



San Bernardino Community College District
POLICIES & PROCEDURES ADVISORY
COMMITTEE (PPAC)
March 11, 2024
3:00 pm-4:30 pm Pacific Time

MEETING AGENDA

Via Zoom: <https://cccconfer.zoom.us/j/91470895848>
Or Dial-In: 669-900-6833 | Meeting ID: 914 7089 5848

A. Welcome & Introductions

Kristina Hannon and Jose Torres, Co-Chairs

B. Approval of Minutes

1. Confirmation of Quorum
2. February 26, 2024

C. Review of Constituent Feedback on Level 2 Items from 2/26/2024

Items are scheduled to appear on the 4/11/2024 BOT agenda.

1. 3420 Equal Employment Opportunity
2. 7145 Personnel Files
3. 7230 Classified Employees

D. Review of Constituent Feedback & Initial Academic Senate Input on Level 3 Items from 2/26/2024

Items are scheduled for a second Academic Senate Review before moving to the BOT agenda.

1. 2510 Participation In Local Decision
2. 4015 District Course Enrollment Philosophy
3. 4105 Distance Education
4. 4300 Field Trips and Excursions
5. 5015 Residence Determination
6. 5040 Student Records, Directory Information, and Privacy
7. 5300 Student Equity
8. 7120 Recruitment & Hiring
9. 7210 Academic Employees
10. 7216 Academic Employees - Grievance Procedure

E. Review of Input from Academic Senate Final Review of Level 3 Items

These items are scheduled to appear on the 4/11/2024 BOT agenda.

1. 2410 Board Policies & Administrative Procedures
2. 5050 Student Success and Support Program

F. New Chapter Lead Recommendations - Level 1

Committee to indicate any concern with assigned review level.

1. 2712 Conflict of Interest Code

G. New Chapter Lead Recommendations - Level 2

1. 6200 Budget Preparation

H. New Chapter Lead Recommendations - Level 3

1. 4225 Course Repetition
2. 4232 Pass-No Pass
3. 4235 Credit for Prior Learning
4. 4236 Advanced Placement Credit
5. 5420 Associated Students Finance

I. Adjournment & Next Meeting

The next PPAC meeting is scheduled for Monday, April 8, 2024, at 3:00 p.m.



Policies & Procedures Advisory Committee
Meeting Minutes – February 26, 2024, 3:00 p.m.
 Via Zoom: <https://cccconfer.zoom.us/j/91470895848>
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A. Welcome & Introductions

Kristina Hannon brought the meeting to order shortly after 3:00 p.m. Self-introductions were informally made for new SBVC Academic Senate Representative Lisa Henkle and those serving as proxy for other representatives who were unable to attend. In addition, incoming SBVC Academic Senate President Andrea Hecht joined the meeting to observe. Kristina and Jose Torres went over the AP 2410 review process for the benefit of the new people. Committee members were reminded that Chapter Leads were always available to attend constituent group meetings and discuss any concerns.

B. Approval of Minutes

1. Confirmation of Quorum

Quorum was confirmed.

2. Approval of Minutes from December 11, 2023

Christopher Crew made a motion, which Rejoice Chavira seconded, to approve the minutes. The motion was passed by a majority vote.

C. Legal Update 43

1. Overview
2. Link to Board Policies Changes
3. Link to Administrative Procedures Changes

Committee members were apprised of Legal Update 43 and provided links to the CCLC revisions based on changes in the law. Kristina cautioned the group that some P&Ps affected by statute changes might be submitted for approval to make the necessary legal change while still undergoing further review and revision by staff. This enables SBCCD to stay in compliance.

D. Review of Input from Academic Senate Final Review

Jose went over the diagrams for each review level per AP 2410 (pages 42-45 of the meeting materials). Kelly Goodrich shared Davina Burns-Peters' email indicating that the SBVC Academic Senate had a vote of support for these items.

1. 4222 Remedial Coursework
2. 5011 Admission and Concurrent Enrollment
3. 5030 Fees
4. 5700 Intercollegiate Athletics

Following a discussion on each of the recommendations in this section, Kelly made a motion to approve them through to the next step in the process, which Rejoice seconded. The motion was passed by a majority vote.

E. Review of Constituent Feedback & Initial Academic Senate Input

1. 2410 Board Policies & Administrative Procedures
2. 5050 Student Success and Support Program

The committee reviewed these recommendations. Regarding 5050, it was confirmed for Brandi Bailes that language appearing on page 51 of the meeting materials related to the students' role in educational planning had been vetted through the Counseling Department. It was decided by consensus that these items would move forward in the process.

