813 | 672 | 82.7% | 1,023 | 868 | 84.8% | +2.2% | 196 (+29.2%) |
| 25 to 29 | 356 | 299 | 84.0% | 455 | 394 | 86.6% | +2.6% | 95 (+31.8%) |
| 30 to 34 | 176 | 141 | 80.1% | 249 | 216 | 86.7% | +6.6% | 75 (+53.2%) |
| 35 to 39 | 84 | 72 | 85.7% | 159 | 142 | 89.3% | +3.6% | 70 (+97.2%) |
| 40 to 49 | 77 | 67 | 87.0% | 112 | 100 | 89.3% | +2.3% | 33 (+49.3%) |
| 50 or older | 42 | 37 | 88.1% | 68 | 59 | 86.8% | -1.3% | 22 (+59.5%) |

Table 7: Comparison of Transfer-Level Math Success Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Success Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-Math Course Successes Post-AB 705 (C-A) |
|-------------|--|-------------------------------|--------------------------|--------------------|-----------------------|------------------|---|--|
| | Average Enrollment | Average Number of Success (A) | Average Success Rate (B) | Total Enrollment | Number of Success (C) | Success Rate (D) | | |
| 19 or Less | 546 | 293 | 53.7% | 1,633 | 780 | 47.8% | -5.9% | 487 (+166.2%) |
| 20 to 24 | 873 | 392 | 44.9% | 1,019 | 601 | 59.0% | +14.1% | 209 (+53.3%) |
| 25 to 29 | 343 | 169 | 49.3% | 432 | 267 | 61.8% | +12.5% | 98 (+58.0%) |
| 30 to 34 | 167 | 96 | 57.5% | 208 | 142 | 68.3% | +10.8% | 46 (+47.9%) |
| 35 to 39 | 75 | 55 | 73.3% | 137 | 95 | 69.3% | -4.0% | 40 (+72.7%) |
| 40 to 49 | 67 | 49 | 73.1% | 89 | 64 | 71.9% | -1.2% | 15 (+30.6%) |
| 50 or older | 26 | 31 | 119.2% | 34 | 19 | 55.9% | -63.3% | -12 (-38.7%) |

Table 8: Comparison of Transfer-Level Math Retention Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Retention Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-Math Course Retention Post-AB 705 (C-A) |
|-------------|--|-----------------------------|----------------------------|--------------------|---------------------|--------------------|---|--|
| | Average Enrollment | Average Number Retained (A) | Average Retention Rate (B) | Total Enrollment | Number Retained (C) | Retention Rate (D) | | |
| 19 or Less | 632 | 568 | 89.9% | 1,633 | 1,436 | 87.9% | -1.9% | 868 (+152.8%) |
| 20 to 24 | 1,012 | 847 | 83.7% | 1,019 | 872 | 85.6% | +1.9% | 25 (+3.0%) |
| 25 to 29 | 389 | 313 | 80.5% | 432 | 371 | 85.9% | +5.4% | 58 (+18.5%) |
| 30 to 34 | 189 | 149 | 78.8% | 208 | 180 | 86.5% | +7.7% | 31 (+20.8%) |
| 35 to 39 | 90 | 70 | 77.8% | 137 | 116 | 84.7% | +6.9% | 46 (+65.7%) |
| 40 to 49 | 77 | 63 | 81.8% | 89 | 81 | 91.0% | +9.2% | 18 (+28.6%) |
| 50 or older | 30 | 25 | 83.3% | 34 | 30 | 88.2% | +4.9% | 5 (+20.0%) |

COURSE SUCCESS AND RETENTION BY AGE (CHC)

Table 9: Comparison of Transfer-Level English Success Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Success Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-English Course Successes Post-AB 705 (C-A) |
|-------------|--|-------------------------------|--------------------------|--------------------|-----------------------|------------------|---|---|
| | Average Enrollment | Average Number of Success (A) | Average Success Rate (B) | Total Enrollment | Number of Success (C) | Success Rate (D) | | |
| 19 or Less | 723 | 499 | 69.0% | 1,070 | 778 | 72.7% | +3.7% | 279 (+55.9%) |
| 20 to 24 | 382 | 249 | 65.2% | 385 | 244 | 63.4% | -1.8% | -5 (-2.0%) |
| 25 to 29 | 142 | 99 | 69.7% | 147 | 112 | 76.2% | +6.5% | 13 (+13.1%) |
| 30 to 34 | 54 | 35 | 64.8% | 76 | 61 | 80.3% | +15.4% | 26 (+74.3%) |
| 35 to 39 | 31 | 23 | 74.2% | 47 | 39 | 83.0% | +8.8% | 16 (+69.6%) |
| 40 to 49 | 27 | 21 | 77.8% | 38 | 32 | 84.2% | +6.4% | 11 (+52.4%) |
| 50 or older | 10 | 8 | 76.7% | 18 | 12 | 66.7% | -10.0% | 4 (+56.5%) |

Table 10: Comparison of Transfer-Level English Retention Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Retention Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-English Course Retention Post-AB 705 (C-A) |
|-------------|--|-----------------------------|----------------------------|--------------------|---------------------|--------------------|---|---|
| | Average Enrollment | Average Number Retained (A) | Average Retention Rate (B) | Total Enrollment | Number Retained (C) | Retention Rate (D) | | |
| 19 or Less | 723 | 659 | 91.1% | 1070 | 989 | 92.4% | +1.3% | 330 (+50.1%) |
| 20 to 24 | 382 | 326 | 85.3% | 385 | 336 | 87.3% | +2.0% | 10 (+3.2%) |
| 25 to 29 | 143 | 120 | 84.3% | 147 | 134 | 91.2% | +6.8% | 14 (+11.4%) |
| 30 to 34 | 54 | 46 | 85.2% | 76 | 66 | 86.8% | +1.7% | 20 (+43.5%) |
| 35 to 39 | 31 | 27 | 89.1% | 47 | 41 | 87.2% | -1.9% | 14 (+50.0%) |
| 40 to 49 | 27 | 24 | 89.0% | 38 | 34 | 89.5% | +0.4% | 10 (+39.7%) |
| 50 or older | 10 | 8 | 82.8% | 18 | 13 | 72.2% | -10.5% | 5 (+62.5%) |

Table 11: Comparison of Transfer-Level Math Success Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Success Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-Math Course Successes Post-AB 705 (C-A) |
|-------------|--|-------------------------------|--------------------------|--------------------|-----------------------|------------------|---|--|
| | Average Enrollment | Average Number of Success (A) | Average Success Rate (B) | Total Enrollment | Number of Success (C) | Success Rate (D) | | |
| 19 or Less | 562 | 307 | 54.6% | 866 | 465 | 53.7% | -0.9% | 158 (+51.5%) |
| 20 to 24 | 534 | 313 | 58.6% | 600 | 384 | 64.0% | +5.4% | 71 (+22.7%) |
| 25 to 29 | 159 | 97 | 61.0% | 198 | 129 | 65.2% | +4.1% | 32 (+33.0%) |
| 30 to 34 | 56 | 37 | 66.1% | 73 | 51 | 69.9% | +3.8% | 14 (+37.8%) |
| 35 to 39 | 30 | 17 | 56.7% | 44 | 33 | 75.0% | +18.3% | 16 (+94.1%) |
| 40 to 49 | 17 | 13 | 78.4% | 45 | 30 | 66.7% | -11.8% | 17 (+125.0%) |
| 50 or older | 9 | 6 | 66.7% | 14 | 8 | 57.1% | -9.5% | 2 (+33.3%) |

Table 12: Comparison of Transfer-Level Math Retention Rates Pre- and Post-AB 705

| | 3-YEAR AVERAGE (FALL 2016, 2017, 2018) | | | FALL 2019 – AB 705 | | | Course Retention Rate Difference Pre-AB 705 vs. Post-AB 705 (D-B) | Increase in TL-Math Course Retention Post-AB 705 (C-A) |
|-------------|--|-----------------------------|----------------------------|--------------------|---------------------|--------------------|---|--|
| | Average Enrollment | Average Number Retained (A) | Average Retention Rate (B) | Total Enrollment | Number Retained (C) | Retention Rate (D) | | |
| 19 or Less | 562 | 488 | 86.9% | 866 | 783 | 90.4% | +3.5% | 295 (+60.5%) |
| 20 to 24 | 534 | 462 | 86.5% | 600 | 534 | 89.0% | +2.5% | 72 (+15.7%) |
| 25 to 29 | 159 | 131 | 82.4% | 198 | 171 | 86.4% | +4.0% | 40 (+30.5%) |
| 30 to 34 | 90 | 73 | 80.8% | 73 | 61 | 83.6% | +2.7% | -12 (-16.4%) |
| 35 to 39 | 30 | 24 | 80.2% | 44 | 37 | 84.1% | +3.9% | 13 (+52.1%) |
| 40 to 49 | 17 | 14 | 82.4% | 45 | 40 | 88.9% | +6.5% | 26 (+185.7%) |
| 50 or older | 9 | 7 | 71.4% | 14 | 11 | 78.6% | +7.1% | 4 (+65.0%) |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Stacey K. Nikac, Administrative Officer

DATE: November 12, 2020

SUBJECT: Board Master Planning Action Calendar

RECOMMENDATION

This item is for information only.

OVERVIEW

The Board Master Planning Action Calendar is a schedule of items for board discussion or action. Board items are subject to change and board meeting dates and times are posted on the district website 72-hours prior to the meeting date www.sbccd.edu.

ANALYSIS

The Board Master Planning Action Calendar serves as a blueprint that can be used to increase transparency and efficiency districtwide.

INSTITUTIONAL VALUES

- I. Institutional Effectiveness
- IV. Enhanced and Informed Governance and Leadership

FINANCIAL IMPLICATIONS

No impact to the budget.

Board Master Planning Action Calendar
As of 10/24/2021 1:14 PM

| | | | | |
|---------|------------|---|---|--|
| Monthly | B&FS | <ul style="list-style-type: none"> - Fund Balance Transfer Resolution - Ratification of Interfund Transfers - Cash Flow Analysis - Budget Report w/memo - FTES Reports | <ul style="list-style-type: none"> - Events/CBOC Meeting - Individual Memberships - Conferences Over \$5K or Outside US - Signature List Changes - Vacation Payout | <ul style="list-style-type: none"> - Contracts Above Bid Limit - Contracts Below Bid Limit - Purchase Order Report - Surplus Property |
| | FPC | <ul style="list-style-type: none"> - RFQ/RFP/Bid & Contract Award - Informal Bid Award (UCCAP) | <ul style="list-style-type: none"> - Small Scale Construction Contract Award - Non-Bond Construction COs/Amendments | <ul style="list-style-type: none"> - Bond Construction COs/Amendments - CBOC Appointees |
| | HR | <ul style="list-style-type: none"> - Closed Session Items (Separate Agenda) - Appoint Employees - Appoint Interim Managers - Appoint Temporary Academic Employees - Employee Promotions - Employee Reclassifications - Employee Step Increase | <ul style="list-style-type: none"> - Employee Transfers - Non-Instructional Pay - Resignations & Retirements - Salary Advancement-Academic - Tuition Reimbursement for Managers - Volunteers - Adjunct/Substitute Academic | <ul style="list-style-type: none"> - Pay Stipends - Job Descriptions - CSEA/CTA Agreements - CSEA/CTA MOUs - Professional Expert, Short-Term, Subs - 39-Month Reemployment |
| | OOC & PRES | <ul style="list-style-type: none"> - AB 705 Report - Accreditation Timeline - Applause Report - Board Committee Reports | <ul style="list-style-type: none"> - Board Master Planning Action Calendar - Board Policies & Procedures - Chancellor's Report - Clergy Report | <ul style="list-style-type: none"> - Curriculum - Key Performance Indicators - Minutes |

| JANUARY | | FEBRUARY | | MARCH | |
|---|--|--|--|---|--|
| • Budget Calendar <i>(by 2/1)</i> | | • Closed Session – Notice of Intent to Non-Renew <i>(by 3/15)</i> | | • CBOC Annual Report <i>(by 3/31)</i> | |
| • Budget Directives 1 st Reading | | • Budget Directives 2 nd Reading/Approval <i>(by 3/1)</i> | | • Selection of Auditor <i>(by 4/1)</i> | |
| • National Community College Month Resolution <i>(by 2/1)</i> | | • Nonresident Tuition Fee <i>(by 3/1)</i> | | • Certified Quarterly Financial Status Report <i>(by 11/15, 2/15, 5/15)</i> | |
| • Sabbaticals Granted | | • Apportionment Attendance Report P1 | | • Grant Tenure/Tenure Contracts | |
| | | • Quarterly Investment Report | | • Elect BOT Self-Evaluation Ad Hoc Committee and Approval of Evaluation Instrument & Process | |
| | | | | • Classified Employee of the Year <i>(by 3/15)</i> | |
| APRIL | | MAY | | JUNE | |
| • Interfund Transfer Resolution | | • Quarterly Investment Report | | • AP/BP 6320 Investments 1 st Reading <i>(annually)</i> | |
| • Constitutional Advance <i>(optional)</i> | | • Apportionment Attendance Report P2 | | • Certified Quarterly Financial Status Report <i>(by 11/15, 2/15, 5/15)</i> | |
| • HR Diversity in Hiring Report <i>(April & October)</i> | | • EEO Multiple Method Certification <i>(by 6/1)</i> | | • Authorized Signature List <i>(annually)</i> | |
| • 4/10 Alternate Summer Work Schedule for Management & Confidential Employees | | • Board Orientation Handbook 2 nd Reading | | • Bank Accounts <i>(annually)</i> | |
| • Board Orientation Handbook 1 st Reading | | • Preliminary Budget & Presentation <i>(study session)</i> | | • Tentative Budget <i>(by 7/1)</i> | |
| • District Technology Strategic Plan – 1 st Reading <i>(last plan 2020-2023)</i> | | • Resolution for Outgoing Student Trustees | | • Prop 30 EPA Expenditures Resolution <i>(annually)</i> | |
| | | • ACCJC Institutional Self-Evaluation Report 1 st Reading <i>(by 8/1 every six years. Last report 2014)</i> | | • GANN Limit <i>(by 7/1)</i> | |
| | | • District Technology Strategic Plan – 2 nd Reading <i>(last plan 2020-2023)</i> | | • Meals, Refreshments, Open POs for Next FY | |
| | | | | • Order of Election and the Specifications of the Election Order <i>(every 2 years on even numbered years)</i> | |
| | | | | • New Student Trustee Orientation | |
| | | | | • ACCJC Institutional Self-Evaluation Report 2 nd Reading/Approval <i>(by 8/1 every six years. Last report 2014)</i> | |

Board Master Planning Action Calendar
As of 10/24/2020 1:14 PM

| | | | | |
|---------|------------|---|---|--|
| Monthly | B&FS | - Fund Balance Transfer Resolution - Ratification of Interfund Transfers - Cash Flow Analysis - Budget Report w/memo - FTES Reports | - Events/CBOC Meeting - Individual Memberships - Conferences Over \$5K or Outside US - Signature List Changes - Vacation Payout | - Contracts Above Bid Limit - Contracts Below Bid Limit - Purchase Order Report - Surplus Property |
| | FPC | - RFQ/RFP/Bid & Contract Award - Informal Bid Award (UCCAP) | - Small Scale Construction Contract Award - Non-Bond Construction COs/Amendments | - Bond Construction COs/Amendments - CBOC Appointees |
| | HR | - Closed Session Items (Separate Agenda) - Appoint Employees - Appoint Interim Managers - Appoint Temporary Academic Employees - Employee Promotions - Employee Reclassifications - Employee Step Increase | - Employee Transfers - Non-Instructional Pay - Resignations & Retirements - Salary Advancement-Academic - Tuition Reimbursement for Managers - Volunteers - Adjunct/Substitute Academic | - Pay Stipends - Job Descriptions - CSEA/CTA Agreements - CSEA/CTA MOUs - Professional Expert, Short-Term, Subs - 39-Month Reemployment |
| | OOC & PRES | - AB 705 Report - Accreditation Timeline - Applause Report - Board Committee Reports | - Board Master Planning Action Calendar - Board Policies & Procedures - Chancellor's Report - Clery Report | - Curriculum - Key Performance Indicators - Minutes |

| JULY | | AUGUST | | SEPTEMBER | |
|---|---|---|---|--|---|
| <ul style="list-style-type: none">AP/BP 6320 Investments 2nd Reading/Approval (<i>annually</i>) | <ul style="list-style-type: none">Quarterly Investment Report | <ul style="list-style-type: none">Final Budget Public Hearing and Approval (<i>by 9/15</i>) | <ul style="list-style-type: none">Transfer of Appropriations Resolution (<i>annually</i>) | <ul style="list-style-type: none">Prop 30 EPA Expenditure Accounting (<i>if figures change dramatically based on ReCalc</i>) | <ul style="list-style-type: none">Initial Proposals to Reopen Negotiations with CSEA/CTA |
| <ul style="list-style-type: none">Board Meeting Dates for Next FY | <ul style="list-style-type: none">Apportionment Attendance Report P3 | <ul style="list-style-type: none">Annual Security Report (<i>by 10/1</i>) | <ul style="list-style-type: none">Reaffirm Institutional Values, SBCCD Strategic Directions, and Board Priorities | <ul style="list-style-type: none">Final Budget Presentation (<i>study session</i>) | <ul style="list-style-type: none">ACCJC Midterm Report 2nd Reading/Approval (<i>by 10/1 every six years. Last report 2017</i>) |
| <ul style="list-style-type: none">Elect Chancellor's Self-Evaluation Ad Hoc Committee and Approval of Evaluation Instrument & Process | <ul style="list-style-type: none">ACCJC Midterm Report 1st Reading (<i>by 10/1 every six years. Last report 2017</i>) | | <ul style="list-style-type: none">Annual Resolution to Pay Trustees | | |
| OCTOBER | | NOVEMBER | | DECEMBER | |
| <ul style="list-style-type: none">HR Diversity in Hiring Report (<i>April & October</i>) | <ul style="list-style-type: none">Closed Session – Notice of Intent to Non-Renew | <ul style="list-style-type: none">Closed Session – Notice of Intent to Non-Renew | <ul style="list-style-type: none">Quarterly Investment Report | <ul style="list-style-type: none">Certified Quarterly Financial Status Report (<i>by 11/15, 2/15, 5/15</i>) | <ul style="list-style-type: none">Reaffirm FCC Auction Guiding Principles (<i>annually</i>) |
| | <ul style="list-style-type: none">Annual Sabbatical Completion Report from last spring and fall (<i>by first semester after return</i>) | | | <ul style="list-style-type: none">Audit Reports: District, CBOC, KVCR (<i>by 12/31</i>) | <ul style="list-style-type: none">New Trustee Orientation (<i>every 2 years on even numbered years, if new trustees are elected</i>) |
| | | | | <ul style="list-style-type: none">BOT Annual Organizational Meeting | <ul style="list-style-type: none">BOT Committee Member Assignments |
| | | | | <ul style="list-style-type: none">BOT Member Assignment to the SBRETCJPA | <ul style="list-style-type: none">BOT Member Assignment County Committee on School District Organization |
| | | | | <ul style="list-style-type: none">BOT Executive Board | |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Lawrence P. Strong, Director of Fiscal Services

DATE: November 12, 2020

SUBJECT: Budget Report

RECOMMENDATION

This item is for information only and no action is required.

