



San Bernardino Community College District  
 District Assembly General Meeting  
 October 06, 2020  
 3:00 pm-4:00 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 Zoom link which is listed on the agenda. The meetings are also recorded. Public comments must be submitted electronically by emailing [snikac@sbccd.edu](mailto: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.*

*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.*

*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 meeting as possible.*

**AGENDA**  
**District Assembly General Meeting**  
**October 6, 2020**  
**3:00 - 4:00 p.m.**

**LOCATION: Zoom Conference:**  
**<https://cccconfer.zoom.us/j/98604464871>**  
**Dial: (669) 900-6833 or (346) 248-7799 - Meeting ID: 986 0446 4871**

**I. CALL TO ORDER**

Roll Call

**II. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS**

*Public comments must be submitted electronically by emailing [snikac@sbccd.edu](mailto:snikac@sbccd.edu). Submissions must be received 24 hours in advance of the meeting.*

**III. CHANCELLOR'S REPORT**

A. KVCR Update

**IV. APPROVAL OF MINUTES**

A. 2020-09-01

**V. OLD BUSINESS**

A. Approval of 2020-2021 AP & BP Review Schedule (revised)

Review Schedule is posted to the DA webpage.

B. Approval APs & BPs for 2nd Reading

2nd read may be pulled for discussion, debate and/or revision recommendations prior to approval. Chancellor forwards the BPs to the Board of Trustees for action and the APs as information items.

1. AP 2410 Board Policies and Administrative Procedures

2. BP 2410 Board Policies and Administrative Procedures (No Changes)

3. AP 7100 Commitment to Diversity (No Changes)

4. BP 7100 Commitment to Diversity (No Changes)

5. AP 7150 Evaluation

6. BP 7150 Evaluation

7. AP 7230 Classified Employees

8. BP 7230 Classified Employees

9. AP 7240 Confidential Employees

10. BP 7240 Confidential Employees

11. AP 7260 Classified Supervisors- Managers and Administrators

12. BP 7260 Classified Supervisors- Managers and Administrators

13. AP 7270 Student Workers

14. BP 7270 Student Workers (No Changes)

15. AP 7380 Retiree Health Benefits- Academic Employees



16. BP 7380 Retiree Health Benefits - Academic Employees
17. AP 7450 Mileage Reimbursement
18. BP 7450 Mileage Reimbursement (No Changes)
19. BP 7510 Domestic Partners
20. AP 7700 Whistleblower Protection
21. BP 7700 Whistleblower Protection (No Changes)

## VI. NEW BUSINESS

- A. Environmental Scan (Horan & Rodriguez)
- B. Campus Safety Plan - Recommended for 1st Reading (Farzaneh) - NO ACTION
- C. APs & BPs Deemed Academic & Professional - NO ACTION  
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 completed by up to four consecutive Academic Senate meetings, beginning with the date the BP/AP is presented at District Assembly.
  1. AP 2510 Collegial Consultation [Participation In Local Decision-Making]
  2. BP 2510 Collegial Consultation [Participation In Local Decision-Making]
  3. AP 4022 Course Approval
  4. AP 4105 Distance Education
  5. BP 4105 Distance Education
  6. AP 4220 Standards of Scholarship - Delegation
  7. BP 4220 Standards of Scholarship - Delegation
  8. AP 4231 Grade Changes
  9. BP 4231 Grade Changes
  10. AP 4235 Credit By Examination [Credit for Prior Learning]
  11. BP 4235 Credit by Examination [Credit for Prior Learning]
- D. APs & BPs Recommended for 1st Reading - NO ACTION  
Constituent Group reps to review and request input from their constituents and submit changes to chapter owner before the 15th of the month.
  1. No Items

## VII. INFORMATION ITEMS

- A. APs & BPs With Simple CCLC Legal Updates, Minor Clerical Revisions, or from Chapter 2 - NO ACTION
  1. AP 2431 Chancellor Selection
  2. BP 2725 Board Member Compensation
  3. AP 3434 Responding to Harassment Based on Sex under Title IX
  4. AP 3435 Discrimination and Harassment Complaints and Investigations
  5. AP 3560 Alcoholic Beverages
  6. BP 3560 Alcoholic Beverages
- B. APs & BPs Deemed Academic & Professional - NO ACTION
  1. No Items

## VIII. UPDATES & REPORTS

- A. Bond Update (written report)
- B. CHC Academic Senate (written report)
- C. SBVC Classified Senate (written report)
- D. Districtwide Safety Committee (written report)
- E. Districtwide & Campus Efforts Addressing Systemic Racism (K. Hannon)

**IX. REMINDER TO CONSTITUENT GROUP REPRESENTATIVES:**

The success of the mission of the Assembly depends on the effective communication of the Assembly with the various constituencies represented by the membership. In order to accomplish this goal of effective communication, we ask each of you to:

1. Using the Annual Review Cycle, plan ahead and agendaize your AP/BPs for review with your constituent groups.
2. Agendaize District Assembly reports at your regular meetings.
3. Following each DA meeting, email a summary update to your constituents. The summary should include highlights that are important to your constituents. Highlight the AP/BPs that your constituents should focus on for review and be sure to include the AP/BP attachments. Any recommended changes should be returned to you before the 15th of the month and immediately sent to the Chapter Owner or Stacey Nikac.

- A. [Sample email you can use](#)

**X. ADJOURN**

Future General Meetings:

11/3/20

12/1/20

Dark in January

2/2/21

3/2/21

4/6/21

5/4/21

Dark in June

Dark in July

Regular attendance by the Membership of the Assembly is essential to the success of the Assembly. Members who miss three (3) consecutive meetings shall be replaced.

First Name	Last Name	Term Ends (May)	Sept	Oct	Nov	Dec	Feb	Mar	Apr	May
Cassandra	Thomas (President)	2021	x							
Kristina	Hannon (VP)	2021	x							
Stacey	Nikac (Recorder)	n/a	x							
Amy	Avelar	2021	x							
Brandi	Bailes	2021	x							
T.L.	Brink	2022	x							
Keynasia	Buffong	2021	x							
Davena	Burns Peters	2022	x							
Raymond	Carlos	2022	x							
Cristina	Guritenco	2021								
John	Feist	2021	x							
Jake	Fuller	2021	x							
Colleen	Gamboa	2021	x							
Ed	Gomez	2021	x							
Laurie	Green	2021	x							
Kevin	Horan	n/a	x							
Alex	Jaco	2021	x							
Rhiannon	Lares	2022	x							
Craig	Luke	2021								
Meridyth	McLaren	2021	x							
Kevin	Palkki	2021	x							
Diana	Rodriguez	n/a	x							
Cyndie	St. Jean	2021	x							
Bethany	Tasaka	2022	x							
Jose	Torres	n/a	x							
Jonathan	Townsend	2022								
Keith	Wurtz	2021	x							



# BOARD OF TRUSTEES

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Strategy Session  
September 24, 2020





## 2020-2021 STRATEGIC DIRECTIONS

Our goals and objectives will be viewed through the lens of equity, diversity, inclusion, and anti-racism.

### GOAL - DEVELOP A STRATEGIC PLAN

#### Objectives:

1. Student Success
  - a. Guided Pathways Implementation
    - i. Maximize the one-time funding to implement a Guided Pathways Framework to increase student success.
2. Equity & Diversity
  - a. Continue Implementing EEO Plan
  - b. Support ACA 5 (Weber) as Recommended by the Community College League of California
  - c. Participate in the California Community College Equity Leadership Alliance
3. Operational Efficiencies
  - a. KVCR
    - i. Define KVCR's purpose and take action.
4. Facilities
  - a. Develop a Master Plan for Swap Meet Property, SBVC Student Services Building, Highland Avenue Property, 8th Street, and Del Rosa Properties.

# WHY ARE WE HERE?

To define KVCR's purpose and take action as approved in the **2020-2021 Strategic Directions.**



# VARIOUS MISSIONS

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## **SBCCD:**

The San Bernardino Community College District (SBCCD) **transforms lives through the education of our students for the benefit of our diverse communities.** This is achieved through the District's two colleges (San Bernardino Valley College and Crafton Hills College) and public broadcast system (Empire Network - KVCR FM/TV) by providing high quality, effective and accountable instructional and training programs and services to the students and communities we serve.



# VARIOUS MISSIONS

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## **SBVC:**

San Bernardino Valley College maintains a culture of continuous improvement and a commitment to provide high-quality education, innovative instruction, and services to a diverse community of learners.

Its mission is **to prepare students for transfer to four-year universities, to enter the workforce by earning applied degrees and certificates, to foster economic growth and global competitiveness through workforce development, and to improve the quality of life in the Inland Empire and beyond.**



# VARIOUS MISSIONS

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## CHC:

The mission of Crafton Hills College is **to advance the educational, career, and personal success of our diverse campus community through engagement and learning.**





# VARIOUS MISSIONS

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## EMPIRE KVCR:

Empire KVCR is Inland Southern California's **center for culture, education, information and communication.**



# EMPIRE KVCR OPERATIONS (Major Sources)

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## Revenues

- [Community Service Grant](#) *[ineligible station if part of SBVC]*
- Pledges *[connected to content]*
- Underwriting *[connected to content]*
- Rentals and Leases of Facilities *[connected to Rentals and Leases of Facilities Expenses]*
- Endowment Earnings



# EMPIRE KVCR OPERATIONS(Major Sources)

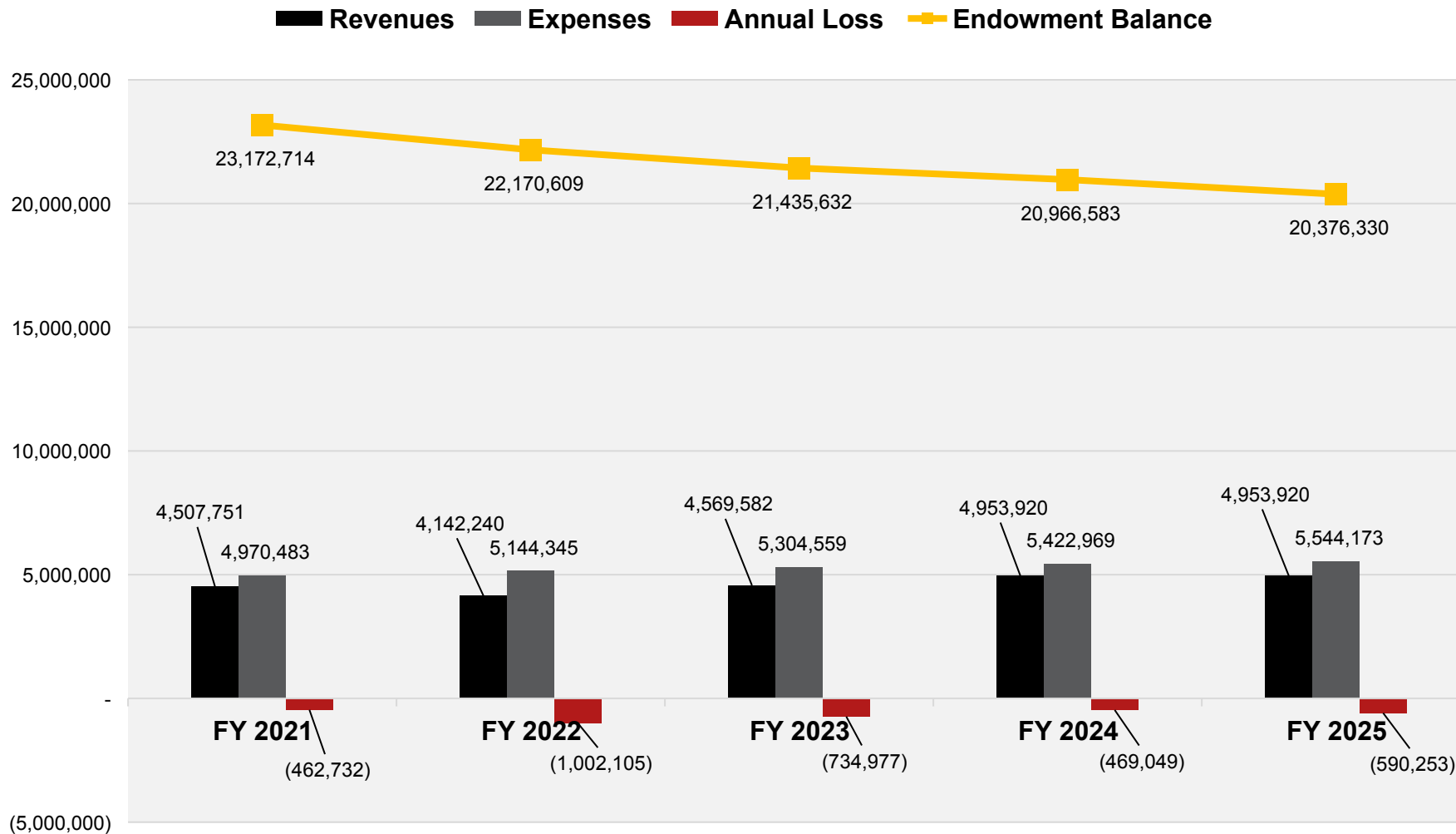
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## Expenses

- Salaries & Benefits
- Content (PBS, NPR, etc.) *[connected to pledges and underwriting]*
- Rentals and Leases of Facilities *[connected to Rentals and Leases of Facilities Revenues]*
- Broadcasting *[FNX broadcasted nationwide]*

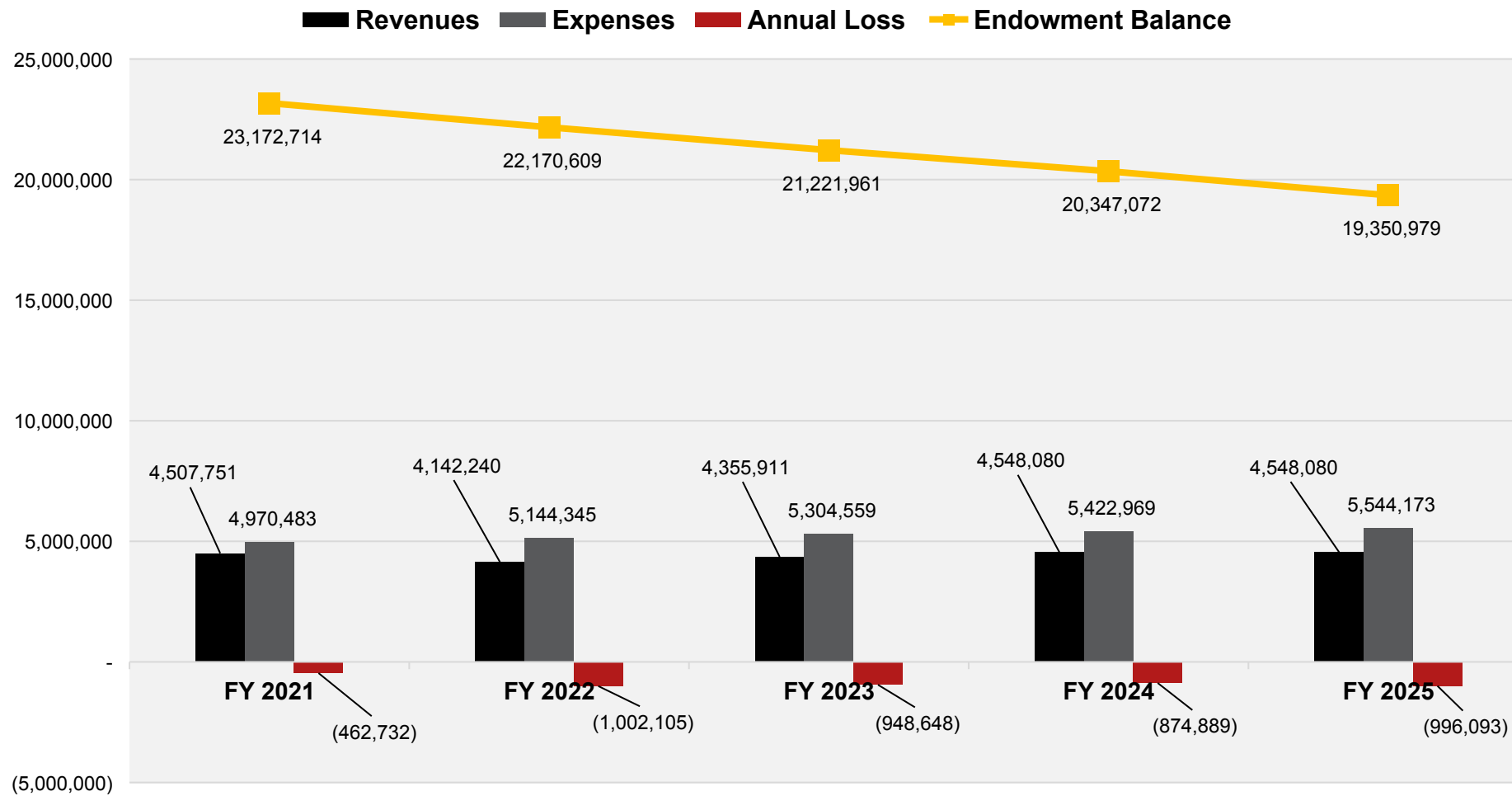
# FIVE-YEAR PROJECTIONS

## Best Case Scenario



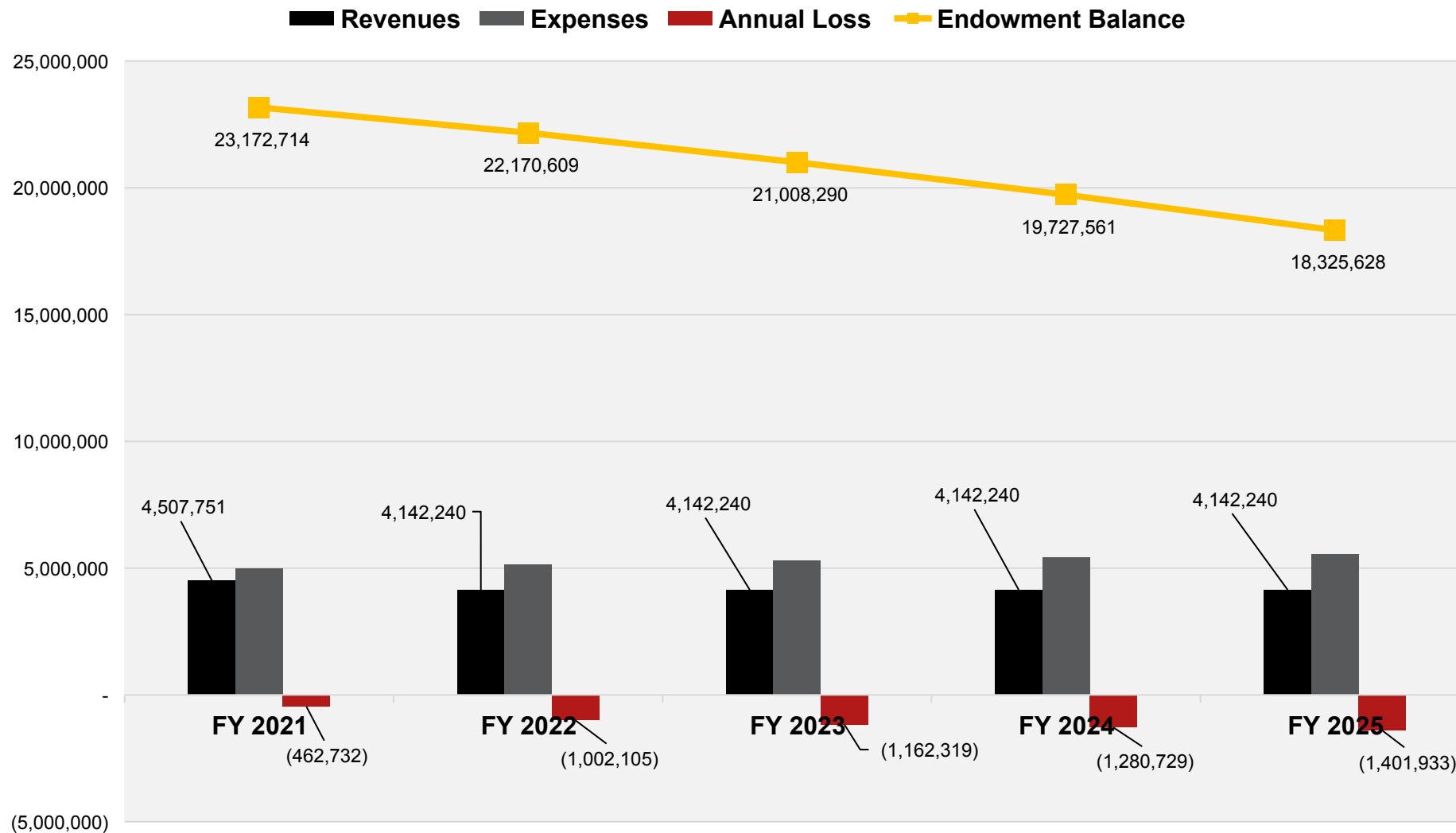
# FIVE-YEAR PROJECTIONS

## Middle Case Scenario



# FIVE-YEAR PROJECTIONS

## Conservative Scenario





# PROPOSAL

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Transition the facility to SBVC to be used as a lab for the Media Academy by the end of June 2023.



## PROVIDING CLARITY

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- KVCR TV will no longer broadcast PBS
- KVCR Radio will no longer broadcast NPR
- FNX will no longer broadcast nationwide
- FNX will need a new home (if necessary)
- The facility will become part of SBVC
- \$21 endowment will be repurposed for other uses pending Board approval and collegial consultation



# OUTCOME

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Aligned with SBVC Mission:

***“...to prepare students for transfer to four-year universities, to enter the workforce by earning applied degrees and certificates, to foster economic growth and global competitiveness through workforce development, and to improve the quality of life in the Inland Empire and beyond.”***





# QUESTIONS?

# SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

**District Assembly Meeting Minutes**  
**September 2, 2020**  
**3:00 pm-4:00 pm Pacific Time**

## **ATTENDEES PRESENT VIA TELECONFERENCE**

As listed on attached sign-in sheet

## **AGENDA**

### **I. CALL TO ORDER**

C. Thomas called the meeting to order at 3:03pm.

### **II. PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS**

Amy Avelar

### **III. WELCOME MEMBERS**

C. Thomas welcomed members and held self-introductions.

### **IV. MEETING NORMS & EXPECTATIONS**

#### **A. Communicating Information to Constituent Groups**

J. Torres highlighted four areas of opportunity from the climate survey: to improve committee representation, business policies and procedures, customer service, and transparency in decision-making. District Budget Committee (DBC) and District Assembly (DA) are the district shared governance committees. He shared the SBVC Academic Senate agenda [https://www.valleycollege.edu/about-sbvc/campus-committees/academic-senate/agendas-minutes/2020/09-02/as\\_agenda\\_09022020.pdf](https://www.valleycollege.edu/about-sbvc/campus-committees/academic-senate/agendas-minutes/2020/09-02/as_agenda_09022020.pdf) and asked all constituent group leaders to include DA and DBC as standing/recurring items on their agendas to help improve communication and transparency districtwide.

There was discussion about using BoardBookIt and how meeting information is shared. Staff will continue emailing the action taken at DA. We still publish full pdf agendas and addendums on the website and email notifications are sent when agendas have been posted to the website. BoardBookIt (BBI) does not replace anything we are currently doing. It enhances what we are doing. For example, BBI sends users notifications of meetings, tasks, and lets the user know when new agendas are available or revised. BBI also allows changes on the fly so users have updated agenda information immediately. Users can opt to retrieve their agendas as they have in the past or they can view items through BBI and not have to bounce between agenda, addendums, and emailed documents.

### **V. CHANCELLOR'S REPORT**

#### **A. Budget Update**

#### **B. Roadmap for Student Success**

#### **C. Promise Cohort #3**

##### Budget Update

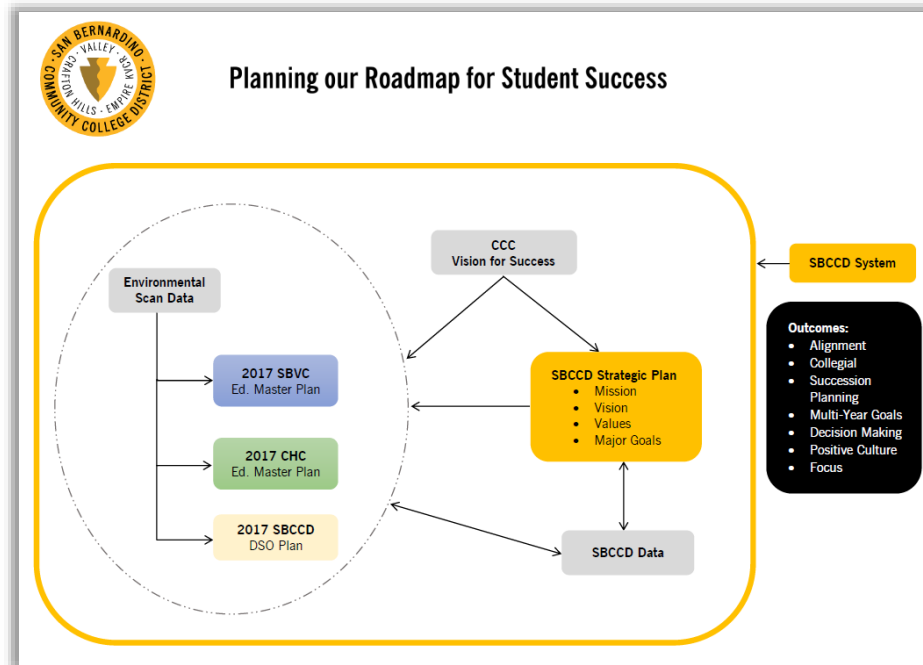
Interim Chancellor Torres presented the review of the final budget. The unexpected recession, combined with \$5.7 billion related to the state's COVID-19 response, shifted the projected surplus of \$5.6 billion to a \$54.3 billion deficit. We are expected to do more with less state funding. The final budget includes a best, middle, and worst case scenario, using the expected COLA and deficit factor. All scenarios include a hiring freeze and no layoffs or furloughs. The recommendation being presented to the Board at the September meeting uses the middle case scenario. Adjustments will be made as additional economic data becomes available.

##### Roadmap for Student Success

J. Torres explained that while trying to align goals it was discovered there was overlap and missing components. The current strategic plan contains detailed goals with no involvement from the Board. SBCCD does not have a vision statement or values. As a District, we have four goals: 2020-21 Board Strategic Directives, Vision for Success Goals adopted in 2019, Institutional Values (Board Imperatives), and goals identified during the Ed. Master Plan process.

We are working to create a Strategic Plan, reaffirm or modify SBCCD's Mission, and adopt Vision and Values statements. The Strategic Plan will provide major goals to SBVC, CHC, and District Support Operations (DSO).

The roadmap shared will result in a SBCCD System that will provide outcomes such as goal alignment, multi-year goals, a system that promotes collegial consultation, succession planning, targeted decision making, positive culture, but most importantly, focus to continue increasing student success.



### Promise Cohort #3

Interim Chancellor Torres reported Chancellor's Cabinet is forming a task force to conduct a mid-year progress review of the Free College Promise. The first cohort of Promise students are half-way to completing their associates degree or transferring to a four-year university. The task force will help us answer to what extent has the pandemic affected the academic progress of our Promise students? What are the persistent barriers our Promise students face to attending college full-time? How can we strengthen our collaboration with K-12 schools on dual enrollment in an online environment? How we are moving the needle on student success. This mid-year progress review will keep us pushing in that direction. The task force will be co-chaired by the Vice Presidents of Student Services from each campus, and it will include faculty and staff members appointed by the Chancellor and College Presidents. This review process may take us to the end of the calendar year until we see how the state budget "IOUs" materialize, and whether congress approves another stimulus package. We will not start recruiting the next class of Promise students until we have thoroughly vetted the task force's findings, and matched it against our state and federal funding sources.

## VI. APPROVAL OF MINUTES

### A. 2020-05-05

K. Palkki moved to approve the 5/5/20 minutes. K. Horan seconded the motion. Unanimous approval,

## VII. OLD BUSINESS

None.

## VIII. NEW BUSINESS

### A. Approval of 2020-2021 AP & BP Review Schedule

B. Tasaka moved to approve the 2020-2021 AP & BP review schedule. K. Hannon seconded the motion. Revisions to the schedule can be reviewed next month. Unanimous approval.