A. New Chapter Lead Recommendations - Level 1

1. 2325 Teleconferenced Meetings
2. 2430 Delegation of Authority to the Chancellor
3. 2735 Board Member Travel
4. 4300 Field Trips and Excursions
5. 6320 Investments
6. 7400 Travel

Committee members went through each of the Level 1 recommendations. Brandi expressed the desire to further review P&P 4300 in conjunction with the changes being considered for 4105 Distance Education. Jose made a motion to approve the list for a Level 1 review except for P&P 4300, which will be converted to a Level 3 review to coincide with P&P 4105. Kristina seconded the motion, which was passed by a majority vote.

B. New Chapter Lead Recommendations - Level 2

1. 3420 Equal Employment Opportunity
2. 7145 Personnel Files
3. 7230 Classified Employees

Committee members were briefed on the recommendations for each of these P&Ps. Cristopher made a motion to approve the Level 2 reviews which Kelly seconded. The motion was passed by consensus.

C. New Chapter Lead Recommendations - Level 3

1. 2510 Participation in Local Decision-Making
2. 4015 District Course Enrollment Philosophy
3. 4105 Distance Education
4. 5015 Residence Determination
5. 5040 Student Records, Directory Information, and Privacy
6. 5300 Student Equity
7. 7120 Recruitment & Hiring

- 8. 7210 Academic Employees
- 9. 7216 Academic Employees - Grievance Procedure

The committee went over the Level 3 recommendations. Concern was expressed over the number of recommendations to be reviewed and a suggested priority for the completion of 2410, 5050, 2510, 4015 and 4105-4300 was made. It was also mentioned that although there are a lot of items, some of the revisions were very small legal changes. Jose made a motion to approve the Level 3 reviews which Lisa seconded. The motion was passed by consensus. Kristina assured the group that, if need be, the timelines would be adjusted.

D. Adjournment & Next Meeting

The meeting adjourned shortly after 4:00 p.m. The next meeting of the PPAC is scheduled for Monday, March 11, at 3:00 p.m.

QUORUM: Definition of Quorum is established by Chancellor’s Council. Committees cannot vote or make decisions unless they have met quorum, but in order to encourage participation, committee members can provide a designee or a proxy if they are not able to attend.

| | | | |
|------------|--|-----------------------|----------------|
| <u>yes</u> | 1) 50% + one of appointed voting members (not 50% of members plus vacancies). | | |
| <u>yes</u> | 2) One faculty member from each campus | | |
| <u>yes</u> | 3) Two persons from each site (CHC, SBVC, DSO) | | |
| <u>yes</u> | 4) Three of four constituent groups represented (faculty, classified, student, management) | | |
| 1 | Faculty, CHC (appointed by Academic Senate President) | Brandi Bailes | <i>present</i> |
| 2 | Management Association | Christopher Crew | <i>present</i> |
| 3 | ASG President or designee, SBVC | Nelva Ruiz-Martinez | <i>present</i> |
| 4 | ASG President or designee, CHC | Enggie Ocampo | <i>present</i> |
| 5 | CSEA (appointed by CSEA President) | Ernest Guillen | <i>present</i> |
| 6 | Police Officer’s Association | James Quigley | <i>absent</i> |
| 7 | Executive Vice Chancellor, Co-Chair | Jose Torres | <i>present</i> |
| 8 | Classified, CHC (appointed by Classified Senate President) | Karen Peterson | <i>present</i> |
| 9 | Management, CHC (appointed by college president) | Keith Wurtz | <i>absent</i> |
| 10 | Confidential Group | Kelly Goodrich | <i>present</i> |
| 11 | Vice Chancellor, Human Resources & Police Services | Kristina Hannon | <i>present</i> |
| 12 | Faculty, SBVC (appointed by Academic Senate President) | Lisa Henkle | <i>present</i> |
| 13 | Classified, SBVC (appointed by Classified Senate President) | Nathan Yearyearn | <i>present</i> |
| 14 | Management, SBVC (appointed by college president) | Ray Carlos | <i>absent</i> |
| 15 | Asian Pacific Islanders Association | Rejoice Chavira | <i>present</i> |
| 16 | CTA (appointed by CTA) | Robert McAtee (proxy) | <i>present</i> |
| 17 | Latino Faculty, Staff, & Administrators Association | Rocio Delgado (proxy) | <i>present</i> |
| 18 | Black Faculty & Staff Association | Ariel Davis (proxy) | <i>present</i> |

BP 3420 Equal Employment Opportunity

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| K Hannon | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

> Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.