OVERVIEW

The attached Revenue and Expenditure Summary reflects activity for the 2020-21 fiscal year through October 15, 2020. As of that date, SBCCD was 29.3% through the fiscal year and had spent and/or encumbered approximately 30.0% of its budgeted general fund.

ANALYSIS

While year to date revenue and/or expenditure percentages often vary from the percentage of fiscal year elapsed, all funds are expected to remain within the 2020-21 budget unless noted here. For explanations of any significant variances in year to date revenues/expenditures from fiscal year elapsed, please see the attached summary.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

There are no financial implications associated with this board item



Budget Revenue & Expenditure Summary

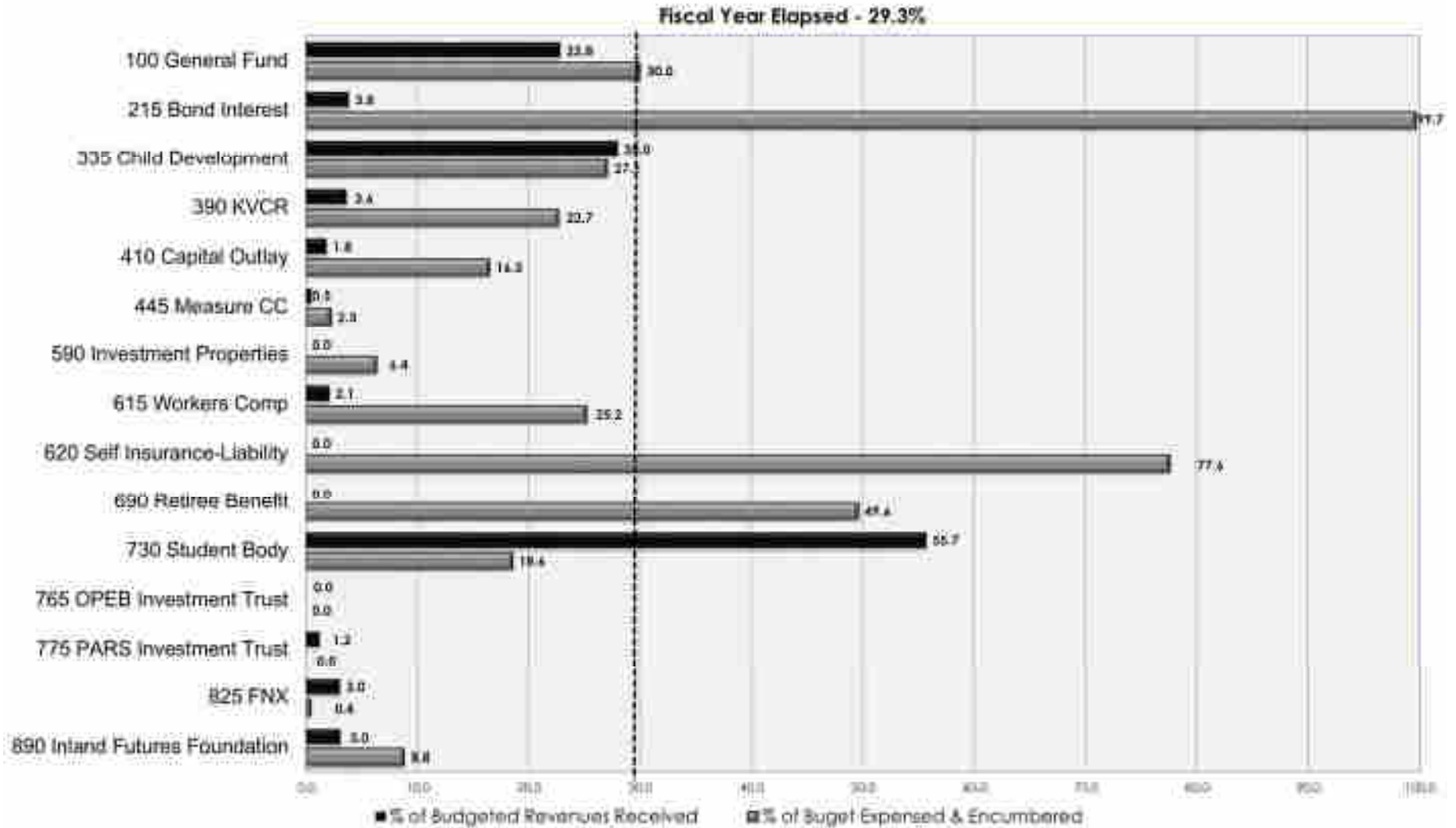
Year to Date 10/15/2020

| | 29.3% of Fiscal Year Elapsed | | | | | | | COMMENTS |
|--------------------------------|------------------------------|---------------|-------|----------------|-----------------------------|-------|---|----------|
| | REVENUES | | | EXPENDITURES | | | | |
| | Budget | Received YTD | | Budget | Expensed/ Encumbered YTD | | | |
| 100 General Fund | \$ 175,409,317 | \$ 40,002,244 | 22.8% | \$ 178,495,032 | \$ 53,580,579 | 30.0% | | |
| 215 Bond Interest & Redemption | \$ 48,250,000 | \$ 1,849,705 | 3.8% | \$ 48,250,000 | \$ 48,112,614 | 99.7% | Taxes are determined and collected by the County for bond measures. | |
| 335 Child Development | \$ 3,844,266 | \$ 1,076,084 | 28.0% | \$ 3,844,266 | \$ 1,041,175 | 27.1% | | |
| 390 KVCR | \$ 3,898,951 | \$ 142,130 | 3.6% | \$ 4,014,124 | \$ 911,148 | 22.7% | Pledge drive revenue to post in late fall. | |
| 410 Capital Outlay Projects | \$ 4,318,567 | \$ 79,513 | 1.8% | \$ 4,443,927 | \$ 733,185 | 16.5% | RDA revenue posted by the County. | |
| 445 Measure CC | \$ 294,601,352 | \$ 1,370,568 | 0.5% | \$ 249,401,352 | \$ 5,696,853 | 2.3% | Revenue and expenditures are consistent with the year-to-date bond activity. | |
| 590 Investment Properties | \$ 4,729,705 | \$ - | 0.0% | \$ 3,473,057 | \$ 222,026 | 6.4% | Posting of FY21 revenue and expenditure activity delayed due to FY20 year-end closeout. | |
| 615 Workers Compensation | \$ 1,630,000 | \$ 34,022 | 2.1% | \$ 1,630,000 | \$ 410,919 | 25.2% | Posting of FY21 revenue activity delayed due to FY20 year-end closeout. | |
| 620 Self Insurance-Liability | \$ 595,660 | \$ 2,187 | 0.4% | \$ 1,070,000 | \$ 830,029 | 77.6% | \$580,000 transfer in (revenue) to post in October. \$698,778 insurance payment. | |
| 690 Retiree Benefit | \$ 243,134 | \$ - | 0.0% | \$ 243,134 | \$ 120,639 | 49.6% | Posting of FY21 revenue activity delayed due to FY20 year-end closeout. | |
| 730 Student Body Center Fee | \$ 312,429 | \$ 174,013 | 55.7% | \$ 312,429 | \$ 58,203 | 18.6% | Expenditures are consistent with the needs of this fund given the current climate. | |
| 765 OPEB Investment Trust | \$ 425,000 | \$ - | 0.0% | \$ 80,000 | \$ - | 0.0% | Revenue and expenditures posted annually. | |
| 775 PARS Investment Trust | \$ 4,700,000 | \$ 57,261 | 1.2% | \$ 5,055,137 | \$ - | 0.0% | Posting of FY21 revenue activity delayed due to FY20 year-end closeout. Expenditures posted annually. | |
| 825 FNX | \$ 608,800 | \$ 18,160 | 3.0% | \$ 608,846 | \$ 273,407 | 44.9% | Revenue typically received/posted in late fall. | |
| 890 Inland Futures Foundation | \$ 785,000 | \$ 23,809 | 3.0% | \$ 785,000 | \$ 69,328 | 8.8% | Revenue and expenditures are consistent with the utilization of this fund. | |



Budget Revenue & Expenditure Summary

Year to Date 10/15/2020



SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services
PREPARED BY: Farrah Farzaneh, Director, Facilities Planning, Emergency Management & Construction
DATE: November 12, 2020
SUBJECT: Coronavirus (COVID-19) Return to the Workplace Plan Updated

RECOMMENDATION

This item is for information only and no action is required.

OVERVIEW

On July 9, 2020, the Board of Trustees approved the SBCCD Coronavirus (COVID-19) Return to the Workplace Plan. The Plan, which was created to complement the State of California’s Resilience Roadmap, ensures that the District complies with County and State mandates. Furthermore, it ensures that student, faculty, and staff safety remains a top priority, and that student instruction and administrative operations can continue even during pandemic conditions.

ANALYSIS

The SBCCD Coronavirus (COVID-19) Return to the Workplace Plan has been updated as indicated on the attached, including clarification on which public health order applies (State or County).

INSTITUTIONAL VALUES

- II. Learning Centered Institution for Student Access, Retention, and Success
- III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.



Coronavirus (COVID-19) Return to the Workplace Plan

Board Approved 7/9/2020

Updated October 2020

Coronavirus (COVID-19) Return to the Workplace Plan

INTRODUCTION

The following plan provides guidance for the San Bernardino Community College District (SBCCD) to resume district-wide business operations in light of the Coronavirus (COVID-19) pandemic. As of the date of this writing, the State of California’s Stay-at-Home order (also commonly referred to as the “Safer at Home” order) remains in force. However, many business sectors have been allowed to reopen, albeit under modified conditions. The goal of this document is to provide SBCCD with the greatest amount of flexibility to adapt to the changing environment while keeping the health and safety of the district-wide community at the forefront.

SBCCD’s Plan: Six Phases

There is a total of six phases in SBCCD’s Return to the Workplace (“RTW”) plan. Originally, the phases were given letters instead of numbers, so as not to confuse them with the stages of California’s Resilience Roadmap (Stages 1 through 4). As of August 2020, the Blueprint for a Safer Economy replaced the Resilience Roadmap. The Blueprint now features Tiers 1 through 4 (see below; Tier 1 = Widespread, 2 = Substantial, 3 = Moderate, 4 = Minimal). The State issues a Tier to each County, and the status of each County is reviewed by the State on a weekly basis.

| County risk level | Adjusted cases | Positive tests |
|---|---|--|
| WIDESPREAD <small>San Bernardino County is currently in this category.</small> | More than 7 <small>San Bernardino County is currently in this category.</small> | More than 8% <small>San Bernardino County is currently in this category.</small> |
| SUBSTANTIAL <small>San Bernardino County is currently in this category.</small> | 4-7 <small>San Bernardino County is currently in this category.</small> | 5-8% <small>San Bernardino County is currently in this category.</small> |
| MODERATE <small>San Bernardino County is currently in this category.</small> | 1-3.9 <small>San Bernardino County is currently in this category.</small> | 2-4.9% <small>San Bernardino County is currently in this category.</small> |
| MINIMAL <small>San Bernardino County is currently in this category.</small> | Less than 1 <small>San Bernardino County is currently in this category.</small> | Less than 2% <small>San Bernardino County is currently in this category.</small> |

Coronavirus (COVID-19) Return to the Workplace Plan

The District's Phase Zero represents a complete shutdown of all district-wide activity. While this has not yet occurred for the education sector in California, and may possibly never occur, the District should be prepared for the possibility that the State of California ("State") and/or San Bernardino County ("County") can force schools to close completely if the current COVID-19 situation deteriorates.

Although this plan is primarily a re-opening plan, it should also be considered a devolution plan. With the possibility of a second wave of COVID-19 infections to hit in fall 2020, SBCCD should be prepared to retreat to a previous phase with little advance notice. The reality is that the progress made in the fight against COVID-19 can be erased in a very short period of time.

Implementation of a Phase

Each of SBCCD's six phases has a trigger point. These trigger points are driven entirely by the legal guidance issued by the State and County. The U.S. Centers for Disease Control and Prevention (CDC) has also provided excellent guidance for businesses responding and reopening in light of the pandemic; however, as it is not a legal entity, the recommendations made by the CDC will be considered by SBCCD as secondary to the State and County legal guidance.

The trigger point determines the first time SBCCD can proceed to a new phase. However, **when considering a progression into reopening, the trigger point does not automatically determine SBCCD entering that phase.** The District leadership makes the final decision to proceed. There may be elements of a new phase, such as legally-mandated Personal Protective Equipment provisions, that may require the District's implementation immediately. In the case that conditions due to COVID-19 deteriorate and the District must retreat, the trigger point, driven by State/County orders, will immediately force the District into a previous phase.

The District can take a more conservative approach than the State/County guidance at any point; however, it can never take an approach that contradicts the guidance provided by the State/County.

It is important to note that the State and County provide guidance for the operating conditions of various business sectors with the following metrics in mind (just to name a few):

- The number of new COVID-19 cases in the County/State over a given period.
- The number of deaths due to COVID-19 in the County/State over a given period.
- The ability of the County/State to conduct contact tracing on infected individuals.
- The County's ability to respond to a resurgence of COVID-19 cases.
- The percentage of the County's population which tests positive for COVID-19.
- The number of daily new COVID-19 cases as a percentage of the population.

Because these metrics are subject to change constantly, it would be inappropriate for the District to schedule the implementation of its phases into the future without considering County/State guidance.

Coronavirus (COVID-19) Return to the Workplace Plan

The RTW plan was written with the alignment of as many activities as possible in a given phase. There are opportunities for some District operations to proceed deeper into reopening than others. This is acceptable, as long as the action is supported by State/County directives. For the purpose of official communications, SBCCD is in the phase represented by the most restrictive or public-health-protective action administered at a District site.

AN OVERVIEW OF THE PHASES

The following is a brief overview of each of the six phases of the RTW plan. The table at the end of this plan provides more comprehensive details of each phase.

Phase Zero

This phase represents a full and complete shutdown of the District sites, meaning that no one, including “essential” employees is allowed on site.

Please note that this has not occurred as of September 2020. School employees were identified as essential Critical Infrastructure workers by the State, and therefore allowed to come on to site during the Stay-at-Home order issued in March 2020.

However, should the COVID-19 situation worsen and a devolution occur, it is important to acknowledge that a “hard” shutdown of operations is possible.

Phase A

The trigger for this phase is the State’s Stay-at-Home order with the determination of school employees as essential employees (as mentioned in the Phase Zero description). Here is the relevant description from the state guidance document (<https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>):

- Workers supporting public and private childcare establishments, pre-K establishments, K-12 schools, colleges, and universities for purposes of distance learning, provision of school meals, or care and supervision of minors to support essential workforce across all sectors.

It is important to note that the State has included a footnote:

- Essential Workforce if remote working is not practical.

This means that SBCCD has an obligation to request that as many employees as possible work from home.

The County or State may additionally require that employees working on site maintain social distancing.* This is easier to do when the number of on-site employees is kept to a minimum.

Coronavirus (COVID-19) Return to the Workplace Plan

(*For the purposes of the RTW plan, social distancing means keeping a distance of at least six feet from others, where a physical barrier is not present. This is consistent with the guidance from the CDC.)

Considering the potential impacts of COVID-19 to specific groups of employees, the District should consider allowing those employees who are immunocompromised, caring for someone who is infected with COVID-19, or 65 years of age or older to stay at home and work from home. These employees should be allowed to stay home and work from home until the District reaches Phase C-1.

Phase B-1

On May 22, 2020, San Bernardino County submitted a request to the State of California that the County be allowed to open additional businesses as part of “enhanced” or “accelerated” Phase 2 of the State’s Resilience Roadmap. The Governor approved the request on May 23. As part of the request, the County submitted a Readiness and Reopening Plan (R&R) (http://www.sbcounty.gov/Uploads/CAO/Feature/Content/San_Bernardino_County_Readiness_and_Reopening_Plan_-_FINAL_Update_5-22-20.pdf).

The R&R Plan provides several requirements for the “Educational Services” sector, including community colleges. Of note are the following requirements (see pg. 53 of the R&R Plan):

WORKPLACE CONTROLS FOR SAFETY & HEALTH

- Require face covers for all staff, students, patrons, and customers.
- Provide station to wash hands or alcohol-based hand rubs (at least 60% alcohol)

SOCIAL DISTANCING

- Ensure six feet of distance
- Stagger break times or consider providing additional breakroom seating outside
- Rearrange seating areas for extra spacing
- Adapt breakrooms, gathering areas and storage to support social distancing

POLICY, RIGHTS, AND NOTIFICATIONS

- *Supply at minimum a two-week supply of necessary PPE (if obtainable)
- Train staff on new customer service standards
- Train employees on new cleaning standards
- Train employees how to use PPE
- Update guest and visitor policies to reflect current COVID-19 State and Federal guidelines
- Update employee travel policies to reflect current COVID-19 State and Federal guidelines
- [Update] HR policies regarding illness, support for caregivers, etc.

Coronavirus (COVID-19) Return to the Workplace Plan

In addition, the County makes the provision available for libraries, museums, and bookstores:

- Right to refuse public entrance to non-compliant persons.

(*PPE = Personal Protective Equipment. Per conversation with the County COVID-19 hotline representative on June 1, 2020, the requirement to make PPE available, "if feasible," pertains to employees, not students. SBCCD Associate Director Michael Nguyen also explained that per agreement with CSEA the District was providing each employee with one reusable cotton mask for the duration of the pandemic. The representative determined that this provision would meet the requirement of this section.)

The County confirmed via phone conversation on June 1, 2020 that all of the provisions in the R&R Plan, including those for the Educational Services sector, went into effect as of the Governor's approval of the County's petition to enter enhanced Stage 2 on May 23, 2020.

The R&R Plan is a reassurance to the District that not only can SBCCD continue existing on-site operations as an essential sector, but it can bring on additional employees (and even students) to District sites as long as social distancing and PPE guidelines are followed.

~~One major change from previous County guidance is the requirement that all persons on site wear face coverings. In early April 2020, the County issued a Public Health Order requiring all residents to wear a face covering when out in public; however, this order was rescinded in early May 2020. The County clarified via phone conversation on June 1 that the District was not required to provide face coverings to employees and students. However, the provision of face masks to employees was strongly recommended by the County.~~

As of June 2020, the California Department of Public Health (CDPH) Guidance for the Use of Face Coverings supersedes the requirements provided by the County's Readiness and Reopening Plan. The R&R Plan has not been updated since its original publication date of May 2020. The CDPH Guidance dated June 18, 2020 can be found here: https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf.