- B. Approval of APs & BPs for 1st Reading
1. AP 2410 Board Policies and Administrative Procedures  
Changed reference of Executive Director of Institutional Research and Planning to Assigned staff
  2. BP 2410 Board Policies and Administrative Procedures  
No changes
  3. AP 4235 Credit by Examination  
No changes
  4. BP 4235 Credit by Examination  
No changes
  5. AP 7100 Commitment to Diversity  
No changes
  6. BP 7100 Commitment to Diversity  
No changes
  7. AP 7150 Evaluation  
Minor clerical edits made
  8. BP 7150 Evaluation  
Edited to include confidential employees
  9. AP 7210 Academic Employees  
Note: We will work on completing the revisions to 7210 and implementing 7210A (if it is agreed that this policy will remain) and submit the complete 7210 to the board after all approvals have happened.
  10. AP 7210A Part-Time Faculty Recruitment and Faculty Interns
  11. AP 7230 Classified Employees  
Note: Recommend deleting AP. This procedure is optional. The classified staff of the District has been addressed by BP 7230 Classified Employees, and additional procedures are not legally mandated.
  12. BP 7230 Classified Employees  
This BP is for full-time classified employees. Removed reference to CTA and short-term employees.
  13. AP 7240 Confidential Employees  
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 includes this language.
  14. BP 7240 Confidential Employees  
Included language: Additional local practice is provided in the Confidential Handbook. Struck text referencing other AP/BPs as it is addressed in the handbook.
  15. AP 7260 Classified Supervisors- Managers and Administrators  
Struck repetitive language found in other APs that follow the CCLC recommendations. Language for terms and conditions of employment and faculty work for this classification is added to the AP.
  16. BP 7260 Classified Supervisors- Managers and Administrators  
Cleaned up language for better flow and to include correct titles for classified administrators
  17. AP 7270 Student Workers  
Edited to clarify and include additional language
  18. BP 7270 Student Workers  
No changes
  19. AP 7380 Retiree Health Benefits- Academic Employees  
New legally required AP
  20. BP 7380 Retiree Health Benefits - Academic Employees  
Added language to comply with regulations
  21. AP 7450 Mileage Reimbursement  
Minor edit to change full-time employees to all employees
  22. BP 7450 Mileage Reimbursement  
No changes
  23. BP 7510 Domestic Partners  
Legal Update 36 - This policy was updated to revise the legal reference to Family Code Sections 297 et seq.
  24. AP 7700 Whistleblower Protection  
No change to language. Changes reflected are to correct the formatting only.

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## 25. BP 7700 Whistleblower Protection

No changes

J. Feist moved to approve the recommendation of APs & BPs for 1st reading. T.L. Brink seconded the motion.  
Unanimous Approval

## C. Legal Update - Summer 2020

This legal update reflects the newly released Title IX regulations issued in May 2020 to be effective 8/14/20. Scheduled to be sent to September Board for approval.

1. AP 3430 Prohibition of Harassment  
Legal Update Summer 2020 - This procedure was revised to remove all requirements regarding sexual harassment under Title IX and leave other forms of harassment.
2. BP 3430 Prohibition of Harassment  
Legal Update Summer 2020 - This policy was revised to remove all requirements regarding Title IX sexual harassment and leave other forms of harassment.
3. AP 3433 Prohibition of Sexual Harassment Under Title IX  
Legal Update Summer 2020 - New AP. This procedure was created to address only sexual harassment as defined in Title IX.
4. BP 3433 Prohibition of Sexual Harassment under Title IX  
Legal Update Summer 2020 - New BP. This policy was created to address the requirements of the new Title IX regulations.
5. AP 3434 Responding to Harassment Based on Sex Under Title IX. Legal Update Summer 2020 - New AP. This procedure was created to address the requirements of the new Title IX regulations.
6. AP 3540 Sexual and Other Assaults on Campus  
Legal Update Summer 2020 - This procedure was revised to align to the requirements of the new Title IX regulations.
7. BP 3540 Sexual and Other Assaults on Campus  
Legal Update Summer 2020 - This policy was revised to align to the requirements of the new Title IX regulations.
8. AP 5530 Student Rights and Grievances  
Legal Update Summer 2020 - This procedure was revised to remove all requirements regarding grievance hearings regarding sexual harassment and leave other grievance procedures in place.
9. BP 5530 Student Rights and Grievances  
No changes  
Legal Updates are provided as information and will move forward for Board approval.

## IX. INFORMATION ITEMS

- A. AP 2105 Election of Student Trustees  
Revised language as recommended by the CCLC
- B. BP 2105 Election of Student Trustees  
Revised language as recommended by the CCLC
- C. AP 2110 Vacancies on the Board  
Revised language as recommended by the CCLC and cleaned up formatting
- D. BP 2110 Vacancies on the Board  
Revised language as recommended by the CCLC and inserted requirement from SBCSS
- E. BP 2130 Term Limits  
Formatting change
- F. AP 2340 Agendas  
Revised language as recommended by the CCLC

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- G. BP 2340 Agendas  
Revised to align with current practice
- H. BP 2355 Decorum  
Legal Update 36 This policy was updated consistent with recent First Amendment decisions and to revise the list of conduct that will be ruled out of order by the presiding officer.
- I. AP 2431 Chancellor Selection
- J. BP 2431 Chancellor Selection
- K. BP 2432 Chancellor Succession
- L. AP 2712 Conflict of Interest Code  
FPPC Update Requirement. Revised the list order to group disclosure categories and alphabetized designated positions. Revised titles for Director, Facilities Planning & Construction, Director, Grant Development & Management, Director, Labor Relations & Compliance, Police Chief, Director of Maintenance & Operations. Removed from the list: Cafeteria/Snack Bar Manager and Director, Bookstore
- M. AP 7210 Academic Employees (Academic Rank)  
The advancement and rank language was approved by the senates and approved by the Board 6/11/20.
- N. BP 7210 Academic Employees  
No changes
- O. Confidential Group Handbook  
APs & BPs listed as information will be sent to the Board for approval.

## X. UPDATES & REPORTS

- A. Accreditation Report (Wurtz & Humble)
  1. What is District Assembly's Role in Accreditation?
  2. What is the timeline for accreditation?
  3. CHC ISER
  4. SBVC ISER

D. Humble briefly reported ACCJC standards align with the charge of DA, which is to ensure that each appropriate constituent group participates in the decision-making process. DA should advise and make recommendations regarding district-wide governance, institutional planning, budgeting, and policies and procedures that promote the educational mission and goals of SBCCD. A copy of the power point will be sent to DA. Any questions about the power point should be directed to your campus VPI. Accreditation site visits will be held virtually October 12-15.

### Timeline for the Accreditation Process

Key Events	Month
Signed Institutional Self-Evaluation Report submitted to ACCJC (at least 60 days before visit)	August 14, 2020
External Peer Review Team Visit (Virtual)	October 12-15, 2020
Draft Team Report sent to College CEO for correction of errors of fact	November, 2020
Commission meeting and decision on accreditation	January, 2021
Commission action letter received by College posted to the college website	February, 2021

- B. Districtwide & Campus Efforts Addressing Systemic Racism  
K. Palkki moved to table the remaining reports to the next meeting (items X.B-I). K. Hannon seconded the motion. If possible, written reports should be submitted. Unanimous approval.
- C. TESS Quarterly Report  
Written report was provided.
- D. SBVC Academic Senate Report
- E. CHC Academic Senate Report
- F. SBVC Classified Senate Report
- G. CHC Classified Senate Report
- H. SBVC ASG Report
- I. CHC ASG Report

## XI. ADJOURN

Next Meeting: 10/6/20

C. Thomas adjourned the meeting at 4:16pm.

Regular attendance by the Membership of the Assembly is essential to the success of the Assembly. Members who miss three (3) consecutive meetings shall be replaced.

First Name	Last Name	Term Ends (May)	Sept	Oct	Nov	Dec	Feb	Mar	Apr	May
Cassandra	Thomas (President)	2021	x							
Kristina	Hannon (VP)	2021	x							
Stacey	Nikac (Recorder)	n/a	x							
Amy	Avelar	2021	x							
Brandi	Bailes	2021	x							
T.L.	Brink	2022	x							
Keynasia	Buffong	2021	x							
Davena	Burns Peters	2022	x							
Raymond	Carlos	2022	x							
Taylor	DeBenedictis	2021	x							
John	Feist	2021	x							
Jake	Fuller	2021	x							
Colleen	Gamboa	2021	x							
Ed	Gomez	2021	x							
Laurie	Green	2021	x							
Kevin	Horan	n/a	x							
Alex	Jaco	2021	x							
Rhiannon	Lares	2022	x							
Craig	Luke	2021								
Meridyth	McLaren	2021	x							
Kevin	Palkki	2021	x							
Diana	Rodriguez	n/a	x							
Cyndie	St. Jean	2021	x							
Bethany	Tasaka	2022	x							
Jose	Torres	n/a	x							
Jonathan	Townsend	2022								
Keith	Wurtz	2021	x							



2020-21 AP/BP Schedule of Review

AP/BP	Number	Title	Reason for Review	Nature of Change	Sep	Oct	Nov	Dec	Jan BOT	Feb	Mar	Apr	May BOT	Jun BOT	Jul BOT	Aug BOT
AP	2105	Election of Student Trustees	FYI Only	Revised per CCLC	DA Info/BOT 1st	BOT 2nd										
BP	2105	Election of Student Trustees	FYI Only	Revised per CCLC	DA Info/BOT 1st	BOT 2nd										
AP	2110	Vacancies on the Board	FYI Only	Revised per CCLC	DA Info/BOT 1st	BOT 2nd										
BP	2110	Vacancies on the Board	FYI Only	Revised per CCLC	DA Info/BOT 1st	BOT 2nd										
BP	2130	Term Limits	FYI Only	Format Change Only	DA Info/BOT 1st	BOT 2nd										
AP	2340	Agendas	FYI Only	Revised per CCLC	DA Info/BOT 1st	BOT 2nd										
BP	2340	Agendas	FYI Only	Updated to Match Current Practice	DA Info/BOT 1st	BOT 2nd										
BP	2355	Decorum	FYI Only	Legal Update	DA Info/BOT 1st	BOT 2nd										
AP	2410	Board Policies and Administrative Procedures	2020-21 Schedule	Updated to Match Current Titles	DA 1st	DA 2nd	BOT 1st	BOT 2nd								
BP	2410	Board Policies & Administrative Procedures	FYI Only	No Change	DA1st	DA 2nd	BOT 1st	BOT 2nd								
AP	2431	Chancellor Selection	FYI Only	Updated to Match Current Practice	DA Info/BOT 1st	BOT 2nd										
AP	2431	Chancellor Selection	FYI Only	Updated to Match Current Practice	DA Info/BOT 1st	BOT 2nd										
BP	2432	Chancellor Succession	FYI Only	Updated to Match Current Practice	DA Info/BOT 1st	BOT 2nd										
AP	2510	Collegial Consultation [Participation in Local Decision-Making]	2020-21 Schedule	Under Review		DA1st	DA 2nd	BOT 1st	BOT 2nd							
BP	2510	Collegial Consultation [Participation in Local Decision-Making]	2020-21 Schedule	Under Review		DA1st	DA 2nd	BOT 1st	BOT 2nd							
AP	2712	Conflict of Interest Code	FYI Only	Updated to Match Current Titles	DA Info/BOT 1st	BOT 2nd										
BP	2745	Board Member Compensation	Correction	Updated to Match Current Practice	DA Info/BOT 1st	BOT 2nd										
AP	3430	Prohibition of Harassment	FYI Only	Legal Update	DA Info/BOT 1st	BOT 2nd										
BP	3430	Prohibition of Harassment	FYI Only	Legal Update	DA Info/BOT 1st	BOT 2nd										
AP	3433	Prohibition of Sexual Harassment under Title IX	FYI Only	Legal Update	DA Info/BOT 1st	BOT 2nd										
BP	3433	Prohibition of Sexual Harassment under Title IX	FYI Only	Legal Update	DA Info/BOT 1st	BOT 2nd										
AP	3434	Responding to Harassment Based on Sex under Title IX	FYI Only	Legal Update		DA Info	BOT 1st	BOT 2nd								
AP	3435	Discrimination and Harassment Complaints and Investigations	FYI Only	Legal Update		DA Info	BOT 1st	BOT 2nd								
AP	3515	Reporting of Crimes	FYI Only	Legal Update/Under Review			DA Info	BOT 1st	BOT 2nd							
BP	3515	Reporting of Crimes	FYI Only	No Change			DA Info	BOT 1st	BOT 2nd							
AP	3540	Sexual and Other Assaults on Campus	FYI Only	Legal Update	DA Info/BOT 1st	BOT 2nd										
BP	3540	Sexual and Other Assaults on Campus	FYI Only	Legal Update	DA Info/BOT 1st	BOT 2nd										
AP	3560	Alcoholic Beverages	2020-21 Schedule	Legal Update		DA Info	BOT 1st	BOT 2nd								
BP	3560	Alcoholic Beverages	FYI Only	Minor Clerical Edit		DA Info	BOT 1st	BOT 2nd								
AP	3600	Auxiliary Organizations	Required - Legal	New Policy				DA Info	BOT 1st	BOT 2nd						
BP	3600	Auxiliary Organizations	FYI Only	No Change				DA Info	BOT 1st	BOT 2nd						
AP	3720	Computer and Network Use	2020-21 Schedule					DA1st	DA 2nd	BOT 1st	BOT 2nd					
BP	3720	Computer and Network Use	2020-21 Schedule					DA1st	DA 2nd	BOT 1st	BOT 2nd					
AP	4022	Course Approval	2020-21 Schedule	Under Review		DA1st	DA 2nd	BOT 1st	BOT 2nd							
AP	4105	Distance Education	2020-21 Schedule	Legal Update		DA1st	DA 2nd	BOT 1st	BOT 2nd							
BP	4105	Distance Education	FYI Only	No Change		DA1st	DA 2nd	BOT 1st	BOT 2nd							
BP	4220	Standards of Scholarship – Delegation	2020-21 Schedule	Legal Update		DA1st	DA 2nd	BOT 1st	BOT 2nd							
AP	4220	Standards of Scholarship – Delegation	2020-21 Schedule	Legal Update		DA1st	DA 2nd	BOT 1st	BOT 2nd							
AP	4231	Grade Changes	Required - Legal	Revised per CCLC		DA1st	DA 2nd	BOT 1st	BOT 2nd							
BP	4231	Grade Changes	Required - Legal	Minor Clerical Edit		DA1st	DA 2nd	BOT 1st	BOT 2nd							
AP	4235	Credit by Examination [Credit for Prior Learning]	2020-21 Schedule	Legal Update	DA1st	DA 2nd	BOT 1st	BOT 2nd								
BP	4235	Credit by Examination [Credit for Prior Learning]	2020-21 Schedule	Legal Update	DA1st	DA 2nd	BOT 1st	BOT 2nd								
AP	5010	Admissions and Concurrent Enrollment	2020-21 Schedule						DA1st	DA 2nd	BOT 1st	BOT 2nd				
BP	5010	Admissions and Concurrent Enrollment	2020-21 Schedule						DA1st	DA 2nd	BOT 1st	BOT 2nd				
AP	5011	Admission and Concurrent Enrollment of High School and Other Young Students	2020-21 Schedule						DA1st	DA 2nd	BOT 1st	BOT 2nd				
AP	5030	Fees	Reviewed Prior Year	Updated to Match Current Practice	DA Info/BOT 1st	BOT 2nd										
BP	5030	Fees	Reviewed Prior Year	Updated to Match Current Practice	DA Info/BOT 1st	BOT 2nd										
AP	5040	Student Records, Directory Information, and Privacy	2020-21 Schedule						DA1st	DA 2nd	BOT 1st	BOT 2nd				

2020-21 AP/BP Schedule of Review

AP/BP	Number	Title	Reason for Review	Nature of Change	Sep	Oct	Nov	Dec	Jan BOT	Feb	Mar	Apr	May BOT	Jun BOT	Jul BOT	Aug BOT
BP	5040	Student Records, Directory Information, and Privacy	2020-21 Schedule							DA1st	DA 2nd	BOT 1st	BOT 2nd			
AP	5050	Student Success and Support Program	2020-21 Schedule								DA1st	DA 2nd	BOT 1st	BOT 2nd		
BP	5050	Student Success and Support Program	2020-21 Schedule								DA1st	DA 2nd	BOT 1st	BOT 2nd		
AP	5055	Enrollment Priorities	2020-21 Schedule								DA1st	DA 2nd	BOT 1st	BOT 2nd		
BP	5055	Enrollment Priorities	2020-21 Schedule								DA1st	DA 2nd	BOT 1st	BOT 2nd		
AP	5210	Communicable Disease, Students	2020-21 Schedule								DA1st	DA 2nd	BOT 1st	BOT 2nd		
BP	5210	Communicable Disease, Students	2020-21 Schedule								DA1st	DA 2nd	BOT 1st	BOT 2nd		
AP	5530	Student Rights and Grievances	FYI Only	Legal Update	DA/Info	BOT 1st	BOT 2nd									
BP	5530	Student Rights and Grievances	FYI Only	No Change	DA/Info	BOT 1st	BOT 2nd									
AP	6320	Investments	2020-21 Schedule							DA1st	DA 2nd	BOT 1st	BOT 2nd			
BP	6320	Investments	2020-21 Schedule							DA1st	DA 2nd	BOT 1st	BOT 2nd			
AP	6360	Contracts - Electronic Systems and Materials	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	6370	Contracts – Personal Service	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	6380	Vendors	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	6550	Disposal of Property	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
BP	6550	Disposal of Property	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	6620	Naming of Buildings and Other Properties	2020-21 Schedule							DA1st	DA 2nd	BOT 1st	BOT 2nd			
BP	6620	Naming of Buildings and Other Properties	2020-21 Schedule							DA1st	DA 2nd	BOT 1st	BOT 2nd			
AP	6930	Vending Machines	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
BP	6930	Vending Machines	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	7100	Commitment to Diversity	2020-21 Schedule	No Change	DA 1st	DA 2nd	BOT 1st	BOT 2nd								
BP	7100	Commitment to Diversity	2020-21 Schedule	No Change	DA 1st	DA 2nd	BOT 1st	BOT 2nd								
AP	7130	Compensation	2020-21 Schedule	Suggested Deletion			DA1st	DA 2nd	BOT 1st	BOT 2nd						
BP	7130	Compensation	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	7150	Evaluation	2020-21 Schedule	Minor Clerical Edit	DA1st	DA 2nd	BOT 1st	BOT 2nd								
BP	7150	Evaluation	2020-21 Schedule	Updated to Match Current Practice	DA1st	DA 2nd	BOT 1st	BOT 2nd								
AP	7210	Academic Employees	2020-21 Schedule	Under Review	DA1st		DA 2nd	BOT 1st	BOT 2nd							
BP	7210	Academic Employees	FYI Only	No Change	DA Info		DA 2nd	BOT 1st	BOT 2nd							
AP	7210A	Academic Employees	2020-21 Schedule	Under Review	DA1st		DA 2nd	BOT 1st	BOT 2nd							
AP	7210	Academic Employees (Academic Rank)	Reviewed Prior Year	Board Approved 6/11/2020	DA Info											
AP	7230	Classified Employees	2020-21 Schedule	Suggested Deletion	DA1st	DA 2nd	BOT 1st	BOT 2nd								
BP	7230	Classified Employees	2020-21 Schedule	Updated to Match Current Practice	DA1st	DA 2nd	BOT 1st	BOT 2nd								
AP	7231	Seniority	2020-21 Schedule	Suggested Deletion			DA1st	DA 2nd	BOT 1st	BOT 2nd						
BP	7231	Seniority	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	7235	Probationary Period	2020-21 Schedule	Suggested Deletion			DA1st	DA 2nd	BOT 1st	BOT 2nd						
BP	7235	Probationary Period	2020-21 Schedule				DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	7237	Layoffs	2020-21 Schedule	Suggested Deletion			DA1st	DA 2nd	BOT 1st	BOT 2nd						
AP	7240	Confidential Employees	2020-21 Schedule	Updated to Match Current Practice	DA1st	DA 2nd	BOT 1st	BOT 2nd								
BP	7240	Confidential Employees	2020-21 Schedule	Updated to Match Current Practice	DA1st	DA 2nd	BOT 1st	BOT 2nd								
AP	7250	Educational Administrators	Reviewed Prior Year	Under Review						DA1st	DA 2nd	BOT 1st	BOT 2nd			
BP	7250	Educational Administrators	Reviewed Prior Year	Under Review						DA1st	DA 2nd	BOT 1st	BOT 2nd			
AP	7260	Classified Supervisors, Managers, and Administrators	2020-21 Schedule	Revised per CCLC	DA1st	DA 2nd	BOT 1st	BOT 2nd								
BP	7260	Classified Supervisors, Managers, and Administrators	2020-21 Schedule	Updated to Match Current Titles	DA1st	DA 2nd	BOT 1st	BOT 2nd								
AP	7265	Management Internship	2020-21 Schedule	Up for Review						DA1st	DA 2nd	BOT 1st	BOT 2nd			
BP	7265	Management Internship	2020-21 Schedule	Up for Review						DA1st	DA 2nd	BOT 1st	BOT 2nd			



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~~ assigned staff 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 or 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~~ Assigned staff (lead) and Academic Senate Presidents

Chapter 5: ~~Executive Director of Institutional Research and Planning~~ Assigned staff (lead) 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~~ assigned staff 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~~ Assigned staff 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.
- ~~The SBCCD Executive Director of Research and Planning~~ Assigned staff will email the policies and procedures under review along with the timeline for the year to each of the policy leads.
  - 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.
  - 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 2<sup>nd</sup> 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.)
  - Policies and ~~Procedures~~ procedures included on the ~~DA~~ District Assembly consent agenda for 2<sup>nd</sup> read may be pulled for discussion, debate and/or revision recommendations prior to approval.
  - 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~~ assigned staff 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% (an Academic and Professional matter within the meaning of Section 50200(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 assigned staff~~. ~~The SBCCD Executive Director of Research and Planning Assigned staff~~ 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 Assigned staff~~ 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 assigned staff~~ 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 assigned staff~~. 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 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.
  - 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□

ACC□C Accreditation Standards □B.7□□C.5□□□C.7□and □□.D.4 (formerly □□.B.1.b □ e)



## Attachments

- [AP 2410 Board Policies Admin Procedures - Comments](#)
- [AP 2410 Board Policies Admin Procedures - Legal Citations](#)
- [AP 2410 Board Policies Admin Procedures - revised.docx](#)
- [AP 2410 Board Policies Admin Procedures-with Rejected Changes - Comments](#)
- [AP 2410 BOT Committee, AS, and BOT Chair comments 2/18](#)

**Comment** by Torres, Maria

2/20/2019, 12:12PM EDT

2/20/19 BOT approved 2nd reading

**Draft saved** by Goodrich, Kelly

7/28/2020, 2:25PM EDT

**Draft saved** by Stat, Policy

9/1/2020, 11:11AM EDT

Current Status: *Active*

PolicyStat ID: 6437798



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**Last Approved:** 06/2019  
**Last Revised:** 06/2019  
**Next Review:** 06/2025  
**Owner:** *BOT Board of Trustees:*  
**Policy Area:** *Chapter 2 Board of Trustees*  
**References:** *Good Practice/Optional*

## 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 ACC Accreditation Standards III.C.7, III.D.4, I.B.7, and I.C.5 (formerly III.B.1.b e)

### Attachments

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



## Approval Signatures

Step Description	Approver	Date
	Policy Stat	00/2019
	Policy Stat	00/2019
	Policy Stat	05/2019
	Policy Stat	05/2019
	Policy Stat	05/2019

Current Status: *Active*

PolicyStat ID: 4567592



**Origination:** 08/2016  
**Last Approved:** 07/2018  
**Last Revised:** 08/2016  
**Next Review:** 07/2024  
**Owner:** *Human Resources Human Resources*  
**Policy Area:** *Chapter 7 Human Resources*  
**References:** *Good Practice/Optional*

## AP 7100 Commitment to Diversity

The District demonstrates its commitment to diversity by:

- Complying with all federal, state, and local laws and regulations regarding equal employment and discrimination in employment.
- Maintaining and abiding by the provisions of the District Equal Employment Opportunity Plan.
- Maintaining and abiding by the provisions of the Student Equity Plan.
- Employing qualified administrators, faculty and staff who are dedicated to student success across a diverse study body.
- Recruiting and retaining faculty and staff that reflect the diversity of the communities within the District.
- Fostering participation and respect for differences.
- Providing professional development opportunities for faculty and staff, related to equity, inclusion, and diversity.
- Designating specific persons within the District who are given positional authority and responsibility for consultation, oversight, and decision-making with regard to equity, inclusion, and diversity.
- Identifying and correcting barriers within organizational systems.
- Facilitating opportunities that result in effective and meaningful participation.
- Creating ideas and solutions built on a range of perspectives.

### References:

Education Code Sections 87100 et seq.

Title 5 Sections 53000 et seq.

### Attachments

No Attachments

### Approval Signatures

Step Description	Approver	Date
	Stacey Nikac: Administrator	07/2018

Step Description	Approver	Date
	Stacey Nikac: Administrator	07/2018
	Stacey Nikac: Administrator	07/2018
	Stacey Nikac: Administrator	07/2018
	Stacey Nikac: Administrator	07/2018
Chapter owners are notified	Kristina Hannon	03/2018

**Sent for re-approval** by Hannon, Kristina

2/6/2018, 11:27AM EST

No changes

**Last Approved** by Hannon, Kristina

2/6/2018, 11:27AM EST

**Sent for re-approval** by Hannon, Kristina

2/26/2018, 1:38PM EST

Reviewed

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2/26/2018, 1:38PM EST

**Approval flow updated in place** by Stat, Policy

3/6/2018, 12:13PM EST

**Sent for re-approval** by Hannon, Kristina

3/8/2018, 10:59AM EST

No changes

**Last Approved** by Hannon, Kristina

3/8/2018, 10:59AM EST

**Comment** by Torres, Jose: Document Owner - Chapter 6

3/19/2018, 10:01AM EDT

UPDATED BY HR AND READY FOR SUBMISSION FOR 1ST READ BY DISTRICT ASSEMBLY ON 4/6/18

**Last Approved** by Stat, Policy

7/13/2018, 4:28PM EDT

see comments for actual approval dates

**Last Approved** by Stat, Policy

7/13/2018, 4:28PM EDT

see comments for actual approval dates

**Last Approved** by Stat, Policy

7/13/2018, 4:29PM EDT

see comments for actual approval dates

**Last Approved** by Stat, Policy

7/13/2018, 4:29PM EDT

see comments for actual approval dates

**Last Approved** by Stat, Policy

7/13/2018, 4:29PM EDT

see comments for actual approval dates

**Activated**

7/13/2018, 4:29PM EDT

**Comment** by Stat, Policy

10/16/2018, 3:55PM EDT

5/1/18 DA approved 2nd reading

**Comment** by Stat, Policy

10/16/2018, 7:19PM EDT

7/12/18 Board approved 2nd reading

**Administrator override** by Stat, Policy

8/5/2019, 12:07PM EDT

Changed to BOT Approved workflow and 10-year review cycle to 3650 days

**Reference changed** by Stat, Policy

9/5/2019, 7:46PM EDT

**Comment** by Goodrich, Kelly

9/21/2020, 7:16PM EDT

10-06-2020 DA 2nd Read

COPY

Current Status: *Active*

PolicyStat ID: 3983653



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**Last Approved:** 07/2018  
**Last Revised:** 04/2017  
**Next Review:** 07/2024  
**Owner:** *Human Resources Human Resources*  
**Policy Area:** *Chapter 7 Human Resources*  
**References:** *Legally Required*

## BP 7100 Commitment to Diversity

*(Replaces current SBCCD BP 7100)*

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. The Board of Trustees recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Board is committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates.

The District commits to equitable treatment and elimination of discrimination in all its forms at all organizational levels and throughout all programs. The District recognizes the rights of all individuals to mutual respect; acceptance of others without biases based on differences of any kind. The District makes a commitment to individual and organizational efforts to build respect, dignity, fairness, caring, equality, and self-esteem. The District acknowledges and honors the fundamental value of all individuals and pledges to create and maintain an environment that respects diverse traditions, heritages, and experiences.

This policy is consistent with the requirements and objectives set forth by the President's Order #11246 as amended by 11275 and 11478 by Revised Order Number 5 and amended, Title IX of the Education Amendment of 1972 and other Federal and State laws.

### References:

Education Code Sections 87100 et seq. ;  
Title 5 Sections 53000 et seq.