Review Level

Level 2

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 02/26/2024 PPAC Approves Review Level
- 02/27/2024 Levels 2 & 3 to Constituents for Feedback
- 03/11/2024 PPAC Receives Feedback from Constituents & Academic Senates
- 04/11/2024 BOT First Reading
- 05/09/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are **shown in blue** and should only be considered optional if indicated.
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BP 3420 Equal Employment Opportunity

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Reason(s) for Review/Changes

> **Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.**

Review Process Notes:

The Board of Trustees supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony and respect, and suitable role models for all students. An equitable and inclusive hiring process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The Board therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program. Equal employment opportunity includes not only a process for equal opportunity in hiring, but also practices and processes that create inclusive, respectful work environments.

The Chancellor shall develop, for review and adoption by the Board, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time to time modified or clarified by judicial interpretation. The Chancellor shall develop hiring procedures driven by diversity, equity, and inclusion and consistent with the Board's intent described above.

Also see BP/AP 3410 titled Nondiscrimination and BP/AP 7100 titled Commitment to Diversity.

References:

Education Code Sections 87100 et seq.;
Title 5 Sections 53000 et seq.
ACCJC Accreditation Standard III.A.12

End of Recommendation for BP 3420 Equal Employment Opportunity

AP 3420 Equal Employment Opportunity

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

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AP 3420 Equal Employment Opportunity

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> **Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.**

Review Process Notes:

The District shall make a continuous good faith effort to comply with the requirements of the Equal Employment Opportunity Plan which can be found online at <https://sbccd.edu/district-services/human-resources/equal-employment-opportunity-plan.php>.

An equitable and inclusive employment process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The District's employment procedures are driven by diversity, equity, and inclusion.

Employment Procedures

An equitable and inclusive employment process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The District's employment procedures are driven by diversity, equity, and inclusion.

Job Analysis and Validation: The Vice Chancellor Human Resources and Police Services shall assure that a proper job analysis is performed for every job filled by the District to determine and validate the knowledge, skills, abilities, and characteristics an employee must possess to perform the job satisfactorily.

A statement of bona fide essential functions and minimum qualifications shall be developed for all positions.

Job Description: Every job description shall provide a general statement of job duties and responsibilities.

Job specifications shall include functions and tasks; knowledge; skills; ability; and job-related personal characteristics, including but not limited to sensitivity to and understanding of the diverse academic, socioeconomic, cultural, linguistic, disability, and ethnic backgrounds of community college students.

Recruitment: Recruitment must be conducted actively within and outside of the District workforce.

Open recruitment is mandated for all new full-time and part-time positions, except under limited circumstances involving interim hires.

Recruitment must utilize outreach strategies designed to ensure that all qualified individuals are provided the opportunity to seek employment with the District.

Recruitment for administrative and faculty positions (full and part-time) may include advertisement in appropriate professional journals, job registries and newspapers of general circulation; distribution of job announcements to the EEO Registry, K-12 districts, two- and four- year colleges, and graduate schools where appropriate candidates might be enrolled; recruitment at conferences, fairs, and professional meetings; notices to institutions and professional organizations.

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Recruitment for classified positions shall include notice to all District personnel; notice to Employment Development Department; and advertising in area newspapers of general circulation.

Applicant Pools: The application for employment shall afford each applicant an opportunity to identify himself/herself voluntarily as to gender, ethnicity and, if applicable, their disability. This information shall be maintained in confidence and shall be used only for research, validation, monitoring, evaluation of the effectiveness of the Plan, or as authorized by law.

After the application deadline has passed, the initial applicant pool shall be recorded and reviewed by the Vice Chancellor Human Resources and Police Services or designee. All initial applications shall be screened to determine which candidates satisfy job specifications set forth in the job announcement. The group of candidates who meet the job specifications shall constitute the “qualified applicant pool.”

Once the qualified applicant pool is formed, the pool must again be analyzed. If the Vice Chancellor Human Resources and Police Services or designee finds that the composition of the qualified applicant pool may have been influenced by factors which are not job related, the District *shall* immediately, and before the selection process continues, consult with legal counsel to determine what, if any, corrective action is required by law.

Screening and Selection: Screening, selecting and interviewing candidates for all positions shall include thorough and fair procedures that are sensitive to issues of diversity. Procedures to be used must address or include that:

- Hiring procedures will be provided to the State Chancellor’s Office on request.
- All tests conform to generally applicable legal standards for uniformity.
- A reasonable number of candidates are identified for interview.
- Screening and selection committees are developed that are representative of the District community and campus; include administrators, faculty, and classified staff members; include a diverse membership when possible; do not include applicants or persons who have written letters of recommendation.
- Every screening and selection committee includes an individual trained to monitor conformance with EEO requirements. The Vice Chancellor Human Resources and Police Services assures that the screening and selection process conforms to accepted principles and practices, including preparation of job related questions in advance; maintains records of screening checklists and rating scales, which shall be signed and kept on file; maintains notes for all interviews and record relevant factual reasons stating why a candidate was not hired or was not invited to interview; and monitors the hiring process for adverse impact.
- Selection shall be based solely on the stated job criteria.
- For faculty and administrative positions, candidates shall be required to demonstrate sensitivity to diversity in ways relevant to the specific position.