Where there is a conflict between State and County public health orders or guidance regarding social distancing or the use of face coverings, the most recent guidance from the State will take precedence, and the District will adhere to the directives provided by the State.

Phase B-2

Phase B-2 was included as a follow-up to Phase B-1, in the case that the County or State decides to rescind the face mask requirement for the education sector. There is already a precedent of the County striking down a requirement to wear face coverings while maintaining the social-distancing mandate. The District recognizes that enforcing face mask use is a significant endeavor. While there is no guarantee the face covering mandate will disappear before social distancing, the District would like to include this phase to provide maximum flexibility to District operations. Furthermore, at the time of writing this plan, there appeared to

Coronavirus (COVID-19) Return to the Workplace Plan

be a sentiment among many staff members that it was “better to be safe than sorry,” and, therefore, these employees continued to wear face masks to work regardless of the County/State guidance.

As of ~~October~~ ~~September~~ 2020, the State’s face covering mandate (dated June 18, 2020) remainsed in effect. (~~For more information on the mandate, visit: <https://www.cdph.ca.gov/Programs/OPA/Pages/NR20-128.aspx>~~)

Phase C-1

The major trigger for this phase is the State ending the Stay-at-Home order. It is important to note that this will only occur after the County has entered and passed through Tier 4 (Yellow). (Tier 4 allows for most indoor settings, including movie theaters, restaurants, and places of worship, to reopen at approximately 50 percent occupancy.)

Please note that Tier 4, despite representing the lowest County case-positivity rates and new COVID-19 cases of all the four tiers, is not equivalent to a full reopening. Occupancies for many businesses will continue to be restricted, and members of the public must still practice social distancing. Furthermore, live audiences for professional sports will not be allowed at Tier 4.

Once the Stay-at-Home order is rescinded (after Tier 4), nightclubs and concert venues can reopen, and live audience sports will be allowed.

The District has taken a conservative approach and split Phase C into two parts. Phase C-1 assumes that the Stay-at-Home order has ended, but large gatherings such as career fairs and live athletic events are restricted by social distancing or an occupancy cap. The State/County may not provide such nuanced guidance, but it is an acknowledgement from the District that the manifestation of this phase does not constitute “business as usual” – yet.

However, with the lifting of the Stay-at-Home order, students, faculty, and staff members should be able to return to District sites without restrictions. Social distancing measures and physical barriers for protection can be removed.

Phase C-2

This phase represents SBCCD’s return to normalcy. All District operations are allowed to proceed as they did before the onset of COVID-19.

If the State or County issues guidance restricting any activity for the foreseeable future (beyond implementation of Tier 4), Phase C-2 will be modified to reflect that guidance.

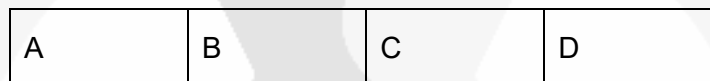
Coronavirus (COVID-19) Return to the Workplace Plan

GUIDANCE FOR IMPLEMENTING SOCIAL DISTANCING

Social distancing (staying six feet or further from others) is a key infection control method in Phases A, B-1, and B-2. In order to ensure that social distancing can be done effectively, the following should be considered.

Office Building Occupancy

Instead of implementing an occupancy cap based solely on the percentage of the total workforce in the building, the administrator should examine where each “essential” employee resides in the building, and then determine where essential employees may sit in close proximity to one another. Consider the following schematic of four cubicles arranged side-by-side in an open area (assume cubicle walls are short):



To maintain social distancing, the following employee assignments can be considered:

- Employees A and C come on site; employees B and D stay home.
- Employees A and D come on site; employees B and C stay home.
- Employees B and D come on site; employees A and C stay home.

Alternatively, the cubicle walls can be raised higher to provide a physical barrier between employees. This can allow for increased occupancy, but also consider where social distancing may be difficult (e.g. employees passing by one another in a hallway; going to the breakroom or restroom).

Where multiple work areas are arranged within one smaller room, only one person should be allowed to work inside that room at any given time, regardless of the 6-foot physical separation.

When determining who can come into the office and who should stay home during Phases A, B-1, and B-2, the goal is to be as fair as possible. Each department should come up with as many occupancy plans as practical and be prepared to rotate through them (i.e. asking different employees to come in) until the Stay-at-Home order is lifted. No employee in the department or group should be coming to work on site substantially more than the others (unless the employee’s specific job duties require it). It is worth emphasizing that “essential” work is done at home as much as it is on site.

Restrooms, Hallways, and Elevators

Social distancing in a restroom is difficult, if not impossible, to do. While toilets and urinals are isolated by barriers, hand-washing sinks are not. Where multiple sinks are present, consider placing signage requesting that only one person at a time wash their hands.

Coronavirus (COVID-19) Return to the Workplace Plan

In a wide hallway: where two employees are passing each other from opposite directions, each employee should make way for each other, in order to maintain physical distance.

For building floors with narrow hallways, consider drafting a floor plan directing “one-way-only” foot traffic to minimize the occurrence of employees running into each other. The floor plan should be drawn (bird’s-eye view) and shared with all employees on the affected floor.

The use of elevators may be limited to four or fewer people in the cab at a time. Consider placing signs at each elevator landing to remind people of the policy. Also, remind occupants that they need to physically distance while in the cab.

Breakrooms

Depending on the size of the breakroom, the administrator may have to make furniture modifications or disallow certain actions (such as eating at the table) while social distancing is in effect. Consider removing some chairs from a table to reinforce distancing. Encourage employees to take breaks outside the building, and place additional chairs and tables outside if needed.

Shared Office Equipment

Equipment used by multiple employees, such as printers and copiers, should be located at least six feet away from the closest occupant. If this cannot be done, consider placing a physical barrier (e.g. glass or glass-like shield) around the equipment.

Employee Etiquette

Employees with office suites are encouraged to leave their doors closed if there is constant foot traffic through the hallway in front of their suite, or if there is communal office equipment (e.g. printer/copier) in the vicinity of their suite.

Face-to-face conversations should be kept to a minimum and should pertain to work. Extended conversations and “catch up” chats should be avoided.

Student Services Departments

Where face-to-face interaction between a staff member and a student is required, there should be a glass or glass-like partition between the two persons. If a partition cannot be installed during the social-distancing mandate, the department should consider an alternate method of rendering services.

Occupancy in a waiting room or lobby should be limited to reinforce physical distancing. Remove chairs as needed. Have “X” stickers or similar on the floor and direct foot traffic with signage (directional arrows, etc.).

Coronavirus (COVID-19) Return to the Workplace Plan

If overcrowding (either indoors or outdoors) is a concern, consider implementing an appointment system (i.e. students must call ahead before showing up). Establish a daily or hourly cap for service.

The department should remind students not to come to District sites if they are exhibiting symptoms which may be indicative of COVID-19 (e.g. fever, sore throat, cough, shortness of breath).

GUIDANCE FOR SPECIFIC DISTRICT OPERATIONS

Visitor Policy

Throughout Phases A, B-1, and B-2, visitors (i.e. any persons with no affiliation with the District) should not be allowed to visit District sites. To the greatest extent possible, virtual conference calls (e.g. Zoom) should take the place of physical, face-to-face meetings. Consider asking prospective students to reach out to student services departments via teleconference, email, or telephone.

The District may decide to take these steps during phases A, B-1, and B-2 if visitors must be accommodated:

- Option 1: Leave the receptionist desk vacant; door closed; ask visitor to call when on site; employee will meet visitor.
- Option 2: Receptionist on site; door closed; ask visitor to call when on site; receptionist will meet visitor and direct visitor to employee while maintaining social distancing. (Glass barrier option for receptionist desk can be considered.)
- Option 3: Receptionist on site; door open; direct visitor to employee while maintaining social distancing. Signs directing visitor where to stand and walk. (Glass barrier option for receptionist desk can be considered.)

Vendor Policy

The guidance for vendors is largely similar to that for visitors. There may be some exceptions for critical activities, such as vendors visiting a construction site. Those individuals must be vetted through the appropriate District employee(s) coordinating the project, and the individuals must follow all proper safety guidelines as directed, including social distancing and the use of PPE as required by the District and/or State/County.

If dropping off items, vendors should simply “drop and go.” Close contact with an employee should be avoided if possible. Where contact is necessary (e.g. signature confirmation of delivery), both the receiver and the delivery person should wear face coverings.

Coronavirus (COVID-19) Return to the Workplace Plan

Travel Policy

SBCCD-Sponsored Travel

Until the State rescinds the Stay-at-Home order and large gatherings are allowed to resume per local/County orders, employees and students should not expect to attend conferences or meetings within the State. (This includes events within driving distance.) Most reputable event organizers will be following State and County guidance before scheduling a conference or other major event. SBCCD will follow the most restrictive local jurisdiction.

When considering out-of-state or international travel, the following questions should be considered:

1. Is the event allowed by the local jurisdiction, based upon anticipated number of attendees? (Answer should be yes.)
2. Is the event organizer following all local and state COVID-19 guidance? (Answer should be yes.)
3. Is there a CDC advisory warning against non-essential travel domestically/ internationally? (Answer should be no.)
4. Is there a CDC advisory warning not to travel to the city/state where the event is to be held? (Answer should be no.)
5. Is there a state/local requirement for travelers to self-quarantine for XX days upon arrival? (Answer should be no.)
6. Is there a spike in the number of COVID-19 cases in the local area during the time leading up to the event? (Answer should be no.)

If one can answer all the preceding questions with the indicated answers, it is most likely safe to travel to the event. Keep in mind that other conditions, such as social distancing and wearing face coverings, may apply during travel (particularly air travel) and upon arrival at your destination.

To check on the latest CDC guidance for travel, please visit the CDC web page (<https://wwwnc.cdc.gov/travel/notices>).

The final decision on whether work-related travel is permissible lies with the Chancellor. Travel approval may depend on various factors such as mode of travel, destination, and duration of trip.

Where possible, employees and students should book with airline carriers, rental car companies, and hotels with flexible cancellation policies. Please note that that a travel credit (for future use of the funds) is not the same as a refund.

Personal (Leisure) Travel

Travelers should follow the most up-to-date CDC guidance on domestic and international travel. Keep in mind that some destinations require a mandatory 14-day self-quarantine period upon

Coronavirus (COVID-19) Return to the Workplace Plan

arrival. Also, depending on the destination, the CDC or the County may require/recommend a 14-day self-quarantine upon *return* to the United States. The District expects that all employees and students will heed these requirements before returning to District sites for work or classes.

Food Service/Sales on District Sites

Each District site should evaluate the anticipated demand for food services, as well as any social distancing mandates, when deciding when to reopen food services. Food service employees are considered essential employees, but they must follow strict guidelines to ensure social distancing as well as proper sanitation and hygiene. Overcrowding or prolonged social congregation in the kitchen and serving areas will be prohibited. Indoor seating will be limited to the extent permitted by San Bernardino County Public Health guidance, and accommodations should be made for outdoor seating.

One possible alternative to “on demand,” on-site food preparation is to limit the menu to pre-packaged, grab-and-go, and/or hot-and-ready items.

“Buffet-style” food distribution (e.g. large District events such as the Classified Employees’ Thank-You event) should be avoided until the County/State provides further guidance on this type of food service.

Child Development Centers

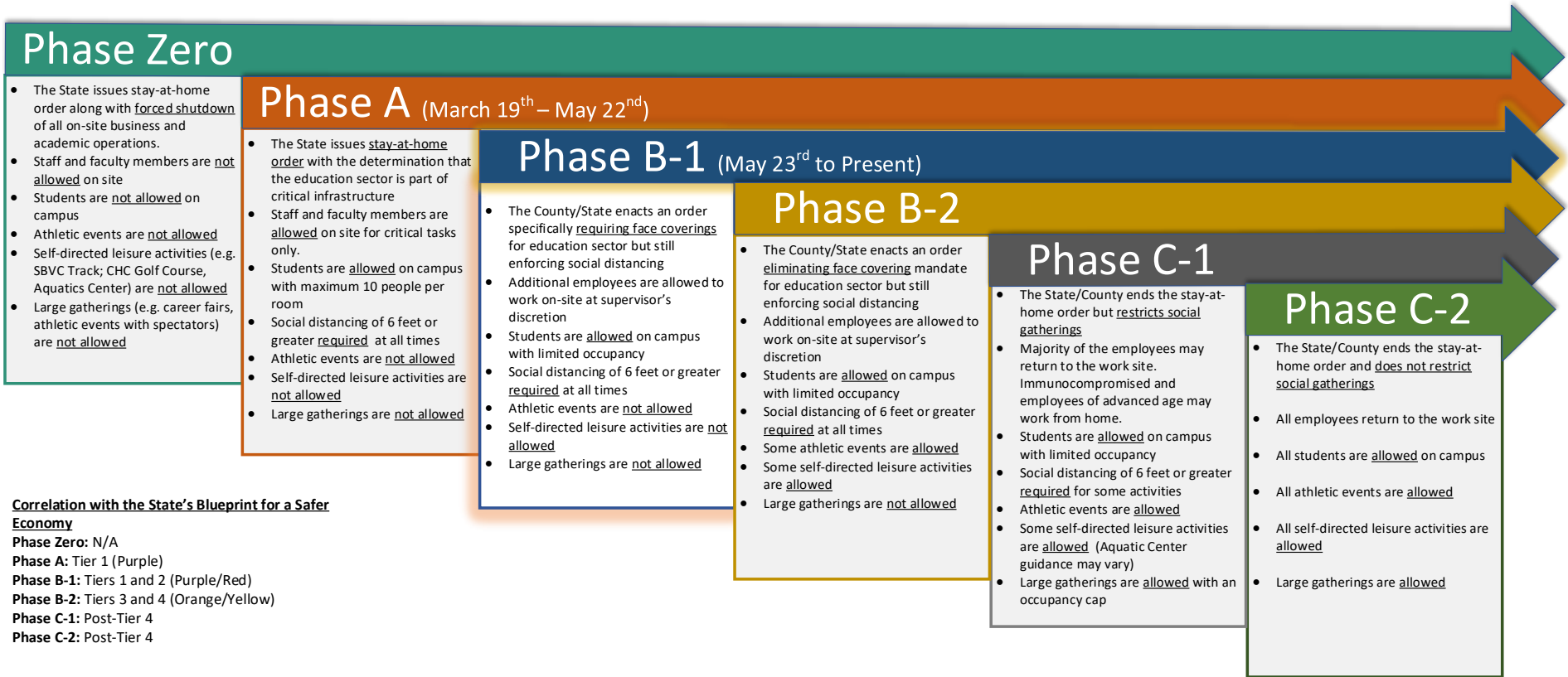
The State identified “public... childcare establishments” as an essential government and community-based function upon the issuance of the Stay-at-Home order in March 2020. Out of an abundance of caution, the Child Development Centers at Crafton Hills College and San Bernardino Valley College closed in March and remain closed as of the writing of this plan. It is difficult to “socially distance” young children in a daycare-type environment, not to mention that children are particularly susceptible to being infected with COVID-19 or other illnesses.

The District may decide to reopen the Child Development Centers at full capacity when it reaches Phase C-1.

Some actions worth implementing at the centers upon reopening include:

- Temperature checks of forehead upon arrival and throughout the day
- Monitoring for symptoms of illness (via inquiry to parent as well as on site throughout the day)
- Sending children home if they feel sick
- Avoiding sharing play items between children without sanitization
- Constant sanitization of common-touch surfaces, play items, etc.
- Frequent hand-washing – both children and employees
- Provision of alcohol-based hand sanitizer

Coronavirus (COVID-19) Return to the Workplace Plan



Correlation with the State's Blueprint for a Safer Economy

Phase Zero: N/A

Phase A: Tier 1 (Purple)

Phase B-1: Tiers 1 and 2 (Purple/Red)

Phase B-2: Tiers 3 and 4 (Orange/Yellow)

Phase C-1: Post-Tier 4

Phase C-2: Post-Tier 4

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services
PREPARED BY: Lawrence P. Strong, Director of Fiscal Services
DATE: November 12, 2020
SUBJECT: General Fund Cash Flow Analysis

RECOMMENDATION

This item is for information only and no action is required.

OVERVIEW

The District’s budget is a financial plan based on estimated revenues and expenditures for the fiscal year, which runs from July 1 through June 30. Cash refers to what is actually in the District’s treasury on a day-to-day and month-to-month basis. Monitoring the amount of cash available to meet the District’s financial obligations is the core responsibility of the Fiscal Services Department. Attached is the restricted and unrestricted General Fund monthly cash flow analysis for the District.

ANALYSIS

The General Fund cash balance as of June 30, 2021, is estimated to be \$10,000,000. This estimate includes apportionment deferrals, which are reductions in cash payments owed to the District due to an unbalanced State budget. These delayed cash payments are to be made in fiscal year 2021-22.

Deferral amounts and timing are based on current State guidance. In response to the deferrals, this forecast includes temporary borrowings from other District funds to maintain the General Fund cash balance above \$10 million.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

This is an information item only. There are no financial implications.