### Attachments

[BP 7100 Commitment to Diversity- Comment](#)  
[BP 7100 Commitment to Diversity- Legal Citations](#)

### Approval Signatures

Step Description	Approver	Date
	Stacey Nikac: Administrator	07/2018

Step Description	Approver	Date
	Stacey Nikac: Administrator	07/2018
	Stacey Nikac: Administrator	07/2018
	Stacey Nikac: Administrator	07/2018
	Stacey Nikac: Administrator	07/2018
Chapter owners are notified	Kristina Hannon	02/2018

**Sent for re-approval** by Stat, Policy

8/24/2017, 3:53PM EDT

**Administrator override** by Stat, Policy

8/29/2017, 1:15PM EDT

updated workflow

**Approval flow updated in place** by Stat, Policy

8/29/2017, 2:32PM EDT

**Last Approved** by Hannon, Kristina

8/29/2017, 2:35PM EDT

**Bulk Last Approved** by Chancellor's Cabinet, Chancellor's Cabinet:

9/26/2017, 12:59PM EDT

**Bulk Last Approved** by District Assembly, DA

10/13/2017, 7:43PM EDT

10/3/17 - District Assembly approved 1st reading

**Bulk Last Approved** by District Assembly, DA

11/25/2017, 4:47PM EST

11/14/17 DA approved 2nd reading

**Last Approved** by Board of Trustees, BOT:

1/24/2018, 11:38PM EST

12/14/17 - Board approved 1st reading

**Sent for re-approval** by Hannon, Kristina

2/26/2018, 1:39PM EST

**Last Approved** by Hannon, Kristina

2/26/2018, 1:39PM EST

**Approval flow updated in place** by Stat, Policy

3/6/2018, 12:13PM EST

**Comment** by Torres, Jose: Document Owner - Chapter 6

3/19/2018, 10:01AM EDT

UPDATED BY HR AND READY FOR SUBMISSION FOR 1ST READ BY DISTRICT ASSEMBLY ON 4/6/18

**Last Approved** by Stat, Policy

7/13/2018, 4:30PM EDT

see comments for actual approval dates

**Last Approved** by Stat, Policy

7/13/2018, 4:30PM EDT

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see comments for actual approval dates

**Last Approved** by Stat, Policy

7/13/2018, 4:30PM EDT

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see comments for actual approval dates

**Last Approved** by Stat, Policy

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see comments for actual approval dates

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5/1/18 DA approved 2nd reading

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**Administrator override** by Stat, Policy

8/5/2019, 12:07PM EDT

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Changed to BOT Approved workflow and 10-year review cycle to 3650 days

**Administrator override** by Mesa, Krystal: kmesa

9/11/2019, 6:17PM EDT

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Legally Required

**Comment** by Goodrich, Kelly

9/21/2020, 7:17PM EDT

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References:	<i>Legally Required</i>

## AP 7150 Evaluation

*(Replaces current SBCCD AP 7251)*

### Frequency of Evaluation

Each manager will be evaluated once per year for the first two years of employment and every three years thereafter. Evaluations may be held on a more frequent basis as appropriate.

For managers within the first year of evaluation, the supervising manager and manager being evaluated will establish goals and objectives to be accomplished. The supervising manager will be solely responsible for providing an evaluation within the first six months of hire. In the subsequent year, and each year thereafter, the evaluation committee process will be instituted.

Interim Managers will be evaluated during the sixth month of interim appointment, and annually thereafter if the assignment is greater than one semester in length. The supervising manager will be solely responsible for providing the evaluation. A survey will be sent campus/district wide for all interims when appropriate. Evaluations may be held on a more frequent basis as appropriate.

### EVALUATION TIMELINE:

No later than October 1 of each calendar year the supervising manager and manager will meet to initiate the evaluation process. This meeting will entail the review of prior goals, if applicable, and the establishment of new goals for the current year.

By November 1 of each year, the committee shall be formed. The committee will convene and provide a written report to the supervising manager no later than December 31 of each calendar year.

The final evaluation report shall be provided to the manager no later than January 31 of each calendar year.

### Goals/Objectives

Each manager will meet with his/her supervising manager at the beginning of each academic year to review the goals and objectives set for the prior year and to discuss the extent to which the goals and objectives were met. They will review the job description and, by mutual agreement, revise, update, or set new short- and long-range goals and objectives.

In an effort to ensure that evaluations are completed in a timely manner, the following process will be followed by Human Resources:

1. The supervising manager will receive an email from Human Resources notifying him or her that an evaluation of the manager is due.



2. The person to whom the supervising manager reports will also receive the email and will be responsible for ensuring the evaluation is completed and forwarded to Human Resources within the required timeframe.
3. The President of the College and the appropriate Vice President will be copied on the email.

## **Committee**

In the case of campus Directors, Deans, and Vice Presidents, the committee shall include the supervising manager as chairperson, one manager appointed by the President, one faculty member appointed by the Academic Senate, and one classified employee appointed by CSEA.

In the case of the College Presidents, the committee shall include the supervising manager as chairperson, one manager appointed by the Chancellor, two faculty members appointed by the Academic Senate, and one classified employee appointed by CSEA.

In the case of the district-level Directors, Executive Directors, Associate Vice Chancellor(s), Vice Chancellor(s) and Executive Vice Chancellor(s), the committee shall include the supervising manager as chairperson, one manager appointed by the Chancellor, one faculty member appointed by the Academic Senate at San Bernardino Valley College, one faculty member appointed by the Academic Senate at Crafton Hills College, and one classified employee appointed by CSEA.

All supervisors and managers will be evaluated by the supervising manager.

In the event a committee member is unable to participate, an alternate can be appointed if selected prior to the first committee meeting. Once the committee has met, no new members may be added.

At the discretion of the supervising manager, committee meetings may take place using teleconference and/or video conferencing.

## **Campus/District Survey**

As appropriate to the assignment, the supervising manager shall seek written feedback from the campus and/or district community. In obtaining this feedback, the supervising manager shall use an approved evaluation form. Using the approved form, the supervising manager shall seek input from applicable managers, faculty, classified staff and any others who are in a position to know how effectively the manager is performing assigned responsibilities. Responses on the approved form shall be signed, and the supervising manager shall prepare a consolidated summary of the ratings and comments. Original survey documents will be destroyed once the consolidated summary is prepared. A copy of the consolidated summary will be made available to the committee.

## **Evaluatee**

Prior to the evaluation conference, the manager being evaluated will submit, to their supervising manager, a written self-evaluation of his/her performance, which shall be based on the approved job description and previously established, mutually agreed upon goals and objectives. The manager may submit a portfolio of representative work, or any other items he/she considers appropriate.

## **Evaluation Report**

The supervising manager will produce a written evaluation report by January 31. The report shall include:

1. A summary of duties from the job description, which shall serve as a basis for the evaluation.
2. A summary list of the goals and objectives from the prior year that have been mutually agreed upon by

the manager and his/her supervising manager.

3. An assessment of the extent to which the manager meets his/her stated goals and objectives.
4. An assessment of the management and leadership strengths of the manager.
5. The identification of any areas in which the manager can improve his/her performance or management skills.
6. A copy of the consolidated summary of the ratings and comments

The written report shall specify one of the following:

1. Commendation for superior performance;
2. Confirmation of satisfactory performance;
3. Recommendation for improvement and/or further evaluation as indicated by unsatisfactory performance.

The evaluation record shall be read and signed by the supervising manager and the manager before being placed in the manager's file. The manager shall receive a copy of the evaluation report, and will have an opportunity to attach a written response within 15 working days. The response may offer clarification, additional information, or a rebuttal, as the person being evaluated may wish.

An official file of evaluation reports shall be maintained in Human Resources. Evaluation reports shall not be retained in the file beyond a four-year period if the manager requests that they be expunged.

There will be only two copies of a completed evaluation. One copy will remain in the possession of the manager being evaluated and the original will become a part of the official file in Human Resources.

### **Procedures in the Case of Unsatisfactory Performance of Responsibilities**

When a manager's performance is judged unsatisfactory, corrective measures will be initiated. The manager shall develop a work plan with measurable goals, objectives and a timetable to correct the areas judged unsatisfactory. This work plan shall be reviewed and approved by the supervising manager (or Board of Trustees, in the case of the Chancellor) who shall be responsible for monitoring and assisting the manager with the corrective measures. If desired, the supervising manager will work with the manager to identify a mentor to provide guidance and advice.

In order to ascertain the extent to which corrective measures have succeeded, the re-evaluation of the manager shall be undertaken as soon as deemed appropriate by the supervising manager, but in no case later than six months after the initial findings of the supervising manager. The re-evaluation process shall include the submission of new goals and objectives to the supervising manager, the formation of a new evaluation committee, the collection of new survey data, and the preparation of an updated evaluation report that assesses the progress (or lack of progress) made since the last evaluation.

### **Nonrenewal of Contract, Dismissal, or Penalty of Limited Duration**

In the case of unsatisfactory progress following re-evaluation, managers shall be notified of contract non-renewal, dismissal, or penalty of limited duration by action of the Board of Trustees in accordance with the Education Code.

### **Non-Management Employees**

Refer to the collective bargaining agreements regarding evaluation processes for applicable collective bargaining groups.

The criteria for confidential employee evaluations shall be based on board policy, the job descriptions, and performance goals and objectives developed mutually by the confidential employee and the supervisor.

Additional documents related to evaluation can be reviewed on the Human Resources web-page.

Also see BP/AP 2435 titled Evaluation of the Chancellor

**Reference:**

Accreditation Standard III.A.5 (formerly III.A.1.b)

**Attachments**

No Attachments

**Comment** by Goodrich, Kelly

9/18/2020, 5:39PM EDT

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**References:** Legally Required

## BP 7150 Evaluation

(Replaces current SBCCD BP 7251)

All employees will periodically undergo a performance evaluation, at prescribed intervals. The Chancellor shall assure periodic and systematic evaluations of faculty, managers, confidential employees, and classified members.

The criteria for management and confidential employee evaluations shall be based on board policy, the job descriptions, and performance goals and objectives developed mutually by the manager or confidential employee and the supervisor.

Refer to the collective bargaining agreements regarding evaluation processes for applicable collective bargaining groups.

### Reference:

WASC/ACCJC Accreditation Standard III.A.1.b

### Attachments

[BP 7150 Evaluation- Comments](#)  
[BP 7150 Evaluation- Legal Citations](#)

### Approval Signatures

Step Description	Approver	Date

Comment by Stat, Policy

10/19/2018, 4:47PM EDT

AP 7150 Send to DA for 1st reading (scheduled for Nov DA)

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Comment by Torres, Maria

3/26/2019, 7:46PM EDT

11/06/18 DA 1st reading

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3/27/2019, 12:26PM EDT

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12/04/18 DA 2nd reading

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**Comment** by Torres, Maria

4/16/2019, 5:53PM EDT

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4/2/19: DA approved 1st reading

**Comment** by Torres, Maria

5/17/2019, 5:19PM EDT

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## AP 7230 Classified Employees

*(Replaces current SBCCD AP 7230)*

### AP 7230 is being recommended for deletion.

~~**NOTE:** This procedure is **optional**. The classified staff of the District has been addressed by BP 7230 titled Classified Employees, and additional procedures are not legally mandated. However, local practice, if any, may be inserted. The contents of any such procedure will be subject to consultation with a classified senate or similar group.~~ The classified staff of the District has been addressed by BP 7230 Classified Employees, and additional procedures are not legally mandated.

### ~~Sample from another District~~

~~In addition to the collective bargaining agreement between the District and the Employees, Chapter 535, classified employees are also guided by the Classified/Confidential Employees Handbook. This handbook is reviewed and updated annually and can be found on the District's website.~~

### ~~Sample from another District~~

~~The District employs persons in positions that are not academic positions. The Board of Trustees shall classify these employees into positions.~~

~~The employees and positions shall be known as the classified service. The Board of Trustees shall fix and prescribe the duties to be performed by all persons in the classified service and other nonacademic positions of the District.~~

- ~~• From current SBCCD AP 7230 titled Classified Employees, Non-Management~~

~~The San Bernardino Community College District seeks a qualified and diverse administration, faculty, and staff dedicated to student success. The District is committed to an open, inclusive, and lawful, hiring process that supports the goals of diversity and equal opportunity providing equal consideration and opportunities for all qualified candidates. The goal of every hiring process is to select the most qualified candidate who best meets the needs of our students both directly and indirectly.~~

~~The administration, faculty, and staff recognize the importance of an effective hiring process that reflects mutual professional responsibility and interest in achieving the common goal of hiring outstanding employees who will enhance the learning experience for all students and fulfill the mission and goals of the College and the District.~~

~~Hiring faculty, classified and confidential staff, and administrators is accomplished through screening Committees which produce a recommendation from the President or other appropriate administrators, to the Chancellor who recommends the candidate to the Board for employment.~~

~~All Short-Term, Full-time Faculty, Classified, Confidential, Management, and Academic Management positions being requested to be filled in the District must be approved by the Vice Chancellor of Human Resources & Employee Relations or Designee and the Board of Trustees prior to the start of employment with the District.~~

~~All Substitute, Professional Expert, Student Workers, and Adjunct Faculty must be approved by the Vice Chancellor of Human Resources or Designee prior to the start of employment with the District.~~

## ~~RECRUITMENT AND HIRING~~

### ~~HIRING QUALIFICATIONS~~

The San Bernardino Community College District has established the following hiring qualifications for all classified positions:

#### ~~Employment Testing~~

- ~~1. The Office of Human Resources will administer skills testing to all applicants for classified positions requiring job-related skills proficiency. The Director of Human Resources will select the appropriate testing instruments for those positions that require skills testing. Objective criteria will be used to establish performance levels or capabilities measured by employment tests. Testing instruments will be evaluated periodically for currency and relevancy.~~
- ~~2. Any test or skill demonstration must be administered to the candidates in a consistent manner. An individual who has a known disability, which prevents them from taking the test or performing the skill demonstration, may request accommodation. Reasonable accommodations may include, but are not limited to, use of adaptive equipment or aids, modification of the methods for providing instructions, or substitution of another method for evaluating the knowledge, skills and abilities.~~
- ~~3. Only those that pass the employment tests will be included in the Qualified Applicant Pool.~~

### ~~GENERAL HIRING PROVISIONS~~

#### ~~A. Approval to Fill a Position~~

~~Requests to fill new or vacant positions must be processed through the appropriate Administrator, College President, Fiscal Services and the Office of Human Resources, and must receive the approval of the Vice Chancellor of Human Resources & Employee Relations or Designee.~~

#### ~~B. Online Employment Application Process~~

~~The Office of Human Resources implemented this system in order to automate and streamline many of the paper-driven aspects of the employment application process. All requested positions must be submitted through the Online Application System. After the requested information for the vacant position is filled out and submitted, the request will then be approved by the appropriate administrators. The receipt of the Personnel Requisition Form by the Office of Human Resources and budget authorization by Fiscal Services indicates approval to begin the recruitment process.~~

#### ~~C. Recruitment~~

~~The District shall maintain a program of verifiable Equal Employment Opportunity recruitment of qualified members of historically underrepresented groups in all job categories and classifications, including but not~~



~~limited to faculty, classified and confidential employees; categorically funded positions; and all other executive, administrative and managerial positions.~~

**D. Job Announcements**

~~Job announcements shall clearly state job specifications setting forth the knowledge, skills, and abilities necessary for job performance. All job specifications which the District wishes to utilize shall be reviewed by the appropriate Administrator and the Office of Human Resources before the position is announced to ensure conformity with the requirements of Title 5 and both State and Federal non-discriminatory laws. The content of the job announcement is the responsibility of the appropriate Administrator and the Office of Human Resources and must be approved by the Vice-Chancellor of Human Resources & Employee Relations or Designee.~~

~~The position announcement must include the following:~~

- ~~1. A description of the duties and responsibilities;~~
- ~~2. Minimum Qualifications;~~
- ~~3. Additional desirable qualifications that are job related and support the responsibilities of the position;~~
- ~~4. Provision for presentation of qualifications that are equivalent to the minimum qualifications;~~
- ~~5. Notification of testing if required; and~~
- ~~6. Legal qualifiers, established by the Office of Human Resources to comply with Federal, State, and District regulations (e.g., Title 5, Title VII, EEO and ADA).~~

**E. Pre-Screening Process**

~~The Office of Human Resources will pre-screen the applications to ensure that applicants meet minimum qualifications and requirements as set forth in the position announcement and, on that basis, will certify the pool of applicants.~~

~~In the event of the equivalencies, the Screening Committee will make the equivalency determination.~~

**F. The Screening Committee**

- ~~1. The Screening Committee shall review the applications meeting minimum qualifications to make recommendations for interview.~~
- ~~2. The appropriate Administrator in consultation with the Office of Human Resources will designate the composition of the Screening Committee to ensure appropriate representation from the affected department.~~
- ~~3. The Screening Committee for Classified positions shall have no less than three (3) and no more than seven (7) members who have been trained by the Office of Human Resources.~~
- ~~4. All Screening Committee members must receive training on equal opportunity, diversity, and the employment process for each Screening Committee on which they serve. Such training will be provided by the Office of Human Resources.~~
- ~~5. The majority of the members shall be those with applicable knowledge in the job category or classification with at least one member being directly from the affected department.~~
- ~~6. Every Screening Committee shall have at least one management member and one California Schools Employee Association (CSEA) appointee and when appropriate an appointee from the Academic Senate.~~



7. ~~The appropriate Administrator of the vacant position will appoint or request as appropriate, the remaining members of the Screening Committee. Each Screening Committee will also include an Equal Employment Opportunity representative designated by the Office of Human Resources.~~
8. ~~The Equal Employment Opportunity representative's role and responsibility is to maintain confidentiality and ensure the hiring process remains fair and equitable.~~
9. ~~Every effort must be made to incorporate broad representation on every Screening Committee to bring a variety of perspectives to the screening process.~~
10. ~~The appropriate Administrator of the vacant position submits the membership of the Screening Committee to the Office of Human Resources for approval.~~

#### **G. Interview Process**

1. ~~In cases where fewer than three (3) candidates are invited for 1st level interview, the Screening Committee Chair shall provide written justification to the Office of Human Resources.~~
2. ~~The Screening Committee develops job related interview questions. All questions will be reviewed by the Vice Chancellor of Human Resources & Employee Relations or Designee. All interview questions are confidential.~~
3. ~~The Screening Committee will determine the candidates, date, and time to interview.~~
4. ~~The Office of Human Resources will contact the candidates to be interviewed. The appropriate Administrator will coordinate with the Office of Human Resources the arrangements for the time and place of the interview.~~
5. ~~The 1st level interview will be conducted by the members of the Screening Committee. Each candidate will be asked the same questions, in the same way, for a fair and consistent basis in assessing all the interviewees.~~
6. ~~All Screening Committee members must sign a Confidentiality statement prior to the interviews and are required to fill out an evaluation form and rank all interviewees.~~
7. ~~If a Screening Committee member is absent from any part of the interview process, that member is disqualified from any future participation, unless otherwise determined by the Vice Chancellor of Human Resources & Employee Relations.~~
8. ~~After the 1st level interviews are concluded, each member of the Screening Committee will evaluate and rank the qualifications of the interviewees. The EEO representative will be responsible for all documentation of the interview and recommendation. The Screening Committee will identify strengths and concerns of all candidates advancing to the next level.~~
9. ~~The Supervisor may participate on the 1st level interviews based on the recommendation of the appropriate Administrator. In unique situations where the only representative of the affected department is the Supervisor, the Office of Human Resources will assess the particular circumstance.~~
10. ~~The Screening Committee will recommend at least three (3) candidates to the appropriate Administrator for 2nd level interviews. The Screening Committee shall recommend no less than three (3); unless fewer were interviewed or unless the Screening Committee presents written justification for submitting fewer than three (3) for 2nd level interview.~~
11. ~~Second level interviews will be conducted on all finalists by the appropriate Administrator or Designee.~~

~~12. The Office of Human Resources will contact the finalists to be interviewed at 2nd level and communicate the arrangements for the time and place for the 2nd level interview, as determined by the appropriate Administrator or Designee.~~

#### ~~H. Selection Process~~

~~The appropriate Administrator or Designee shall select one of the finalists, who is best qualified to fill the position and shall recommend such person to the Chancellor.~~

~~The appropriate Administrator or Designee will submit an online notification to the Office of Human Resources to forward the selection to the Board of Trustees for approval.~~

#### ~~I. Reference Check~~

~~Upon receipt of the selected candidate, the Office of Human Resources will conduct reference check in accordance with the policies and principles of Equal Employment Opportunity.~~

~~The Office of Human Resources will contact the successful candidate to make a provisional offer of employment, contingent upon passing the Department of Justice clearance, pre-employment physical, and Board of Trustee approval.~~

~~Once the successful candidate has accepted the offer, the Office of Human Resources will notify the unsuccessful candidates in writing of non-selection.~~

## ~~EMPLOYMENT REQUIREMENTS~~

~~All classified employees will be required to comply with all federal, state, and local requirements for employment.~~

~~(See BP/AP 7120 titled Recruitment and Hiring, AP 7126 titled Verification of Eligibility for Employment, AP 7335 titled Health Examinations, AP 7336 titled Certification of Freedom from Tuberculosis, AP 7337 titled Fingerprints, and AP 7365 titled Discipline and Dismissal, Classified Employees)~~

#### ~~A. Fingerprints~~

- ~~1. Each person employed in a position not requiring certification qualifications shall, prior to employment, have two 8" x 8" finger print cards bearing the legible rolled and flat impressions of such person's fingerprints together with a personal description of the employee prepared by a local public law enforcement agency having jurisdiction in the area of the school district. The cost of the fingerprinting shall be borne by the employee.~~
- ~~2. Substitute and temporary employees employed for less than a school year are exempted from the fingerprint requirement.~~

#### ~~B. Examination for Tuberculosis~~

##### ~~1. New Employees:~~

~~All employees must file with the Personnel Office a certificate of evidence showing the employee was examined and found free from active tuberculosis. This evidence must be filed prior to the date of the original employment. An intradermal tuberculin test is provided free of charge at each college's Health Services Office. Any charge for an exam by an outside agency will be borne by the employee.~~

##### ~~2. Renewals~~

- a. ~~Thereafter, all employees shall be required to undergo an x-ray of the lungs or an approved intradermal tuberculin test that, if positive, shall be followed by an x-ray of the lungs every four years. Intradermal tests are available as described above.~~
- b. ~~Notice of renewal requirements shall be the responsibility of the District Personnel Office and will be mailed to the home 45 days prior to the expiration date.~~
- c. ~~Adequate release time from the employee's workstation will be allowed to comply with this requirement.~~
- d. ~~Failure to comply with this policy may result in immediate suspension without pay until such time as the employee undergoes such examination and presents evidence thereof to school officials.~~
- e. ~~Requests for exemptions for religion or other reasons will not be approved.~~
- f. ~~The tuberculosis provisions shall not apply to those employees not requiring certification qualifications who are employed for any period of time less than a school year whose functions do not require frequent or prolonged contact with pupils.~~

### **C. Loyalty Oath**

~~All employees will be required to sign the legally prescribed oath of allegiance upon employment with the District.~~

### **D. Employment Eligibility Verification I-9**

~~All new employees are required to satisfy the requirements of the Employment Eligibility Verification Form I-9.~~

### **E. Pre-employment Physical Examination**

1. ~~As a condition for initial employment, candidates for maintenance, custodial, grounds, and security positions will be required to take a pre-employment physical examination. An applicant, who because of a medical condition is able only to perform the prescribed duties of the assigned classification in a manner that would endanger his/her health or safety and the safety of others, will not be eligible for employment.~~
2. ~~The District will select the examining physician. All costs incurred for the medical examinations shall be borne by the District.~~

### **F. Classified employees shall be employed under a set of Rules and Regulations and not under a yearly contract.**

#### **1. Probationary Period**

~~The probationary period shall be a period of nine months for classified bargaining unit members and twelve months for confidential and supervisory employees.~~

#### **2. Status of Permanent Employee**

~~No person in the regular classified service shall be suspended, demoted, or dismissed except for reasonable cause designed by these rules as detrimental to the efficiency of the service or the welfare of the District. Nothing in these rules shall be construed to prevent layoffs for lack of work or lack of funds.~~

#### **3. Definitions**

- a. ~~Suspension means either temporary removal of an employee from his/her position with loss of~~

~~pay as a disciplinary measure, or his/her removal preliminary to investigation of charges pending demotion or dismissal.~~

- ~~b. Demotion means reduction of an employee from a given class (or group of similar positions combined under a common title) to a class having a lower salary rate.~~
- ~~c. Dismissal means separation, discharge, or permanent removal of an employee from his position for cause in accordance with the provisions of the Education Code and these rules.~~

#### **4. ~~Causes for Suspension, Demotion, or Dismissal~~**

~~One or more of the following causes may be grounds for suspension, demotion, or dismissal of any person employed in the classified service.~~

- ~~a. Incompetency or inefficiency in the performance of the duties of his/her position.~~
- ~~b. Insubordination including, but not limited to, refusal to do assigned work.~~
- ~~c. Carelessness or negligence in the performance of duty or in the care or use of District property.~~
- ~~d. Discourteous, offensive, or abusive conduct or language toward other employees, pupils, or the public.~~
- ~~e. Dishonesty.~~
- ~~f. Drinking alcoholic beverages on the job, or reporting to work while intoxicated.~~
- ~~g. Addiction to the use of narcotics.~~
- ~~h. Personal conduct unbecoming an officer or employee of the District.~~
- ~~i. Engaging in political activity during assigned hours of employment.~~
- ~~j. Conviction of any crime involving moral turpitude.~~
- ~~k. Arrest for sex offense as defined in the Education Code.~~
- ~~l. Repeated and unexcused absence or tardiness.~~
- ~~m. Abuse of illness leave privilege.~~
- ~~n. Continuing illness of a disabling nature after the exhaustion of illness leave and leave of absence privileges.~~
- ~~o. Falsifying any information supplied to the school district including, but not limited to, information supplied on application forms, employment records, or any other school district records.~~
- ~~p. Persistent violation or refusal to obey safety rules or regulations made applicable to public schools by the governing board or by any appropriate state or local governmental agency.~~
- ~~q. Offering of anything of value or offering any service in exchange for special treatment in connection with the employee's job or employment, or the accepting of anything of value or any service in exchange for granting any special treatment to another employee or to any members of the public.~~
- ~~r. Willful or persistent violation of the Education Code or rules of the governing board.~~
- ~~s. Any willful failure of good conduct tending to injure the public service.~~
- ~~t. Abandonment of position.~~
- ~~u. Advocacy of overthrow of federal, state, or local government by force, violence, or other unlawful means.~~

~~v. Membership in the Communist Party.~~

**5. ~~Hearing Procedure~~**

~~Any regular employee who is suspended, demoted, or dismissed from the classified service shall be given immediate notice of the cause therefore. Within a reasonable time from the effective date of the disciplinary action, the employee may make request for a hearing and shall be given notification of the date of such hearing in sufficient time to permit said employee to prepare an appeal. A hearing shall be conducted by the governing board or its designated representative. At the conclusion of the hearing, the decision to sustain or deny the appeal shall be made by the governing board.~~

**References:**

~~Education Code Sections 88003, 88004, 88009, and 88013 and 88024; Penal Code Section 11077.1~~

**Attachments**

- AP 7230 Classified Employees - Comments
- AP 7230 Classified Employees - Legal Citations
- AP7230 -OLD.pdf

Comment by Goodrich, Kelly

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**References:** Legally Required

## BP 7230 Classified Employees

(Replaces current SBCCD BP 7230)

Employees represented by CSEA ~~and CTA~~ should refer to their respective bargaining unit ~~agreements~~ agreement for information specific to their unit.

Classified employees are those who are employed in positions that are not academic positions. The employees and positions shall be known as the classified service.

The classified service does not include the following:

- Substitute and short-term employees who are employed and paid for less than 75 percent of the fiscal year.
- Part-time apprentices and professional experts employed on a temporary basis for a specific project, regardless of length of employment.
- Full-time students employed part-time, and part-time students employed part-time in any college work-study program or in a work experience education program conducted by the District.

The Board of **Trustees** shall fix and prescribe the duties of the members of the classified service. (See Board Policy 7110 titled **Delegation of Authority**.)

~~Before a short-term employee is employed, the Board, at a regularly scheduled meeting, shall specify the service required to be performed and certify the ending date of the service. The Board may later act to shorten or extend the ending date, but shall not extend it beyond 75 percent of an academic year.~~

The Chancellor is responsible for establishing procedures to assure that the requirements of state law and regulations regarding the classified service are met.

The probationary period for classified employees shall be one year.