If the District determines that a particular monitored group is significantly underrepresented with respect to one or more job categories, the District shall take the following additional steps:

- review its recruitment procedures;
- consult with counsel to determine whether there are other, additional measures that may be undertaken that are required or permitted by law; and
- consider various other means of reducing the underrepresentation which do not involve taking monitored group status into account and implement any such techniques that are feasible.

If significant underrepresentation persists:

- review each locally-established job qualification to determine if it is job related and consistent with business necessity;
- discontinue the use of any non job-related local qualification;

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AP 3420 Equal Employment Opportunity

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- continue using job-related local qualifications only if no alternative standard is reasonably available; and
- consider the implementation of additional measures designed to promote diversity.

Delegation of Authority

- The designation of a single person as the “EEO Officer” charged with overseeing the day-to-day implementation of the EEO Plan and programs.
- Processes and responsibilities when the EEO Officer is named in a complaint or implicated by the allegations in a complaint.

Complaint Procedure

The District must identify to the public and to the State Chancellor’s Office an individual described in Title 5 as the “responsible District officer,” responsible for receiving complaints. Informal charges of unlawful discrimination should be brought to the attention of the responsible District officer. The responsible District officer shall oversee the informal resolution process. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract. An outside investigator must be used when the responsible District officer is named in the complaint or implicated by the allegations in the complaint.

When a person brings charges of unlawful discrimination the officer must:

- Undertake efforts to resolve the charge informally;
- Advise the complainant that they need not participate in an informal resolution of the complaint;
- Notify the complainant of the procedures for filing a formal complaint;
- Notify the complainant that they may file a complaint with the Office of Civil Rights of the U.S. Department of Education.
- If the complainant, a student or an employee, files a formal complaint, the responsible District officer must also forward a copy of the complaint to the State Chancellor’s Office.

A formal complaint not involving employment, must be processed if it is filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation.

A formal complaint alleging discrimination in employment must be filed within 180 days of the date of the alleged unlawful discrimination, unless the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the initial 180 days.

The complaint must be filed by someone who alleges that they have personally suffered unlawful discrimination, or by someone who has learned about unlawful discrimination in their official capacity.

When a proper complaint is received, the District will begin an impartial fact-finding investigation, and notify the complainant and the State Chancellor’s Office that it is doing so.

When the investigation is done, the results must be set forth in a written report. The written report must include a description of the circumstances giving rise to the complaint, a summary of the testimony of each witness, an analysis of any relevant data or other evidence collected during the investigation, a specific finding as to whether discrimination did or did not occur with respect to each allegation in the complaint, and any other appropriate information.

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In any case that does not involve employment discrimination, the District must provide the State Chancellor's Office with a copy of the investigative report within ninety days from the date the District received the complaint. The District must also provide the complainant with a copy or summary of the investigative report within ninety days from the date the District received the complaint. The State Chancellor's Office and the complainant must also be provided with a written notice setting forth the determination of the Vice Chancellor Human Resources and Police Services as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the complainant's right to appeal to the District's Governing Board and the State Chancellor's Office.

In any case that involves employment discrimination, the District must provide the complainant with a copy or summary of the report, and with written notice setting forth the determination of the Vice Chancellor Human Resources and Police Services as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action 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's Governing Board and to file a complaint with the Department of Fair Employment and Housing.

If the complainant is not satisfied with the results of the administrative determination, the complainant must be given the opportunity to submit a written appeal to the governing board within fifteen days from the date of the notice of the administrative determination. The Board must review the original complaint, the investigative report, the administrative determination, and the appeal and must issue a final District decision within forty-five days of receiving the appeal.

In any case not involving employment discrimination, a copy of the final District decision must be promptly forwarded to the complainant and the State Chancellor's Office. The complainant must be notified of their right to appeal. In any case involving employment discrimination, a copy of the final District decision must be promptly forwarded to the complainant. The complainant must be notified of their right to file a complaint with the Department of Fair Employment and Housing.