General Fund Cash Flow Analysis – Restricted & Unrestricted Fiscal Year 2020-21

(as of October 13, 2020, rounded to the nearest \$1,000)

| | PROJECTED | | | | | | | | | | | | ACCRUALS | TOTAL |
|---------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|--------------|---------------|---------------|---------------|---------------|----------|----------------|
| | JUL | AUG | SEPT | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | | |
| Estimated Beginning Cash Balance | 27,691 | 26,244 | 27,983 | 29,801 | 21,217 | 20,783 | 30,432 | 25,714 | 18,816 | 13,786 | 10,000 | 10,000 | | |
| Receipts | | | | | | | | | | | | | | |
| Federal | | 45 | 747 | 499 | | | 1,119 | 326 | 395 | 1,000 | -1,402 | -396 | | 2,334 |
| State | 7,576 | 8,551 | 13,638 | 9,037 | 8,370 | 6,750 | 9,755 | 7,825 | 8,834 | 7,137 | 7,034 | 5,266 | | 99,772 |
| State Deferrals* | | | | | | | 5,576 | -4,850 | -4,850 | -4,850 | -4,850 | -4,850 | | -18,677 |
| Local | 1,070 | 1,012 | 3,965 | 483 | 2,895 | 14,801 | 7,559 | 4,749 | -929 | -929 | 5,846 | 2,938 | | 43,461 |
| Temporary Borrowings | | | | | | | | | | 8,589 | 11,914 | 9,031 | | 29,534 |
| Interfund Transfer & Sale of Assets | 894 | 894 | 894 | 1,401 | 1,413 | 1,401 | 1,407 | -7,528 | 10,345 | 774 | 2,028 | 1,604 | | 15,527 |
| Accounts Receivable/Accruals | 168 | 4 | 79 | 522 | 440 | 585 | 1,876 | 436 | 507 | 461 | 1,637 | 838 | | 7,553 |
| Total Receipts | 9,709 | 10,506 | 19,324 | 11,942 | 13,118 | 23,536 | 27,292 | 957 | 14,302 | 12,180 | 22,207 | 14,431 | | 179,504 |
| Disbursements | | | | | | | | | | | | | | |
| Academic Salaries | 3 | 2,279 | 4,355 | 4,820 | 4,917 | 4,869 | 5,359 | 4,291 | 4,851 | 4,794 | 4,871 | 7,871 | | 53,281 |
| Classified Salaries | 2,644 | 2,708 | 2,652 | 3,055 | 3,034 | 3,163 | 3,022 | 2,909 | 2,755 | 3,079 | 3,121 | 3,690 | | 35,833 |
| Benefits | 1,185 | 1,956 | 2,303 | 2,479 | 2,513 | 2,512 | 2,510 | 2,395 | 2,486 | 2,517 | 2,537 | 3,709 | | 29,100 |
| Supplies & Materials | 83 | 78 | 90 | 553 | 319 | 266 | 348 | 351 | 321 | 321 | 321 | 321 | | 3,374 |
| Other Operating Exp | 2,005 | 1,382 | 2,333 | 6,476 | 1,577 | 2,353 | 2,573 | 2,463 | 2,932 | 1,956 | 1,956 | 1,956 | | 29,962 |
| Capital Outlay | 262 | 175 | 198 | 431 | 212 | 299 | 320 | 366 | 256 | 431 | 431 | 431 | | 3,812 |
| Other Outgo | 944 | 133 | 1,616 | 2,701 | 1,001 | 923 | 1,036 | 1,401 | 1,604 | 1,950 | 1,420 | 1,420 | | 16,150 |
| Longterm Post-Employment Benefits | -7 | -10 | -10 | -10 | -10 | -10 | 42 | -1 | -1 | -1 | -2 | 11 | | -10 |
| Accounts Payable/Accruals | 4,038 | 68 | 3,969 | 21 | -12 | -487 | 16,799 | -6,320 | 4,128 | 918 | 7,551 | -4,978 | | 25,693 |
| Total Disbursements | 11,156 | 8,767 | 17,506 | 20,526 | 13,551 | 13,888 | 32,009 | 7,856 | 19,332 | 15,965 | 22,207 | 14,431 | | 197,195 |
| Increase / (Decrease) in Cash Balance | -1,447 | 1,739 | 1,818 | -8,584 | -433 | 9,648 | -4,717 | -6,898 | -5,030 | -3,786 | | | | |
| Estimated Ending Cash Balance | 26,244 | 27,983 | 29,801 | 21,217 | 20,783 | 30,432 | 25,714 | 18,816 | 13,786 | 10,000 | 10,000 | 10,000 | | |

*Deferrals are reductions in cash payments owed to the District due to an unbalanced State budget. These delayed payments are to be made in FY2021-22. Deferral amounts and timing are based on current State guidance. In response to the deferrals, this forecast includes temporary borrowings from other District funds to maintain the General Fund cash balance above \$10 million.

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Steven J. Sutorus, Business Manager

DATE: November 12, 2020

SUBJECT: Contracts Below \$95,200

RECOMMENDATION

This item is being presented for information only. No further action is necessary.

OVERVIEW

In accordance with SBCCD Board Policy 6100, Delegation of Authority, The Board of Trustees delegates authority to the Chancellor to supervise the general business procedures of the District to assure the proper administration of property and contracts.

In line with Public Contract Code Section 17605 and Section 22034(c), the Board of Trustees delegates purchasing and contracting authority to the named agents on the authorized signature list. These designated District Officers have authority to approve purchase requests; award, sign, and execute contracts; and authorize payment under the formal bid limits set by Public Contract Code. Such purchase and/or contract requests shall not require Board approval, but shall be sent to the Board as an information item every 60 days.

ANALYSIS

The California Board of Governors sets the formal bid limit for procurement of goods and or services on an annual basis. The formal bid limit for the current calendar year has been set at \$95,200. Construction services are not included in this board item.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The attached purchase and or contract requests have been budgeted for via purchase requisition.

CONTRACTS AND AGREEMENTS

Under \$95,200

1 of 6

Board Date 11-12-2020

| ControlNo | Vendor Name | Contract Type | Dept/Location | Expense | Income | Amended |
|-----------|---|--------------------------|-------------------------|-------------|--------------|-------------------------|
| 19911 | 20/20 Technology LLC | Consultants | Research & Planning/CHC | \$15,100.00 | | |
| 19907 | ACCO Engineered Systems | Maintenance Agreement | Maintenance/ SBVC | \$50,000.00 | | |
| 19855 | Amazon Web Service Inc. | Software/Online Services | ATPC/SBCCD | \$4,000.00 | | |
| 19898 | Arellano, Cathy | Speaker | Library/SBVC | \$500.00 | | |
| 19913 | Axon Enterprises, Inc. | Maintenance Agreement | District Police/SBCCD | \$249.98 | | |
| 19924 | Berg Fire Protection, Inc. dba Red Star Fire Protection | Services | Maintenance/ CHC | \$3,231.00 | | |
| 19906 | BioOne | Software/Online Services | Biology/SBVC | \$3,000.00 | | |
| 19866 | Brickley Construction Company Inc. dba Brickley Environmental | PO as Contract | Business Services/SBCCD | \$19,150.00 | | |
| 19873 | California Manufacturing Technology Consulting (CMTC) | Income - Grant | EDCT/SBCCD | | \$120,000.00 | |
| 19905 | California, State of | Income - General | Health Center/SBVC | | No Charge | |
| 19926 | California, State of | Income - General | Health Center/SBVC | | No Charge | |
| 19348 | Cambridge West Partnership LLC | Consultants | Chancellor/SBCCD | \$80,000.00 | | Extend Time By 8 Months |
| 19868 | Card Integrators Corporation dba CI Solutions | Services | Student Life/CHC | \$1,680.12 | | |
| 19890 | Care Solace dba Addiction Treatment Technologies | Services | Grants/SBVC | \$71,750.00 | | |

CONTRACTS AND AGREEMENTS

Under \$95,200

2 of 6

Board Date 11-12-2020

| ControlNo | Vendor Name | Contract Type | Dept/Location | Expense | Income | Amended |
|-----------|---------------------------------------|-----------------------------|------------------------------|-------------|-----------|---------|
| 19925 | Carlson, Laura dba Alpha Films | Program Acquisition | FNX/KVCR | No Cost | | |
| 19922 | Castillo, Salvador | Consultants | KVCR/KVCR | \$95,000.00 | | |
| 19903 | CDW Government Inc. | Software/Online Services | Campus Tech/CHC | \$6,434.10 | | |
| 19912 | Champaign Public Media "WGNK-DB" | Broadcasting Rights | FNX/KVCR | No Cost | | |
| 19908 | Cintas the Uniform People | Rental | Print Shop/SBCCD | \$7,519.05 | | |
| 19528 | Clarke, William | Consultants | Foundation/ SBVC | \$11,000.00 | | |
| 19884 | Community Action Partnership | Income - Facilities Use | Administrative Services/SBVC | | No Charge | |
| 19902 | Community College League of CA | Participation Agreement | TESS/SBCCD | \$20,289.00 | | |
| 19901 | Community College League of CA | Participation Agreement | TESS/SBCCD | \$8,732.00 | | |
| 19895 | Compressed Air Specialties Inc. | Repairs | Fire Technology/CHC | \$1,368.35 | | |
| 19923 | CurriQunet | Software/Online Services | TESS/SBCCD | \$30,870.00 | | |
| 19883 | D&E Armijo Inc. dba Fleet Feet Sports | Production of Team Uniforms | Athletics/SBVC | \$3,474.94 | | |
| 19894 | Dai, Elley C. | Consultants | Science/SBVC | \$18,750.00 | | |
| 19892 | Dove Professional Apparel Inc. | Production of Logo Items | Student Equity/SBVC | \$173.00 | | |

CONTRACTS AND AGREEMENTS

Under \$95,200

3 of 6

Board Date 11-12-2020

| ControlNo | Vendor Name | Contract Type | Dept/Location | Expense | Income | Amended |
|-----------|---|-----------------------------|---------------------------|-------------|-------------|---------|
| 19870 | Dr. Luis Vargas, A Dental Corporation | Off-Campus Work Study | CalWORKs/SBVC | \$16,000.00 | | |
| 19888 | Dude Solutions Inc. dba SchoolDude.com | Software/Online Services | Maintenance/SBVC | \$3,072.90 | | |
| 19893 | Eastbay Inc. | Production of Team Uniforms | Athletics/SBVC | \$2,381.80 | | |
| 19856 | Entrinsik, Inc. | Consultants | TESS/SBCCD | \$7,500.00 | | |
| 19487 | Experis US Inc. | Professional Services | ATPC/SBCCD | \$90,000.00 | | |
| 19919 | Fire ETC (AFECO Inc. dba) | Rental | Fire Technology/CHC | \$50,427.00 | | |
| 19909 | Foothill-DeAnza CCD | Income - Grant | Instruction/SBVC | | \$15,000.00 | |
| 19887 | Freitas, Gerald W dba Gerry Freitas Hoop Review | Independent Contractor | Athletics/SBVC | \$200.00 | | |
| 19867 | Hanigan Company, The | Production of Awards | Admissions & Records/SBVC | \$2,924.60 | | |
| 19897 | Healthy Roster, Inc. | Software/Online Services | Athletics/SBVC | \$631.00 | | |
| 19915 | Hudson, Donald J | On Demand Services | TESS/SBCCD | \$7,500.00 | | |
| 19896 | IDAutomation.com Inc. | Software/Online Services | TESS/SBCCD | \$889.00 | | |
| 19889 | ISES Corporation | Software/Online Services | Facilities Planning/SBCCD | \$3,975.00 | | |
| 19900 | KI -Krueger International | Services | Facilities Planning/SBCCD | \$10,700.00 | | |

CONTRACTS AND AGREEMENTS

Under \$95,200

4 of 6

Board Date 11-12-2020

| ControlNo | Vendor Name | Contract Type | Dept/Location | Expense | Income | Amended |
|-----------|--|--------------------------|-----------------------|-------------|------------|---------|
| 19881 | Letterhead Factory Inc. | Production of Logo Items | Student Life/SBVC | \$876.00 | | |
| 19863 | LexisNexis Coplogic Solutions Inc. | Software/Online Services | District Police/SBCCD | \$7,500.00 | | |
| 19527 | Los Cenzontes Mexican Arts Center | Clinicals | Nursing/SBVC | No Cost | | |
| 19916 | Mancera JR, Manuel | Performer | Student Equity/SBVC | \$630.00 | | |
| 19917 | Mellin, Linda Marie dba American Printing & Promotions | Production of Logo Items | Grants Office/SBVC | \$9,715.81 | | |
| 19921 | Mellin, Linda Marie dba American Printing & Promotions | Production of Logo Items | Student Equity/SBVC | \$1,851.07 | | |
| 19904 | Mellin, Linda Marie dba American Printing & Promotions | Production of Logo Items | Student Equity/SBVC | \$6,541.50 | | |
| 19880 | Miracle Mile Car Wash | On Demand Services | District Police/SBCCD | \$500.00 | | |
| 19857 | Moreno Valley Aquatics | Income - Facilities Use | Pool/CHC | | \$1,000.00 | |
| 18349 | Napa Valley CCD | Training Services | EDCT/SBCCD | \$25,000.00 | | |
| 19885 | OCLC, Inc. | Software/Online Services | Library/SBVC | \$7,000.00 | | |
| 19920 | PAPE Group, Inc. dba Pape material Handling Inc. | Repairs | TESS/SBCCD | \$1,077.50 | | |
| 19914 | Pat's Pots | Rental | Maintenance/ CHC | \$190.00 | | |
| 19862 | Pipit & Finch | Broadcasting Rights | FM/KVCR | \$1,181.47 | | |

CONTRACTS AND AGREEMENTS

Under \$95,200

5 of 6

Board Date 11-12-2020

| ControlNo | Vendor Name | Contract Type | Dept/Location | Expense | Income | Amended |
|-----------|---|--------------------------|------------------------------|-------------|-------------|-------------|
| 19891 | Quinn Power Systems | Repairs | Maintenance/ CHC | \$390.00 | | |
| 19860 | Real Journey Academies, Inc. | Off-Campus Work Study | CalWORKs/SBVC | \$30,000.00 | | \$14,000.00 |
| 19931 | Redlands Door & Window Company dba Gerber, Guy | Repairs | Maintenance/ CHC | \$2,690.00 | | |
| 19930 | Redlands, City of | Clinicals | EMS/CHC | No Cost | | |
| 19874 | Riverside CCD | Income - Grant | Career Education/CHC | | \$22,040.00 | |
| 19875 | Riverside CCD | Income - Grant | EDCT/SBCCD | | \$75,000.00 | |
| 19871 | Riverside CCD | Income - Grant | EDCT/SBCCD | | \$10,000.00 | |
| 19877 | Riverside CCD | Income - Grant | Technical Training/SBVC | | \$80,066.00 | |
| 19910 | San Bernardino City USD | On Demand Services | Print Shop/SBCCD | \$3,000.00 | | |
| 19899 | San Bernardino County Superintendent of Schools | Participation Agreement | Child Care Center/SBCCD | No Cost | | |
| 19882 | San Bernardino County Superintendent of Schools | Services | Child Care Center/CHC | No Cost | | |
| 19858 | San Bernardino, County of | Donation Agreement | Fire Technology/CHC | \$20,000.00 | | |
| 19929 | San Bernardino, County of | Income - Facilities Use | Administrative Services/SBVC | | No Charge | |
| 19872 | SendSafely Inc. | Software/Online Services | TESS/SBCCD | \$2,400.00 | | |

CONTRACTS AND AGREEMENTS

Under \$95,200

6 of 6

Board Date 11-12-2020

| ControlNo | Vendor Name | Contract Type | Dept/Location | Expense | Income | Amended |
|-------------------------------|--------------------------------------|-----------------------------|-------------------------|--------------|--------------|---------|
| 19876 | Silva, Simon | Speaker | Student Services/CHC | \$2,000.00 | | |
| 19927 | Smartsheet, Inc. | Software/Online Services | Research & Planning/CHC | \$990.00 | | |
| 19928 | SmartyStreets LLC | Software/Online Services | TESS/SBCCD | \$1,500.00 | | |
| 19865 | Sports Endeavors Inc. dba Soccer.com | Production of Team Uniforms | Athletics/SBVC | \$1,464.77 | | |
| 19869 | Strata Information Group (SIG) | Consultants | Financial Aid/CHC | \$32,640.00 | | |
| 19861 | Strata Information Group (SIG) | Consultants | Financial Aid/SBVC | \$50,560.00 | | |
| 19864 | Temecula Valley USD | Subgrantee | EDCT/SBCCD | \$6,200.00 | | |
| 19918 | Triveni Digital Inc. | Maintenance Agreement | FNX & KVCR/KVCR | \$2,155.00 | | |
| 19932 | United Rentals North America Inc. | On Demand Repairs Agreement | Maintenance/ SBVC | \$25,000.00 | | |
| 19886 | Watson Bros | Repairs | Chemistry/SBVC | \$1,820.00 | | |
| 19878 | Zoho Corporation | Software/Online Services | TESS/SBCCD | \$4,913.00 | | |
| Total Number of contracts: 81 | | | | \$898,258.96 | \$323,106.00 | |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Jose F. Torres, Interim Chancellor
PREPARED BY: Kristina Hannon, Vice Chancellor, Human Resources & Police Services
DATE: November 12, 2020
SUBJECT: MOUs between SBCCD and the California School Employees Association and its SBCCD Chapter 291 (CSEA)

RECOMMENDATION

This item is for information only and no action is required.

OVERVIEW

The District and the CSEA met and entered into the attached Memorandums of Understanding, also known as MOUs.

ANALYSIS

The attached MOUs constitute the full and complete Agreement between the District and the CSEA.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

There are no financial implications associated with this information item.

MEMORANDUM OF UNDERSTANDING
By and Between
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT
And
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION and its
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT CHAPTER #291

October 20, 2020

Terms and Conditions: This Memorandum of Understanding is entered into by and between the San Bernardino Community College District (hereinafter, "District") and the California School Employees Association and its Chapter #291, (hereinafter "Association"), collectively referred to as "the Parties".

The Parties agree to the following regarding the Alternate Work Schedule ("AWS") for the period of Thursday, December 31, 2020 through Saturday, July 31, 2021.

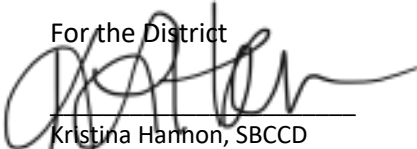
1. The AWS will be offered due to the unforeseen effects of the California State of emergency (e.g. dependent care, undue hardships). Unit members may initiate a meeting with their immediate supervisor to discuss the option of working an AWS. The adjustment to an AWS will be mutually agreed by the unit member and immediate supervisor. In the case the immediate supervisor and unit members are unable to mutually agree resulting in a denial to an AWS the request shall be brought to the District and Association to discuss the reason for the denied AWS change. All efforts will be made to approve an AWS. If there is an AWS conflict, changes will be done based on permanent hire date among those in the same classification and department who normally perform the work involved.
2. Unit members may participate in the AWS. The AWS workweek will be Monday through Friday unless otherwise agreed by the Parties in an MOU. Unit members will continue to work a forty (40) hour workweek and may utilize the following AWS examples, but not an all-inclusive list;
 - a. Unit member will work a ten-hour, four-day workweek (4/10)
 - b. Unit member will work a nine-hour, eighty hour per 2-workweek (9/80)
 - c. Adjustments to beginning and ending times of the workday
 - d. Split Shift
3. Graveyard shifts will be excluded from any proposals.
4. Holidays will be offered and compensated in accordance with Article 12. Holiday work will be offered by seniority per classification.
5. Unit members shall be notified of their AWS start and end times via electronic notification.
6. The District will provide the Association with the AWS including names, location, and shift times worked at the beginning of the AWS.

7. AWS are excluded from receiving a shift differential in accordance with Article 7.2

8. This MOU will be reevaluated and subject to negotiations at any time.

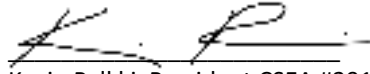
This agreement is subject to all approvals required by the CSEA 610 policy and the District.

For the District

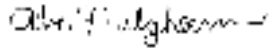


Kristina Hannon, SBCCD
Vice Chancellor, Human Resources
and Police Services

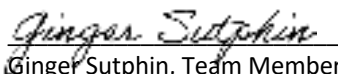
For CSEA



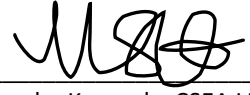
Kevin Palkki, President CSEA #291



Abe Fulgham, Team Member



Ginger Sutphin, Team Member



Myesha Kennedy, CSEA LRR



David Stevenson, Team Member



Stacy Garcia, Team Member

MEMORANDUM OF UNDERSTANDING
By and Between
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT
And
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION and its
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT CHAPTER #291

October 6, 2020

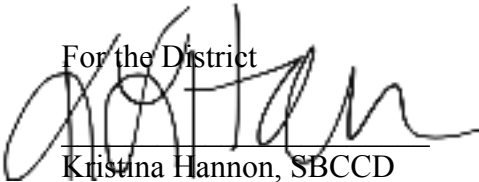
Terms and Conditions: This Memorandum of Understanding is entered into by and between the San Bernardino Community College District (hereinafter, "District") and the California School Employees Association, and its Chapter #291, (hereinafter "Association"), collectively referred to as "the Parties".