## References:

Education Code Sections 88003; 88004; 88009; and 88013

## Attachments

[BP 7230 Classified Employees - Comments](#)

BP 7230 Classified Employees - Legal Citation  
BP7230 -OLD.pdf

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## 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.~~

~~4. 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:~~

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

~~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 Public 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

Comment by Goodrich, Kelly

9/18/2020, 5:56PM EDT

10-06-2020 DA 2nd Read

DRAFT

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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

Comment by Goodrich, Kelly

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## AP 7260 Classified Supervisors, Managers and Administrators

(Replaces current SBCCD AP 7260)

**NOTE:** This procedure is **optional**. BP 7260 titled *Classified Supervisors and Managers* addresses legal requirements related to educational administrators. Local practice regarding contracts for classified managers may be inserted, if any.

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

### ~~HOURS OF EMPLOYMENT~~

~~The workweek for all confidential and supervisory employees shall be a minimum of forty (40) hours.~~

### ~~TRANSFER AND REASSIGNMENT~~

~~All confidential/supervisory 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 who are qualified and desire to transfer to another position and/or location must apply for the vacant position with the Director, Personnel Services & Employee Relations.~~
- ~~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. The salary of the transferring employee shall be at a level of pay equal to the old pay range, but in no case greater than Step E of the new range.~~
- ~~8. An employee transferring within the class or taking a voluntary reduction in class will retain his/her old anniversary date and all seniority rights.~~
- ~~9. 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.~~
- ~~10. If no transfer or reassignment is requested, the vacancy will be announced publicly.~~

*Approved: March 14, 1990*

**NOTE:** ~~The information in the following sections of current SBCCD AP 7260 is addressed in new APs 7233, 7234, 7237, 7340, 7366, and 7381.~~

## ~~RE-EMPLOYMENT AFTER LAYOFF~~

**(NOTE:** ~~The information in the following section is addressed in new APs 7237 and 7366)~~

- ~~A. Confidential and supervisory 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.~~

*Approved: March 14, 1990*

## ~~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.~~
  - ~~4. **Overtime:** When hours worked are in excess of any shift, pay shall be at the overtime rate of that shift.~~
  - ~~5. Approval for shift change or overtime must be obtained in advance from the appropriate manager.~~

*Approved: March 14, 1990*

## ~~WORKING OUT OF CLASSIFICATION~~

~~(NOTE: The information in the following section is addressed in new AP 7233)~~

~~Any confidential/supervisory 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, Personnel Services & Employee Relations.~~
- ~~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~~

	<del>A</del>	<del>B</del>	<del>C</del>	<del>D</del>	<del>E</del>
<del>Range 10</del>	<del>555</del>	<del>583</del>	<del>612</del>	<del>653</del>	<del>675</del>
<del>Range 12</del>	<del>583</del>	<del>612</del>	<del>643</del>	<del>675</del>	<del>709</del>
<del>Range 16</del>	<del>643</del>	<del>675</del>	<del>709</del>	<del>744</del>	<del>784</del>

~~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~~

~~(NOTE: The information in the following section is addressed in new AP 7234)~~

- ~~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. Work performed for the Associated Students is not affected by the college policy. The hourly rate of pay for compensation received from the Associated Students has not been changed. Time and one-half pay is related only to work performed for the college.~~
- ~~D. Travel time of thirty (30) minutes each way will be allowed if the employee is called back for an emergency situation. If service is continuous, no travel time will be allowed.~~
- ~~E. All overtime for which employees are to be paid must be authorized in advance by the Chancellor, Chancellor's designee, or college president for the site.~~
- ~~F. Employees shall not be paid unauthorized overtime.~~

- ~~G. 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.~~
- ~~H. 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.~~
- ~~I. Positions in the Security Department are exempt from the provisions of this policy.~~

~~Approved: March, 1990~~

## ~~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:~~

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

- ~~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/ Supervisory employees no later than December 10, 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.~~
- ~~E. Any year in which an employee receives an unsatisfactory performance evaluation will not be counted as a year of service for the purpose of calculating long service recognition credit.~~

~~Approved: February 14, 2002~~

## ~~HEALTH AND WELFARE BENEFITS~~

~~(NOTE: The information in the following section is addressed in new AP-7381)~~

- ~~A. A program of health and welfare benefits shall be provided to all confidential and supervisory employees.~~
- ~~B. Hospitalization/Medical  
The District pays the insurance premium for the Board-approved hospitalization/medical plan for the employee, spouse, and dependents.~~
- ~~C. Dental  
The District pays the insurance premium for the Board-approved dental plan for the employee.~~

~~D. Life Insurance~~~~The District pays the insurance premium for the Board approved life insurance plan for the employee.~~~~E. Health Service, Continuation After Retirement~~~~Any confidential or supervisory employee who opts for early retirement will continue to receive hospitalization/medical plan benefits available to classified 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 Public 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**~~~~(NOTE: The information in the following section could be addressed in new AP-7340)~~~~A. Sick Leave~~

- ~~1. Every confidential or supervisory 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 or supervisory 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 or supervisory 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 or supervisory 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/hor 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/hor election, in case of personal emergency.~~
- ~~2. No such accumulated leave in excess of six days may be used in any school year. Request for such leave of absence shall be submitted to the Chancellor or College President as appropriate prior to absence, explaining the specific nature of the personal emergency.~~

#### ~~E. Industrial Accident and Illness Leave~~

- ~~1. An employee must have been with the district a minimum of nine months.~~

- ~~2. Evidence must support the fact that the illness or accident arose out of employment. The Board of Trustees may require a physician's report on probable causes.~~
- ~~3. An employee absent from his/her duties due to an industrial accident or illness leave shall receive his/her full pay from the district. The employee is required to endorse temporary disability indemnity checks received from Workers' Compensation to the district. Arrangements may be made with Workers' Compensation to have the checks mailed directly to the district.~~
- ~~4. Industrial accident or illness leave of absence shall not exceed sixty days in any one fiscal year for the same accident or illness.~~
- ~~5. At such time as the employee has used his full entitlement of sixty days industrial leave, he/she may use his/her accumulated sick leave. Sick leave will be used at a rate equal to the pay received from the district less any contribution from Workers' Compensation. For example: An employee's daily rate is \$20.00; the district receives \$10.00 per day from Workers' Compensation. The employee receives his/her full pay but is charged only one-half sick leave.~~
- ~~6. Industrial leave is not accumulative.~~
- ~~7. When accident or illness overlaps into the next fiscal year, the employee is entitled only to the balance of the sixty days not used.~~
- ~~8. The employee may not leave the state during the leave period unless authorized by the Board of Trustees.~~
- ~~9. When all industrial leave and sick leave benefits have been exhausted, the employee must be placed on the reemployment list for a period of 30 months.~~

#### F. ~~Military Leave~~

~~Regular employees or probationary employees whose combined district service and military service total one full year shall be entitled to full pay for the first 30 calendar days of absence for reserve training in any one fiscal year. Such leave must be verified by a copy of the military orders requiring military pay.~~

#### G. ~~Jury Duty Leave~~

~~When a confidential or supervisory employee is absent because of a mandatory court appearance as a juror, said employee shall suffer no monetary loss by reason of said service. Such employee shall receive his/her regular salary upon receipt by the district of a valid jury duty verification, but shall reimburse to the district the amount of fees received from the court, excluding those paid for mileage.~~

#### H. ~~Unpaid Leave~~

~~An unpaid leave of absence may be granted by the Board upon the recommendation of the Chancellor subject to the following provisions:-~~

- ~~1. A request for leave that clearly articulates the terms and conditions requested must be submitted to the immediate supervisor. The supervisor will act upon the request and, in the case of a favorable response, will forward the request through the appropriate channels. If the immediate supervisor opposes the leave, he/she shall notify the applicant within 15 working days of the date of submission. Applicants who are denied leave have the right to appeal through the usual organizational channels.~~
- ~~2. No more than one full year unpaid leave will be granted to an employee, and such leave shall not extend beyond one year.~~
- ~~3. No unpaid leave will be granted to an employee who takes a position with another organization that~~

~~by its nature is considered to be permanent and continuing.~~

- ~~4. An individual on unpaid leave retains the right to District employment at the end of the leave but does not retain the right to return to the specific position vacated.~~
- ~~5. A notice of intent to return must be filed in writing with the District Personnel Office three months prior to the anticipated date of return.~~
- ~~6. An unpaid leave will be treated as a "break" in service. An individual on unpaid leave will not receive advancement credit on any salary schedule, will not be credited with sick days or vacation days, and will not receive retirement credit while on leave.~~
- ~~7. An individual on unpaid leave may purchase continued coverage under District health, dental, and life insurance plans.~~

#### ~~I. Family Care Leave~~

- ~~1. An employee with more than one year of continuous service with the District who is eligible for other leave benefits shall be granted upon request an unpaid family care leave up to a total of four months in any twenty four month period pursuant to the requirements of this policy.~~
  - ~~a. For purposes of this policy, the term "family care leave" means either:~~
    - ~~1. Leave for reason of the birth of a child of the employee, the placement of a child with an employee in connection with the adoption of the child by the employee, or the serious illness of a child of the employee; or~~
    - ~~2. Leave to care for a parent or spouse who has a serious health condition.~~
- ~~2. An unpaid family care leave granted pursuant to this policy shall be in addition to any other leave pursuant to the Government Code Section 12945.2, except that an unpaid family care leave used in conjunction with a pregnancy leave of four months or more may be limited by the District within its discretion to one month.~~
- ~~3. An unpaid family care leave shall be treated as any other unpaid leave. During an unpaid family care leave, an employee shall retain employee status with the District, and such leave shall not constitute a break in service. An employee returning from an unpaid family care leave shall have no less seniority than when the leave commenced.~~
- ~~4. If an employee's need for an unpaid family care leave is foreseeable the employee shall provide the District with reasonable advance notice of the need for such leave. If the employee's need for such leave is foreseeable due to a planned medical treatment or supervision, the employee shall make a reasonable effort to schedule the treatment or supervision to avoid disruption to the operations of the District.~~
- ~~5. The District requires that an employee's request for an unpaid family care leave for the purposes of caring for a child, spouse or parent who has a serious health condition be supported by a written certification issued by the health care provider of the individual family member requiring care. This written certification must include:~~
  - ~~a. The date on which the serious health condition commenced;~~
  - ~~b. The probable duration of the condition;~~
  - ~~c. An estimate of the amount of time the health care provider believes the employee needs to care for the individual requiring care; and~~



- d. ~~A statement that the serious health condition warrants the participation of a family member to provide care during a period the treatment or supervision of the individual requiring care.~~
- e. ~~If additional leave is requested by the employee upon expiration of the time estimated by the health care provider, the employee must request such additional leave again supported by a written recertification consistent with the requirements for an initial certification.~~
6. ~~Definitions—for purposes of this policy and consistent with current law:~~
- a. ~~The term "child" mean a biological, adopted, or foster child, a step child, a legal ward, or a child of an employee standing in loco parentis who is either under eighteen years of age or an adult dependent child.~~
- b. ~~The term "parent" means biological, foster, or adoptive parent, stepparent, or a legal guardian.~~
- c. ~~The term "serious health condition" means an illness, injury, impairment, or physical or mental condition which warrants the participation of a family member to provide care during a period of the treatment or supervision, and involves either of the following:~~
1. ~~Inpatient care in a hospital, hospice, or residential health care facility; or~~
  2. ~~Continuing treatment or continuing supervision by a health care provider.~~
- d. ~~The term "health care provider" means an individual holding either a physician's and surgeon's certificate issued pursuant to applicable law, or an osteopathic physician's and surgeon's certificate issued pursuant to applicable law.~~
7. ~~The District within its discretion may allow an employee upon written request to utilize accumulated illness and accident leave for the purpose of family care leave.~~
8. ~~An employee taking unpaid family care leave pursuant to this policy shall continue to be entitled to participate in health plans and other benefits to the same extent and under the same conditions as apply to other unpaid leaves of absence.~~
9. ~~The District may refuse to grant an employee's request for unpaid family care leave under this policy even though all requirements of this policy have been satisfied if:~~
- a. ~~The refusal is necessary to prevent undue hardship to the operations of the District;~~
  - b. ~~The employee and the other parent would receive unpaid family care leave exceeding four months in any twenty-four hour period; or~~
  - c. ~~The other parent is also taking family care leave at the same time or is unemployed.~~
10. ~~Any employee returning from an unpaid family care leave shall be assigned to the same or comparable position. For purposes of this policy and consistent with current law, the term "same or comparable position" means a position that has the same or similar duties and pay which can be performed at the same or similar geographic location as the position held prior to the leave.~~
11. ~~This policy shall not be construed to require any changes in existing collective bargaining agreements during the life of the contract, or until January 1, 1993, whichever occurs first.~~
12. ~~This policy shall not be construed to entitle the employee to receive disability benefits under Part I (commencing with Section 3200) of Division 4 of the Labor Code.~~

~~Approved: March 12, 1992~~



## ~~VACATIONS~~

- ~~A. Confidential and classified supervisory employees earn vacation at the rate of 1.91 days per month for each complete month of service. In determining vacation accrued at the end of any calendar month, the product of 1.91 X months worked shall be rounded to the nearest whole number.~~
- ~~B. All vacation computation is based on a fiscal year of July 1 to June 30.~~
- ~~C. New employees with an employment date other than the first working day of the month shall not start accruing vacation until the first working day of the following month of employment.~~
- ~~D. Each July all confidential and classified supervisory employees shall be notified by the Payroll Department of their June 30 accrued vacation credits. Confidential and supervisory employees can accrue vacation credits up to 46 days. Once vacation credits reach the maximum accrual level no more vacation credits will be earned.~~
- ~~E. Vacations will be set at the convenience of both the employee and the District, and are subject to the approval of the manager to whom he/she is responsible, and the Campus President or Chancellor, as appropriate.~~
- ~~F. Upon leaving the employment of the District, a confidential or classified supervisory employee shall be entitled to lump sum compensation for earned and unused vacation at his/her current salary. Payment shall be made up to the accrued number of vacation days not to exceed forty-six (46) days.~~

## ~~INTERRUPTION OR EARLY TERMINATION OF VACATION~~

- ~~A. Any permanent confidential or supervisory employee may interrupt or terminate his/her regular vacation leave, in case of illness, and use sick leave before continuing regular leave or returning to work.~~
- ~~B. The employee must notify the district personnel office and/or his/her supervisor of the interruption or termination of his/her vacation to use his/her sick leave.~~
- ~~C. The District Personnel Officer and/or the supervisor is responsible for notifying the employee if he/she may continue his/her vacation leave, after use of sick leave, or if he/she must report to his/her normally assigned work.~~
- ~~D. Upon returning to his/her regularly assigned work, the employee must furnish relevant supporting information regarding interruption or termination of vacation leave.~~

~~Approved: March 14, 1990~~

## ~~BREAK PERIODS~~

~~Break periods are allowed as released time from fatiguing work. Such periods shall not exceed fifteen minutes in the morning and fifteen minutes in the afternoon for full time employees. Half time employees have only one such break period.~~

~~Approved: March 14, 1990~~

## ~~STATUS REPORTS ON VACATION AND SICK LEAVE~~

~~The Payroll Office will issue all confidential and supervisory employees an individual status report of vacation entitlement and accrued sick leave quarterly.~~

~~Approved: March 14, 1990~~

## ~~PROFESSIONAL GROWTH~~

~~(NOTE: The information in the following section could be addressed in new AP 7160)~~

- ~~A. Classified Supervisors and Confidential Employees on the classified supervisory and confidential salary schedules shall be eligible for tuition cost reimbursement from an accredited institution.~~
- ~~B. Reimbursement will only be given for courses completed with a grade of "C" or better, "credit", or equivalent grade, which pertain to their position.~~
- ~~C. Such reimbursement shall not exceed costs of 18 semester units of course work per year.~~
- ~~D. Reimbursement shall not be allowed for courses carrying zero units.~~
- ~~E. No tuition cost paid by the District is to exceed 80% of a per unit basis cost of similar course work at the University of California.~~
- ~~F. Only Classified Supervisors and Confidential Employees who have completed their probation period as a Classified Supervisor or Confidential Employee shall be eligible for this benefit.~~
- ~~G. All courses for which a Classified Supervisor or Confidential Employee seeks tuition reimbursement must have prior approval by their Supervisor, the Chancellor, and the Board.~~

~~Approved: May 10, 2007~~

## ~~CELLULAR TELEPHONE USAGE~~

~~(NOTE: The information in the following section could be addressed in new AP 6450)~~

- ~~A. Authorization  
Each college president and each vice chancellor may designate supervisors to receive partial reimbursement for the use of a cellular telephone in conducting District business.~~
- ~~B. Application  
Supervisors shall make application through the appropriate channel. Approved applications shall be forwarded from the campus to the Vice Chancellor Fiscal Affairs for implementation.~~
- ~~C. Reimbursement  
Reimbursement shall be at a rate not to exceed \$50 per month, which shall include purchase of the telephone, activation, monthly service charges, and air use time—including long distance calls. While monthly application for reimbursement is not required, periodic verification of telephone usage may be requested.~~
- ~~D. Review  
This policy shall receive periodic review to assess the appropriateness of the reimbursement rate.~~

~~Approved: June 14, 2002~~

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

## Classified Supervisors, Managers and Administrators

The terms and conditions of employment for classified supervisors, managers and classified administrators shall be developed by the Chancellor under the recommendation of the Management Association. Recruitment and Hiring shall be in accordance with all state and federal guidelines and in accordance with AP 7120 and the District EEO Plan.

### Faculty work

As indicated in Ed Code Section 87003, faculty members shall not be management. Therefore, Classified Supervisors, Managers, and Administrators shall not take on duties that are the purview of faculty. As well, in accordance with the Educational Employment Relations Act (EERA), Sections 3540.1(b) and (i) defining what the "Certified Organization" consists of, Classified Supervisors, Managers, and Administrators are excluded from the faculty bargaining- unit and shall not take faculty bargaining- unit work.

## Reference:

Education Code Section 72411

Management Handbook 2018

## Attachments

[AP 7260 Classified Supervisors and Managers - Comments](#)  
[AP 7260 Classified Supervisors and Managers - Legal Citations](#)  
[AP7260 -OLD.pdf](#)

**Sent for re-approval** by BeDell, Susann

8/7/2017, 4:42PM EDT

**Draft saved** by Stat, Policy

8/15/2017, 12:43PM EDT

**Edited** by Stat, Policy

8/15/2017, 12:43PM EDT

removed areas as they are covered in other policies and procedures.

**Comment** by Stat, Policy

8/15/2017, 2:23PM EDT

see the changes made to this AP

**Administrator override** by Torres, Maria

8/24/2017, 7:28PM EDT

updated next review date

**Administrator override** by Stat, Policy

8/29/2017, 1:01PM EDT

updated workflow

**Approval flow updated in place** by Stat, Policy

8/29/2017, 2:32PM EDT

**Comment** by Stat, Policy

2/25/2018, 5:24PM EST

DA 2/6/18 reviewed for reconfirmation and noted AP 7260 Classified Supervisors and Managers - This one has some issues with the revised language - as all positions should be flown – Item was pulled for HR review and come back to DA in March. HR to update and move forward for approval.

**Comment** by Hannon, Kristina

2/26/2018, 1:24PM EST

Will send forward for approval in April; waiting on Management Handbook to be reviewed and completed.

**Approval flow updated in place** by Stat, Policy

3/6/2018, 12:13PM EST

**Draft saved** by Hannon, Kristina

3/12/2018, 3:09PM EDT

**Edited** by Hannon, Kristina

3/12/2018, 3:12PM EDT

Refer to Management Handbook

**Last Approved** by Hannon, Kristina

3/12/2018, 3:12PM EDT

**Comment** by Torres, Jose: Document Owner - Chapter 6

3/19/2018, 10:14AM EDT

UPDATED BY HR AND READY FOR SUBMISSION FOR 1ST READ BY DISTRICT ASSEMBLY ON 4/6/18

**Draft saved** by Allen, Denise: Professor

4/10/2018, 1:49PM EDT

**Draft saved** by Hannon, Kristina

9/25/2018, 12:29PM EDT

**Edited** by Hannon, Kristina

9/25/2018, 12:30PM EDT

Rearranged the language

**Draft saved** by Hannon, Kristina

10/23/2018, 6:38PM EDT

**Comment** by Hannon, Kristina

10/23/2018, 6:42PM EDT

Removed language regarding handbook

**Edited** by Hannon, Kristina

10/23/2018, 6:45PM EDT

slight changes

**Draft saved** by Hannon, Kristina

10/25/2018, 12:51PM EDT

**Comment** by Hannon, Kristina

10/25/2018, 12:56PM EDT

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One last update

**Edited** by Hannon, Kristina

10/25/2018, 12:56PM EDT

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More changes

**Comment** by Goodrich, Kelly

9/18/2020, 6:01PM EDT

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10-06-2020 DA 2nd Read

**Draft saved** by Goodrich, Kelly

9/18/2020, 6:01PM EDT

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**Comment** by Goodrich, Kelly

9/18/2020, 6:02PM EDT

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10-06-2020 DA 2nd Read

COPY

Current Status: *Pending*

PolicyStat ID: 8378886



**Origination:** 06/2004  
**Last Approved:** N/A  
**Last Revised:** 07/2020  
**Next Review:** 10 years after approval  
**Owner:** Human Resources Human Resources  
**Policy Area:** Chapter 7 Human Resources  
**References:** Legally Required

## BP 7260 Classified Supervisors, Managers and Administrators

(Replaces current SBCCD BP 7260)

~~Classified managers are those classified administrators, regardless of job description, having significant responsibilities for formulating District policies or administering District programs other than the educational programs of the District.~~

Classified managers and supervisors are those classified administrators, regardless of job description, having significant responsibilities for formulating District policies or administering District programs other than the educational programs of the District. In addition, having authority to hire, transfer, suspend, recall, promote, discharge, assign, reward, or discipline other employees, or having the responsibility to assign work to and direct them, adjust their grievances, or effectively recommend such action.

Classified administrators shall be compensated and employed in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board upon recommendation by the Chancellor, Supervisors, Managers, Administrators, Directors, Associate Directors, and Vice Presidents shall receive up to two (2) year contracts. Executive/Vice Chancellors shall receive up to three (3) year contracts. The District chancellor shall be given a contract length determined by the Board within the limitation of the Education Code.

~~Classified administrators shall be employed by an appointment or contract. Supervisors, Managers, Administrators, Directors, Vice Presidents, and Associate Vice Chancellors shall receive up to two (2) year contracts. Vice Chancellors shall receive up to three (3) year contracts. The District Chancellor shall be given a contract length determined by the Board within the limitations of the Education Code.~~

The Board may, with the consent of the administrator concerned, terminate, effective on the next succeeding first day of July, the terms of employment and any contract of employment with the administrator, and reemploy the administrator on any terms and conditions as may be mutually agreed upon by the Board and the administrator, for a new term to commence on the effective date of the termination of the existing term of employment.

If the Board determines that the administrator is not to be reemployed when his/her appointment or contract expires, notice to an administrator shall be in accordance with the terms of the existing contract. If the contract is silent, notice shall be in accordance with Education Code Section 72411.

## References:

Education Code Section 72411;  
 Government Code Section 3540.1 (c), (g), and (m)  
*Government Code Section 3540.1(c)*

## Attachments

[BP 7260 Classified Supervisors and Managers- Comments](#)  
[BP 7260 Classified Supervisors and Managers- Legal Citations](#)  
[BP7260 -OLD.pdf](#)

## Approval Signatures

Step Description	Approver	Date
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<b>Comment</b> by Hannon, Kristina		1/26/2018, 5:50PM EST
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Made wording consistent with Educational Administrators

<b>Comment</b> by Stat, Policy		10/16/2018, 2:47PM EDT
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10/3/17 DA approved 2nd reading of BP 7260

<b>Comment</b> by Stat, Policy		10/16/2018, 3:41PM EDT
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4/3/18: DA approved 2nd reading

<b>Comment</b> by Stat, Policy		10/16/2018, 3:57PM EDT
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5/1/18 DA approved 2nd reading

<b>Comment</b> by Stat, Policy		10/16/2018, 5:24PM EDT
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11/9/17 Board approved 1st reading

12/14/17 - was on the board agenda for 2nd reading but was pulled by Academic Senates

<b>Comment</b> by Stat, Policy		10/19/2018, 4:48PM EDT
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AP 7260 updated 9/25/18 by HR. Send to DA for 1st reading

BP 5/10/18 Board approved 2nd reading

<b>Comment</b> by Stat, Policy		10/23/2018, 11:37AM EDT
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10/2/18 DA: Kristina will update and bring back to DA in November for approval.

**Comment** by Torres, Maria

3/26/2019, 7:05PM EDT

11/06/19 DA 2nd reading: Red text to stay until the handbook is reviewed by DA

**Comment** by Torres, Maria

3/26/2019, 7:59PM EDT

Correction to date above should be 11/06/18

**Comment** by Torres, Maria

3/27/2019, 12:41PM EDT

12/04/18 DA 2nd reading: HR to complete

**Draft saved** by Stat, Policy

4/2/2020, 12:51PM EDT

**Draft saved** by Quinones, Brooke

6/11/2020, 1:12PM EDT

**Edited** by Quinones, Brooke

7/28/2020, 11:57AM EDT

2020 HR review/bq

**Draft saved** by Stat, Policy

8/19/2020, 6:01PM EDT

**Comment** by Goodrich, Kelly

9/18/2020, 6:09PM EDT

10-06-2020 DA 2nd Read

COPY



Current Status: *Pending*

PolicyStat ID: 8378851



**Origination:** 06/1999  
**Last Approved:** N/A  
**Last Revised:** 07/2020  
**Next Review:** 10 years after approval  
**Owner:** Human Resources Human Resources  
**Policy Area:** Chapter 7 Human Resources  
**References:** Good Practice/Optional

## AP 7270 Student Workers

(Replaces current SBCCD AP 7240)

- Education Code Section 88003 allows part-time employment of students outside the classified service.
- Limit(s) on hours that a student may work when enrolled in classes.
- Processes for hiring student workers.
- The District provides employment opportunities for its students through various federal, state, and locally funded programs related to FWS work-study, work experience, and CalWORKs/welfare to work, veterans, international students, and student workers.

Only students who demonstrate current enrollment within the San Bernardino Community College District can be employed as student workers. Student workers may only be employed as student assistants hired by specific departments or placed in particular departments/offices through the work-study program while enrolled in classes.

Full and part-time students in the District shall only be employed part-time regardless of funding source and shall not be a part of the classified service (see education code 88003) nor perform tasks commensurate with an established classified position. Student workers are hired to gain work experience and develop new skills. Tuberculosis tests are required for all student workers. Additional clearances (e.g., fingerprinting, etc.) may be required based on the work location and assigned responsibilities. Student workers can only work in one capacity (i.e., cannot work as a student worker and a short-term or professional expert or substitute).

~~Specific procedures governing hiring processes, applications, and eligibility requirements for student workers can be found in the District's Short Term and Student Worker Information Booklet available on the Human Resources website.~~

A student employed by the college on a part-time basis and meeting the relevant enrollment criteria below is defined as a student worker. Student workers shall not be part of the classified service and do not earn benefits; however, student workers are covered by Worker's Compensation for injuries or death incurred while performing services for the District. Student workers must meet all human resources employment criteria prior to beginning employment as a student worker.

### Fall and Spring Semester Employment

In order to be employed as a student worker during the fall and/or spring semester(s), a student must be enrolled at least half time (six units). Enrolled student workers may work up to 20 hours per week except as outlined below.

#### A. Intersession Employment

Student workers may be permitted to work up to 40 hours per week when classes are not in session as follows:

1. Between spring semester and summer session, if enrolled at least half time during the spring semester and for the summer session. (Note: To be considered half time for a nonstandard term, such as summer session, generally requires an enrollment period of at least six weeks and at least two units.)
2. Between summer session and fall semester, if enrolled at least half time during the spring semester or the summer session and enrolled at least half time for the fall semester.
3. Between fall and spring semesters, if enrolled at least half time during both the fall and spring semesters.
4. During spring break, if enrolled at least half time during the spring semester.
5. If adequate funding is available to cover the student salary, student workers may continue employment in the summer if they have been enrolled at least half time for the spring semester and have an enrollment record for at least half time for the summer session or fall semester, whichever occurs next on the calendar. Depending on the funding source, some student workers not enrolled for summer classes may be permitted to work up to 40 hours per week.

B. Summer Employment

District-funded student workers may continue employment in the summer if they have been enrolled at least half time for the spring semester and have an enrollment record for at least half time for the summer session or fall semester, whichever occurs next on the calendar. Depending on the funding source, some student workers not enrolled for summer classes may be permitted to work up to 40 hours per week; however, federal work-study students must be enrolled

C. New Students

Students newly enrolled at the college may begin their work assignment two weeks prior to the start of the semester for training purposes. (Flex week signifies the start of each semester.)