Where the Board does not act within forty-five days the administrative determination must be deemed approved and must become the final District decision. The District shall promptly notify the complainant and in cases not involving employment discrimination, the State Chancellor's Office, that the Board took no action and the administrative determination becomes the final District decision. In cases not involving employment discrimination, the complainant must be informed of their right to appeal the District's decision to the State Chancellor's Office. In cases involving employment discrimination, the complainant shall be notified of their right to file a complaint with the Department of Fair Employment and Housing.

In cases not involving employment discrimination, the complainant must be given the right to file a written appeal with the State Chancellor's Office within 30 days after the Board issues the final District decision, permits the administrative decision to become final or from the date that notice of the District's final decision was provided to the complainant pursuant to Section 59338(b) or (d), whichever is later.

The District should retain and make available the original complaint, and copies of the final decision or a statement indicating the date on which the administrative determination became final, the notice given to complainant, the complainant's appeal of the District's administrative determination, the investigative report and any other information the State Chancellor's Office may require.

Job Announcements

All job announcements shall contain a statement in substantially the following form: The District is an equal opportunity employer. The policy of the District is to encourage applications from persons who are economically disadvantaged and individuals belonging to significantly underrepresented groups within the District's workforce, including ethnic and racial minorities, women, and persons with disabilities. No person shall be denied employment because of ethnicity or race, religious creed, color, national origin, ancestry, physical disability, mental disability,

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AP 3420 Equal Employment Opportunity

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medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, veteran or military status, or political or organizational affiliation.

Dissemination and Revision of the Plan

All managers and supervisors shall be given copies of the plan as revised from time to time and any guidelines for implementing the plan. Copies of the plan shall be provided to the Academic Senate and the exclusive representatives of any units of employees.

Statements of nondiscrimination shall be posted at locations where applications for employment are distributed.

Such plans shall be reviewed at least every three years and, if necessary, revised, and submitted to the California Community Colleges Chancellor's Office within 90 days of the effective date of the revision or amendment(s). If the California Community Colleges Chancellor's Office determines that the District's policies are not in compliance with Title 5 Sections 59300 et seq., the California Community Colleges Chancellor's Office may require the District to modify its policies.

Accountability and Corrective Action

The District shall certify annually to the State Chancellor that they have timely:

- Recorded, reviewed and reported the data required regarding qualified applicant pools;
- Reviewed and updated, as needed, the Strategies Component of the District's EEO Plan; and
- Investigated and appropriately responded to formal harassment or discrimination complaints filed pursuant to subchapter 5 (commencing with Section 59300) of chapter 10 of this division.

References:

[20 U.S.C. Section 1681 et seq.](#);

Education Code Sections 87100 et seq.;

Title 5 Sections 53000 et seq. and [Sections](#) 59300 et seq.;

ACCJC Accreditation Standard III.A.12

[Government Code Sections 7400 et seq. and 12940 et seq.](#)

End of Recommendation for AP 3420 Equal Employment Opportunity

AP 7145 Personnel Files (no matching BP exists)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| K Hannon | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

- > Legal Update 42: The Service updated this procedure to provide a process for staff and faculty to declare an affirmed name, gender, or both pursuant to changes in the Education Code.

Review Level

Level 2

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

- 02/26/2024 PPAC Approves Review Level
- 02/27/2024 Levels 2 & 3 to Constituents for Feedback
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AP 7145 Personnel Files (no matching BP exists)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> **Legal Update 42: The Service updated this procedure to provide a process for staff and faculty to declare an affirmed name, gender, or both pursuant to changes in the Education Code.**

Review Process Notes:

Personnel records are private, accurate, complete, and permanent.

Every employee has the right to inspect personnel records pursuant to the Labor Code.

Information of a derogatory nature shall not be entered into an employee's personnel records unless and until the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to enter, and have his/her own comments attached to any derogatory statement. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

The employee shall not have the right to inspect personnel records at a time when the employee is actually required to render services to the District.

Nothing in this procedure shall entitle an employee to review ratings, reports, or records that were:

- a. obtained prior to the employment of the person involved,
- b. prepared by identifiable examination committee members,
- c. obtained in connection with a promotional examination or interview.

The Chancellor shall implement a system by which staff and faculty can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law. Upon the request of a staff or faculty member, the District shall update any records for the individual to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include but are not limited to District-issued email addresses, employee identification cards, class rosters, transcripts, diplomas, certificates of completion of courses, or similar records.