The Parties agree to approve the interim Out-of-Class assignment for Christopher Crew, Senior Research & Planning Analyst, to Director of Research, Planning & Institutional Effectiveness, under the following stipulations:

1. The length of the assignment will be January 1, 2021 through June 30, 2021, or until a decision is made by the Employee or management to end the assignment. The Employee began working Out-of-Class in July 1, 2020 as the Director, Research, Planning & Institutional Effectiveness.
2. The Employee will be compensated from the Management Salary Schedule at Range 21, Step A. The identification of the salary range and step in this MOU is for reference only, and not subject to negotiation between the District and CSEA.
3. The Parties agree that the employee, while performing the Out-of-Class assignment, remains a unit member and may benefit from any and all rights and representation afforded them through affiliation with CSEA.
4. The Parties agree that the Employee will not take part in any classified employee evaluations or employee discipline proceedings during the assignment as Director of Research, Planning & Institutional Effectiveness, or be evaluated during this Out-of-Class service.
5. Upon completion of the Out-of-Class assignment, the Employee shall return to their regular classified position as Senior Research & Planning Analyst.
6. The Parties agree that during the Out-of-Class assignment, the Employee's seniority as Senior Research & Planning Analyst will continue to accrue and the Out-of-Class assignment will not be construed in any manner as a break in service.
7. This Memorandum of Understanding constitutes the full and complete Agreement regarding the Management assignment of Christopher Crew.

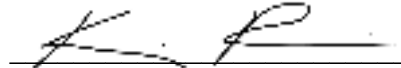
This agreement is subject to all approvals required by the CSEA 610 policy and the District.

For the District

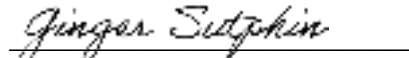

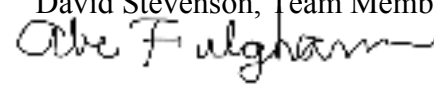


Kristina Hannon, SBCCD
Vice Chancellor, Human Resources &
Police Services

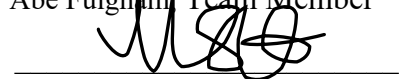
For CSEA



Kevin Palkki, President CSEA #291


Ginger Sutphin, Team Member
Stacy Garcia, Team Member
David Stevenson, Team Member

Abe Fulgham, Team Member


Myesha Kennedy, CSEA LLR

MEMORANDUM OF UNDERSTANDING
By and Between
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT
And
CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION and its
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT CHAPTER #291

September 29, 2020

Terms and Conditions: This Memorandum of Understanding is entered into by and between the San Bernardino Community College District (hereinafter, "District") and the California School Employees Association, and its Chapter #291, (hereinafter "Association").

The parties agree to the following as it relates to the bargaining unit member being laid off effective 12/31/2020, as contained in Resolution No. 2020-09-10-HR-01 adopted by the Board at their 09/10/2020, regular meeting:

1. Documentation: The District will provide the Association with a final list of the placement of the affected bargaining unit members and all communication sent to affected bargaining unit members. The District will provide the most recent contact information that has been provided by the affected bargaining unit members.
 - a. Effective 11/16/2020, Jacqueline Diaz (Student Services Technician II, Water Supply Engineering Department, C114611, 1.0 FTE, Applied Technology Division) will take a voluntary demotion in lieu of layoff, in accordance with Article 9.8 to the position of Admissions & Records Technician, Admissions and Records Department at Valley College (Admissions & Records Technician, Admissions and Records Department, C112312, 1.0 FTE.)
 - b. The Employee will be placed at Range 32 Step C in accordance with Article 9.8.
 - c. In accordance with voluntary demotions the member will not accrue any additional probationary period.
2. The District recognizes that layoffs impact the amount of work that can be done by remaining bargaining unit members. The remaining bargaining unit members shall not be required to perform duties outside of their job description, except when working out of classification as authorized by law. Further, such employee(s) shall not be required to perform overtime work as a result of the layoffs.
 - a. The Parties recognize that the Student Services Tech II position was funded with two (2) grants, Strong Workforce-Construction Inspection and Strong Workforce-Veterans Education Grants.
 - b. No employees shall be required to perform overtime work related to the duties associated with the Veterans Education Grant.

- 3. The District and CSEA will meet to discuss workload issues as a result of layoff as the need arises.

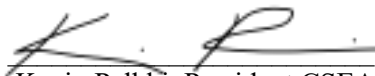
The agreement is subject to approval as per CSEA Policy 610 and ratification by the District's Board.

For the District

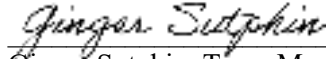


Kristina Hannon, SBCCD
Vice Chancellor, Human Resources &
Police Services

For CSEA



Kevin Palkki, President CSEA #291



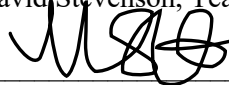
Ginger Sutphin, Team Member



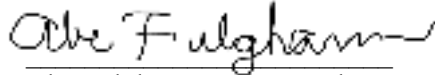
Stacy Garcia, Team Member



David Stevenson, Team Member



Myesha Kennedy, CSEA LRR



Abe Fulgham, Team Member

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Kristina Hannon, Vice Chancellor, Human Resources & Police Services

DATE: November 12, 2020

SUBJECT: MOUs between SBCCD and the San Bernardino Community College District Teachers Association (CTA)

RECOMMENDATION

This item is for information only and no action is required.

OVERVIEW

SBCCD staff and the CTA met and entered into the attached Memorandums of Understanding, also known as MOUs.

ANALYSIS

The attached MOUs constitute the full and complete Agreement between the District and the CTA.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness and Excellence.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this information item.

MEMORANDUM OF UNDERSTANDING
By and Between
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT
AND
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT TEACHERS ASSOCIATION

Student Learning Outcomes

This Memorandum of Understanding (“MOU”) is entered by and between the San Bernardino Community College District (“District”) and the San Bernardino Community College District Teachers Association CTA/NEA (“Association”), collectively, “the parties.”

WHEREAS, the compensation for work on Student Learning Outcomes (SLOs) has been incorporated into both the full-time and part-time salary schedules; and

WHEREAS, Article 13 now describes faculty workload to include work on learning outcomes, but does not itemize examples of this work as in the MOU dated January 30, 2013;

THEREFORE,

The faculty work in regards to the development and assessment of student learning outcomes, program level outcomes, and institutional learning outcomes may include:

1. Writing and revising learning outcomes.
2. Choosing a method to measure the learning outcomes.
3. Setting a numerical target for outcome results.
4. Assessing the learning outcomes and documentation of results.
5. Participating in departmental meetings.
6. Evaluating outcome results per the cycle established by the institution.
7. Ensuring that the learning outcomes on the active current Course Outline of Record (COR) are on the syllabus.

The District shall continue to provide training in the SLO process to all interested faculty.

This MOU shall be effective October 23, 2020.

SBCCD

Date: 10/23/2020

Kristina Hannon

Kristina Hannon, Vice Chancellor, Human Resources & Police Services, SBCCD Chief Negotiator

SBCCDTA

Date: 10/23/2020

Sheri Lillard

Sheri Lillard, SBCCDTA Chief Negotiator

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Farrah Farzaneh, Director, Facilities Planning Emergency Management & Construction

DATE: November 12, 2020

SUBJECT: Non-Bond Construction Contracts, Change Orders, and Amendments
(Below \$60,000)

RECOMMENDATION

This item is being submitted for information only. No action is necessary.

OVERVIEW

This board item affects small scale construction contracts, as well as any change orders or amendments, which have a total value of \$60,000 or less.

In accordance with SBCCD Board Policy 6100, Delegation of Authority, The Board of Trustees delegates authority to the Chancellor to supervise the general business procedures of the District to assure the proper administration of property and contracts. In line with Public Contract Code Section 17605 and Section 22034(c), the Board of Trustees delegates purchasing and contracting authority to the named agents on the authorized signature list. These designated District Officers have authority to approve purchase requests; award, sign, and execute contracts; and authorize payment under the formal bid limits set by Public Contract Code.

ANALYSIS

Per Public Contract Code 22032(a), public projects of \$60,000 or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order. Informal proposals were solicited as necessary and an analysis of those received indicates that the contracts selected best suit the needs of SBCCD for the particular projects.

All change orders and amendments are approved following a specific process of review by the construction manager, architect, program/project managers, and District staff. Nonessential changes are rejected and never receive approval. Any changes determined to be essential to the health of the project and of major benefit to the District are approved and implemented.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The cost of these projects is included in the appropriate budgets.



Construction Contracts, Change Orders, and Amendments (Below \$60,000)

Presented for Information on November 12, 2020

[v.10.20.2020.p.1|1]

Contract Awards

| Contractor & Project | Amount | Funding |
|---|----------|---------------------------------|
| Allen Communications 03-1718-10A KJHP Transmitter and Antenna Installation | \$19,900 | Fund 410 (Reimbursed by PBS) |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services

PREPARED BY: Lawrence P. Strong, Director of Fiscal Services

DATE: November 12, 2020

SUBJECT: PARS Pension Rate Stabilization Trust Account Actions

RECOMMENDATION

This item is being presented for information only and no further action is necessary.

OVERVIEW

In July 2017, SBCCD received \$157 million from the Federal Communications Commission in exchange for the transition of KVCR TV bandwidth from UHF to VHF. Through its collegial processes, the District developed guiding principles for the handling of these funds and has established specific investment accounts through the Public Agency Retirement Services system to maximize the principal and best serve its students.

On April 26, 2018, the Board approved the allotment of \$6,971,000 to SBVC and \$3,029,000 to CHC. Each campus subsequently invested a portion of its allotment into a PARS PRST account, with the intent of funding future college needs with the account earnings.

ANALYSIS

Crafton Hills College requested the withdrawal of \$130,000 of its PRST Investment to fund program review needs.

San Bernardino Valley College requested the withdrawal of \$635,000 of its PRST Investment to fund program review items and other urgent and emerging campus needs.

INSTITUTIONAL VALUES

- I. Institutional Effectiveness
- II. Learning Centered Institution for Student Access, Retention, and Success
- III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

Distribution of the funds to the 2020-21 budgets will enable the campuses to meet program review and other needs.



PARS Pension Rate Stabilization Trust (PRST) Account Actions Presented for Information November 12, 2020

[v.11.2.2020.p.1|1]

SBVC & CHC Accounts as of 9/30/2020

| As of 7/31/2020 | Principal | Current Unrealized Gains | Total Investment | Distribution | Balance of Unrealized Gains | Total Investment After Distribution |
|--------------------|------------------|--------------------------------|---------------------|----------------|--------------------------------|--|
| SBVC Conservative | 5,000,000 | 287,363 | 5,287,363 | 0 | 287,363 | 5,287,363 |
| SBVC Fixed Income | 0 | 638,372 | 638,372 | 635,000 | 3,372 | 3,372 |
| CHC Conservative | 2,700,000 | 195,822 | 2,895,822 | 130,000 | 65,822 | 2,765,822 |
| CHC Fixed Income | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 7,700,000 | 1,121,557 | 8,821,557 | 765,000 | 356,557 | 8,056,557 |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees

FROM: Jose F. Torres, Interim Chancellor

REVIEWED BY: Jose F. Torres, Interim Chancellor

PREPARED BY: Kristina Hannon, Vice Chancellor, Human Resources & Police Services

DATE: November 12, 2020

SUBJECT: Professional Expert, Short-Term, and Substitute Employees

RECOMMENDATION

This item is for information only.

OVERVIEW

Per SBCCD Administrative Procedure 7110, in the case of short-term hourly/substitute and student employees, the Board has delegated the Chancellor or his/her designee as the authorizing agent for hire.

California Education Code section 88003 outlines the criterion for hiring an employee on a temporary basis. The length of temporary employment is less than 75% of the college year, which amounts to 195 working days. Types of temporary employment include:

- › Professional Expert: Districts can go outside the classified service when the scope of work is discrete, temporary, and requires expertise not available within the classified service. Requesting departments certify these by defining the project and identifying an end date for the project. Continued employment is contingent on continued demand and/or funding.
- › Short-Term: Districts can use short-term employees on a temporary basis to perform a service upon completion of which, the service, or similar services, will not be extended or needed on a continuous basis.
- › Substitute: Districts can employ substitute employees to fill in for a classified employee that is temporarily absent from duty, or if the district is recruiting to hire a vacant position.

ANALYSIS

The attached list of Professional Expert, Short-Term, and Substitute Employees is certified to be in accordance with California Education Code section 88003.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness and Excellence

FINANCIAL IMPLICATIONS

The cost of employment for these employees is included in the appropriate budgets.



Professional Expert, Short-Term & Substitute Employees

Presented for Information on November 12, 2020

[v.10.21.2020.p.1|2]

Professional Expert

| Employee Name Location Assignment & Department | Duties | From | To | Hourly Rate |
|---|---|----------|----------|---------------------|
| Clements, Charles CHC Public Safety and Emergency Services | Lab Instructor | 10/01/20 | 12/20/20 | \$20.00 |
| Keough, Zachary CHC Public Safety and Emergency Services | Lab Instructor | 10/01/20 | 12/20/20 | \$20.00 |
| Ertl, Mariah CHC Respiratory Care Program | Respiratory Care Clinical | 10/14/20 | 12/31/20 | \$40.00 |
| Jalocon, Joanah SBVC Academic Success & Learning Service Center | Tutor I | 11/16/20 | 12/31/20 | \$13.00 |
| Sheehan, Barry SBVC Academic Success & Learning Service Center | Tutor III | 11/16/20 | 12/31/20 | \$16.50 |
| Gonzalez, Armando SBVC Police Academies/Criminal Justice | Police Tactical Officer/ RTO/Police Science Facilitator/Evaluator | 10/01/20 | 12/31/20 | \$35.00/ \$50.00 |
| Holsapple, Jeffrey A SBVC Police Academies/Criminal Justice | Police Tactical Officer/ RTO/Police Science Facilitator/Evaluator | 10/15/20 | 12/31/20 | \$35.00/ \$50.00 |
| Tollefson, Dennis SBVC Police Academies/Criminal Justice | Police Tactical Officer/ RTO/Police Science Facilitator/Evaluator | 09/08/20 | 12/31/20 | \$35.00/ \$50.00 |
| Reynoso, Mark A SBVC Police Academies/Criminal Justice | Police Science Facilitator/Evaluator | 10/15/20 | 12/31/20 | \$50.00 |

Substitute

| Employee Name Location Assignment & Department Justification | Duties | From | To | Hourly Rate |
|---|------------------------------------|----------|----------|-------------|
| Hall, Suzan CHC Fire Technology <i>Ext: leave coverage.</i> | Secretary II | 10/12/20 | 12/10/20 | \$22.58 |
| Burundi, Allen SBVC Admissions & Records <i>Ext: Vacancy in recruitment.</i> | Admissions & Records Technician | 09/01/20 | 09/11/20 | \$22.03 |



Professional Expert, Short-Term & Substitute Employees

Presented for Information on November 12, 2020

[v.10.21.2020.p.2]2]

Substitute

| Employee Name Location Assignment & Department Justification | Duties | From | To | Hourly Rate |
|---|------------------------------------|----------|----------|----------------|
| Burundi, Allen SBVC Admissions & Records <i>Ext: Vacancy in recruitment.</i> | Admissions & Records Technician | 09/16/20 | 11/16/20 | \$22.03 |
| Blackmon, Richard SBVC Chemistry <i>New: On Call</i> | Lab Technician- Chemistry | 09/17/20 | 11/12/20 | \$25.53 |
| Shehata, Neveen SBVC Child Development Center <i>Ext: On Call, Sick/Vacation, Leave coverage</i> | Child Development Assistant | 09/23/20 | 11/20/20 | \$16.37 |
| Fierro, Dorothy SBVC Nursing <i>Ext: Vacancy in recruitment.</i> | Administrative Secretary | 09/25/20 | 11/23/20 | \$24.92 |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Dr. James L Buysse, Interim Vice Chancellor, Business & Fiscal Services
PREPARED BY: Steven J. Sutorus, Business Manager
DATE: November 12, 2020
SUBJECT: Purchase Orders

RECOMMENDATION

This item is being presented for information only. No further action is necessary.

OVERVIEW

In accordance with SBCCD Board Policy 6100, Delegation of Authority, The Board of Trustees delegates authority to the Chancellor to supervise the general business procedures of the District to assure the proper administration of property and contracts.

Education Code 81656 provides that all transactions entered into by an authorized officer shall be reviewed by the Board every 60 days.

ANALYSIS

Purchase orders issued between the dates of 9/14/2020 – 10/14/2020 are attached, except those approved through other agenda items. All purchase orders have been issued in accordance with the District’s policies and procedures by an authorized officer of the District.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

The attached purchase orders are included in the appropriate budgets.