D. Pre-hire Requirements

In order for student workers to begin employment and be paid, they must complete a hiring packet within the department hiring the student, CalWORKS, veterans, etc. Any department completing the hiring packets must submit the hiring packets to Human Resources. No student worker can begin employment until Human Resources provides an approval start date.

E. Breaks

Student workers may not work for longer than 5.5 hours without an unpaid lunch break of at least 30 minutes. Student workers are also entitled to one ten minute break after four hours of work, up to a maximum of two breaks in an eight-hour period.

F. Classified Hourly Time Sheets

Classified Hourly Time Sheets must be completed at the end of each pay period, signed by both the student worker and the supervisor, and submitted to the Payroll Department (see payroll time sheet deadlines <https://wiki.sbccd.org/FiscalServices/Payroll/Pages/Payroll.aspx>).

G. Other Funding Sources and Student Populations

Regulations may vary depending on the funding source or student program (i.e. federal work-study, CalWORKs, veterans, international students). Please contact the appropriate program staff for the most up-to-date information.

A student employed by the college on a part-time basis and meeting the relevant enrollment criteria below is

defined as a student worker. Student workers shall not be part of the classified service and do not earn benefits; however, student workers are covered by Worker's Compensation for injuries or death incurred while performing services for the District. Student workers are limited to work a maximum of 195 days per fiscal year. Student workers must be at least 18 years of age to be employed by the District, unless student has graduated high school or obtained GED.

### ~~Fall and Spring Semester Employment~~

~~In order to be employed as a student worker during the fall and/or spring semester(s), a student must be enrolled at least half time (six units). Enrolled student workers may work up to 19.5 hours per week in all combined assignments, except as outlined below.~~

#### ~~A. Intersession Employment~~

~~Student workers may be permitted to work up to 40 hours per week when classes are not in session as follows:~~

- ~~1. Between spring semester and summer session, if enrolled at least half time during the spring semester and for the summer session. (Note: To be considered half time for a nonstandard term, such as summer session, generally requires an enrollment period of at least six weeks and at least two units.)~~
- ~~2. Between summer session and fall semester, if enrolled at least half time during the spring semester or the summer session and enrolled at least half time for the fall semester.~~
- ~~3. Between fall and spring semesters, if enrolled at least half time during both the fall and spring semester.~~
- ~~4. During spring break, if enrolled at least half time during the spring semester.~~
- ~~5. If adequate funding is available to cover the student salary, student workers may continue employment in the summer if they have been enrolled at least half time for the spring semester and have an enrollment record for at least half time for the summer session or fall semester, whichever occurs next on the calendar. Depending on the funding source, some student workers not enrolled for summer classes may be permitted to work up to 40 hours per week.~~

#### ~~B. Summer Employment~~

~~Student workers may continue employment in the summer if they have been enrolled at least half time for the spring semester and have an enrollment record for at least half time for the summer session or fall semester, whichever occurs next on the calendar. Depending on the funding source, some student workers not enrolled for summer classes may be permitted to work up to 40 hours per week. Additional policies and regulations apply and should be obtained from the appropriate office (financial aid, CalWORKS, international students, veterans, etc.).~~

#### ~~C. New Students~~

~~Students newly enrolled at the college may begin their work assignment two weeks prior to the start of the semester for training purposes. (Flex week signifies the start of each semester.)~~

#### ~~D. Pre-hire Requirements~~

~~In order for student workers to begin employment and be paid, they must complete a hiring packet within the department hiring the student, CalWORKS, veterans, etc. Any department completing the hiring packets must submit the hiring packets to human resources. No student worker can begin employment until human resources provides an approval start date.~~

#### ~~E. Breaks~~

~~Student workers may not work for longer than 5.5 hours without an unpaid lunch break of at least 30 minutes. Student workers are also entitled to one ten minute break after four hours of work, up to a maximum of two breaks in an eight-hour period.~~

#### ~~F. Time Cards~~

~~Time cards must be completed at the end of each pay period, signed by both the student worker and the supervisor, and submitted to the Payroll Department (see payroll time sheet deadlines <https://wiki.sbccd.org/FiscalServices/Payroll/Pages/Payroll.aspx>).~~

#### ~~G. Other Funding Sources and Student Populations~~

~~Regulations may vary depending on the funding source or student program (i.e. federal work study, CalWORKs, veterans, international students). Please contact the appropriate program staff for the most up-to-date information.~~

1. In no case will a student perform services which supplant work being accomplished by any district permanent employee.
2. Students dropping below the required units per semester shall be disqualified from student employment for the remainder of the semester (additional policies and regulations apply and should be obtained from the appropriate office (CalWORKS, veterans, international students).

#### Federal Work-Study Program

The Federal Work-Study Program is for students who have been determined, through the Financial Aid application process, to have financial eligibility and who are in need of earnings to pursue a course of study at the District. A secondary purpose of the program is intended to broaden the range of worthwhile job opportunities for qualified students.

- ~~From current SBCCD AP 7240 titled Student Employees~~

#### EMPLOYMENT OPPORTUNITIES

##### A. Enrollment

A student must be continuously enrolled in six (6) or more units of credit classes during a regular session, or three (3) or more units during a summer session in a college of the District in order to qualify for employment. Enrollment must be maintained at or above the minimum level throughout the period of employment. Units that are "challenged" for credit do not count toward meeting the minimum.

##### B. Benefits

Student workers do not qualify for District-paid health and welfare benefits, social security, Medicare, or retirement benefits, nor are they paid a shift differential.

#### CALWORKS STUDENTS

##### A. Definition

CalWORKs students are required, by the county, to participate in an approved activity which could be a combination of school and work totaling up to thirty-two (32) hours per week.

##### B. Authorization

The Chancellor or his/her designee must approve CalWORKs employment before any pay warrant is issued. Authorization for employment is obtained through the CalWORKS Department at SBVC and the Campus Business Office at CHC. All authorizations expire at the end of the fiscal year on June 30 and must be renewed if the student works into the new fiscal year.

##### C. Limits

A CalWORKs student may be employed on work-study for as many hours a week as is needed to meet their weekly work requirement as determined by the County Welfare Office.

**D. Rates of Pay**

Rates of pay for all student workers will be consistent with state and federal employment regulations.

**References:**

Education Code Sections 69960(f) and 88003

**Attachments**

No Attachments

**Approval Signatures**

Step Description	Approver	Date
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<b>Draft discarded</b> by Quinones, Brooke		
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5/18/2020, 5:09PM EDT

<b>Draft saved</b> by Quinones, Brooke		
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5/18/2020, 5:18PM EDT

<b>Edited</b> by Quinones, Brooke		
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7/28/2020, 11:54AM EDT

2020 HR review/bq

<b>Draft saved</b> by Goodrich, Kelly		
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8/7/2020, 1:03PM EDT

<b>Comment</b> by Goodrich, Kelly		
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9/18/2020, 6:14PM EDT

10-06-2020 DA 2nd Read



<b>Current Status:</b> <i>Active</i>	<b>PolicyStat ID:</b> 7916909														
	<table style="width: 100%; border: none;"> <tr> <td style="padding: 2px;"><b>Origination:</b></td> <td style="padding: 2px; text-align: right;">06/2004</td> </tr> <tr> <td style="padding: 2px;"><b>Last Approved:</b></td> <td style="padding: 2px; text-align: right;">04/2020</td> </tr> <tr> <td style="padding: 2px;"><b>Last Revised:</b></td> <td style="padding: 2px; text-align: right;">06/2004</td> </tr> <tr> <td style="padding: 2px;"><b>Next Review:</b></td> <td style="padding: 2px; text-align: right;">04/2030</td> </tr> <tr> <td style="padding: 2px;"><b>Owner:</b></td> <td style="padding: 2px; text-align: right;"><i>Human Resources Human Resources</i></td> </tr> <tr> <td style="padding: 2px;"><b>Policy Area:</b></td> <td style="padding: 2px; text-align: right;"><i>Chapter 7 Human Resources</i></td> </tr> <tr> <td style="padding: 2px;"><b>References:</b></td> <td style="padding: 2px; text-align: right;"><i>Legally Required</i></td> </tr> </table>	<b>Origination:</b>	06/2004	<b>Last Approved:</b>	04/2020	<b>Last Revised:</b>	06/2004	<b>Next Review:</b>	04/2030	<b>Owner:</b>	<i>Human Resources Human Resources</i>	<b>Policy Area:</b>	<i>Chapter 7 Human Resources</i>	<b>References:</b>	<i>Legally Required</i>
<b>Origination:</b>	06/2004														
<b>Last Approved:</b>	04/2020														
<b>Last Revised:</b>	06/2004														
<b>Next Review:</b>	04/2030														
<b>Owner:</b>	<i>Human Resources Human Resources</i>														
<b>Policy Area:</b>	<i>Chapter 7 Human Resources</i>														
<b>References:</b>	<i>Legally Required</i>														

## BP 7270 Student Workers

*(Replaces current SBCCD BP 7240)*

The District shall provide employment opportunities for its students through various federal, state, and locally funded programs.

**Reference:**

Education Code Sections 69960(f) and 88003

**Attachments**

- [BP 7270 Student Workers - Comments](#)
- [BP 7270 Student Workers - Legal Citation](#)
- [BP7270-OLD.pdf](#)

**Approval Signatures**

Step Description	Approver	Date
	Policy Stat	04/2020
	Policy Stat	04/2020

**Sent for re-approval** by Stat, Policy

4/13/2020, 1:39PM EDT

4/9/20 BOT Approved

**Last Approved** by Stat, Policy

4/13/2020, 1:40PM EDT

**Last Approved** by Stat, Policy

4/13/2020, 1:40PM EDT

**Activated**

4/13/2020, 1:40PM EDT

10-06-2020 DA 2nd Read - FYI Only - No Changes

COPY



Current Status: Pending

PolicyStat ID: 3915550



Origination:	11/2016
Last Approved:	N/A
Last Revised:	08/2018
Next Review:	06/2020
Owner:	Human Resources Human Resources
Policy Area:	Chapter 7 Human Resources
References:	Legally Required

## AP 7380 Retiree Health Benefits: Academic Employees

**NOTE:** This procedure is **legally required**. Local practice may be inserted. BP 7380 titled Retiree Health Benefits: Academic Employees contains the minimum necessary to meet statutory requirements, and may be repeated here, with additional procedures on how retirees opt for retiree health benefits.

### ~~Sample from another District~~

A.

Under AB 528, former Certificated or Academic employees may be eligible to continue on the District medical and dental plans at full cost to the former employee, with monthly or annual premiums, payable in advance of the effective date of the coverage provided.

- A. The District will provide the following benefits for employees who retire during the term of this Agreement with such benefits continuing only for the term of this Agreement:
- A. If a bargaining unit member actually retires from the District and is on retirement with the State Teachers Retirement System, such bargaining unit member shall have the option to remain an active participant in the District health benefits program, except for dental, vision, and life insurance plans, as set forth in the Health and Welfare benefits provision of the Agreement until age 65, subject to all of the following conditions:
- A. The retired bargaining unit member attained the age of 60 before the retirement unless such retirement was a disability retirement.
- B. The bargaining unit member completed a minimum of ten (10) years of service with the District prior to retirement unless such retirement was a disability retirement which requires a minimum of five (5) years of service prior to disability retirement.
- C. The bargaining unit member must have been an employee of the District immediately preceding retirement with the State Teachers Retirement System.
- D. The District shall pay the costs of such participation by the bargaining unit member pursuant to and consistent with the Health and Welfare benefits provision of the Agreement except for dental, vision, and life insurance plans.
- A. Pursuant to and consistent with applicable law, such as Education Code Section 7000-7003, once a



bargaining unit member is retired from the District, he/she shall have the option to remain an active participant in the District health and dental care benefit program as set forth in the Health and Welfare benefits provision of the Agreement unless:

- A. The retired bargaining unit member fails to pay the full cost of all premiums for retired employees through payment at least one month in advance of the month of coverage, or
- B. The retired bargaining unit member becomes eligible for such benefits through another employer.

Under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and upon separation from the District and depending upon the event which causes insurance coverage to end, the employee and his/her dependents may elect to continue coverage on the medical, dental, and/or vision plans pursuant to the following requirements:

- The employee and dependents may continue coverage for up to 18 months if the employee terminates for any reason, except gross misconduct, or loses eligibility due to a reduction in the hours worked.
- Dependents may continue coverage for up to 36 months if the employee dies, the employee becomes divorced or legally separated, the dependent child ceases to be a dependent, or if the employee after age 65 becomes eligible for Medicare and elects Medicare as primary to the medical plan or if dependent reaches age 26.
- The individual will be charged the full cost of the premium plus an additional 2% of the premium for administrative costs. Payment is to be made in advance of the effective date of the coverage provided.
- This continuation coverage will end if any of the following occur:
  - The former employee or dependents become eligible for coverage through another group health plan; ~~o Entitlement to Medicare coverage begins;~~
  - Entitlement to Medicare coverage begins;
  - Termination of the employer-provided group health plan (although when coverage is replaced by another group health plan, the individual may be continued under that plan); or
  - Failure to pay the required premiums.

## ~~Sample from another District~~

~~The District shall permit any former academic employee who has retired from the District to enroll in the health and welfare benefit plan and/or dental care benefit plan currently provided to its current academic employees. In addition, the District shall also permit the enrollment of the surviving spouse of any former academic employee who either retired from the District or was, at the time of his/her death, employed by the District as an academic employee and a member of the State Teacher's Retirement System. Enrollment shall be in accordance with the criteria specified in the respective collective bargaining agreement, the Consolidated Omnibus Budget Reconciliation Act (COBRA), and/or under the rules of the District sponsored plan.~~

~~For academic employees not covered by a collective bargaining agreement and hired prior to October 14, 1986 and have at least ten (10) years of full time service, the District will provide paid medical and dental coverage with benefits equal to those in effect at the time of retirement to the retiree and one dependent until the retiree reaches age 70 or the retiree's death, whichever is sooner. The District will provide the retiree and one dependent medical and dental coverage for each fiscal year following retirement, the retiree may select a plan as made available each fiscal year. The retiree may change carriers during the annual open period. The retiree and dependent shall be responsible for paying any future increases that are charged to academic employees.~~

## ~~Sample from another District~~

~~In addition to BP 7380 titled Retiree Health Benefits—Academic Employees, which contains the minimum necessary to meet statutory requirements, the procedure is outlined in the Collective Bargaining Agreement between Faculty Association and the District.~~

## References:

Education Code Sections 7000 et seq.

## Attachments

No Attachments

## Approval Signatures

Step Description	Approver	Date
Chapter owners are notified	Kristina Hannon	02/2018
<b>Sent for re-approval</b> by BeDell, Susann		8/7/2017, 4:42PM EDT
<b>Administrator override</b> by Torres, Maria updated next review date		8/24/2017, 7:47PM EDT
<b>Administrator override</b> by Stat, Policy updated workflow		8/29/2017, 1:12PM EDT
<b>Approval flow updated in place</b> by Stat, Policy		8/29/2017, 2:32PM EDT
<b>Draft saved</b> by Hannon, Kristina		8/29/2017, 2:46PM EDT
<b>Edited</b> by Hannon, Kristina There was a typo		8/29/2017, 2:46PM EDT
<b>Last Approved</b> by Hannon, Kristina		8/29/2017, 2:46PM EDT
<b>Comment</b> by Chancellor's Cabinet, Chancellor's Cabinet:		9/26/2017, 3:22PM EDT

Kristina, please review this AP as there is more text that should be deleted. We should delete the samples that we are not going to use as well as the NOTE at the top. You can make the change and send it back through the approval process.

<b>Draft discarded</b> by Hannon, Kristina	9/26/2017, 3:36PM EDT
<b>Draft saved</b> by Hannon, Kristina	9/26/2017, 3:50PM EDT
<b>Draft discarded</b> by Hannon, Kristina	9/26/2017, 3:50PM EDT
<b>Draft saved</b> by Hannon, Kristina	10/6/2017, 11:38AM EDT
<b>Edited</b> by Hannon, Kristina	10/6/2017, 11:39AM EDT
Removed "SAMPLE FROM ANOTHER DISTRICT" and made changes to wording.	
<b>Last Approved</b> by Hannon, Kristina	10/6/2017, 11:39AM EDT
<b>Last Approved</b> by Chancellor's Cabinet, Chancellor's Cabinet:	10/30/2017, 5:49PM EDT
10/30/17 - move forward to DA	
<b>Last Approved</b> by District Assembly, DA	11/25/2017, 4:49PM EST
11/14/17 DA approved 1st reading	
<b>Comment</b> by District Assembly, DA	1/25/2018, 11:20AM EST
12/5/17 - AP 7380 was pulled to send to the CSEA/CTA unions for review.	
<b>Comment</b> by Stat, Policy	1/25/2018, 2:12PM EST
<p>From: Nikac, Stacey K  Sent: Thursday, January 25, 2018 11:11 AM  To: Lillard, Sheri J <a href="mailto:slillard@sbccd.cc.ca.us">slillard@sbccd.cc.ca.us</a>; Eaton, Grayling L <a href="mailto:geation@sbccd.cc.ca.us">geation@sbccd.cc.ca.us</a>  Cc: Hannon, Kristina L. <a href="mailto:khannon@sbccd.cc.ca.us">khannon@sbccd.cc.ca.us</a>; Nikac, Stacey K <a href="mailto:snikac@sbccd.cc.ca.us">snikac@sbccd.cc.ca.us</a>  Subject: Action Needed - AP 7380 Retiree Health Benefits: Academic Employees</p> <p>As a reminder, at the 12/5/17 District Assembly meeting, AP 7380 was pulled for review by CSEA and CTA unions. Please review the attached and submit comments or concerns. We hope to hear from you soon.</p>	
<b>Draft saved</b> by Hannon, Kristina	1/26/2018, 2:50PM EST
<b>Edited</b> by Hannon, Kristina	1/26/2018, 2:51PM EST
Added CBA language	
<b>Last Approved</b> by Hannon, Kristina	1/26/2018, 2:51PM EST
<b>Comment</b> by Hannon, Kristina	1/26/2018, 2:51PM EST

Added language from CTA CBA. Please review.

**Comment** by Hannon, Kristina

2/26/2018, 1:54PM EST

Added language from CTA CBA

**Draft saved** by Hannon, Kristina

2/26/2018, 1:54PM EST

**Sent for re-approval** by Hannon, Kristina

2/26/2018, 1:54PM EST

**Last Approved** by Hannon, Kristina

2/26/2018, 1:54PM EST

**Approval flow updated in place** by Stat, Policy

3/6/2018, 12:13PM EST

**Reference changed** by Stat, Policy

9/5/2019, 7:46PM EDT

**Comment** by Goodrich, Kelly

9/18/2020, 6:41PM EDT

10-06-2020 DA 2nd Read

**Comment** by Goodrich, Kelly

9/18/2020, 6:45PM EDT

10-06-2020 DA 2nd Read

COPY

Current Status: Pending

PolicyStat ID: 8029137



Origination: 06/2004  
 Last Approved: N/A  
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 Next Review: 6 years after approval  
 Owner: Human Resources Human Resources  
 Policy Area: Chapter 7 Human Resources  
 References:

## BP 7380 Retiree Health Benefits - Academic Employees

~~(Replaces current SBCCD BP 7380)~~

~~**NOTE:** Current SBCCD BP 7380 parallels the language recommended by the Policy and Procedure Service.~~

- ~~• From current SBCCD BP 7380 titled Retiree Health Benefits: Academic Employees~~

From current SBCCD BP 7380 titled Retiree Health Benefits: Academic Employees

~~The~~In accordance with AB528 continuation coverage, the District shall permit any former academic employee who has retired from the District under any public retirement system, to enroll in the health and welfare benefit (medical) plan and/or dental ~~care~~ benefit plan currently provided to its current active academic employees. The District shall also permit the current spouse of eligible academic employee under this policy to enroll in the medical and dental plan. In addition, the District shall also permit the enrollment of the surviving spouse of a former academic employee who either retired from the District or was, at the time of his/ or her death, employed by the District as an academic employee and a member of ~~the State Teacher's Retirement System~~any public retirement system.

~~Enrollment pursuant to this policy shall be at the retiree or surviving spouse's own expense.~~

Enrollment pursuant to this policy shall be at the retiree or surviving spouse's own expense. Retiree or surviving spouse to pay full monthly premiums for coverage. The District reserves the right to determine the process in which the retiree or surviving spouse remit payment of premiums for enrolled coverages. This includes outsourcing the invoicing and payment collection process to a Third Party Administrator (TPA) of the District's selection.

A retired academic employee and their spouse or surviving spouse may enroll in the District's health and welfare benefit plans only once pursuant to this policy. ~~A~~To continue the health and/or dental coverages described herein, enrollment is required to occur within 30 days of losing active employee coverage with the District. If retired academic employees and/or spouses do not enroll in the health or dental care plans during this initial enrollment period, the District is not obligated to offer them another opportunity to re-enroll. A retired academic employee or surviving spouse who voluntarily terminates coverage under this policy may be excluded from obtaining coverage again. Enrollment in coverage shall remain in effect permitted monthly premiums are paid in full.

Please note that this law does not create a vested retirement right in health and dental care benefits, nor should be construed as requiring or permitting the impairment of any contract, board rule, or regulation affecting retired academic personnel. Further, it is not intended to reduce or conflict with any benefit provided

in the federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA), nor mandate the provision of life insurance or vision care. The District reserves the right to change the health and welfare and dental plans at any time after enrollment has begun, to remain consistent with the plans and insurance carriers the District offers to it's active academic employees.

This policy does not fully describe AB528 continuation coverage or other rights under the Plan. More information about AB528 continuation coverage and employee rights can be found in the California Education Code, Section 7000.

The Chancellor shall establish procedures as may be deemed necessary to administer this policy in accordance with Education Code Sections 7000, et seq.

## References:

Education Code Sections 7000 et seq.

## Attachments

- [BP 7380 Retiree Health Benefits- Academic Employees- Comments](#)
- [BP 7380 Retiree Health Benefits- Academic Employees- Legal Citations](#)
- [BP7380 -OLD.pdf](#)

**Edited** by Quinones, Brooke

5/6/2020, 3:55PM EDT

Policy review update due/bq

**Draft saved** by Goodrich, Kelly

8/7/2020, 1:54PM EDT

**Comment** by Goodrich, Kelly

9/18/2020, 6:51PM EDT

10-06-2020 DA 2nd Read



Current Status: *Pending*

PolicyStat ID: 8378842



**Origination:** 06/2006  
**Last Approved:** N/A  
**Last Revised:** 07/2020  
**Next Review:** 6 years after approval  
**Owner:** Human Resources Human Resources  
**Policy Area:** Chapter 7 Human Resources  
**References:**

## AP 7450 Mileage Reimbursement

(Replaces current SBCCD AP 7450)

### Reimbursement Eligibility

- A.
1. Mileage reimbursement is granted only when employees are required to use their personal vehicles in connection with their assignments and in performance of their duties.
  2. ~~Full-time~~All employees who report to a second worksite in one day other than their primary site for performance of duties may claim reimbursement travel subject to the calculation method described below. ~~Full-time~~All employees who teach at a second site as an overload, and hourly employees shall be responsible for their own transportation costs.
  3. To be eligible for mileage reimbursement, employee must be on the approved drivers' list maintained by Human Resources.

### B. Reimbursement Rate

Mileage reimbursement shall be made at the Internal Revenue Service standard mileage rate.

### C. Reimbursement Claims

1. Mileage reimbursement is granted only after a Mileage Reimbursement Claim is submitted and there is a purchase order with sufficient balance to process against it. Reimbursement claims should be submitted monthly, but no less than once per semester. Second semester mileage must be submitted by July 1.
2. Employees authorized to use their personal automobiles for District daily business should maintain daily records with supporting documentation of the trips authorized during the month. Documentation shall include a daily mileage trip log and parking fee receipts.

### D. Mileage Calculation

1. Mileage is reimbursed only for miles incurred beyond employees' normal commute to their regular worksite.
2. In the event an employee proceeds from this last destination on college business in any one day to home, mileage shall be calculated using the distance from home or primary work site to the first business stop, whichever is less.

### E. Verification

Signatures required are: Employee, Responsibility Center Manager, if claimant is the Responsibility

Manager, signature of claimant's supervisor is required.

Also see **BP/AP 4300 Field Trips and Excursions**, **AP 6530 District Vehicles**, and **BP/AP 7400 Travel**.

**References:**

No references

**Attachments**

- [AP 7450 Mileage Reimbursement - Comments](#)
- [AP 7450 Mileage Reimbursement - Legal Citations](#)
- [AP7450 -OLD.pdf](#)

**Approval Signatures**

Step Description	Approver	Date
<b>Draft saved</b> by Quinones, Brooke		6/11/2020, 1:18PM EDT
<b>Edited</b> by Quinones, Brooke		7/28/2020, 11:53AM EDT
Update for language consistency/bq		
<b>Comment</b> by Goodrich, Kelly		9/18/2020, 6:55PM EDT

10-06-2020 DA 2nd Read





**Current Status:** Active

**PolicyStat ID:** 7472551



**Origination:** 06/2004  
**Last Approved:** 12/2019  
**Last Revised:** 12/2019  
**Next Review:** 12/2029  
**Owner:** [Human Resources Human Resources](#)  
**Policy Area:** [Chapter 7 Human Resources](#)  
**References:** [Legally Required](#)

## BP 7450 Mileage Reimbursement

*(Replaces current SBCCD BP 7450)*

Employees may receive reimbursement for authorized business mileage only under the terms and conditions recommended by the Chancellor.

Also see BP/AP 4300 titled Field Trips and Excursions, AP 6530 titled District Vehicles, and BP/AP 7400 titled Travel

### Reference:

No specific reference

### Attachments

- [BP 7450 Mileage Reimbursement- Comments](#)
- [BP 7450 Mileage Reimbursement- Legal Citations](#)
- [BP7450 -OLD.pdf](#)

### Approval Signatures

Step Description	Approver	Date
	Policy Stat	01/2020
	Policy Stat	01/2020

**Edited** by Stat, Policy

1/8/2020, 5:02PM EST

12/12/19 BOT Approved

**Last Approved** by Stat, Policy

1/8/2020, 5:02PM EST

**Last Approved** by Stat, Policy

1/8/2020, 5:02PM EST

**Activated**

1/8/2020, 5:02PM EST

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**Administrator override** by Stat, Policy

1/8/2020, 5:02PM EST

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12/12/19 BOT Approved

**Comment** by Goodrich, Kelly

9/18/2020, 6:56PM EDT

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10-06-2020 DA 2nd Read - FYI Only - No Changes

COPY

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Owner:	<i>Human Resources Human Resources</i>
Policy Area:	<i>Chapter 7 Human Resources</i>
References:	<i>Legally Required</i>

## BP 7510 Domestic Partners

Domestic partners registered with the California Secretary of State shall have, insofar as permitted by California law, all of the same rights, protections, and benefits, as well as the same obligations, responsibilities, and duties of married persons (spouses) under state law. Former domestic partners shall have all of the rights and obligations of former spouses. Surviving domestic partners shall have the same rights, protections, and benefits as are granted to a surviving spouse of a decedent.

Therefore, all references to "spouses" in the District's policies or procedures shall be read to include registered domestic partners as permitted by California law.

### References:

Family Code Sections 297, ~~298, 298 et seq.~~ 5, ~~297.5, 299, 299.2, and 299.3~~

### Attachments

[BP 7510 Domestic Partners.doc](#)

[Legal Update 36.docx](#)

**Comment** by Gilbert, Jeremiah

4/27/2020, 7:52PM EDT

Legal Update #36 - This policy was updated to revise the legal reference to Family Code Sections 297 et seq.

**Comment** by Goodrich, Kelly

9/18/2020, 6:57PM EDT

10-06-2020 DA 2nd Read

Current Status: Pending

PolicyStat ID: 8378866



Origination: 09/2014  
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 Last Revised: 07/2020  
 Next Review: 10 years after approval  
 Owner: Human Resources Human Resources  
 Policy Area: Chapter 7 Human Resources  
 References: Legally Advised

## AP 7700 Whistleblower Protection

~~Individuals are encouraged to report suspected incidents of unlawful activities by District employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, reported such activities and/or assist the District in the investigation will be protected from retaliation.~~ Individuals are encouraged to report suspected incidents of unlawful activities by District employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, reported such activities and/or assist the District in the investigation will be protected from retaliation.

~~This procedure sets out the processes for responding to and investigating reports of unlawful activities, as defined in BP 7700 titled Whistleblower Protection, and addressing complaints of retaliation for making such reports.~~ This procedure sets out the processes for responding to and investigating reports of unlawful activities, as defined in BP 7700 titled Whistleblower Protection, and addressing complaints of retaliation for making such reports.