References:

Education Code Section 87031;

Labor Code Section 1198.5

End of Recommendation for AP 7145 Personnel Files

BP 7230 Classified Employees (no matching AP exists)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

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| K Hannon | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

- > Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.
- > Legal Update 40: The Service updated this policy to reflect new legislation that shortened the probationary period and new requirements for layoff and hearing rights for classified employees. (2022-23 carryover)

Review Level

Level 2

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

- 02/26/2024 PPAC Approves Review Level
- 02/27/2024 Levels 2 & 3 to Constituents for Feedback
- 03/11/2024 PPAC Receives Feedback from Constitutents & Academic Senates
- 04/11/2024 BOT First Reading
- 05/09/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are **shown in blue** and should only be considered optional if indicated.
4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE

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BP 7230 Classified Employees (no matching AP exists)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
4

Reason(s) for Review/Changes

- > **Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.**
- > **Legal Update 40: The Service updated this policy to reflect new legislation that shortened the probationary period and new requirements for layoff and hearing rights for classified employees. (2022-23 carryover)**

Review Process Notes:

Employees represented by CSEA should refer to their respective bargaining unit 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.)

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 yearsix months or 130 days of paid service, whichever is longer. A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional classification shall be employed in the position from which the employee was promoted.

The evaluation of classified employees must include consideration of the employee's demonstrated, or progress toward, proficiency in diversity, equity, inclusion, and accessibility competencies that enable work with diverse communities.

References:

Education Code Sections 88003; 88004; 88009; and, 88013, and 88120
Title 5 Section 53602

End of Recommendation for BP 7230 Classified Employees

BP 2510 Participation In Local Decision-Making (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & 1st AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|-------------------------------------|----------------|-------------------------------------|--------------------------|
| J Torres | 2/21/2024 | Recommendation Received | 2/21/2024 |
| Reason(s) for Review/Changes | | | |
| > Recommendation from VC Hannon | | | |

Review Level

Level 3

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

- 02/26/2024 PPAC Approves Review Level
- 03/05/2024 BPPAC Review
- 03/6/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
- 04/15/2024 PPAC Reviews Second AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are shown in red.
3. Legal changes are shown in blue and should only be considered optional if indicated.
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BP 2510 Participation In Local Decision-Making (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District

**Reason(s) for Review/Changes****> Recommendation from VC Hannon**

Review Process Notes:

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 action under which the District is governed and administered.

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 Academic Senate(s) of the San Bernardino Community College District as the organization(s) representing the faculty in the formation of District policy on academic and professional matters. The primary function of the San Bernardino Community College District Academic Senate(s) is to make recommendations with respect to the following academic and professional matters:

1. Curriculum, including establishing prerequisites and placing courses within disciplines;
2. Degree and certificate patterns;
3. Grading policies;
4. Educational program development;
5. Standards or policies regarding student preparation and success;
6. Policies for faculty professional development activities;
7. District and college governance structures, as related to faculty roles;
8. Faculty roles and involvement in accreditation processes, including self-study and annual reports;
9. Processes for program review;
10. Processes for institutional planning and budget development; and
11. Other academic and professional matters.

The Board of Trustees relies primarily on the recommendations of the Academic Senate(s) for items 1 through 6. The Academic Senate(s) will work with the appropriate administrative office(s) while developing its position. The Academic Senate(s) will then forward its final recommendations to the Chancellor of the District, who will present them in a timely manner to the Board of Trustees with or without the Chancellor's endorsements or comments.

When the Board of Trustees relies primarily upon the advice and judgment of the Academic Senate(s), the recommendation of the Academic Senate(s) will normally be accepted. In instances where a recommendation is not accepted, the Board's decision must be based on a clear and substantive rationale that puts the explanation for the decision in an accurate, appropriate, and relevant context. The Board or its designee shall communicate its reason in writing to the Academic Senate(s) in a timely manner. If such a recommendation is not accepted, existing policies and procedures will remain in effect.

The Board of Trustees will receive items 7 through 10, and those matters developed in item 11 as the result of a mutual agreement reached by resolution, regulation, or policy. In instances where agreement has not been reached, the existing policy shall remain in effect unless the policy exposes the District to legal liability or fiscal hardship. In cases where there is no existing policy, or when legal liability or fiscal hardship requires existing policy to be changed, the Board may act, after a good faith effort to reach an agreement, but only for compelling legal, fiscal, or organizational reasons. Nothing in this Board Policy shall be construed to infringe upon the due process rights of faculty, nor to detract

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

BP 2510 Participation In Local Decision-Making (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/24

from any negotiated agreements between collective bargaining representatives and the Board of Trustees. Collegial consultation will take place by existing practices. The Academic Senate(s), after consultation with the Chancellor, may present its written views and recommendations to the Board of Trustees. The Board of Trustees shall consider and may respond to such views and recommendations.

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 Senate and Management Association will be given every reasonable consideration.