Purchase Order Report
November 12, 2020

| PO# | Supplier Name | Amount |
|---------|---|--------------|
| 2101038 | SPRINGER NATURE CUSTOMER SERVICE CENTER LLC | \$ 199.00 |
| 2101039 | CALIFORNIA BOTANICAL SOCIETY | \$ 85.00 |
| 2101040 | CALIFORNIA COMMUNITY COLLEGE MEN'S BASKETBALL COACHES ASSOCIATION | \$ 300.00 |
| 2101045 | ALFREDO'S PIZZA & PASTA | \$ 376.46 |
| 2101047 | HISPANIC ASSOCIATION OF COLLEGES AND UNIVERSITIES | \$ 380.00 |
| 2101048 | STAPLES BUSINESS ADVANTAGE | \$ 225.53 |
| 2101049 | PANERA LLC | \$ 747.33 |
| 2101052 | FLINN SCIENTIFIC INC | \$ 567.34 |
| 2101053 | DELL COMPUTER COMPANY | \$ 3,102.93 |
| 2101059 | HUDSON, ADRIAN JUSTIN | \$ 533.36 |
| 2101060 | MOUNTAIN PACIFIC ASSOCIATION OF COLLEGES AND EMPLOYERS (MPACE) | \$ 799.00 |
| 2101062 | STAPLES BUSINESS ADVANTAGE | \$ 248.66 |
| 2101064 | UNIVERSITY OF SOUTHERN CALIFORNIA | \$ 25,000.00 |
| 2101065 | NATIONAL COUNCIL FOR MARKETING & PUBLIC RELATIONS | \$ 275.00 |
| 2101066 | COMMUNITY COLLEGE LEAGUE OF CALIFORNIA | \$ 75.00 |
| 2101073 | CALIFORNIA COMM COLLEGE COUNCIL FOR STAFF AND ORG DEVELOPMENT | \$ 175.00 |
| 2101075 | STAPLES BUSINESS ADVANTAGE | \$ 381.65 |
| 2101079 | FOUNDATION FOR CALIFORNIA COMMUNITY COLLEGE | \$ 600.00 |
| 2101080 | AMERICAN STUDENT GOVERNMENT ASSOCIATION LLC | \$ 2,350.00 |
| 2101082 | SOUTHERN CALIFORNIA INTERSEGMENTAL ARTICULATION COUNCIL | \$ 100.00 |
| 2101083 | NAFSA MEMBERSHIP | \$ 459.00 |
| 2101085 | ASSOCIATION FOR THE ADVANCEMENT OF SUSTAINABILITY IN HIGHER ED | \$ 350.00 |
| 2101087 | PLANETBIDS INC | \$ 550.00 |
| 2101088 | DAILY JOURNAL CORPORATION | \$ 2,000.00 |
| 2101093 | DELL COMPUTER COMPANY | \$ 3,474.94 |
| 2101094 | APPLE COMPUTER INC | \$ 1,424.46 |
| 2101097 | CA COMM COLLEGE EXTENDED OPPORTUNITY PROGRAMS & SVCS ASSOC | \$ 1,250.00 |
| 2101104 | STAPLES BUSINESS ADVANTAGE | \$ 491.30 |
| 2101108 | SALAS O'BRIEN | \$ 26,490.00 |
| 2101109 | TERRACON CONSULTANTS INC | \$ 37,802.00 |
| 2101110 | GO ARCHITECTS INC | \$ 14,486.31 |
| 2101111 | ALMA STRATEGIES LLC | \$ 4,500.00 |
| 2101114 | WILBUR'S POWER EQUIPMENT | \$ 500.00 |
| 2101115 | STAPLES BUSINESS ADVANTAGE | \$ 121.63 |
| 2101117 | STAPLES BUSINESS ADVANTAGE | \$ 112.05 |
| 2101118 | FIRE ETC | \$ 695.96 |
| 2101120 | B&H PHOTO VIDEO | \$ 511.68 |
| 2101125 | CA COMM COLLEGE EXTENDED OPPORTUNITY PROGRAMS & SVCS ASSOC | \$ 1,500.00 |
| 2101127 | DELL COMPUTER COMPANY | \$ 7,667.71 |
| 2101130 | STAPLES BUSINESS ADVANTAGE | \$ 144.82 |
| 2101132 | SADE BURRELL & ASSOCIATES | \$ 1,666.25 |
| 2101139 | CALIFORNIA ASSOCIATION OF SCHOOL BUSINESS OFFICIALS | \$ 159.00 |
| 2101140 | COMMUNITY COLLEGE LEAGUE OF CALIFORNIA | \$ 4,000.00 |
| 2101141 | AMERICAN ASSOCIATION OF COMMUNITY COLLEGES | \$ 16,597.00 |
| 2101144 | STAPLES BUSINESS ADVANTAGE | \$ 54.22 |

Purchase Order Report
November 12, 2020

| PO# | Supplier Name | Amount |
|---------|---|--------------|
| 2101146 | CALIFORNIA SOCIETY FOR RESPIRATORY CARE | \$ 740.00 |
| 2101147 | STAPLES BUSINESS ADVANTAGE | \$ 127.73 |
| 2101148 | HISPANIC ASSOCIATION OF COLLEGES AND UNIVERSITIES | \$ 697.50 |
| 2101150 | ON COURSE INC | \$ 990.00 |
| 2101151 | FARZANEH, FARRAH | \$ 700.00 |
| 2101153 | FEDERAL EXPRESS | \$ 250.00 |
| 2101154 | EDCERT LLC | \$ 6,000.00 |
| 2101156 | GRAYBAR ELECTRIC CO INC | \$ 30,493.25 |
| 2101159 | STAPLES BUSINESS ADVANTAGE | \$ 96.50 |
| 2101161 | ACCREDITATION COMMISSION FOR EDUCATION IN NURSING | \$ 1,000.00 |
| 2101162 | CONSOLIDATED ELECTRICAL DISTRIBUTORS INC | \$ 206.68 |
| 2101166 | QUADMED INC | \$ 718.00 |
| 2101167 | VERNIER SOFTWARE & TECHNOLOGY | \$ 398.90 |
| 2101168 | BROADCAST SUPPLY WORLDWIDE | \$ 584.17 |
| 2101170 | STAPLES BUSINESS ADVANTAGE | \$ 188.35 |
| 2101176 | QUARK ENTERPRISES INC | \$ 2,188.40 |
| 2101179 | BANK OF NEW YORK MELLON | \$ 13,000.00 |
| 2101180 | RUNNING CENTER, THE | \$ 1,400.75 |
| 2101183 | DELL COMPUTER COMPANY | \$ 1,893.39 |
| 2101184 | DELL COMPUTER COMPANY | \$ 471.08 |
| 2101188 | STAPLES BUSINESS ADVANTAGE | \$ 969.64 |
| 2101191 | US BRANDS | \$ 2,000.00 |
| 2101192 | CORPORATE DISK COMPANY | \$ 3,000.00 |
| 2101193 | FOREST INCENTIVES LTD | \$ 25,000.00 |
| 2101196 | NATIONAL COLLEGIATE HONORS COUNCIL | \$ 150.00 |
| 2101198 | POCKET NURSE ENTERPRISES INC | \$ 276.86 |
| 2101200 | POCKET NURSE ENTERPRISES INC | \$ 2,317.82 |
| 2101204 | US FOODS INC | \$ 67,000.00 |
| 2101206 | HISPANIC ASSOCIATION OF COLLEGES AND UNIVERSITIES | \$ 3,402.00 |
| 2101209 | ACCO ENGINEERED SYSTEMS | \$ 26,052.00 |
| 2101211 | QUADMED INC | \$ 568.92 |
| 2101212 | S & H UNIFORM CORP | \$ 1,077.50 |
| 2101213 | IVY, KRISTA | \$ 46.85 |
| 2101214 | REDLANDS CHAMBER OF COMMERCE | \$ 175.00 |
| 2101216 | IPEVO INC | \$ 124.61 |
| 2101218 | THOMAS, KAREN | \$ 219.00 |
| 2101220 | VERNIER SOFTWARE & TECHNOLOGY | \$ 136.95 |

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

TO: Board of Trustees
FROM: Jose F. Torres, Interim Chancellor
REVIEWED BY: Dr. James L. Buysse, Interim Vice Chancellor, Business & Fiscal Services
PREPARED BY: Lawrence P. Strong, Director of Fiscal Services
DATE: November 12, 2020
SUBJECT: Quarterly Investment & Deposit Report

RECOMMENDATION

This item is for information only and no action is required.

OVERVIEW

This report is submitted to the Board of Trustees pursuant to Government Code section 53646(b)(1) which states in part: “The treasurer or chief fiscal officer shall render a quarterly report to the chief executive officer, and/or the internal auditor and/or the legislative body of the local agency.”

ANALYSIS

The report does not include funds deposited with the County of San Bernardino. Funds deposited with the County are subject to the County of San Bernardino Treasurer’s Statement of Investment Policy and are available for review in the San Bernardino Community College District Fiscal Services office.

This report also does not include the General Fund, which is submitted to the Board of Trustees on a monthly basis in the information item, General Fund Cash Flow Analysis.

All other funds are managed in accordance with the District Investment Policy. Sufficient funds and projected incomes are available to meet the cash flow and expenditure needs of the District for the next six months.

INSTITUTIONAL VALUES

III. Resource Management for Efficiency, Effectiveness, and Excellence

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.



Quarterly Investment & Deposit Report

Quarter Ending September 30, 2020

[v.10.26.2020.p.1|1]

| Account | Amount | Interest | Type | Institution |
|--|--------------------------|----------|------------|--|
| General Fund | | | | |
| Clearing Account | \$ 1,029,138.67 | 0 | Checking | Citizens Business Bank, San Bernardino CA |
| Resaving Cash-In Fund | \$ 383,185.98 | 0 | Checking | Citizens Business Bank, San Bernardino CA |
| | <u>\$ 2,088,324.65</u> | | | |
| Bond Fund (#255245) | \$ 30,983,188.16 | | Investment | Bank of New York Mellon, Los Angeles CA |
| PERS/STRS Investment | \$ 101,197,304.71 | | Investment | Public Agency Retirement Services, Newport Beach, CA |
| OPEB Investment Trust | \$ 9,686,980.02 | | Investment | Benefit Trust Company |
| | <u>\$ 141,767,472.89</u> | | | |
| Enterprise Funds | | | | |
| Commercial Property Lockbox | \$ 4,363,429.66 | 0 | Lockbox | Citizens Business Bank, San Bernardino CA |
| Caterina | \$ 399,139.95 | 0 | Checking | Citizens Business Bank, San Bernardino CA |
| | <u>\$ 4,962,569.61</u> | | | |
| Internal Service Funds | | | | |
| Workers Comp | \$ 120,000.00 | 0.00% | Checking | Union Bank, Los Angeles CA |
| Property & Liability | \$ 50,000.00 | 0 | Checking | Bank of America, Concord CA |
| | <u>\$ 170,000.00</u> | | | |
| Trust Funds | | | | |
| Financial Aid | \$ 38,160.67 | 0.00% | Checking | Citizens Business Bank, San Bernardino CA |
| Cal Grant Financial Aid | \$ 1,807,512.44 | 0.00% | Checking | Citizens Business Bank, San Bernardino CA |
| NISL/Perkins | \$ 21,693.68 | 0 | Checking | Citizens Business Bank, San Bernardino CA |
| Scholarships | \$ 117,547.94 | 0.00% | Checking | Citizens Business Bank, San Bernardino CA |
| Emergency Loan | \$ 18,496.78 | 0 | Checking | Citizens Business Bank, San Bernardino CA |
| ASB, Student Rep Fee & Clubs/Trusts | \$ 1,046,815.49 | 0 | Checking | Citizens Business Bank, San Bernardino CA |
| | <u>\$ 3,096,246.80</u> | | | |
| Grand Total | \$ 152,058,579.45 | | | |



Crafton Hills Math Professor Implements No-Cost Course Materials Class, Saving Students Hundreds

Crafton Hills College mathematics professor Joshua Robles is implementing a no-cost adaptation of a popular statistics course, saving students up to \$300 each.

“Textbooks remain one of the most significant expenses for our students and, unfortunately, a financial barrier for some of our most at-risk students,” said College President Kevin Horan. “Our CHC faculty are dedicated to finding innovative ways to make sure Crafton is accessible, a college degree is affordable, and removing financial barriers whenever possible,” Horan continued.

The course is completely housed in Canvas, an online learning management system used at many colleges, including CHC. A recent survey showed that almost half of Robles’ students primarily access their courses via mobile devices. Since the Canvas platform is already familiar to CHC students and provides excellent mobile support, he knew it would be a perfect option for easy access to the course’s text, homework, quizzes, and discussions.



Photo: Josh Robles.

“Even though the course materials are no-cost, they are still high quality,” said Robles. “The material is presented in small chunks and the text is written to be student friendly. We are excited to explore expanding low- or no-cost options for more of our courses.”

Typical math courses use a publisher textbook and its accompanying online homework system. Depending on the course, a new textbook with an access code to the online homework system can cost up to \$300, if bought used, \$200. Due

to budget restraints, many students often forgo textbooks altogether and pay only for access to the online homework system at approximately \$100.

Crafton Hills College plans to continue expanding the number of no-cost course materials classes. When registering, students are able to search for course sections that exclusively use digital or other instructional materials that are free of charge to students and in some cases have a low-cost option for print versions for students who prefer that format.

¡Únete a la Ventanilla de Orientación Educativa en vivo el Jueves, 22 de Octubre a las 1PM!

Oportunidades para estudiantes indocumentados:
De la escuela de adultos hacia el colegio comunitario y más allá

Presentadora: Herberth "Alex" Jaco
 Sr. Student Services Tech Outreach and Educational Partnerships

CRAFTON HILLS COLLEGE

In support of our undocumented community, the Mexican Consulate in San Bernardino invited Herberth “Alex” Jaco, student services tech for outreach and educational partnerships at Crafton Hills College to present during a virtual event on Thursday, October 22. Jaco highlighted the opportunities that undocumented students have in adult schools and community colleges.



Virtual Senior Day

Twenty area high schools have been invited to have their seniors virtually visit Crafton on October 30 to find out more about the educational opportunities available at the College. The half-day conference for high school seniors will provide information about programs and services offered as

well as presentations and workshops from a variety of student services and instructional departments. Senior Day was developed to encourage high school students to attend college and discover what is available from their community college. This event is typically

held on campus but will be held in a remote format due to the pandemic. Vice President of Student Services Delmy Spencer added, “Crafton Hills College is staying connected with local communities. The faculty, staff and administration are being innovative during the pandemic.”



Photo: Crafton Hills College Homepage.

The study revealed that while access-related (online service) inequity is regionally pervasive, some Crafton services improved in the remote environment. One Crafton student stated, “For the tutoring center, I love it and I hope they keep it that way when everything goes back to normal. It’s convenient especially for those who can’t make it on campus.” Another student was pleased with the responsiveness of research librarian assistance available, stating, “They answer my emails in no time and they always check back to see if I’ve found what I need or if I was able to log in to the database.” Student Services has used the student recommendations in this study to increase access-related equity.

Student Voices Highlights

The Crafton Hills College Office of Institutional Effectiveness, Research and Planning has been sharing findings from its “Student Voices 2020” research study to inform recommendations for improvement based on student experiences. This innovative

“Crafton students feel a sense of belonging and are thankful for the quality services and helpful instructors.”

study was part of a regional effort to understand how students choose a college and their reasons for leaving, how they select a major or career path, and how they access services. The study also gathered perspectives about the impact of Covid-19 on student behavior.

The study also shows that Crafton students feel a sense of belonging and are thankful for the quality services they receive and helpful instructors. Although the study did not include website-related questions, students identified the website as the element most needing improvement since, even before Covid-19, it serves as a gateway to the services and information they need. As a result, a follow up study is underway to inform recommendations for improvement to the Crafton Hills College website.



Photo: Anthony Abate.

Honors Program at Crafton Hills College is a Great Option for Students

As the cost of a university education continues to climb, Crafton Hills College offers another route for students who want to attend a prestigious university. Crafton provides an affordable alternative for the first two years of a student's college education and leads them towards their goal of earning a four-year degree. Participation in Crafton's Honors Institute not only prepares students for transfer but greatly enhances their chances of being accepted by the nation's top-ranked universities.

The College Honors Institute at Crafton provides support to highly motivated students who have demonstrated academic achievement by creating programs that challenge and deepen students' scholarship, creativity, and commitment to higher education. Program benefits include helping students develop research skills, providing opportunities to participate in research conferences and offering priority consideration for admission to a transferring university.

"Our students have direct access to me, our Honors counselor Debbie Bogh, and other Honors students," explains Honors Coordinator Judy Cannon. "Recently, we held our opening social via Zoom, where we had breakout rooms that allowed students to talk to each other. It's a real community

within a community."

To be considered for admission into the Honors Institute, students must meet certain criteria, like a 3.25 GPA and a base of transferable credits depending on if they are continuing students. Applications are accepted year-round, and once a student is accepted, the benefits – like open communication with its other members - are tremendous.

The program has grown by over 50% during the last few years, with 124 students being enrolled in the program last spring. Thirty-nine students completed the Honors program requirements and graduated in May 2020, with 38 transferring to four-year institutions, including UCLA, UC Berkeley, UC Irvine, UC Riverside, UC Santa Barbara, UC San Diego, University of Redlands, Cal Poly Pomona, and CSU San Bernardino among others.

Anthony Abate, a 29-year-old Crafton alumnus from Beaumont, heard about the program through a flyer he saw on campus. Abate said when he started at Crafton, he came onboard with a 10th grade education and the mindset that he couldn't succeed. That negative thinking didn't last long, he said.

"When I began to succeed at Crafton, I was

inspired to see what my full potential was, which led to joining the Honors program," he explained. "The program taught me to take a chance on every opportunity and to expand my knowledge and capabilities. It also taught me that with hard work, dedication and a support system, I can rise to any occasion."

Abate was selected as the graduation speaker and won the President's Award Scholarship in 2019. He is now finishing his bachelor's program at CSU San Marcos and continues to volunteer at Crafton as a member of the Foundation Board.

Sharing success stories like Abate's with others is what drives Cannon's work. She also likes to highlight the purpose of the Honors program and why joining is a good idea.

"If a student wants to go to a prestigious university – or any university, for that matter – the Honors program is a great place to start. Students can come to Crafton for two years, get a solid educational foundation in Honors and transfer to the university of their choice as a junior, all for a fraction of the cost of spending those first two years at a university," Cannon explained. "Also, being in a community of like-minded students gives them a sense of purpose and a support group."

CHC Faculty Get Creative to Keep Distance Learning Fun and Effective

Brandi Bailes, mathematics professor, admits that statistics can be a dry subject, but humor, she has found, is a helpful remedy. "I've always been a ham in the classroom, but COVID has made me need that more as a teacher," Bailes said. "People have a lot of math anxiety, so humor always helps with that. In a traditional classroom setting, there's more natural camaraderie, so now it's either I am humorous, light-hearted and funny, or this class is not going to be successful."

With student achievement at the forefront of her mind, Bailes crawls under her desk each week as she logs onto Zoom. Her students watch expectantly as a small grey elephant appears on the screen to teach them the next lesson in Statistics. Using her child's puppets - Eli the Elephant, Lion, Cow and Cat - Bailes presents effective lectures enhanced with funny anecdotes.

"It keeps students engaged on one hand just because it's different, but also it helps to not ignore the fact that my students have family around," Bailes explained. "It puts a lot of pressure on the students who are at home with kids to have to pretend like they are like other students in a distraction-free environment. I like to draw the kids in rather than ignore them and allow them to enjoy the puppet show while their parent is learning."

Bailes acknowledges the reality of her students' learning environment and adjusts her expectations accordingly. "We use Snapchat filters in class a lot," she said. "The students really like using them because it's more comfortable for them to not have to put their face forward while still having their camera on. Allowing them to hide their appearance as a duck or whatever allows them to still engage without feeling self-conscious."

Gwendolyn DiPonio, English professor, has



Photo: Brandi Bailes with Cat and Eli the Elephant puppets.

taught online for more than ten years and has made adjustments to accommodate students who simply prefer face-to-face classes. Recently she dressed up as Professor McGonagall, fictional Hogwarts professor from the Harry Potter series, to spice up an English lesson on the correct format for research papers.

"My videos have a twofold purpose, both to ease the tension students must feel about electronic communication and to entertain them a bit," she said. "My dressing up as characters or adding humor to required academic content adds an element of fun we might have if we were in a room together."