### Filing a Report of Suspected Unlawful Activities

~~Any person may report allegations of suspected unlawful activities. Knowledge or suspicion of such unlawful activities may originate from academic personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students, or other third parties.~~ Any person may report allegations of suspected unlawful activities. Knowledge or suspicion of such unlawful activities may originate from academic personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students, or other third parties.

~~Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the District's ability to thoroughly investigate the claim and take appropriate remedial measures. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.~~ Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the District's ability to thoroughly investigate the claim and take appropriate remedial measures. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.

~~Normally, a report by a District employee of allegations of a suspected unlawful activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the operating unit. However, if the report involves or implicates the direct supervisor~~

~~or others in the operating unit, the report may be made to any another District official whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged unlawful activity on behalf of the District. When the alleged unlawful activities involve a College President, the report should be made directly to the Chancellor.~~ Normally, a report by a District employee of allegations of a suspected unlawful activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the operating unit. However, if the report involves or implicates the direct supervisor or others in the operating unit, the report may be made to any another District official whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged unlawful activity on behalf of the District. When the alleged unlawful activities involve a College President, the report should be made directly to the Chancellor.

~~When the alleged unlawful activities involve the Chancellor, the report should be made directly to the President of the Board of Trustees. When the alleged unlawful activity involves the Board of Trustees or one of its members, the report should be made to the Chancellor who will confer with the President of the Board of Trustees and/or legal counsel on how to proceed. "Additionally, allegations of suspected unlawful activity may be reported through the District compliance hotline by following instructions listed on the District website."~~ When the alleged unlawful activities involve the Chancellor, the report should be made directly to the President of the Board of Trustees. When the alleged unlawful activity involves the Board of Trustees or one of its members, the report should be made to the Chancellor who will confer with the President of the Board of Trustees and/or legal counsel on how to proceed. Additionally, allegations of suspected unlawful activity may be reported through the District compliance hotline by following instructions listed on the District website. The Lighthouse compliance hotline is the most common and preferred method of submitting allegations of suspected unlawful activities.

~~Allegations of suspected unlawful activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual and contain as much specific information as possible. The receiving supervisor or administrator should elicit as much information as is reasonably possible. If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make a reasonable attempt to get the reporter to confirm by his/her signature that it is accurate and complete.~~ Allegations of suspected unlawful activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual and contain as much specific information as possible. The receiving supervisor or administrator should elicit as much information as is reasonably possible. If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make a reasonable attempt to get the reporter to confirm by his/her signature that it is accurate and complete.

~~Once the receiving supervisor or administrator has received and/or prepared a written report of the alleged unlawful activity, he/she must immediately forward to the College President where the alleged activity has occurred or to the Chancellor if the activity involves the District office or is District-wide. However, if this process would require submitting the report to an employee implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined, above. The high-level administrator or trustee who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to conduct the investigation, and that the assistance of counsel and/or an outside investigator is secured if deemed necessary.~~ Once the receiving supervisor or administrator has received and/or prepared a written report of the alleged unlawful activity, he/she must immediately forward to the College President where the alleged activity has occurred or to the Chancellor if the activity involves the District office or is District-wide. However, if this process would require submitting the report to an employee

implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined above. The high-level administrator or trustee who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to **conduct the investigation, and that the assistance of counsel and/or an outside investigator is secured if deemed necessary.**

~~In the course of investigating allegations of unlawful conduct, all individuals who are contacted and/or interviewed shall be advised of the District's no-retaliation policy. Each individual shall be:~~  
In the course of investigating allegations of unlawful conduct, all individuals who are contacted and/or interviewed shall be advised of the District's no-retaliation policy. Each individual shall be:

- a. ~~warned that retaliation against the reporter(s) and/or others participating in the investigation will subject the employee to discipline up to and including termination; and~~  
warned that retaliation against the reporter(s) and/or others participating in the investigation will subject the employee to discipline up to and including termination; and
- b. ~~advised that if he/she experiences retaliation for cooperating in the investigation, then it must be reported immediately.~~  
advised that if he/she experiences retaliation for cooperating in the investigation, then it must be reported immediately.

~~In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.~~  
In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.

## Protection from Retaliation

~~When a person makes a good-faith report of suspected unlawful activities to an appropriate authority, the report is known as a protected disclosure. District employees and applicants for employment who make a protected disclosure are protected from retaliation. A district employee or applicant whose family member makes a protected disclosure is also protected from retaliation.~~  
When a person makes a good-faith report of suspected unlawful activities to an appropriate authority, the report is known as a protected disclosure. District employees and applicants for employment who make a protected disclosure are protected from retaliation. A district employee or applicant whose family member makes a protected disclosure is also protected from retaliation.

~~Any employee who believes he/she has been (1) subjected to or affected by retaliatory conduct for reporting suspected unlawful activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise their College President, the Chancellor, or the Chancellor's designee. If the allegations of retaliation, or the underlying allegations of unlawful conduct involve the College President or Chancellor, the supervisor shall report to the highest level administrator and/or trustee who is not implicated in the reports of unlawful activity and retaliation.~~  
Any employee who believes he/she has been (1) subjected to or affected by retaliatory conduct for reporting suspected unlawful activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise their College President, the Chancellor, or the Chancellor's designee.



If the allegations of retaliation, or the underlying allegations of unlawful conduct involve the College President or Chancellor, the supervisor shall report to the highest level administrator and/or trustee who is not implicated in the reports of unlawful activity and retaliation.

~~All allegations of retaliation shall be investigated promptly and with discretion, and all information obtained will be handled on a "need to know" basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.~~ All allegations of retaliation shall be investigated promptly and with discretion, and all information obtained will be handled on a "need to know" basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

## Whistleblower Contact Information

~~Employees who have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees should contact the State Chancellor's Office or the District's Board of Trustees. Employees can contact the State Personnel Board with complaints of retaliation resulting from whistleblower activities. The State Personnel Board hotline is (916) 653-1403.~~ Employees who have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees should contact the State Chancellor's Office or the District's Board of Trustees. Employees can contact the State Personnel Board with complaints of retaliation resulting from whistleblower activities. The State Personnel Board hotline is (916) 653-1403.

## Other Remedies and Appropriate Agencies

~~In addition to the internal complaint process set forth above, any employee who has information concerning allegedly unlawful conduct may contact the appropriate government agency.~~ In addition to the internal complaint process set forth above, any employee who has information concerning allegedly unlawful conduct may contact the appropriate government agency.

## ~~References:~~ References:

~~Education Code Sections 87160-87164;  
Government Code Section 53296;  
Labor Code Section 1102.5;  
Private Attorney General Act of 2004 (Labor Code Section 2698);  
Affordable Care Act (29 U.S.C. 218C)~~ Education Code Sections 87160-87164;  
Government Code Section 53296;  
Labor Code Section 1102.5;  
Private Attorney General Act of 2004 (Labor Code Section 2698);  
Affordable Care Act (29 U.S.C. 218C)

## Attachments

[AP 7700 Whistleblower Protection - Comments](#)

AP 7700 Whistleblower Protection - Legal Citations  
AP 7700 Whistleblower Protection Rev. 4-4-16.docx

**Edited** by Quinones, Brooke

7/28/2020, 11:55AM EDT

2020 HR review/bq

**Comment** by Goodrich, Kelly

9/18/2020, 6:58PM EDT

10-06-2020 DA 2nd Read

COPY



Current Status: *Draft*

PolicyStat ID: 8394289



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 Advised</i>

## BP 7700 Whistleblower Protection

*NOTE: This policy is suggested as good practice. The District may insert its local practice. The following is suggested language.*

The Chancellor shall establish administrative procedures regarding the reporting and investigation of suspected unlawful activities by District employees, and the protection from retaliation of those who make such reports in good faith and/or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, "unlawful activity" refers to any activity—intentional or negligent—that violates state or federal law, local ordinances, or board policy.

The procedures shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation, that such reports are investigated thoroughly and promptly, remedies are applied for any unlawful practices and protections are provided to those employees who, in good faith, report these activities and/or assist the District in its investigation.

Furthermore, District employees shall not:

1. retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order;
2. retaliate against an employee or applicant for employment because the employee or applicant is a family member of a person who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order: or
3. directly or indirectly use or attempt to use the official authority or influence of his/her position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the District. The District will not tolerate retaliation, and will take whatever reasonable action *whatever action* may be needed to prevent and correct activities that violate this policy, including discipline of those who violate it up to and including termination.

### References:

Education Code Sections 87160-87164;

Labor Code Section 1102.5;

Government Code Section 53296,;

Private Attorney General Act of 2004 (Labor Code Section 2698);

Affordable Care Act (29 U.S. Code 218C)

## Attachments

[BP 7700 Whistleblower Protection Rev. 4-16.docx](#)

**Comment** by Goodrich, Kelly

9/18/2020, 7:01PM EDT

10-06-2020 DA 2nd Read - FYI Only, No Changes

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# Coronavirus (COVID-19) Response: Campus Safety Plan

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## Coronavirus (COVID-19) Response: Campus Safety Plan

### INTRODUCTION

The San Bernardino Community College District has developed this Campus Safety Plan in response to the ever-changing conditions surrounding the Novel Coronavirus (COVID-19). The goal is to provide the safest learning environment for students on campus during this time and deliver timely guidance to students, faculty, and staff working or studying from home.

Unless otherwise noted, all of the following provisions apply to Crafton Hills College, San Bernardino Valley College, EDCT, KVCR and District sites. This site-specific safety plan is in keeping with the reopening guidelines provided by the State of California (<https://covid19.ca.gov/industry-guidance/>). The District's adherence to the State's reopening guidelines is a condition of reopening.

### IMPLEMENTATION OF THE CAMPUS SAFETY PLAN

The campus Vice President of Administrative Services is responsible for the overall implementation of the measures described in this plan, for their respective college. The Associate Director of Environmental Health, Emergency Planning & Safety Administration is responsible for implementation of these measures at the District Sites.

- Crafton Hills College: Mr. Mike Strong
- San Bernardino Valley College: Mr. Scott Stark
- District Sites: Mr. Michael Nguyen

### STEPS TAKEN BY THE DISTRICT AND CAMPUSES TO ENSURE HEALTH AND SAFETY

#### Management of On-Campus Courses

In an effort to greatly minimize on-campus transmission of COVID-19, only a select number of courses are being allowed to operate in person. Additional measures are being taken to control the spread of COVID-19, including:

- Limiting the number of students in each class or laboratory session.
- Implementation of assigned seating, or the removal of unneeded chairs, to maintain physical distancing.
- Emphasizing the necessity of constant handwashing.
- Reminding students to stay home if they feel sick.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

- Providing a means by which students and employees can conduct daily self-screening for COVID-19 symptoms.

### Large Gatherings on Campuses

Per the State and County health guidance, large gatherings are not permitted at this time. On-campus social events are prohibited until further notice.

### Cleaning and Disinfection

Occupied classrooms and high-touch surfaces (e.g. door handles, hand railings, bathroom stalls, elevator controls) in occupied buildings will be cleaned and disinfected on a daily basis. Where multiple classes utilize the same classroom in a given day, the classroom will be disinfected in between classes.

Products used for disinfection of surfaces are on the EPA-approved list for effectiveness against the novel coronavirus (SARS-CoV-2).

### Building Ventilation

For those campus buildings approved for on-campus instruction, the building ventilation will be adjusted to maximize outdoor air intake, where possible. Air filters and other air-handling system components will be changed or serviced per manufacturer's recommendations. The campuses continue to assess and adapt to current ventilation needs based on building utilization.

### COVID-19 Testing Sites

The District may collaborate with the San Bernardino County Department of Public Health to host on-site, walk-up and/or drive-through COVID-19 testing events. The implementation of a COVID-19 testing event on a Campus or District site will be done under the strictest health and safety guidelines. Please see the "Expectations of Visitors" and "COVID-19 Testing Events" sections of this plan for additional information.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

### Employee Training

Training modules addressing COVID-19 exposure controls and preventative measures will be made available on Keenan Safe Colleges for faculty and staff members.

## EXPECTATIONS OF STUDENTS

### COVID-19 Daily Self-Assessment

All students who arrive on campus for any reason must complete a daily self-assessment to check for symptoms of COVID-19. The self-assessment is required every day that a student must visit a Campus or District site. The assessment must also be taken before the student arrives on campus.

Students can access the CDC's COVID-19 Self-Checker here: <https://www.cdc.gov/coronavirus/2019-ncov/testing/diagnostic-testing.html>

Should the District utilize a different COVID-19 assessment tool in the future, students will be provided with the new Web link or module.

Please note that the CDC assessment tool does not record responses to the individual questions, nor the overall result of the assessment.

You are strongly encouraged to stay home and rest if the assessment determines that you are not well enough to leave home. Staying home when you are sick is crucial to controlling the spread of COVID-19.

### Symptoms of COVID-19

Symptoms of COVID-19 can include fever or chills, cough, shortness of breath or difficulty breathing, and sore throat. Please keep in mind that symptoms may not appear until 14 days after exposure to the virus. For more information, please visit the CDC website (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>).

Individuals who experience trouble breathing, persistent pain or pressure in the chest, confusion, or bluish lips or face should seek medical attention immediately. Call 911 or call ahead to your local emergency facility.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

### What to Do if You Think You Have COVID-19

If you have symptoms of COVID-19, you should stay home and self-isolate except to get medical care or get tested for COVID-19. For more information, visit this CDC website:

<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

You should remain at home until you meet the CDC criteria for ceasing home isolation. For more information, visit this website: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/isolation.html>.

### Reporting a Confirmed or Suspected COVID-19 Case

If you have a confirmed COVID-19 infection or have symptoms consistent with a COVID-19 infection, please reach out to your course instructor(s) as soon as possible. Even if you are attending an online course and are studying remotely, your timely reporting would assist the District greatly in its COVID-19 response and infection control procedures.

### Safety Procedures While on Campus

While on campus, students must adhere to the following:

- Wear a face covering.
- Keep a distance of at least 6 feet from others.
- Wash hands often and for at least 20 seconds with soap and water.
- Do not come on site if you do not feel well or are exhibiting symptoms of COVID-19.

Students may remain on campus only for the duration needed to attend an in-person course, obtain campus services, eat a meal obtained on campus, or participate in a campus-sanctioned athletic event or activity.

### Face Covering Policy

It is expected that all students will wear face coverings while on campus, in keeping with the State of California guidance dated June 18, 2020 (<https://www.cdph.ca.gov/Programs/OPA/Pages/NR20-128.aspx>). The face covering must comply with the State guidance and be worn over the mouth and nose.

Specifically, face coverings must be worn in the following circumstances:

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## Coronavirus (COVID-19) Response: Campus Safety Plan

- When entering any indoor Campus/District facility, including lobbies, hallways, and bathrooms – even if no one else is present.
- Outdoors, when physical distancing of 6 feet from others is not possible.

A limited number of disposable masks are available for those who forget to bring their face coverings. Students should inquire with their instructors if they forget to bring their face covering. Please note that this is contingent on availability of masks.

Ultimately, it is the student's responsibility to come on site with a face covering already in possession. The student may be asked to leave campus if they refuse to wear a face covering, or show up without a face covering, even if one is not provided for them by the campus. Repeated non-compliance with this policy by a student may result in disciplinary action.

Students may be exempt from wearing a face covering if one or more of the following conditions apply:

- Medical condition (including mental health);
- Disability that prevents wearing a face covering;
- Hearing impairment;
- Communicating with someone who is hearing impaired, where the ability to see the mouth is essential for communication.

To seek an exemption from wearing a face covering, students should contact the Disability Services (DSPS) / Disabled Student Services office of their respective campus.

### EXPECTATIONS OF FACULTY MEMBERS

#### Presence on Campus

Until further notice, only faculty members who are administering in-person or “hybrid” courses are allowed on campus. Faculty members who are not teaching in-person courses but wish to come to campus must get approval from their immediate supervisor.

Faculty members may not facilitate in-person courses without the permission of the campus Vice President of Instruction and the applicable campus Dean.

#### COVID-19 Daily Self-Assessment

All faculty members who arrive on campus for any reason must complete a daily self-assessment to check for symptoms of COVID-19. The self-assessment is required every day that a faculty member

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## Coronavirus (COVID-19) Response: Campus Safety Plan

must visit a Campus or District site. The assessment must also be taken before the faculty arrives on campus.

Faculty can access the CDC's COVID-19 Self-Checker here: <https://www.cdc.gov/coronavirus/2019-ncov/testing/diagnostic-testing.html>

Should the District utilize a different COVID-19 assessment tool in the future, faculty members will be provided with the new Web link or module.

Please note that the CDC assessment tool does not record responses to the individual questions, nor the overall result of the assessment.

You are strongly encouraged to stay home and rest if the assessment determines that you are not well enough to leave home. Staying home when you are sick is crucial to controlling the spread of COVID-19.

### **Symptoms of COVID-19**

Symptoms of COVID-19 can include fever or chills, cough, shortness of breath or difficulty breathing, and sore throat. Please keep in mind that symptoms may not appear until 14 days after exposure to the virus. For more information, please visit the CDC website (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>).

Individuals who experience trouble breathing, persistent pain or pressure in the chest, confusion, or bluish lips or face should seek medical attention immediately. Call 911 or call ahead to your local emergency facility.

### **What to Do if You Think You Have COVID-19**

If you have symptoms of COVID-19, you should stay home and self-isolate except to get medical care or get tested for COVID-19. For more information, visit this CDC website: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

You should remain at home until you meet the CDC criteria for ceasing home isolation. For more information, visit this website: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/isolation.html>.

Please also refer to the SBCCD Procedure for Response to an Employee with Coronavirus (COVID-19) for additional guidance.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

### Reporting a Confirmed or Suspected COVID-19 Case (Self)

If you have a confirmed COVID-19 infection or have symptoms consistent with a COVID-19 infection, please reach out to Janae Jacoby, Human Resources Analyst ([jjacoby@sbccd.edu](mailto:jjacoby@sbccd.edu)) as soon as possible. Even if you are teaching a fully-online course and have not been to the campus, your timely reporting would assist the District greatly in its COVID-19 response and infection control procedures.

### Reporting a Confirmed or Suspected COVID-19 Case (Student)

If a student has reported that they are positive for COVID-19, or believe they might be, please inform the appropriate campus Dean for follow-up. Be sure to ask the student whether or not they have been tested for COVID-19, and if they have tested positive, for how long the student has been asked to self-isolate at home.

### Safety Procedures While on Campus

While on campus, faculty members must adhere to the following:

- Wear a face covering.
- Keep a distance of at least 6 feet from others.
- Wash hands often and for at least 20 seconds with soap and water.
- Do not come on site if you do not feel well or are exhibiting symptoms of COVID-19.

### Face Covering Policy

It is expected that all faculty members will wear face coverings while on campus, in keeping with the State of California guidance dated June 18, 2020 (<https://www.cdph.ca.gov/Programs/OPA/Pages/NR20-128.aspx>). The face covering must comply with the State guidance and be worn over the mouth and nose.

Specifically, face coverings must be worn in the following circumstances:

- When entering any indoor Campus/District facility, including lobbies, hallways, and bathrooms – even if no one else is present.
- Outdoors, when physical distancing of 6 feet from others is not possible.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

A limited number of disposable masks are available for those who forget to bring their face coverings. Faculty members should inquire with their supervisors if they forget to bring their face covering. Please note that this is contingent on availability of masks.

Ultimately, it is the employee's responsibility to come on site with a face covering already in possession. Repeated non-compliance with this policy by an employee may result in disciplinary action.

Employees may be exempt from wearing a face covering if one or more of the following conditions apply:

- Medical condition (including mental health);
- Disability that prevents wearing a face covering;
- Hearing impairment;
- Communicating with someone who is hearing impaired, where the ability to see the mouth is essential for communication.

To seek an exemption from wearing a face covering, employees should contact District Human Resources.

### **Student Non-Compliance with the Face Covering Policy**

If a faculty member is teaching an in-person course and a student arrives without a face covering, the faculty should make every possible effort to make a face covering available to the student. If the student refuses to wear the face covering, the faculty member should ask the student to leave the class. Repeated non-compliance incidents should be reported to the Dean of Student Services (CHC) or the Director of Student Life (SBVC).

## **EXPECTATIONS OF STAFF MEMBERS**

### **Presence on Campus**

Staff members must regularly check with their immediate supervisors to determine their on-site work schedules. Only staff members who have received prior approval to be on site for the day are allowed to work on site.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

### COVID-19 Daily Self-Assessment

All staff members who arrive on campus for any reason must complete a daily self-assessment to check for symptoms of COVID-19. The self-assessment is required every day that a staff member must visit a Campus or District site. The assessment must also be taken before the staff member arrives on campus.

Staff members can access the CDC's COVID-19 Self-Checker here:

<https://www.cdc.gov/coronavirus/2019-ncov/testing/diagnostic-testing.html>

Should the District utilize a different COVID-19 assessment tool in the future, staff members will be provided with the new Web link or module.

Please note that the CDC assessment tool does not record responses to the individual questions, nor the overall result of the assessment.

You are strongly encouraged to stay home and rest if the assessment determines that you are not well enough to leave home. Staying home when you are sick is crucial to controlling the spread of COVID-19.

### Symptoms of COVID-19

Symptoms of COVID-19 can include fever or chills, cough, shortness of breath or difficulty breathing, and sore throat. Please keep in mind that symptoms may not appear until 14 days after exposure to the virus. For more information, please visit the CDC website (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>).

Individuals who experience trouble breathing, persistent pain or pressure in the chest, confusion, or bluish lips or face should seek medical attention immediately. Call 911 or call ahead to your local emergency facility.

### What to Do if You Think You Have COVID-19

If you have symptoms of COVID-19, you should stay home and self-isolate except to get medical care or get tested for COVID-19. For more information, visit this CDC website:

<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

You should remain at home until you meet the CDC criteria for ceasing home isolation. For more information, visit this website: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/isolation.html>.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

Please also refer to the SBCCD Procedure for Response to an Employee with Coronavirus (COVID-19) for additional guidance.

### Reporting a Confirmed or Suspected COVID-19 Case

If you have a confirmed COVID-19 infection or have symptoms consistent with a COVID-19 infection, please reach out to Janae Jacoby, Human Resources Analyst ([jjacoby@sbccd.edu](mailto:jjacoby@sbccd.edu)) as soon as possible. Even if you have been working remotely, your timely reporting would assist the District greatly in its COVID-19 response and infection control procedures.

### Safety Procedures While on Campus

While on campus, staff members must adhere to the following:

- Wear a face covering.
- Keep a distance of at least 6 feet from others.
- Use all available health and safety resources.
- Wash hands often and for at least 20 seconds with soap and water.
- Do not come on site if you do not feel well or are exhibiting symptoms of COVID-19.

### Face Covering Policy

It is expected that all staff members will wear face coverings while on campus, in keeping with the State of California guidance dated June 18, 2020 (<https://www.cdph.ca.gov/Programs/OPA/Pages/NR20-128.aspx>). The face covering must comply with the State guidance and be worn over the mouth and nose.

Specifically, face coverings must be worn in the following circumstances:

- When entering any indoor Campus/District facility, including lobbies, hallways, and bathrooms – even if no one else is present.
- Outdoors, when physical distancing of 6 feet from others is not possible.

A limited number of disposable masks are available for those who forget to bring their face coverings. Staff members should inquire with their supervisors if they forget to bring their face covering. Please note that this is contingent on availability of masks.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

Ultimately, it is the employee's responsibility to come on site with a face covering already in possession. Repeated non-compliance with this policy by an employee may result in disciplinary action.

Employees may be exempt from wearing a face covering if one or more of the following conditions apply:

- Medical condition (including mental health);
- Disability that prevents wearing a face covering;
- Hearing impairment;
- Communicating with someone who is hearing impaired, where the ability to see the mouth is essential for communication.

To seek an exemption from wearing a face covering, employees should contact District Human Resources.

### EXPECTATIONS OF VISITORS

With consideration that the Campuses and District Sites remain closed to the public, visitors (i.e. non-District employees and non-students) are not allowed on Campus or District sites, except under the following circumstances:

- Dropping off items at a designated delivery location.
- Accompanying a Campus/District employee on official business.
- Working as an employee of a contractor/sub-contractor on a District Measure CC construction project or a Campus maintenance, repair, or service contract.
- Attending a course hosted by District Economic Development and Corporate Training (EDCT).
- Visiting a campus-services office as a prospective student.
- Working at, or visiting, a COVID-19 testing event hosted on site.

As with students, staff and faculty, visitors must also adhere to the following guidelines while on site:

- Wear a face covering.
- Keep a distance of at least 6 feet from others.
- Use all available health and safety resources.
- Wash hands often (if you will be on site for an extended period of time).
- Do not come on site if you do not feel well or are exhibiting symptoms of COVID-19.

Visitors are not allowed to walk around or loiter on the campuses unless they are utilizing campus services or participating in a campus-sanctioned activity.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

Measure CC contractors and consultants must adhere to and apply additional COVID-19 control measures as detailed in the construction documents (Division 01 and/or Exhibits).

### Symptoms of COVID-19

Symptoms of COVID-19 can include fever or chills, cough, shortness of breath or difficulty breathing, and sore throat. Please keep in mind that symptoms may not appear until 14 days after exposure to the virus. For more information, please visit the CDC website (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>).

Individuals who experience trouble breathing, persistent pain or pressure in the chest, confusion, or bluish lips or face should seek medical attention immediately. Call 911 or call ahead to your local emergency facility.

### What to Do if You Think You Have COVID-19

If you have symptoms of COVID-19, you should stay home and self-isolate except to get medical care or get tested for COVID-19. For more information, visit this CDC website: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

You should remain at home until you meet the CDC criteria for ceasing home isolation. For more information, visit this website: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/isolation.html>.

### Reporting a Confirmed or Suspected COVID-19 Case

If you have a confirmed COVID-19 infection or have symptoms consistent with a COVID-19 infection, and were on campus or a District site around the time of infection, please contact Michael Nguyen, Associate Director of Environmental Health, Emergency Planning and Safety Administration ([mnguyen@sbccd.edu](mailto:mnguyen@sbccd.edu)) as soon as possible. Your timely reporting would assist the District greatly in its COVID-19 response and infection control procedures.

### N95 RESPIRATOR MASKS

N95 masks are not required for routine campus operations as it pertains to COVID-19 infection control. The use of these respirators should be limited to conditions where a higher likelihood of COVID-19

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## Coronavirus (COVID-19) Response: Campus Safety Plan

transmission exists. The use of N95s or other respirators on campus or for an in-person course is contingent on the approval of District Environmental Health, Emergency Planning & Safety Administration. Please contact Michael Nguyen, Associate Director of EHEP&S ([mnguyen@sbccd.edu](mailto:mnguyen@sbccd.edu)) for more information or if you have questions.

### INFLUENZA (FLU) VACCINATIONS

In alignment with CDC guidance, the District strongly recommends that all students, faculty and staff members get vaccinated to protect against influenza during the 2020-21 flu season. While the flu vaccine will not prevent COVID-19, vaccinations will help reduce the burden of flu-related illnesses, hospitalizations, and deaths on the health care system. Furthermore, medical resources can be conserved for the care of people with COVID-19.

### COVID-19 TESTING EVENTS

Should the Campus/District host a COVID-19 testing event on site, the following guidelines will apply.

#### Drive-Through Testing Event

- A map of testing-event details, including recommended site access route, campus/site point of entry, check-in point, specimen collection point, site operations center, and campus/site point of exit will be made available to students, employees, and the general public prior to the event.
- Students and employees will be advised to avoid parts of the campus, or the entire campus for the duration of the event, unless they must be on the campus to attend classes or are part of the essential workforce.
- If necessary, an alternate access route to the campus will be assigned to students and employees to use during the event.

#### Walk-up Testing Event

- A map of testing-event details, including recommended site access route, designated parking lot(s), specimen collection area, and site operations center will be made available to students, employees, and the general public prior to the event.
- Parking lot(s) will be designated specifically for use by testing-event clients. Students and employees will be asked to park at other locations on campus.
- Event clients will be asked to adhere to the Visitor Expectations outlined in this plan.

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## Coronavirus (COVID-19) Response: Campus Safety Plan

### General Considerations

- Separate, portable restroom and hand-washing facilities will be made available for use by testing-event clientele and staff.
- For walk-up events, the County is responsible for disinfecting areas visited by the clients and used by testing staff. Disinfection of surfaces will occur, at a minimum, at the end of each event day.
- Any trash generated by the testing site will be taken off campus and disposed of by the County's staff or contractor.