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);

End of Recommendation for BP 2510 Participation In Local Decision-Making

AP 2510 Participation In Local Decision-Making (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
*PPAC Reviews Constituent & 1st
AS Feedback*

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|-------------------------------------|----------------|-------------------------------------|--------------------------|
| J Torres | 2/21/2024 | Recommendation Received | 2/21/2024 |
| Reason(s) for Review/Changes | | | |
| > FYI Only | | | |

Review Level

Level 3

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

| > FYI Only

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
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Reason(s) for Review/Changes

> FYI Only

Review Process Notes:

Overview

Participation in local decision-making is a process involving faculty, staff, students, and administrators in discussions regarding specific day-to-day and long-range planning and policies for the colleges and the District. These discussions lead to recommendations to the Chancellor. The Chancellor ultimately carries the recommendations to the Board of Trustees for discussion and potential final approval.

The governance structure and practices embrace SBCCD’s values of supporting inclusiveness of individual and community viewpoints in collaborative decision-making; promoting mutual respect and trust through open communication and actions; and fostering integrity. The Governing Board is the final authority for governance at SBCCD. The Governing Board delegates authority to the Chancellor who in turn solicits and receives input through the participatory governance decision-making process.

Governance Process

The Chancellor’s Council is the primary participatory governance leadership team that advises the chancellor on institutional planning, budgeting, and governance policies and procedures affecting SBCCD educational programs and services. Chancellor’s Council members serve as a conduit for cross-district communication on these issues, soliciting feedback from and disseminating reports and updates to, constituency groups.

Members of the Chancellor’s Council advise and make recommendations to the Chancellor regarding District goals and priorities that are of major importance to the district in providing opportunity and promoting quality, integrity, accountability and sustainability in carrying out SBCCD’s mission.

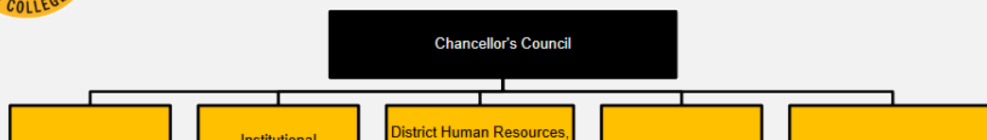
Organization

The membership of Chancellor’s Council shall be made up of the individuals (or their respective designees) whose position in the collegiate structure of the District makes their presence on the Council essential to the successful completion of its goals.

To promote additional participation in local decision-making and efficacy, five advisory committees have been created which make recommendations to Chancellor’s Council. Subcommittees/task force/workgroup’s structure for each advisory committee (if needed, not mandatory) will be unique and established by the respective advisory committee. Advisory committees can adjust as they see fit to promote participation and efficacy.



Chancellor’s Council
Advisory Committee Structure
As of October 2021



AP 2510 Participation In Local Decision-Making (10+1)
P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/24

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)

End of Recommendation for AP 2510 Participation In Local Decision-Making

BP 4015 District Course Enrollment Philosophy (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|-------------------------------------|----------------|-------------------------------------|--------------------------|
| K Hannon | 2/21/2024 | Recommendation Received | 2/21/2024 |
| Reason(s) for Review/Changes | | | |
| > New BP developed by VC of HR | | | |

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 02/26/2024 PPAC Approves Review Level
- 03/06/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
- 04/15/2024 PPAC Reviews Second AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

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BP 4015 District Course Enrollment Philosophy (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
4

Reason(s) for Review/Changes

> **New BP developed by VC of HR**

Review Process Notes:

The Board is committed to supporting enrollment management practices that establish guidelines for course enrollments.

The Chancellor shall establish a districtwide course enrollment philosophy that includes optimal or maximum class size guidelines, in consultation with the academic senates. The minimum class size guidelines are defined in the Collective Bargaining Agreement.

~~The Board is committed to supporting enrollment management practices that establish guidelines for course enrollments.~~

~~The Chancellor shall establish a districtwide course enrollment philosophy that includes Optimal or Maximum class size guidelines, in consultation with the Academic Senates. The Minimum class size guidelines are defined in the Collective Bargaining Agreement.~~

End of Recommendation for BP 4015 District Course Enrollment Philosophy

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 4015 District Course Enrollment Philosophy (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|-------------------------------------|----------------|-------------------------------------|--------------------------|
| K Hannon | 2/21/2024 | Recommendation Received | 2/21/2024 |
| Reason(s) for Review/Changes | | | |
| > New AP developed by VC of HR | | | |

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 02/26/2024 PPAC Approves Review Level
- 03/06/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
- 04/15/2024 PPAC Reviews Second AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

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AP 4015 District Course Enrollment Philosophy (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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Reason(s) for Review/Changes**> New AP developed by VC of HR**

Review Process Notes:

The District has established the following guidelines for the Optimal and Minimum class sizes.