CHC faculty members' creativity is not limited to character acting though. Alexander O'Brien, instructor of multimedia and computer information systems, was inspired to find a way to make slides more

"My videos have a twofold purpose, both to ease the tension students must feel about electronic communication and to entertain them a bit."

accessible in Canvas, the College's online learning platform. In an attempt to include an interactive feature, O'Brien found that there was no easy way to accomplish that without HTML coding.

Knowing that other faculty members may be looking for a similar solution, he found that

he could make a Google Slides presentation, publish it to the web, and place the provided coding from Google Slides into Canvas for a simple, looping set of images.

"It wasn't the fully interactive element I was originally hoping for," O'Brien said. "But it still provided a new way to look at the content."

The end result allowed students the ability to see images before photo editing, and then blended into the altered image, which helps to distinguish the content from regular, static images. While it was a small change to the online course, O'Brien said it's vital to make every aspect of distance learning accessible and engaging for students.

"Our students are struggling to perform their best in this new world," O'Brien said. "It is up to us as teachers to be sure we continue to be vigilant and innovative in our approach to education."

"For those students new to this online world, I hope our creativity shows them that taking online classes doesn't have to be as frightening as they might think," added DiPonio. "Hopefully professors will discover that teaching them doesn't have to be frightening either!"



Photo: Paramedic Students.

Paramedic Program has 100% Exam Pass Rates and Job Placement Rates

The Crafton Hills College Paramedic Program maintains its fully accredited status as it received confirmation from the Committee on Accreditation of Educational Programs for the Emergency Medical Services Professions (CoAEMSP) that all thresholds were met for their most recent annual report review.

The CoAEMSP quality improvement subcommittee reported that the required outcomes thresholds were met with the following results: National Registry of Emergency Medical Technicians State Written Exam: 100%, Retention: 87.8%, and Positive Job Placement: 100%. These results are well above the national averages and align with the

program's stand-out reputation state-wide.

Program faculty reported that the national registry exam is a challenging and nerve-racking computer-adaptive test that includes between 80-150 questions administered over two and a half hours. Having a 100% pass rate indicates that students who graduate from the CHC Paramedic program are well prepared with the skills needed to obtain their license and provide advanced emergency medical care for patients. The exam is randomized and bounces between concepts such as airway, pregnancy, and car accidents and includes patient care focused on adult, geriatric, and pediatric patients.

When asked about the success of the students, program director Kathy Crow indicated that it is all about the students who put in the hard work and hours of commitment that make the difference. Students who are accepted into the CHC paramedic program are asked to dedicate a year of their life to their studies. The student-centered, cohort-based program is one of the few in the state that implements pre-requisites. The 100% job-placement rate is an indicator that for students who dedicate themselves to this program, their perseverance will pay off in the end. Congratulations to the CHC Paramedic program!



Photo: Dr. Tim Karas, peer review team chair.

Accreditation Site Visit

During the week of October 12 - 15, Crafton Hills College virtually hosted a peer evaluation team as a part of the accreditation process for the Accreditation Commission for Community & Junior Colleges (ACCJC). For the past 18 months, Crafton has been preparing for this review process, which is conducted every seven years.

At the exit interview, the team communicated that during their week, they had the opportunity to meet with many individuals and committees, review documents, and hold two open forums. Throughout their interactions, faculty, staff, students, alumni, and community members spoke highly of the many programs, services, and initiatives that we have at the College.

Words used to describe Crafton were student-centered, team-effort, deliberative, selflessness, interdisciplinary collaboration, inclusion, and innovation. Peer review team

chair and superintendent/president of Mendocino College Dr. Tim Karas stated, "Your pride in Crafton Hills and your commitment to your mission shine. Overall, the area identified to strengthen is for the college to ensure that the program review process is implemented consistently across all the learning support and student support service areas." Karas continued, "The team applauds your work to transform the English and math sequence to improve student success, efforts to support equity and inclusion, and mental health services. They were impressed with the guided pathways work, distance education training and verification process, use of qualitative and quantitative data in decision-making, and lastly during the pandemic, real-time change in adaptability that was demonstrated is noted."

Crafton will receive notification from ACCJC on the status of its accreditation in February. The College is optimistic that Crafton's full accreditation will be reaffirmed.



Photo: Technology Success Center.

Tech Success Center Answers the Growing Challenges of Digital Learning

The Technology Success Center (TSC) is dedicated to creating pathways using technology to meet the learning needs of students and faculty. A part of the Disabled Students and Programs Services (DSPS) Department, the Center's purpose is to create equal access for students, which is a need that has expanded this year with mandatory distance learning.

"Our goal is to leverage COVID-19 by integrating key technologies in a way that would take us safely into our 'new normal,'" said Suzanne Delahanty, alternative media and assistive technology specialist at CHC. "COVID was a turning point; it justified a drastic rethinking of how we train and support students and faculty. Overnight, we had to identify how to leverage available technologies, to not just technologically transform traditional training and support methods, but also improve them. Going entirely remote provided us with the rare opportunity to quickly research and invest in promising virtual technology that will undoubtedly continue to support our college for years to come."

Delahanty estimates that since the initial campus closures due to the pandemic, the Center has served more than 500 students and worked with more than 100 faculty to expand accessibility and success in distance

learning.

Delahanty provided as example of how the Center has helped by telling of a student named Dan (not his real name) with visual impairments. He told her that reading was difficult for him but that his psychology textbook was unavailable in a digital format. She contacted the book's publisher and requested that the company make a digital copy, but they refused, so she manually scanned the textbook page-by-page into editable text, which he was able to use with a screen-reader. She also created audio files from the screen-reading so that he would be able to listen to each of the chapters individually.

As new student with disabilities, Dan was shy and seemed lonely, so Delahanty invited him to the Psychology Club, an organization

"Because that's what we live for. I think that we really made a difference in his life."

on campus made up of both students and faculty. After attending for some time, the organization chair shared with Delahanty that Dan had told club members that he was grateful to her -- both for introducing him to other people and helping him in the TSC so that he could get through his studies. Other students agreed that they had received help through the TSC.

"To hear that secondhand, of course, I started to cry," Delahanty said. "Because that's what we live for. I think that we really made a difference in his life."

Another student she provided services for was Brian (not his real name). He dreamed of going to college, but his parents weren't sure that he would be able to due to severe disabilities including being unable to speak or use his hands, and being bound to a wheelchair. After researching, Delahanty found a technology called the Tobi Dynavox that allowed Brian to control a mouse with his retinas, which allowed him to continue pursuing his dream of college.

As an ongoing service to all students, the Center offers on-demand technology support with commonly used platforms and apps. The Center also offers expertise for students like Dan and Brian, by which supplemental technology for study, research and notetaking will make the difference in their success. Delahanty often shares resources like voice dictation, audio transcription, audio recording, speech-to-text, screen-readers, writing and reading aids, and smart-pen use to increase students' accessibility and opportunity for success.

TSC supports faculty and staff with on-demand, live support, recorded tutorials, group training sessions and online resources and recently certified nearly 100 faculty members to teach Accessible Online Courses. "Technology has really been able to level the playing field, but it does have to have the human component," Delahanty said. "You have to have someone helping the students and getting them through it. The human element will always be there. Technology will never replace teachers."

To support its work, TSC has received Distance Education and Captioning and Transcription (DECT) grant funding of \$170,000, which will provide broad captioning services. Other plans include further developing online digital forms and requests across programs and developing a training resource to be linked in courses on Canvas for students to get support.

Crafton's Kashaunda Harris Steps into New Role at Site

As the College's new professional development coordinator, Kashaunda Harris wants everyone to feel welcome at Crafton Hills College.

The new role will allow Harris to create and plan events - like on-campus in-service days - geared at getting Crafton's faculty and staff hyped about their own personal goals and the College's overall mission.

"Kashaunda Harris wants everyone to feel welcome at Crafton Hills College."

"I want to get faculty and staff excited about learning new things and about the activities and opportunities that we have on campus," Harris explained. "I want people to feel excited about what we are offering here."

September 8 marked Harris' official first day on the job, but she has been part of the Roadrunner family since 2015, when she joined the Extended Opportunity Program and Services (EOPS) Department. Her previous role at the College included providing first-generation, low-income and foster students with myriad services, including counseling and financial assistance.

The job, she explained, "fit closely with what I felt passionate about since I was a first-

generation and low-income college student myself."

Harris initially had plans to become a doctor but found her true passion was working with students from varied backgrounds. After high school, the Moreno Valley resident earned a bachelor's in African American studies with a concentration in psychology from UCLA and, later, a master's in counseling from San Francisco State.

In 2006, Harris began a career as a high school counselor, where she planned and orchestrated workshops, group counseling sessions and much more, all while working for a local group home. Next, Harris took a position with a college readiness program at Cal State San Bernardino before applying and being selected for the counseling position at Crafton.

Moving into her new position comes with some nervousness, but Harris finds comfort knowing she was encouraged to apply for it. And although the coordinator position is focused on faculty and staff-based learning opportunities, Harris will still have an important role in helping Crafton students on their path to success.



Photo: .



CHC Celebrates National Coming Out Day

A "National Coming Out Day" event was held October 8 to support the LGBTQ (lesbian, gay, bisexual, transgender, queer) community and their allies. Panelists reflected on a series of questions about personal experiences with self-disclosure of their sexual orientation and gender identity by moderator Isaiah Mataele, a board member with the Utah PRIDE Center.

The panel was comprised of CHC alumnus Anthony Abate, community member Anthony Harris and California Community College health and wellness representative Lauren Campana. Also featured was CHC administrative coordinator and part-time faculty member Tina Marie Gimple, who reflected, "It was a fantastic event; it takes so much courage to become who you really are. I'm so proud to work with people who

value everyone regardless of who they might be."

Event organizers want the entire CHC community to feel supported and included while addressing barriers to fairness and justice for everyone. Ericka Paddock, Director of student life, is committed to continuing this event on an annual basis. Paddock concluded, "Continuing to host events such as these is key to shaping a campus and world that is inclusive and encouraging to LGBTQ rights."



ECONOMIC DEVELOPMENT & CORPORATE TRAINING



Monthly Board of Trustees Report | NOVEMBER 2020

Regional SWP Employability Skills Project Supports Award Winning BCC Program

San Bernardino Community College District's Economic Development and Corporate Training (EDCT) serves as the project lead for the regional Strong Workforce Program (SWP) Project 18 – Using Employability/Soft Skills to Create Pathways. Developed and managed by EDCT, this project addresses the employability and soft skills gap identified by both private and public sector employers while creating employment and educational pathways consistent with labor market needs and college developed pathways. During the course of the project, EDCT has had the privilege of supporting faculty and administrators from over ten community colleges among the Inland Empire/Desert Regional Consortium.

Under this project, Barstow Community College (BCC) developed and launched an innovative Trade Technician Jump Start Program that caught national attention. This no-cost community program provides 12 weeks hybrid instruction for essential employability skills and trade skills. They have partnered with local companies, including PG&E, the largest utility provider in the US, for direct hire opportunities for students that complete the program.

In October, BCC was one of five colleges nationwide to win the NACCE 2020 Pitch for the Trades Competition. NACCE (National Association for Community College Entrepreneurship), in partnership with the Philip E. and Carol R. Ratcliffe Foundation, recognizes and awards grants to unique programs that infuse entrepreneurship into the skilled trades. BCC was awarded \$28,000 in funding for their program.

During the final pitch presentation of the competition, Dr. Crystal Nasio, Dean of Instruction, Workforce & Economic Development, Barstow Community College, stated that Strong Workforce Project 18 has been critical to the development and success of the Trade Technician Jump Start Program; the inception idea of Jump Start came to fruition through participation in this regional project. Designed to be scalable, the Trade Technician Jumpstart program can be reproduced at other colleges in the region. BCC plans to continue expanding employability skills programs at their college through the support provided by SWP Project 18.



NATIONAL ASSOCIATION
FOR COMMUNITY COLLEGE
ENTREPRENEURSHIP



Save the Date! Digital Media Industry Skills Panel November 12, 2020

October 2020 has been a busy month for the Strong Workforce Program's Regional Advisory Project. Due to the challenges that COVID-19 has created, the advisory project has been occurring virtually via Zoom.

- On October 9, 2020, Regional Director – Employer Engagement, Lisa Kiplinger-Kennedy, hosted the Business & Entrepreneurship Advisory & Industry Skills Panel. The event had a great turnout with over 130 enthusiastic participants.
- On October 16, 2020, Regional Director – Employer Engagement, Alan Braggins, hosted the Advanced Manufacturing Advisory & Industry Skills Panel. Panelists had the opportunity to have an intimate breakout Q&A session with all of the participants.

Regional Director - Employer Engagement for the ICT & Digital Media Sector, Susanne Mata will host a Digital Media Industry Skills Panel on November 12, 2020 from 10:00 am to 12:00 pm via Zoom.

The event will include a presentation about “Speed Mentoring” provided by the Entertainment Industry Professionals Mentoring Alliance (EIPMA). EIPMA defines itself as a “coalition of trade groups and professional organizations involved in an array of behind-the-scenes art, craft, and technology roles that support the magic of movies, television shows, games, and other media.” Their mission focuses on ensuring the continued success of our industry by educating and mentoring the next generation. To ensure safety and wellness, the mentoring is currently being done via Zoom in 1 hour blocks for 20-24 students.

In addition, the event will include a moderated panel of Digital Media professionals representing Radio, TV, Film, sound engineering and sound editing among others. The moderated panel will include questions that explore:

- ⇒ Identifying and Developing Skill Standards
- ⇒ The identification of critical skill needs is one of the first steps in understanding gaps and opportunities for matching workforce with employers
- ⇒ Creating New Certificate Programs
- ⇒ Strengthening Career Pathways through Education and Licensure
- ⇒ Leveraging Funds
- ⇒ Assisting students with employment opportunities
- ⇒ Lessons being learned due to the COVID-19 pandemic

Please visit the following link to register for the event:
https://iedrc_digital_media_advisory.eventbrite.com



SBCCD Prison 2 Employment Program

The San Bernardino Community College District's (SBCCD) Economic Development and Corporate Training (EDCT) commenced its first Prison 2 Employment (P2E) program awarded by the Inland Empire Regional Planning Unit (IERPU). SBCCD is providing transitional employment services to 24 justice-involved individuals that are residents of Riverside County, and 36 justice-involved individuals that are San Bernardino County Residents.

Currently the SBCCD P2E program has 13 justice-involved individuals enrolled. Each individual needed to provide SBCCD with the Following:

- Proof that they are justice involved (documentation demonstrating they were or are justice involved)
- Reside in San Bernardino County or Riverside County
- Complete a Workforce Development Department Contractor Application
- Enrolled online on CalJobs website
- Provide SBCCD with any right to work documents (ID/DL, birth certificate, or Social Security Card)

The P2E program is comprised of job readiness and OSHA 10 certification that are earned by any justice-involved individual enrolled in the program. Once the job readiness and OSHA 10 training is completed, the program participants will commence a paid 19 working day transitional employment training. In this part of the training, participants of the program will work 4 days a week for 13 dollars an hour in the fields of forest restoration, recycling, and warehouse logistics. The transitional employment training will expose participants of the P2E program to multiple employment skills and develop many positive working habits.

SBCCD is also responsible in placing the P2E participants in direct employment. SBCCD's EDCT has over a decade of working relationships with over 90 employers. By program participants completing job readiness, OSHA certification, and applying skills and abilities in the transitional employment training, SBCCD staff will find it easier to assist with full-time employment for P2E participants.

This program is designed to assist justice-involved participants with their reintegration back into society, and assist with obtaining an honest sustainable wage-paying job. In turn, outcomes of programs expectations provide safety to our communities and at the same time increasing our local economy.



EDCT Continues Partnership with California's Manufacturing Network

San Bernardino Community College District's Economic Development and Corporate Training (EDCT) has had a longstanding partnership with California Manufacturing Technology Consulting (CMTC) and is a member of California's Manufacturing Network. California's Manufacturing Network was formed and is led by CMTC to expand capabilities and capacity to efficiently serve manufacturers statewide. This network delivers services that address the regional challenges driven by a diverse manufacturing community.

On a yearly basis, EDCT's manufacturing extension partnership with CMTC is renewed in October. This past year from October 1, 2019 through September 30, 2020, EDCT provided over 5,800 total hours of advanced skills training to manufacturers across the region. There were 185 manufacturing employees from 25 different companies served throughout the period. Additionally, EDCT has hosted a variety of workshops at SBCCD's Makerspace that introduce children and students to manufacturing technology and trades.



KVCR & FNX

BOARD OF TRUSTEES REPORT

HEAR THEIR STORIES



KVCR created a new project with the sole purpose of trying to assist small businesses in our community. The pandemic has made it difficult for many small business owners to stay afloat. Many of the local businesses are independent or family-owned who either had to shut their doors completely for a few months or operate with a limited staff and funds.

We spoke with several business and listened to their story. The result is our Small Business Spotlight stories. We had businesses represented from throughout the Inland Empire, from Chino Hills to Redlands. Their stories were featured in October and November on 91.9 KVCR during our morning and afternoon drive time. We created social media post daily for KVCR's social media platforms and made sure to tag each business. We shared what day and approximate hour their story would air, and sent them a link of the story for them to use on their social media platforms.

The businesses were very appreciative of the project and our efforts, one business owner stated, *"Thank you so much for doing something like this for small business owners because you know, it's a wonderful thing"* -

Small Business Spotlight stories are posted on our website at KVCRNEWS.org/Business.

The project was funded by grants from SoCal Gas and SoCal United Way.

November 12, 2020





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BEAT REPORTER HIGHLIGHTS

RUHS Radiologist on Breast Cancer and the Importance of Early Screenings

October is Breast Cancer Awareness Month. We spoke with Riverside University Health System radiologist Lisa Mahoney about the importance of early screening.

Ontario International Airport Numbers Reflect "Gradual Recovery" Amid Pandemic

Ontario International Airport's freight and passenger numbers are growing, reflecting a "gradual recovery" for the airport



amid the pandemic. Commercial freight volume increased more than 20% in September and air travelers rose to almost 200,000.

Renowned Psychiatrist on How to Address and Prevent Teen Suicide

Dr. Anisha Abraham is a pediatrician and author of "Raising Global Teens," where she analyzes key subjects facing teens.

Inland Empire Congressman Pete Aguilar Running for Vice Chair of Democratic Caucus

Representative Pete Aguilar is running for the seat of Vice Chair of the House Democratic Caucus.

Nonprofit Project IE RISE Seeks More Inclusive Economy and a Full Census Count

IE RISE seeks to engage grassroots organizations, businesses, and



government partners, support youth voices, build research and policy capacity within the region, and provide a roadmap for an inclusive and sustainable economy.

MIDDAY NEWS SEGMENTS HIGHLIGHTS

Joshua Trees Considered for Protection - The Joshua tree will be considered for protection under the California Endangered Species Act because of threats from climate change and habitat destruction.