### COMMUNICATIONS TO THE DISTRICT COMMUNITY

The Campus and District will keep students, faculty, and staff apprised of updates pertaining to COVID-19 response via email (from the Campus and District) as well as through the District's Coronavirus Info web page (<https://www.sbccd.edu/covid-19>). Students and employees are encouraged to check their email accounts and the web page regularly. Also, it is recommended that students and employees log on to WebAdvisor to confirm or update their emergency contact information. For more information on WebAdvisor, please click on this link: <https://www.sbccd.edu/emergency-prep>.

### LOCAL HEALTH DEPARTMENT

The local health department which has jurisdiction over all District sites is the San Bernardino County Department of Public Health, located at 351 N. Mountain View Avenue in San Bernardino. If you have questions pertaining to COVID-19, you can visit the County's website at <http://sbccovid19.com>. You may also call the COVID-19 Hotline at (909) 387-3911, or email [coronavirus@DPH.sbcounty.gov](mailto:coronavirus@DPH.sbcounty.gov).

The District continues to update its Coronavirus Info web page with the latest information from SBCDPH as well as the California Department of Public Health.

Students, faculty, and staff who visit a County-hosted COVID-19 testing site and subsequently test positive for COVID-19 should follow all health guidance provided by the County and notify the District of the positive result. Visitors who were on campus or District site around the time of COVID-19 infection should also notify the District of the positive test result.

DRAFT

Current Status: Draft

PolicyStat ID: 4828399



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References:	

# AP 2510 Participation In Local Decision-Making

*(Replaces current SBCCD AP-2225)*

## ~~MISSION STATEMENT~~

~~Collegial Consultation~~ Participation in local desicion-making is a process involving faculty, staff, students, and administrators, ~~classified staff and students in deliberations in discussions~~ regarding certain specific day-to-day and long-range planning and policies for the colleges and the District ~~and the colleges~~. These ~~deliberations discussions~~ lead to recommendations ~~that~~ to the Chancellor which the Chancellor carries ~~forward~~ to the Board of Trustees ~~for~~, with his/her recommendations, for discussion and potential final approval. ~~In~~ issues related to academic and professional matters the Board will rely primarily on the Academic Senate. ~~Other areas of decision-making in regard to Board Policy will be mutually agreed upon between the Governing Board, the Academic Senate, administration, staff and students.~~

## ~~PHILOSOPHY OF COLLEGIAL CONSULTATION~~

~~Collegial Consultation is the democratic process utilized on campus in decision-making procedures. Successful Consultation creates an environment of awareness throughout the District by having each constituency represented throughout the process. To be effective, collegial Consultation must exhibit the following characteristics:~~

- ~~• Capacity to establish directions and goals~~
- ~~• React to internal and external stimuli~~
- ~~• Move with diligence and timeliness~~
- ~~• Provide the campus community with an annual cycle of planning and budgeting~~

~~The process is designed to establish the goals, priorities, and objectives of the college. The exercise of administrative prerogatives must reflect these aims in order to perpetuate an environment of mutuality and trust.~~

## ~~DISTRICT ASSEMBLY~~

### ~~Charge~~

The District Assembly is the primary ~~district-wide~~ body ensuring that each the appropriate constituent group participates in the decision- making process. Members of the District Assembly advise and make recommendations to the Chancellor ~~regarding district-wide governance, institutional planning, budgeting, and~~

~~policies and procedures that promote the educational mission and goals of the San Bernardino Community College District.~~

## **DISTRICT ASSEMBLY MEMBERS**

- A. Chancellor
- B. Faculty Senate Presidents of Crafton Hills College and San Bernardino Valley College
- C. Classified Senate Presidents of Crafton Hills College and San Bernardino Valley College
- D. Student Senate Presidents of Crafton Hills College and San Bernardino Valley College
- E. CTA Representative
- F. CSEA Representative
- G. Management Association Representative

See the District website for additional web links regarding participation in local decision- making [http://www.sbccd.org/District\\_Faculty\\_-\\_a-,\\_Staff\\_Information-Forms/District\\_Committee\\_Minutes](http://www.sbccd.org/District_Faculty_-_a-,_Staff_Information-Forms/District_Committee_Minutes)

See the Crafton Hills College organizational handbook and college website for additional web links regarding participation in local decision-making <http://www.craftonhills.edu/faculty-and-staff/committees/index.php>

See the San Bernardino Valley College organizational handbook and college website for additional web links regarding participation in local decision-making <https://www.valleycollege.edu/about-sbvc/campus-committees/index.php>

## **References:**

~~Education Code Section 70902(b)(7);  
Title 5 Sections 53200 et seq., 51023.5, and 51023.7;  
ACCJC Accreditation Standards IV.A and IV.D.7 (formerly IV.A.2, IV.A.5)~~ [Education Code Section 70902\(b\)\(7\);  
Title 5 Sections 53200 et seq., 51023.5, and 51023.7;  
ACCJC Accreditation Standards IV.A and IV.D.7 \(formerly IV.A.2, IV.A.5\)](#)

## **Attachments**

- AP 2510 Collegial Consultation - Comments
- AP 2510 Collegial Consultation - Legal Citations
- Board of Trustees
-  Image 01
-  Image 02
- Organizational Chart

Comment by Goodrich, Kelly

9/18/2020, 12:26PM EDT

10-06-2020 DA 1st Read

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References:	

## BP 2510 Participation In Local Decision-Making

~~(Replaces current SBCCD-BP-2225)~~

~~The Board embraces the concept of collegial consultation and to establish procedures to ensure faculty, management, classified staff, and students the right to participate effectively in collegial consultation in particular areas where they have their responsibility and expertise as specified in Title 5 regulations, while retaining its own right and responsibilities in all areas defined by state laws and regulations.~~

The Board is the ultimate decision-maker in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for Board action and administrative procedures for ~~Chancellor~~ action under which the District is governed and administered.

~~Each of the following shall participate as required by law in the decision-making processes of the District:~~

### **Academic Senate(s)** (Title 5 Sections 53200-53206)

The Board or its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law. Procedures to implement this section are developed collegially with the Academic Senate.

~~The Board of Trustees recognizes the definition of "academic and professional matters" as stated in the Title 5 regulations:~~

- ~~1. Curriculum including establishing prerequisites and placing courses within disciplines;~~
- ~~2. Degree and certificate requirements;~~
- ~~3. Grading policies;~~
- ~~4. Education program development;~~
- ~~5. Standards or policies regarding student preparation and success;~~
- ~~6. District and college consultation structures, as related to faculty roles;~~
- ~~7. Faculty roles and involvement in accreditation processes, including self-study and annual reports;~~
- ~~8. Policies for faculty professional development activities;~~
- ~~9. Processes for program review;~~
- ~~10. Process for institutional planning and budget development; and~~
- ~~11. Other academic and professional matters as mutually agreed upon between the Governing Board and the Academic Senate.~~

~~The Board also recognizes its obligation, under Title 5 Regulations, to "consult collegially" with the Academic Senate on these "academic and professional matters." Additional academic and professional matters may be added as specified in #11 only through formal resolution of the Board.~~

~~The Board further recognizes that, under Title 5, it may choose to "consult collegially" through the option of "mutual agreement" on policy issues, or the option of "relying primarily on the advice and judgment of the senate" when adopting policies and procedures on "academic and professional matters."~~

~~The Board of Trustees shall have the final responsibility for developing all policies governing the community college district, including academic and professional matters. For purposes of academic and professional matters, the Board shall rely primarily on the advice of the Academic Senate. If the Board has a compelling reason for not accepting the advice of the Academic Senate, it shall provide that reason in writing upon request of the Academic Senate. The decision of the Board on all policy shall be final.~~

#### **Classified Staff** (Title 5 Section 51023.5)

Staff shall be provided with opportunities to participate in the formulation and development of District policies and procedures that have a significant effect on staff. The opinions and recommendations of the **classified staff** [Classified Senate and Management Association](#) will be given every reasonable consideration.

#### **Associated Students** (Title 5 Section 51023.7)

The Associated Students shall be given an opportunity to participate effectively in the formulation and development of Board policies and administrative procedures that have a significant effect on students, as defined by law. The recommendations and positions of the Associated Students will be given every reasonable consideration. The selection of student representatives to serve on District committees or task forces shall be made after consultation with the Associated Students.

Except for unforeseeable emergency situations, the Board shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate.

Nothing in this policy will be construed to interfere with the formation or administration of employee organizations or with the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code Sections 3540 et seq.

## References:

Education Code Section 70902(b)(7);

## Attachments

- [BP 2510 Collegial Consultaion - Comments](#)
- [BP 2510 Collegial Consultaion - Legal Citations](#)
- [BP 2510 Collegial Consultation\\_2014-10-09.pdf](#)

Comment by Goodrich, Kelly

9/18/2020, 12:46PM EDT

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Policy Area:	<i>Chapter 4 Academic Affairs</i>
References:	<i>Good Practice/Optional</i>

## AP 4022 Course Approval

The District will rely primarily upon the Academic Senate for all recommendations for new courses, changes or revision of courses, or other modifications of curriculum. These recommendations must be approved by the respective college curriculum committee, following all locally approved processes, prior to approval by the Board of Trustees and submission to the State Chancellor's Office as required.

By September 30 of each year, the District shall submit a certification to the State Chancellor's Office, verifying that the persons who will serve on the Curriculum *Advisory* Committee, and others who will be involved in the curriculum approval process at the college, have received training consistent with guidelines prescribed by the State Chancellor on stand-alone credit course approval and relevant regulations.

### Reference:

Title 5 Section 55100

### Attachments

[AP 4022 Course Approval- Comments](#)  
[AP 4022 Course Approval- Legal Citations](#)

Comment by Goodrich, Kelly

9/18/2020, 2:26PM EDT

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References:	<i>Legally Required</i>

## AP 4105 Distance Education

*(Replaces current SBCCD AP 4108)*

The Federal Regulations require districts to have processes in place to ensure that the student who registers in a distance education ~~or correspondence education~~ course or program is the same student who participates in and completes the program and receives academic credit. A district will meet this requirement if it follows the language below. Note that the Federal Regulations do not require districts to charge students fees associated with the verification of the student's identify. However, any district that does charge a fee, must notify the student in writing of the estimated amount of those fees in addition to a statement of the processes used to protect the student's privacy.

Consistent with federal regulations pertaining to federal financial aid eligibility, the District must authenticate or verify that the student who registers in a distance education or correspondence education courses is the same student who participates in and completes the course or program and receives the academic credit. The District will provide to each student at the time of registration, a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any.

The District shall utilize secure credentialing/login and password to authenticate or verify the student's identity.

The District Educational Coordinating Committee (DECC) shall establish procedures for providing a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any, to each student at the time of registration.

**Definition:** Distance Education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology.

**Course Approval:** Each proposed or existing course offered by distance education shall be reviewed and approved separately. Separate approval is mandatory if any portion of the instruction in a course or a course section is designed to be provided through distance education.

The review and approval of new and existing distance education courses shall follow the curriculum approval procedures outlined in Administrative Procedure 4020, Program and Curriculum Development. Distance education courses shall be approved under the same conditions and criteria as all other courses.

**Certification:** When approving distance education courses, the Board of Trustees will certify the following:

- **Course Quality Standards:** The same standards of course quality are applied to the distance education courses as are applied to ~~traditional classroom courses~~ in-person classes.
- **Course Quality Determinations:** Determinations and judgments about the quality of the distance education course were made with the full involvement of the curriculum committee approval procedures.

- **Instructor Contact:** Each section of the course that is delivered through distance education will include regular effective contact between instructor and students, as well as among students, either synchronously or asynchronously.
- **Addendum to Course Outline:** An addendum to the official course outline of record shall be made if any portion of the instruction of a new or existing course is provided through distance education. The addendum must be approved according to the District's curriculum approval procedures. The addendum must address the following:
  - How course outcomes will be achieved in a distance education mode;
  - How the portion of instruction delivered via distance education provides regular and effective contact between instructors and students; and
  - How the portion of instruction delivered via distance education meets the requirements of the Americans with Disabilities Act (ADA) and Section 508 of the Rehabilitation Act of 1973.
- **Duration of Approval:** All distance education courses approved under this procedure will continue to be in effect unless there are substantive changes of the course outline.

## References:

Title 5 Sections 55200 et seq.

34 CF Section 602.17 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);

ACCJC Accreditation Standard. II.A.1

## Attachments

[AP 4105 Distance Education - Comments](#)  
[AP 4105 Distance Education - Legal Citations](#)  
[AP 4105 Update #30.pdf](#)  
[AP4105-OLD.pdf](#)  
[Update 35 Overview.docx](#)

**Comment** by Gilbert, Jeremiah

2/14/2020, 7:31PM EST

Language added comes from Legal Update #35.

**Comment** by Goodrich, Kelly

9/18/2020, 2:31PM EDT

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Policy Area:	<i>Chapter 4 Academic Affairs</i>
References:	<i>Legally Required</i>

## BP 4105 Distance Education

*(Replaces current SBCCD BP 4108)*

In order to expand access and provide greater flexibility, the Chancellor is responsible for establishing standards for distance education programs. These programs will utilize current and new technologies to deliver quality educational opportunities and will facilitate the attainment of students' personal and academic goals.

All distance education programs will adhere to the same programmatic requirements as traditional classroom programs.

### References:

Title 5 Sections 55200 et seq.

### Attachments

[BP 4105 Distance Education - Comments](#)  
[BP 4105 Distance Education - Legal Citations](#)  
[BP4105-OLD.pdf](#)

Comment by Goodrich, Kelly

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References:	<i>Good Practice/Optional</i>

## AP 4220 Standards of Scholarship - Delegation

### Introduction

This procedure addresses standards of scholarship to include the following:

- A. Academic record symbols and grading practices;
- B. Credit by examination;
- C. Probation/Dismissal;
- D. Alleviating substandard work by course repetition;
- E. Academic renewal;
- F. Remedial Course Limit;
- G. Excess Units; and
- H. Course repetition absent substandard work.

These procedures shall be printed and described in each college catalog.

### I. Academic Record Symbols and Grading Practices (Title 5, 55022, 55023)

Refer to Administrative Procedure 4230 for the San Bernardino Community College District Grading and Academic Record Symbols.

### II. Credit by Examination (Title 5, 55050)

Each SBCCD college may grant credit to any student who satisfactorily passes an examination approved and conducted by an instructor in a specific discipline of the college. Such credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the college catalog as eligible for credit by examination. All regulations and procedures pertaining to credit by examination must be published in the college catalog.

Refer to Administrative Procedure 4235: Credit by Examination for further information.

### III. Probation/Dismissal (Title 5, 55030, 55031, 55032, 55033, 55034)

Refer to Administrative Procedure 4250: Probation and Administrative Procedure 4255: Disqualification & Readmission.

### IV. Alleviating Substandard Work by Course Repetition (Title 5, 55042)

The San Bernardino Community College District, per Title 5 regulations, permits students to repeat courses not designated as repeatable when the student has done substandard work defined as "D," "F," "FW," and/or "NP". Per Title 5, section 55042, a student may only repeat a course twice to alleviate substandard work. When repetition occurs, the following guidelines must be met:

- A. The permanent academic record shall be annotated in such a manner that all work remains legible, ensuring a true and complete academic history;
- B. Nothing shall be done to conflict with the Education Code and Title 5 regulations pertaining to the finality of grades assigned by instructors;
- C. Repetition may be permitted of any course taken in an accredited college or university for which substandard academic performance is recorded; when such courses are repeated for a maximum of two attempts, the previous grades and credit will be disregarded;
- D. Courses repeated will not carry additional unit credit.

In computing grade point averages, units attempted, units passed (if any) and grade point (if any) for previous attempts shall be excluded when the following conditions are met:

1. The student formally requests permission to repeat the course(s) using an Academic Exception Petition form from the Admissions and Records web page;
2. The request is in compliance with such additional requirements and limitations as the district may establish;
3. The request is approved by the college official designated (as noted on the repetition form); and
4. Single courses in which a grade of D, F, FW, and NP was received may be repeated in the district, upon submission of the "Academic Exception Petition" form (available on the Admissions and Records web page) to Admissions and Records. The new grade and units shall be substituted and the previous grade and credit will be disregarded in the computation of the cumulative grade point average and the transcript shall be so annotated.

When a course is repeated to alleviate a substandard grade or because a 'W' was received, per State apportionment the course may only be taken three (3) times maximum.

#### **V. Academic Renewal (Without Course Repetition) (Title 5, 55046)**

Refer to Administrative Procedure 4240: Academic Renewal.

#### **VI. Remedial Course Limit**

Per Title 5, section 55035, no student shall receive more than 30 semester units (or 45 quarter units) for remedial coursework. Remedial coursework is defined as "pre-collegiate basic skill instruction delivered in the non-degree applicable credit mode."

Students enrolled in one or more courses of English as a Second Language (ESL) and students identified by the district/colleges as having a learning disability (defined in section 56036) are exempted from the limitation on remedial coursework.

A student who has exhausted the unit limitation on remedial coursework may apply for a waiver for a specified period of time or for a specified number of units. Waivers will be granted to students who show significant, measureable progress toward the development of skills appropriate to his/her enrollment in college-level courses.

Also refer to Administrative Procedure 4222: Remedial Coursework.

### VII. Excess Units

Students may not carry more than 18 units at the SBCCD Colleges without prior approval. Students must obtain Counselor approval for enrollment in more than 18 units. Under no circumstances will a SBCCD College grant approval above 25 units for all SBCCD Colleges.

Granting approval for excess units should be the exception and not standard practice.

The maximum number of units for the Summer Session is 10.

### VIII. Course Repetition Absent Substandard Work (Title 5, 55040 thru 55044, 55253, 56029)

Refer to Administrative Procedure 4225, Course Repetition and Repeatable Courses.

## Reference:

CA Education Code Section 70902 [subdivision\(b\)\(3\) and \(d\)](#);

~~Title 5 Sections 55020 et seq., 55030 et seq., and 55040 et seq.~~

~~Education Code Sections 70902(d)~~

[Title 5 Section 51002](#)

## Attachments

[Legal Update 32 Overview Rev. 4-21-18.docx](#)

Comment by Torres, Maria

6/13/2018, 5:54PM EDT

4/24/18 Legal Update: AP 4220 Standards of Scholarship – Delegation – This procedure was updated to add legal citations Education Code Section 70902 subdivision (b)(3) and Title 5 Section 51002, and also update the note to list all matters identified by Title 5 as standards of scholarship.

Draft saved by Stat, Policy

9/18/2020, 3:20PM EDT

Draft saved by Goodrich, Kelly

9/18/2020, 4:13PM EDT

Comment by Goodrich, Kelly

9/18/2020, 4:14PM EDT

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## BP 4220 Standards of Scholarship - Delegation

*(Replaces current SBCCD BP 4220)*

The Chancellor is responsible for establishing procedures that delineate the standards of scholarship consistent with the provisions of Title 5 Sections 55020 et seq., 55030 et seq., 55040 et seq., ~~55050 et seq.~~, and Board policy.

These procedures shall address: grading practices, academic record symbols, grade point average, credit by examination, academic and progress probation, academic and progress dismissal, academic renewal, course repetition, limits on remedial coursework, and grade changes.

These procedures shall be described in the college catalogs.

### References:

Education Code Section 70902 subdivision(b)(3);

Title 5 Sections 51002, 55020 et seq., 55031 et seq., ~~and~~ 55040 et seq., and 55050 et seq.

### Attachments

[BP 4220 Standards of Scholarship - Comments](#)  
[BP 4220 Standards of Scholarship - Legal Citations](#)  
[BP4220 -OLD.pdf](#)  
[Legal Update 32 Overview Rev. 4-21-18.docx](#)

**Comment** by Torres, Maria

6/13/2018, 5:36PM EDT

4/24/18 Legal Update: BP 4220 Standards of Scholarship – This policy was updated to include legal citations Title 5 Sections 51002 and 55050 et seq.

**Draft saved** by Goodrich, Kelly

9/18/2020, 4:27PM EDT

**Comment** by Goodrich, Kelly

9/18/2020, 5:04PM EDT

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## AP 4231 Grade Changes

~~(Replaces current SBCCD AP 4234)~~

- ~~From current SBCCD AP 4234 titled Grade Changes~~

### Changing Grades

~~The instructor of the course shall determine the grade to be awarded to each student. The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetence.~~ The instructor of the course shall determine the grade to be awarded to each student. The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetence.

No individual or group, whether acting on a grievance or in some other manner, has the authority to change a grade determined by an instructor unless persuasive evidence is presented by the student in accordance with the provisions as outlined in the law.

Accordingly, students are advised not to initiate an appeal involving grades unless it is accompanied by persuasive evidence of mistake, fraud, bad faith, or incompetence. "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors. "Fraud" may include, but is not limited to, inaccurate recording or change of a grade by any person who gains access to grade records without authorization. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.

The removal or change of an incorrect grade from a student's record shall only be done pursuant to Education Code ~~Section~~Section 76232 or by an alternative method that ensures that each student shall be afforded an objective and reasonable review of the requested grade change.

If the procedure requires that a student first request a grade change from the instructor, provisions shall be made to allow another faculty member to substitute for the instructor if the student has filed a discrimination complaint, if the instructor is not available or where the District determines that it is possible that there may have been gross misconduct by the original instructor.

In the case of fraud, bad faith, or incompetency, the final determination concerning removal or change of grade will be made by the College President after consultation with the President of the Academic Senate or his/her designee.

In all cases, the instructor who first awarded the grade will be given written notice of the change.

~~Grades will not be changed for any reason or under any circumstances after 36 months from the end of the~~



~~term in which the grade was assigned.~~

## Security of Grade Records

The District shall implement security measures for student records that assure no person may obtain access to student grade records without proper authorization. These measures shall be installed as part of any computerized grade data storage system.

The measures implemented by the District shall include, but not necessarily be limited to, password protection for all student grade databases, locking mechanisms for computer stations from which student grade databases can be viewed, and strict limits on the number of persons who are authorized to change student grades.

Persons authorized to change grades shall be designated by the Vice President of Student Services. No more than five District employees may be authorized to change student grades. Only regular full-time employees of the District may be authorized to change grades. Student workers shall not have access to grade records, and student workers may not change grades at any time.

Any person who discovers that grades have been changed by someone other than the persons authorized to do so shall notify the Vice President of Student Services immediately. The Vice President of Student Services shall immediately take steps to lock the grade storage system entirely while an investigation is conducted.

If any student's grade record is found to have been changed without proper authorization, the District will notify 1) the student; 2) the instructor who originally awarded the grade; 3) any educational institution to which the student has transferred; 4) the accreditation agency; and 5) appropriate local law enforcement authorities.

Whenever a grade is changed for any reason, corrected transcripts will be sent to any educational institution to which a student has transferred.

Any student or employee who is found to have gained access to grade recording systems without proper authorization, or who is found to have changed any grade without proper authority to do so, shall be subject to discipline in accordance with District policies and procedures.

Any person who is found to have gained access to grade recording systems without proper authorization, or who is found to have changed any grade without proper authority to do so, shall be reported to the appropriate law enforcement agency having jurisdiction over the college where the incident occurred.

**~~NOTE:~~** ~~The District may insert procedures related to processes for seeking grade changes, time limits, if any, and appeals to the Chancellor. Suggested procedures for doing so are contained in AP 5530 titled Student Grievance Procedures.~~

Also see BP 3310: ~~titled~~ Records Retention and Destruction ~~and~~ BP/AR **AP** 5040: ~~titled~~ Student Records ~~and~~ **BP/AP 5530 titled Student Grievance Procedures.**

## References:

Education Code Sections 76224, ~~and~~ **and** 76232;  
Title 5, Section 55025

## Attachments

[AP 4231 Grade Changes - Comments](#)  
[AP 4231 Grade Changes - Legal Citations](#)  
[AP4231-OLD.pdf](#)

**Comment** by Goodrich, Kelly

9/15/2020, 6:11PM EDT

Updated to match CCLC language; added reference to BP/AP 5530 Student Rights and Grievances.

DRAFT



Current Status: *Draft*

PolicyStat ID: 8598882



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Next Review:	N/A
Owner:	<i>Academic Senates Academic Senates</i>
Policy Area:	<i>Chapter 4 Academic Affairs</i>
References:	<i>Legally Required</i>

## BP 4231 Grade Changes

*(Replaces current SBCCD BP 4234)*

**NOTE:** *The language in current SBCCD BP 4234 reflects the **legally required***

• **From current SBCCD BP 4234 titled Grade Changes**

The Chancellor shall implement procedures to assure the accuracy and integrity of all grades awarded by faculty. The procedures shall include, but not necessarily be limited to, the following:

- Assurance that in the absence of mistake, bad faith, fraud, or incompetence, the grades awarded by faculty shall be final.
- Procedures for students to challenge the correctness of a grade.
- The installation of security measures to protect grade records and grade storage systems from unauthorized access.
- Limitations on access to grade records and grade storage systems.
- Discipline for students or staff who are found to have gained access to grade records without proper authorization or to have changed grades without proper authorization.
- Notice to students, faculty, transfer institutions, accreditation agencies, and law enforcement agencies if unauthorized access to grade records and grade storage systems is discovered to have occurred.

Also see BP 3310 titled Records Retention and Destruction, AP ~~4234~~~~4231~~4231 titled Grade Changes, ~~and~~ BP/AP 5040 titled Student Records and BP/AP 5530 titled Student Rights and Grievances.

## References:

Education Code Sections 76224 and 76232;  
Title 5, Section 55025

## Attachments

[BP 4231 Grade Changes - Comments](#)  
[BP 4231 Grade Changes - Legal Citations](#)  
[BP4231-OLD.pdf](#)

Comment by Goodrich, Kelly

9/15/2020, 6:10PM EDT

Minor clerical update and addition of reference to BP/AP 5530.

**Comment** by Goodrich, Kelly

9/18/2020, 5:03PM EDT

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10-06-2020 District Assembly 1st Read

DRAFT

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Policy Area:	<i>Chapter 4 Academic Affairs</i>
References:	<i>Good Practice/Optional</i>

## AP 4235 Credit for Prior Learning

(Replaces current SBCCD AP 4235)

Credit ~~by Examination~~ for Prior Learning may be obtained by one of the following methods:

- Achievement of a score of 3 or higher on an Advanced Placement Examination administered by the College Entrance Examination Board.
- Achievement of a score that qualifies for credit by examination in the College Level Examination Program (CLEP).
- Credit by satisfactory completion of an examination administered by the college in lieu of completion of a course listed in the college catalog.
- Achievement of an examination administered by other agencies approved by the college.
- Assessment approved or conducted by proper authorities of the college.

Credit may be awarded for prior experience or prior learning only for individually identified courses with subject matter similar to that of the individual's prior learning, and only for a course listed in the catalog of the community college. Award of credit may be made to electives for students who do not require additional general education or program credits to meet their goals.

Determination of Eligibility to ~~Take the~~ Receive Credit by Examination:

- The student must be currently registered in the college and in good standing.
- The student must have completed 12 units at the college.
- The course is listed in the college catalog.
- Credits acquired by examination are not applicable to meeting of such unit load requirements as Selective Service deferment, Veteran's or Social Security benefits.

Credits acquired by ~~examination~~ assessment shall not be counted in determining the 12 semester hours of credit in residence required for an Associate degree.

### Eligibility

~~The Credit by Examination option is available to students who are currently enrolled and have completed 12 units or more at the college where the credit is to be earned. This requirement may be waived for permanent employees of the District. Eligibility for credit by examination is determined by faculty in the appropriate discipline and the appropriate administrator(s).~~

#### A. Administration

~~Upon filing of the application, the student will be directed to the appropriate instructor who will determine~~

~~and administer the examination(s). The grade(s) earned on the examination(s) will be the final grade reported for the course. Such grade will be consistent with the grading system of the college.~~

**B. Notation to Record**

~~The student's permanent record shall be clearly annotated to reflect that credit was earned by examination.~~

**C. Financial Aid**

~~Credits earned through credit by examination are not eligible for financial aid.~~

**D. Waivers**

~~The 12-unit residency rule may be waived by the Vice President of Instruction for special circumstances on a case-by-case basis. A specific request and review of the circumstances must be presented in writing by the person(s) requesting the waiver.~~

~~In the case of Tech Prep students who are requesting credit for an approved, articulated high school course, the 12-unit residency rule is waived.~~

**NOTE: Additional local procedures may be inserted, which must include:**

- **Procedures for students to attain credit for prior learning that includes credit by examination, evaluation of Joint Services Transcripts, evaluation of student-created portfolios, evaluation of industry-recognized documentation, and standardized exams.**
- **The student's academic record clearly indicates that the credit was earned by assessment of prior learning.**
- **Limits on the number of units that may be applied to the Associate degree.**
- **Other limits on student and course eligibility for credit by examination.**
- **Procedures that require that a student, upon completion of his/her educational plan pursuant to Education Code Section 78212, shall be referred to the college's appropriate authority for assessment of prior learning if the student is a veteran or an active-duty member of the armed forces, holds industry-recognized credentials, or requests credit for a course based on their prior learning.**
- **An opportunity for students to accept, decline or appeal decisions related to the award of credit, and in the cases of credit by exam, pursuant to Title 5 Sections 55021 and 55025.**

## Reference:

Education Code Section 79500; Title 5 Sections 55050 and 55052

## Attachments

[AP 4235 Credit By Examination - Comments](#)  
[AP 4235 Credit By Examination - Legal Citations](#)  
[AP4235 -OLD.pdf](#)  
[Legal Update 36.docx](#)  
[SBCCD - Overview for Legal Update 31 Final Version.docx](#)

11/8/18 BOT 1st reading  
12/13/18 BOT 2nd reading

**Draft saved** by Stat, Policy

9/9/2020, 9:25PM EDT

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**Comment** by Stat, Policy

9/9/2020, 9:27PM EDT

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Legal Update #36

This procedure was updated and retitled to “Credit for Prior Learning” to reflect changes in Title 5 Section 55050. This procedure also identifies new local procedures that must be added to meet credit for prior learning requirements.

**Comment** by Goodrich, Kelly

9/18/2020, 5:26PM EDT

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10-06-2020 DA 2nd Read

DRAFT

Current Status: *Draft*

PolicyStat ID: 8570198



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Policy Area:	<i>Chapter 4 Academic Affairs</i>
References:	<i>Legally Required</i>

## BP 4235 Credit for Prior Learning

(Replaces current SBCCD BP 4235)

Credit may be earned by students who satisfactorily pass ~~authorized examinations~~an assessment. The Chancellor ~~is responsible for establishing~~shall establish administrative ~~regulations~~procedures to implement this policy.

### Reference:

Title 5 Section 55050

### Attachments

[BP 4235 Credit by Examination - Comments](#)  
[BP 4235 Credit by Examination - Legal Citations](#)  
[BP4235 -OLD.pdf](#)  
[Legal Update 36.docx](#)

**Comment** by Stat, Policy

2/19/2019, 7:08PM EST

11/8/18 BOT 1st reading  
 12/13/18 BOT 2nd reading

**Comment** by Stat, Policy

9/9/2020, 9:28PM EDT

Legal Update #36

This policy was updated and retitled to "Credit for Prior Learning" to reflect changes in Title 5 Section 55050.

**Draft saved** by Stat, Policy

9/9/2020, 9:29PM EDT

**Comment** by Goodrich, Kelly

9/18/2020, 5:28PM EDT

10-06-2020 DA 2nd Reading



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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 overnment Code sections.

### Attachments

[A: AP 2431 Chancellors Selection - Comments](#)

[B: AP 2431 Chancellors Selection - Legal Citations](#)

Comment by oodrich, elly

9/15/2020, 55PM EDT

Revised based on direction of 9/11/2020 BAC.



Current Status: Draft

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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](#)

**Draft saved** by Stat, Policy

9/29/2020, 4:48PM EDT

**Comment** by Stat, Policy

9/29/2020, 4:52PM EDT

The BP with increase was submitted and approved in error. The compensation is reverting back to the original amount of \$400 (BOT) and \$200 (student trustees).



Current Status: *Draft*

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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](mailto: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](#)

**Comment** by Torres, Jose: Document Owner - Chapter 6

9/10/2020, 4:33PM EDT

Legal Update (Summer 2020)

This procedure was created to address the requirements of the new Title IX regulations.

**Comment** by Goodrich, Kelly

9/18/2020, 7:32PM EDT

10-06-2020 DA FYI Only - Legal Update

Current Status: Draft

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Owner:	Chancellor's Cabinet
	Chancellor's Cabinet:
Policy Area:	Chapter 3 General Institution
References:	Legally Required

## 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](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.

### **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:
  - 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;
  - 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](#)

**Draft saved** by Goodrich, Kelly

7/30/2020, 6:16PM EDT

**Draft saved** by Stat, Policy

9/10/2020, 4:56PM EDT

**Comment** by Goodrich, Kelly

9/18/2020, 7:15PM EDT

10-06-2020 DA Info Only

Legal Update - Special Summer 2020

This procedure was revised to remove all requirements regarding sexual harassment under Title IX and leave discrimination and other forms of harassment.

Current Status: *Draft*

PolicyStat ID: 8613727



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:	<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](#)

**Comment** by Torres, Maria

6/13/2018, 5:47PM EDT

4/24/18 Legal Update: AP 3560 Alcoholic Beverages – This procedure was updated to add a new exception to the prohibition on alcoholic beverages on school grounds for beer that is produced in a brewery owned or operated as part of an instructional program in brewing.

**Draft saved** by Goodrich, Kelly

9/18/2020, 12:58PM EDT

**Comment** by Goodrich, Kelly

9/18/2020, 12:59PM EDT

10-06-2020 DA Info

Updated per Legal Update 36:

This procedure was updated to add hotel management and culinary arts instruction as programs where a student, 18 years of age or older, may taste alcoholic beverages on campus.

Current Status: *Draft*

PolicyStat ID: 8613813



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:	<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](#)

**Draft saved** by Goodrich, Kelly

9/18/2020, 1:09PM EDT

**Comment** by Goodrich, Kelly

9/18/2020, 1:10PM EDT

10-06-2020 DA Info  
Minor Clerical Update Only



# MEASURE CC

BUILDING NEW OPPORTUNITIES FOR  
OUR STUDENTS & OUR COMMUNITY

## **District Assembly Update**

### **OVERVIEW**

Measure CC was approved by voters in November 2018 and will generate \$470 million in local funding to ensure our community has structurally safe and quality classrooms, STEM Labs, and workforce training facilities at Crafton Hills College and San Bernardino Valley College.

### **PROJECT LIST**

As approved by the Board of Trustees on May 14, 2020 the Measure CC project list is as follows:

#### **San Bernardino Valley College (SBVC)**

- Career Pathways 1 (New Construction) Technical Building Replacement
- M&O Repurposing
- New Softball Field
- Student Services & Instructional Building (New Construction) – LA Replacement
- Admin Building and Campus Center Repurposing
- Career Pathways 2 (New Construction)
- Physical Science, Health Life & Safety Building Secondary Effect
- Campus Wide Infrastructure (14 projects)

#### **Crafton Hills College (CHC)**

- Crafton Hall Renovation
- Student Support Building Renovation
- Gymnasium Demolition
- East Valley Public Safety Training Center (New Construction)
- East Instructional Building (New Construction)
- Central Complex 2 Renovation
- Child Development Center Renovation
- Existing PAC Demo
- New PAC Building
- Campus Wide Infrastructure (9 projects)



## PROJECT HIGHLIGHTS

### SBVC

- Completed design for the Technical Building and construction is scheduled to start in Summer 2021.
- Library Roof Replacement construction will be completed by the end of the year 2020.
- New softball field design is underway, construction will begin next year 2021.



*Renderings of the New Technical Building*

### CHC

- Exterior Lighting project will begin construction in October 2020.
- Gym Demolition will begin by the end of the year 2020.
- Programing and planning have started for the East Valley Public Training Center.
- PAC programming has been completed; design will start before the end of the year 2020.



*Location of new Performing Arts Center*

### DISTRICT

- Zero Net Energy (ZNE) Implementation Plan consultant has been procured.
- Underground utility mapping, aerial survey and utility master plan is completed



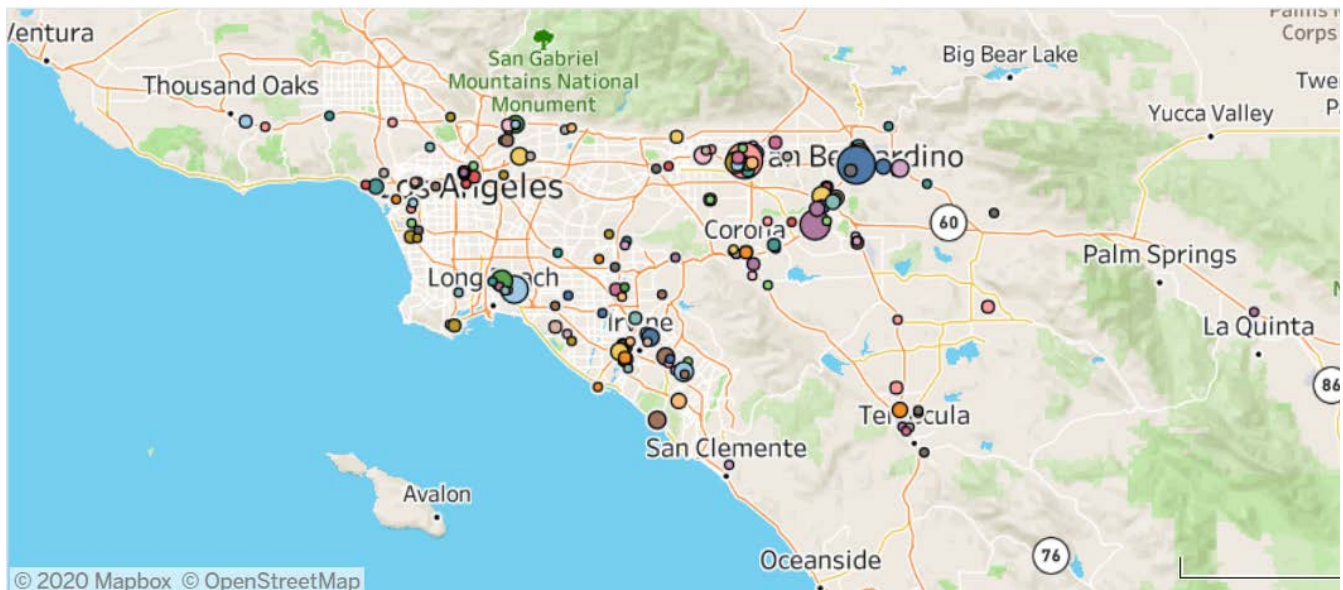


### **LOCAL BUSINESS, MINORITY, AND VETERAN OWNED ENTERPRISE PROGRAM (BP 6610)**

An important part of Measure CC includes providing opportunities for local business. Board Policy 6610 is intended to promote participation of Local Businesses. Local is defined as San Bernardino and Riverside County. To date \$9.1M has been awarded to local businesses.

- \$5.1M Architect and Engineering services for the Technical Building at San Bernardino Valley College
- \$1.5M to local contractors
- \$2.5M to local professional services firms

The map below highlights professional services firms who bid to enter prequalified professional services pools for Measure CC projects. The larger size of the circle equates to the number of pools a firm proposed to participate in. There are 8 professional services pools. They include: landscape architects, commissioning, hazardous materials, special inspections and material testing, civil engineering, architects & engineers, geotechnical, mechanical, electrical, and plumbing. 70% of professional services firms are local.



More information on Measure CC can be found at [www.sbccd.edu/MeasureCC](http://www.sbccd.edu/MeasureCC)



**FINANCIAL OVERVIEW**

Project	Original Budget	Current Budget	Pending Budget	Projected Budget	Contracted	Expended To Date
<b>Crafton Hills College</b>						
Campus-Wide Infrastructure CHC (DBB)	\$1,733,529	\$1,733,529	\$9,429,291	\$11,162,820	\$119,535	\$45,618
Central Complex 2 Renovation (D/B)	\$16,132,016	\$16,132,016	-	\$16,132,016	\$30,000	\$25,500
Child Development Center Renovation (DBB)	\$3,548,697	\$3,548,697	-	\$3,548,697	-	-
Crafton Hall Renovation (SSC) (DB)	\$3,891,308	\$3,891,308	-	\$3,891,308	-	-
East Instructional Building (D/B)	\$50,859,747	\$50,859,747	-	\$50,859,747	-	-
East Valley Public Safety Training Center (DBB)	\$8,897,402	\$8,897,402	-	\$8,897,402	-	-
Gym Demolition and Parking (DBB)	\$3,118,974	\$3,118,974	-	\$3,118,974	-	\$61,020
New Performing Arts Center	\$38,323,087	\$38,323,087	-	\$38,323,087	-	-
Performing Arts Center - Demolition	\$8,970,695	\$8,970,695	-	\$8,970,695	-	-
Student Support Building Renovation (SSB)	\$2,076,377	\$2,076,377	-	\$2,076,377	-	-
<b>Crafton Hills College</b>	<b>\$137,551,832</b>	<b>\$137,551,832</b>	<b>\$9,429,291</b>	<b>\$146,981,123</b>	<b>\$149,535</b>	<b>\$132,138</b>
<b>San Bernardino Community College District Wide</b>						
District-Wide	\$4,240,649	\$4,240,649	-	\$4,240,649	\$1,824,186	\$1,612,429
District/Campus Student Information System	\$2,000,000	\$2,000,000	-	\$2,000,000	-	-
Program Contingency	\$20,000,000	\$20,000,000	-	\$20,000,000	-	-
Program Expenses	\$33,484,865	\$33,484,865	-	\$33,484,865	\$1,174,500	\$2,394,115
SBVC Land Acquisition	-	-	\$38,000,000	\$38,000,000	-	-
<b>San Bernardino Community College District Wide</b>	<b>\$59,725,514</b>	<b>\$59,725,514</b>	<b>\$38,000,000</b>	<b>\$97,725,514</b>	<b>\$2,998,686</b>	<b>\$4,006,544</b>
<b>San Bernardino Valley College</b>						
Administration & Campus Center (DB)	\$8,370,960	\$8,370,960	-	\$8,370,960	-	-
Campus-Wide Infrastructure SBVC (DBB)	\$30,623,645	\$30,623,645	-	\$30,623,645	\$4,400	\$67,296
Career Pathways Phase 2 (DB)	\$83,828,801	\$83,828,801	-	\$83,828,801	-	-
Instructional & Student Services Building (DB)	\$98,057,663	\$98,057,663	-	\$98,057,663	\$35,000	\$35,000
M&O Repurposing (DBB)	\$1,404,645	\$1,404,645	-	\$1,404,645	-	-
Physical Sciences & Health and Life Science (DBB)	\$4,205,151	\$4,205,151	-	\$4,205,151	-	-
Softball Field	\$5,841,005	\$5,841,005	-	\$5,841,005	-	-
Technical Building Replacement (DBB)	\$101,396,493	\$101,396,493	-	\$101,396,493	\$5,224,161	\$3,283,403
<b>San Bernardino Valley College</b>	<b>\$333,728,363</b>	<b>\$333,728,363</b>	<b>-</b>	<b>\$333,728,363</b>	<b>\$5,263,561</b>	<b>\$3,385,699</b>
<b>GRAND TOTAL</b>	<b>\$531,005,709</b>	<b>\$531,005,709</b>	<b>\$47,429,291</b>	<b>\$578,435,000</b>	<b>\$8,411,782</b>	<b>\$7,524,381</b>

In June 2020 bonds were refinanced yielding a savings of \$19.6 million to local taxpayers.





Report provided by: Brandi Bailes

CHC AS had a special meeting to review the budget and give feedback. Special thanks to Mike Strong for a stellar presentation.

The next CHC AS meeting will be 10/7. We will be discussing the following:

- Emergency Remote Instruction
- Economic Development and Corporate Training (EDCT)
- Synchronous Expectations for Spring Instruction
- Faculty Evaluation Guidelines During COVID-19
- Abbreviation Clarity in Spring Schedule
- 75/25 VS FON
- Resolution Denouncing White Supremacy, Systemic Racism, and White Privilege (This may be moved to the 10/21 agenda)



## **SBVC CLASSIFIED SENATE REPORT**

District Assembly

October 06, 2020

The Classified Senate of San Bernardino Valley College has been working with other constituent groups in preparation for the ACCJC Accreditation visit. We recently approved the rescheduling of the October SBVC Classified Senate general meeting from Friday October 09, 2020 to Monday October 12, 2020 to allow for the Accreditation Team to observe the processes.

We have instituted a monthly Open Forum to allow the classified membership to express ideas for upcoming agenda topics within the SBVC Classified Senate purview of collegial consultation. This less formal meeting allows for a free flow of ideas that has enhanced the understanding of perspectives held by the membership.

The Senate has made great strides to improve committee representation, policy and procedure review, leadership training, and membership participation while emphasizing the obligation of transparency in decision-making. We have enhanced our agendas by including constituent reports from SBVC Campus Committees along with the inclusion of additional reports of the District shared governance committees.

We have responded to requests to have all constituent group leaders include DA (District Assembly) and DBC (District Budget Committee) as standing/recurring items on their agendas to help improve communication and transparency districtwide. The SBVC Classified Senate has united with the President's Office and the Academic Senate in promoting the addition of Equity and Inclusion topics concentrating on strategic goals and outcomes on future agendas.

Respectfully,

John P Feist | Technology Support Specialist II

[President – SBVC Classified Senate](#)

## District Assembly Report from District Wide Safety Committee

Recent topics of discussion:

- Safety Concerns regarding COVID-19 response and Plan for reopening.
  - There was discussion about COVID and one of the main issues discussed was the lack of direction at SBVC from facilities regarding appropriate signage on the campus. Mr. Stark was not available for comment. CHC on the other hand was seen as the example other sites should follow. Mr. Strong provided samples of COVID-19 relates signs posted on campus.
  - The official “Campus Safety Plan” (Draft) was not brought to DWSC but was discussed at the campus level at CHC.
- District Police Report
  - Chief Jackson spoke about the growing concern regarding the increased use of manpower at the “highland” district property, which is vacant at this time.
- Injury reporting protocols
  - We wanted to discuss the appropriate channels used for injury reporting. It was determined only employee injured were being reported. This would exclude the vast majority of individuals whom come on campus (ie. Students, visitors, contractors) – This was a huge shock. A conversation involving District EH&S, HR and DWSC Chair came to the conclusion a separate process should be included into the Injury and Illness Prevention Program that would also report on all other persons whom may be injured on any district site.
- Revision of Campus safety plans (Updates)
  - CHC: Mr. Strong updated the committee that all safety plan updates were put on hold due to COVID but would be resuming soon.
  - SBVC: Mr. Stark not available for comment.
- District Safety training
  - Mr. Nguyen provided an update regarding safety training for all district personnel, and as a whole we are doing very well and nearly all personnel have completed necessary safety training.
- Job Hazard Analysis
  - This process was placed on hold due to COVID.
- Evacuation Drill
  - Due to campuses mostly being closed there may or may not be a evacuation drill this October but if it is feasible Mr. Walker will coordinate the event with both Campus VP’s.
- Concerns:
  - We have had a decrease in attendance from certain constituency groups and would like to see fair representation for all.

Prepared by Dave Stevenson DWSC Chair (28 Sept 2020)

# Lessons Learned: Forums on Race, Healing & Action

# By the numbers

5

**Districtwide  
Forums**

June 6, 22, 29  
July 6, 13

271

**Participants  
Districtwide**

2,710

**Aggregate Hours Contributed  
By Participants**

# 5 Discussion Questions

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1. What are you feeling right now?
2. How are you managing stress?
3. What is SBCCCD doing well to address racism?
4. What can SBCCCD do better to address issues of systemic racism within our organization? Within our communities?
5. What training and tools do you need to address issues of systemic racism within our organization? Within our communities?

# What are people feeling right now?

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**Frustrated**



**Angry**



**Difficulty  
sleeping**



# How are people managing stress?



**Less news**



**Walking**



**Connecting with loved ones**

# Lessons Learned

# Lessons Learned

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1. Need for continued action
2. Value our shared humanity
3. Importance of allies in combating racism
4. Watch for microaggressions
5. Mandatory training vs. districtwide values



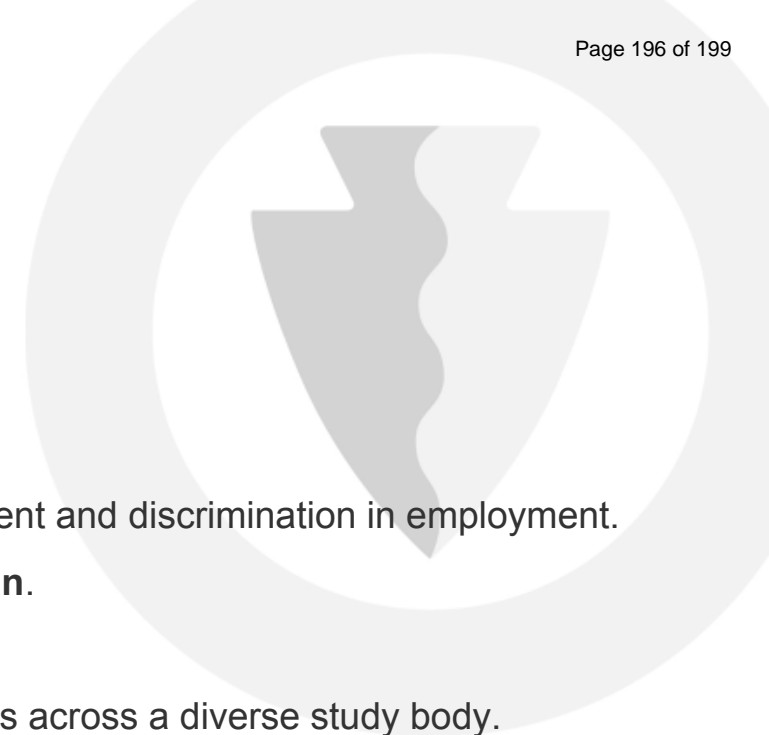
# Continuing The Momentum

# First next steps...

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1. Continuously report out actions taken to promote equity
2. Enhance professional development training
3. Align efforts with USC's California Community College Equity Alliance
4. Reviewing hiring practices to promote diversity
5. Support the work of academic senates to review curriculum through an equity lens
6. Strengthen BP/AP 7100: Commitment to diversity

# AP 7100: Commitment to Diversity



The District demonstrates its commitment to diversity by:

- **Complying with all federal, state, and local laws** and regulations regarding equal employment and discrimination in employment.
- Maintaining and abiding by the provisions of the District **Equal Employment Opportunity Plan**.
- Maintaining and abiding by the provisions of the **Student Equity Plan**.
- **Employing qualified administrators, faculty and staff** who are dedicated to student success across a diverse study body.
- **Recruiting and retaining faculty and staff** that reflect the diversity of the communities within the District.
- Fostering participation and **respect for differences**.
- Providing **professional development opportunities** for faculty and staff, related to equity, inclusion, and diversity.
- **Designating specific persons within the District** who are given positional authority and responsibility for consultation, oversight, and decision-making with regard to equity, inclusion, and diversity.
- Identifying and **correcting barriers** within organizational systems.
- Facilitating opportunities that result in effective and **meaningful participation**.
- Creating ideas and **solutions built on a range of perspectives**.

# Q&A

## Lessons Learned: Forums on Race, Healing & Action



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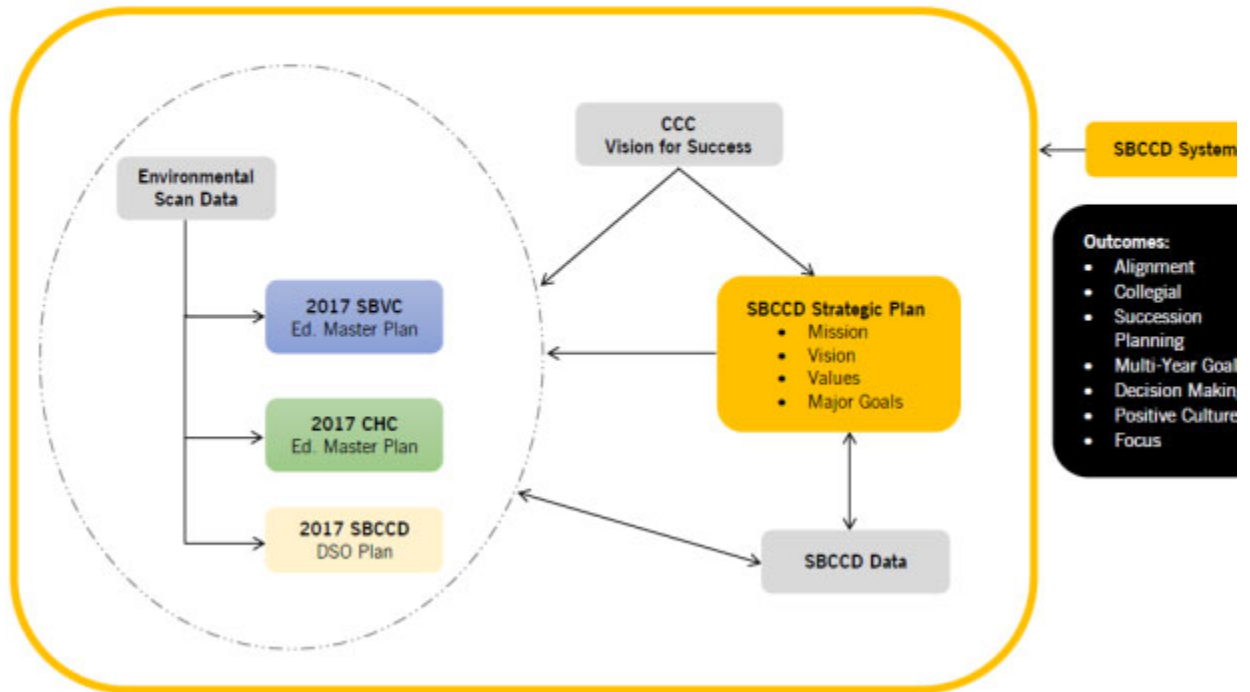
**From:** St. Jean, Cynthia  
**Sent:** Thursday, September 3, 2020 7:44 AM  
**To:** Confidential Employees  
**Cc:** Horan, Kevin  
**Subject:** District Assembly Update  
**Attachments:** District Assembly PPT Accreditation Sept 2020.pptx; 9-1-20 DA agenda.pdf; 2020-09-01 District Assembly Meeting Minutes.pdf; Confidential Handbook 09-01-20.pdf; BP 7150 Evaluation.pdf; BP 7240 Confidential Employees.pdf; AP 7240 Confidential Employees.pdf

Good Morning all: We had our first District Assembly meeting for this academic year on 09-01-20. I have attached the agenda, the draft minutes, the Accreditation Report from the Vice Presidents and several AP and BPs discussed below. As your District Assembly rep, I am tasked with sending out the information to my constituency group for review and share any input received with District Assembly for further discussion.

- Interim Chancellor Torres gave a report:
  - Reminding everyone the importance of communicating information to constituent groups
  - Budget Update – The District Budget Committee has included a best, middle and worst case scenarios in anticipation of the state’s final budget. All scenarios include a hiring freeze and no layoffs or furloughs. The recommendation being presented to the Board of Trustees at the September meeting uses the middle case scenario. Adjustments will be made as additional economic data becomes available.
  - Roadmap for Student Success – Jose explained that we have multiple sets of goals that overlap: The District has four goals: 2020-21 Board Strategic Directives; Vision for Success Goals adopted in 2019, Institutional Values (Board Imperatives) and goals identified during the Ed Master Plan process. The roadmap will result in a SBCCD system that will provide a cohesive set of goals that will provide outcomes such as goal alignment, multi-year goals, a system that promotes collegial consultation, succession planning, targeted decision making, positive culture and continues to focus on increasing student success.



## Planning our Roadmap for Student Success



- Promise Cohort #3 – Chancellor’s Cabinet is forming a task force to conduct a mid-year review of the Free College Promise. Funding is an issue and they will be looking at the academic progress of our Promise students.
- Approval of APs and BPs for 1<sup>st</sup> Read: I have attached the agenda so you have a complete list of those APs and BPs to be discussed at our next meeting. Please note there are a few APs and BPs that are related to confidential employees included in this list. Please look these over and if you have any feedback/input or comments, please send to me:
  - BP 7150 Evaluation (edited to include confidential employees)
  - AP 7240 Confidential Employees (most of these is moved to the Confidential Handbook)
  - BP 7240 Confidential Employees (Struck text referencing other AP/BPs as it is addressed in Confidential Handbook)
- There was an information item
  - Confidential Group Handbook (attached). This is a living document. District Assembly is receiving it for information only. It can revised at any time. It does not go to board for approval. If you have any questions or comments, please let our confidential reps Stacey Nikac and Heather Ford know so they can pursue.
- There was no old business so no APs or BPs were approved for final read.
- Meeting went long so all updates and reports were tabled until next meeting with the exception of a brief report from Vice President Dina Humble on the accreditation report (attached).

Thanks,



**Cyndie St. Jean** | Executive Administrative Assistant  
 President's Office  
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 Office: 909-389-3201