EDD Mail Fraud Scheme - The Riverside Police Department warns the community about a mail fraud scheme involving letters from the Employment Development Department.

Voter Education in San Bernardino - San Bernardino's School Board becomes the first in the Inland Empire to make student voter education a requirement.



Some National Forests Open for Limited Activity - Amid wildfire danger, some of the National Forests in

California are open for limited activity, but federal preserves in Riverside County are open only to official access.

The Virtual Great Shakeout Drill - California's annual Great Shakeout earthquake drill is held virtually this year, with teachers being asked to work time into their distanced learning schedules to prepare students for the drill.



Early Voting Up - The San Bernardino County Registrar of Voters says early voting numbers are up compared to the 2016 election.

THIS MONTH ON KVC-ARTS & LIFESTYLES

Comedienne **Selene Luna** shares about the world of acting, activism, and comedy



American pop singer and instrumentalist **Brian Hyland** talks about the early days of his career.



Musician **Ben Stewart** shares about scoring the film *The Whittler* | **Paul Cruz**, Director of the Palm Springs International Comedy Festival.

KVCR's Lillian Vasquez in conversation with actor, singer, producer, and director **Michelle Lee**, who played Karen Cooper Fairgate MacKenzie on the 1980s prime-time soap opera *Knots Landing*.



Lifestyles takes a fresh look at arts, culture and issues across our unique region. If it's interesting and it's here in the Inland Empire, it's Lifestyles with Lillian Vasquez.



Lillian speaks with educator, author, community leader, and the first Hispanic mayor of San Bernardino **Judith Valles**.

Kate Salvesson, Vice President of Resource Development for the Boys and Girls Club of Greater Redlands-Riverside shares how the non-profit is weathering the pandemic.

Author and journalist **Martha Barnette** and linguist and lexicographer **Grant Barrett**, the hosts of the national radio show *A Way With Words*.

Actor and intervention counselor **Danny Trejo** talks about life in Hollywood and as a sober man.



Rochelle Adams, a member of the Alaska Native Working Group, talks about the PBS Kids series *Molly of Denali* and how the show



stays true to native culture and why the character of Molly is so important to children.



TV Production

TV Pledge Special Offer

We wanted to take advantage of the Bob Ross birthday celebration on public television. So, we created **Local Pledge Breaks** to celebrate the beloved PBS painting guru. In addition to shooting and editing the pledge



breaks, we also created custom graphics so KVCR Members can see the items they will receive as a “thank-you gift” when they make a financial contribution to KVCR in honor of Bob Ross’ birthday. The items include a 10-inch Plush, a Bob Ross book or a Bob Ross button down shirt, for the true Ross fan.



KVCR to Livestream on the PBS Apps and Website

PBS has been working with member stations to provide a livestream of their content so it would be available over the internet. As part of this initiative, PBS has provided some equipment needed to make KVCR one of the participating stations. This exciting opportunity will allow more viewers to watch KVCR live on their mobile phone or their laptop. **PBS Local Live Stream** was available to KVCR and viewers on October 31.



Programs In November

The People’s Protectors – Meet four Native American veterans who reflect on their experiences in the military during the Vietnam War and how their communities helped them carry their warrior legacy, even as they struggled with their relationship to the U.S. government. **November 14 at 7:00pm**

Holy Silence – A powerful and moving historical documentary that tells the dramatic story of the actions – and inactions – of the Vatican during Nazi occupied Germany in World War II. **November 16 at 9:00pm**

Independent Lens: Feels Good Man – Follow artist Matt Furie, creator of the comic character Pepe the Frog, as he begins an uphill battle to take back his iconic cartoon image from those who use it for their own purposes. **November 19 at 8:00pm**

La Loche – In January 2016, a school shooting in the remote Canadian aboriginal community of La Loche, Saskatchewan took the lives of four students and injured seven others. In the aftermath, a caring teacher, contacted a TV celebrity the students admired. This program follows Survivormaster Les Stroud, eight young Dene men, and several community and school elders on a wilderness adventure, in which they canoe down a 100-mile river path that their ancestors used to traverse. **November 19 at 9:30pm**

The Queen and the Coup – The secret plot to overthrow Iran’s democratic leader in favor of an all powerful Shah. **November 23 at 9:00pm**

ABBA Forever: A Celebration – Celebrate the supergroup with Neil Sedaka, Donny Osmond, Tim Rice and the band members themselves. Featuring a greatest hits soundtrack including “Dancing Queen” and “Mamma Mia!,” the program includes original interviews and rare archival footage. **November 28 at 7:00pm**



The Avett Brothers at Red Rocks – Join the three-time Grammy Award nominees for a magical night of music in this stunning natural setting. The band performs an energetic mix of bluegrass, country, pop melodies, folk, indie rock, honky-tonk, and ragtime before a sold-out crowd. **November 28 at 5:30pm**



COMMUNITY MATTERS

On the fundraising front, KVC R Radio is planning two short on-air campaigns between now and the end of January 2021



On November 18 our staff will conduct 91.9 KVC R's Feed Your Radio, Feed A Family campaign where traditional thank you gifts are not offered. Instead of mugs or tee shirts, our donors designate a few cents from every dollar for Feeding America Inland Empire. Listeners will hear... "For every dollar you donate, KVC R receives important support for public radio news AND one person in need receives a meal." This campaign has been a win-win-win over the years for KVC R, our donors AND needy people around the holidays.



On January 21 and 22 KVC R will bring back our the Plant-A-Tree version of this community service fundraising model. In this version MOST of every donation supports the station and a few cents goes to a local partner to reforest fire ravaged areas in our region.

These two important fundraisers connect us emotionally to the people who share some of their their hard earned cash AND have the satisfaction of accomplishing two good things with one easy action.

Newly Added One Hour Limited Series

In October we added a new one-hour weekly program called ***Our Body Politic***. Born of the collaborative spirit among California public radio stations, **OBP** is broadcast and streamed every Friday afternoon at 3:00 PM on 91.9 KVC R and kvcrnews.org. Created and hosted by award-winning journalist, Farai Chideya, ***Our Body Politic*** is unapologetically centered on reporting on not just how women of color experience the major political events of today, but how they're impacting those very issues. Weekly episodes feature in-depth conversations about the economy, health, politics, education, the environment, and the most prescient issues—because all issues are women's issues. Producers will continue with the show through 2020 and possibly beyond.



Posted on our Social Media Radio



It's pledge week and KVC R needs YOUR vote! During our Summer pledge Teresa Peck won not one but TWO Electric Motor Scooters! She stopped by the studio to collect her prize and meet Program Manager Rick Dulock and Radio Personality Lillian Vasquez. Our team had the opportunity to meet Teresa and get to know a little about her. Great radio listener and member! Show your support for KVC R

programming by calling us today to make a donation!

Posted on our Social Media Television



demonstrating how perceptions of injustice—like not getting a cookie—explode into outrage when your toddlers' brain signals temporarily spiral out of control.

This post appeared to be popular with adults. In this premiere episode of *Parentalogue*, hosts Dr. Alok Patel and Bethany Van Delft breakdown a temper tantrum,

FNX

PROGRAMS IN NOVEMBER

FNX NOW Block-Season 2 – *FNX NOW* is the station's flagship news series and the first interstitial community engagement series created by the channel after its initial launch in 2012. This new half-hour block includes all the most recent *FNX NOW* segments. Watch for them!

Mondays at 12:30pm



No Friends But The Mountains – With the rise of ISIS and the central role played by the Kurdish Peshmerga in the fight against them, the question of Kurdish independence has taken on greater urgency. To answer this pressing question, Kurdish author Kae Bahar travels from his London home to his rocky and mountainous homeland, finding a complex mix of Kurdish nationalism and internal division. 'War or Peace?' Bahar asks. The answer is not so simple.



November 2 at 9:00pm

Wapos Bay Marathon – Ten-year-old T-Bear, 9-year-old Talon and 6-year-old Raven star in *Wapos Bay*, a light-hearted stop-motion animation series about growing up in a remote Cree community. In *Wapos Bay*, modern life and ancient traditions meet. Hunting and gathering, dog sledding and shimmering northern lights are part of every day, but so are video games, TV and cell phones. Guided by elders, extended family and their own insatiable curiosity, the three children learn how to balance traditional ways with newer ones. Their discoveries unfold against the backdrop of northern Saskatchewan's varied seasons - winter, spring thaw, spring, summer, fall and freeze-up. As they explore the world around them, the three children acquire some valuable lessons about respect, cooperation, honesty and tolerance.



And of course, they also teach the adults a few things.

November 26 beginning at 9:00am until 7pm

IN PRODUCTION

Live Election Coverage

Production has continued on the FNX flagship news series *FNX NOW*. A weekly half hour episode has been in production since the onset of the Covid19 pandemic. On November 3 at 6pm PST, FNX will air a one-hour special before the live election coverage broadcast.

Jourdan Bennette Begay, is one of the evening's host for the *Indian Country Today* live election coverage. FNX and KVCR producers Frank Blanquet and Tim Style will be working on this co-production with *Indian Country Today*. Live election night coverage will air from 7 to 9pm PST.



FNX Adds New Affiliate

FNX went on air with affiliate Citizens TV Inc., a Low Power Television station (LPTV) television translator that rebroadcasts into the Walla Walla Valley in North/East Oregon and South/East Washington states reaching communities of Milton-Freewater and Athena Oregon, Walla Walla, Washington and adjacent rural areas. Soon, FNX will go on the air on Champaign Public Television in southern Chicago, which will reach into Iowa.

**FNX is now
broadening in
SE WASHINGTON
&
NE OREGON**

**COMING SOON
to IOWA**

TOP POST ON FNX's SOCIAL MEDIA



FNX NOW Distance Learning - K-12 (part 2)

Since the first #Covid19 case in the U.S. was reported in January of 2020, almost all arts organizations in the country have cancelled performances, whether in theatres, performance venues, as media production releases, or as tours. A combined \$12 billion in losses have been reported, with 94% of artists and performers affected by a loss of income. Ethnic Media Services organized conversations with art promoters and artists to learn more about the effect of the pandemic on this industry, and what it would take to rescue Arts & Cultural programs in the United States.



San Bernardino
Valley College



President's Board of Trustees Report

The President's Monthly Report to the Board of Trustees, Campus & Community

SBVC to Receive Historic Donation for Emergency Student Scholarships

San Bernardino Valley College has been invited to apply for part of a historic **\$100 million donation** to California community colleges by the Jay Pritzker Foundation, along with 34 fellow colleges in the Inland Empire, Central Valley and Far North of the state. The unprecedented donation—the largest ever made to a community college system—will be distributed over a 20-year period and will provide scholarships to students facing unexpected financial hardships. Dan and Karen Pritzker, trustees of the Jay Pritzker Foundation, said in a virtual press conference that they have seen the outstanding benefits of a community college education firsthand through their own daughter, who completed her first two years of undergraduate education at a community college before transferring to UC Berkeley. **President Diana Z. Rodriguez** was invited to represent the Inland Empire as a panelist, as well as SBVC nursing student **Ahmael McGee**, who thanked the couple during the press conference, saying, "My finances due to COVID are a struggle. I've been furloughed. My family has been furloughed...but school expenses still exist." There are people who are intelligent, diligent and willing to go to college, "but due to finances, they're unable to," he said. Colleges receiving the funding can use it to provide emergency aid directly to students.



SBVC Distributes over \$2.8 Million in CARES Act Relief for Students in Need



Using money allocated through the Coronavirus Aid, Relief, and Economic Security (CARES) Act and Higher Education Emergency Relief Fund (HEERF), San Bernardino Valley College has been able to provide direct financial assistance to students, purchase personal protective equipment, and secure an online navigation system that connects students with mental health care resources. SBVC received three allocations: \$3,366,282 for direct student aid, \$3,366,281 in institutional aid, and \$431,833 in minority-serving institution support. By June 25, \$2,841,000 had been distributed to 3,336 eligible students, with the amounts varying based on enrollment status. The institutional aid was used to purchase anti-viral cleaning and sanitation supplies, hot spots with high-speed internet service, laptops, software subscriptions to support online learning, and personal protective equipment for students and employees. SBVC will use the minority-serving institution funds to offer students access to Care Solace, a web-based tool that connects them with mental health care resources and providers in the community.



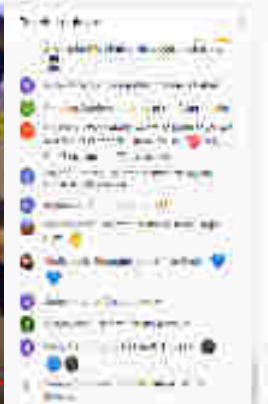
SBVC HIGHLIGHTS

Regional Adult Ed Program Helps 1,600 ESL Students Transition to SBVC

Last year, more than 1,600 English as a Second Language (ESL) students in the Inland Empire transitioned from adult education sites to San Bernardino Valley College. Once the ESL students enrolled at SBVC, they were able to benefit from campus programs like CalWORKs and the Writing Center, taking courses for credit or non-credit, and utilizing assessment tools to measure their evolving English proficiency. To further improve the ESL experience, next semester, SBVC's ESL classes will be conducted synchronously, with an instructor interacting with students while the course is in session. Taking ESL courses is a transformational experience for students, and Dr. Emma Diaz, Adult Education Block Grant Administrator, said that it's "amazing" to see how confident and inspired students become after enrolling. Students have been excitedly sharing their progress, noting that their improved English skills have led to higher-paying jobs and overall professional growth.



66 Graduates Honored During Virtual Sheriff's Academy Graduation Ceremony



The San Bernardino County Sheriff's Department and SBVC celebrated the 219th Basic Academy Graduation with a first-ever livestreamed virtual event on September 10. Class 219 began training on March 30, with 79 trainees, and 66 graduated. During 24 weeks of intensive training, they learned about patrol tactics, cultural diversity, ethics, and community policing and completed a rigorous fitness program. SBVC's Paul Dennis, academy director, praised the graduates for their hard work and dedication to finishing training amid a pandemic. "To the men and women of this graduating class, I commend you for your perseverance, determination, and commitment," he said. Congrats, Wolverines!

SBVC Collaborates with SB County for First-Ever Remote Theater Production

To commemorate National Recovery Month, students from the Theater Arts, Human Services, and Film, TV, and Media (FTVM) departments partnered with the San Bernardino County Department of Behavioral Health (DBH) to write a play exploring the cycle of addiction titled "What About Tomorrow?" The play was written, rehearsed, and filmed through remote platforms, and premiered live on YouTube. Theater Arts professor Melinda Fogle said, "Several cast and crew members have a personal connection with the topic, and they have been generously sharing their knowledge and experience. I am very proud of the creativity and artistry the students have put into this project." This is the second year in a row SBVC has collaborated with the DBH for a theater production during National Recovery Month. In 2019, SBVC students performed "Finding Our Way", a play about addiction and recovery written by inmates at the Richard J. Donovan Correctional Facility. Congratulations, SBVC!





SBVC SNAPSHOTS

SBVC Students Launch Virtual Language Luncheons

Expressive Hands, the American Sign Language Club of SBVC, hosted its inaugural "Sip Meet & Greet" over Zoom this fall, encouraging students learning ASL, Spanish, French or Arabic to grab a cup of coffee or tea, and practice their target languages in various breakout rooms. These "Language Luncheon" events are set to continue throughout the semester.



SBVC and CHC Join for Disability Awareness Fair

For the first time, San Bernardino Valley College and Crafton Hills College joined forces for the 3rd Annual Disability Awareness Fair. The event, held virtually—also for the first time—aimed to introduce students with disabilities to all of the resources available to them on both campuses. It included presentations on learning disabilities, disability and the law, assistive technology, mental health, coping with stress, and insight into the deaf and hard of hearing culture. Event organizers said this was the best year to collaborate due to the online environment and ability to combine resources remotely.

Performing Arts Club Hosts Virtual Talent Show

The Performing Arts Club of SBVC hosted the campus's first-ever virtual talent show, with performances ranging from violin, guitar, and singing to poetry and devised theater pieces. The winning act was the trio of Monica Saige Stewart, Monica Hart, and Ana Perez, who sang "Schuyler Sisters" from Broadway's "Hamilton."



SBVC Encourages Student Discourse for 2020 Election

The Associated Student Government of SBVC aimed to encourage students to discuss our nation's politics and vote by hosting a series of watch parties for the 2020 election, featuring debates from the presidential and vice presidential nominees. Each watch party was followed by a post-debate discussion moderated by SBVC faculty.





SBVC HIGHLIGHTS

SBVC Praised During First-Ever Virtual Site Visits from Accreditation Team

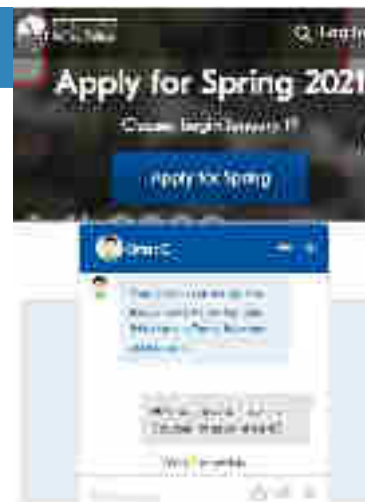


This October, SBVC completed a series of (virtual) accreditation visits, a process that only happens every seven years. This comprehensive review by the Accrediting Commission for Community and Junior Colleges (ACCJC) evaluates the campus to ensure it is providing exceptional education and continuously improving its processes and services. SBVC has been preparing for this visit since fall of 2018, and was able to welcome the Accreditation Site Team for a series of virtual open forums, divisional interviews, and departmental meetings. The online discussions allowed SBVC to highlight program successes, showcase campus accomplishments, and demonstrate

how its processes and operations meet accreditation standards. In a final interview with the campus, the visiting team congratulated SBVC faculty, administrators and classified professionals on their hard work and expressed their satisfaction with the quality of faculty, staff, and community engagement during their visits, as well as sharing several areas for potential improvement. The final evaluation and official accreditation report of the campus will be received in January 2021, whereby SBVC aims to reaffirm its accreditation and continue providing a quality education to its students. Congratulations, SBVC!

SBVC Launches Live Chat Feature to Expand Engagement

In the wake of a global pandemic, students at San Bernardino Valley College have had to quickly transition to online learning. To ease the shift to remote learning and answer any student questions along the way, the Student Services division and Marketing department launched a live chat feature on the website to help students in real time. Current and prospective students can talk to a live SBVC representative about topics ranging from how to apply to campus, to making a counseling appointment, to reaching a faculty member. From the start of the pandemic, Vice President Scott Thayer said, campus leaders “drilled down on the challenges students were facing to continue their online studies.” He said that while students are physically distanced from the brick and mortar campus, there are a variety of new resources like the live chat feature for students to connect with staff to continue to get all questions answered.



UPCOMING EVENTS

November 11
Veterans Day
Campus Closed

November 23-28
Thanksgiving Recess
Campus Closed