1.0. Class Size Guidelines

- 1.1. Minimum class size guidelines defined in the Collective Bargaining Agreement (CBA) and this section shall apply to all lecture, seminar, and laboratory classes.
- 1.2. Independent study, research, and arranged classes are exempted from such guidelines.

2.0. Optimum Class Size

- 2.1. Each College of the San Bernardino Community College District shall determine the optimum class size for each course or subject area based on the effectiveness of instruction and efficiency of operation.
- 2.2. Each eCollege's Chief Instructional Officer or designee ~~Vice President of Instruction and/or enrollment management team~~ can confer with the Academic Senate and receive a recommendation on the optimum class size for courses not outlined in the ~~Collective Bargaining Agreement~~CBA. ~~Management~~The Chief Instructional Officer or designee will have the final decision of the optimum class size.

3.0. Exceptions

- 3.1. A class that meets any of the following conditions may be ~~continued~~exempted from the guidelines above:
 - a) courses required for graduation;
 - b) courses required in a major or in career subject areas;
 - c) courses offered irregularly based on enrollment and need; and
 - d) combined courses meeting at the same hour with the same instructor.
- 3.2. Statutory and State regulations mandating class sizes may be exempted from the guidelines above including:Exceptions to minimum class size guidelines may also be based upon the following:
 - a) limited classroom or laboratory facilities;
 - b) campus size and geographical location; and
 - e) experimental or pilot programs; and
 - d)c) statutory and State regulations mandating class size.

4.0. Cancellation of Course

- 4.1. Courses that fail to meet one of the preceding exceptions may be cancelled.

End of Recommendation for AP 4015 District Course Enrollment Philosophy

BP 4105 Distance Education (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 2/22/2024 |

Reason(s) for Review/Changes

- > Legal Update 39 & Academic Senate Request to add language addressing preparation for Distance Education instruction

Review Level

Level 3

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

- 02/26/2024 PPAC Approves Review Level
- 03/06/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
- 04/08/2024 PPAC Reviews Second AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

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RECOMMENDATION STARTS ON NEXT PAGE

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BP 4105 Distance Education (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> **Legal Update 39 & Academic Senate Request to add language addressing preparation for Distance Education instruction**

Review Process Notes:

~~(Replaces current SBCCD BP 4108)~~

All distance education programs will adhere to the same programmatic requirements as in-person classroom programs. In order to expand access and provide greater flexibility, the Chancellor is responsible for establishing procedures for distance education programs that comply with accreditation standards, and federal and state guidelines.

~~All distance education programs will adhere to the same programmatic requirements as in-person classroom programs.~~

References:

Title 5 Sections 55200 et seq.

End of Recommendation for BP 4105 Distance Education

AP 4105 Distance Education (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 2/22/2024 |

Reason(s) for Review/Changes

- > Legal Update 43: The Service updated this procedure to add a legal citation and align with revised Title 5 regulations.
- > Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.
- > Legal Update 39 & Academic Senate Request (2022-23 carryover) Updated to add “Correspondence” Education to the title to reflect new provisions added to Title 5 regarding correspondence education. The Service also added legally required language regarding correspondence education, including the definition from Title 5 regarding “correspondence education” and provisions addressing delivery of correspondence education instruction, addendums to course outlines, and eligibility of full-time status for students who participate in correspondence education. Finally, the Service added legal citations to Education Code Sections 66700 and 70901 et seq. and Title 5 Sections 55260 et seq.

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 02/26/2024 PPAC Approves Review Level
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- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
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- 06/13/2024 BOT Final Approval

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RECOMMENDATION STARTS ON NEXT PAGE

AP 4105 Distance Education (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

- > **Legal Update 43: The Service updated this procedure to add a legal citation and align with revised Title 5 regulations.**
- > **Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.**
- > **Legal Update 39 & Academic Senate Request (2022-23 carryover) Updated to add “Correspondence” Education to the title to reflect new provisions added to Title 5 regarding correspondence education. The Service also added legally required language regarding correspondence education, including the definition from Title 5 regarding “correspondence education” and provisions addressing delivery of correspondence education instruction, addendums to course outlines, and eligibility of full-time status for students who participate in correspondence education. Finally, the Service added legal citations to Education Code Sections 66700 and 70901 et seq. and Title 5 Sections 55260 et seq.**

Review Process Notes:

Replaces current SBCCD AP 4108)

Distance Education: Education that uses technology to deliver instruction to students who are separated from the instructor(s) and to support regular and substantive interaction between the students and instructor(s) either synchronously or asynchronously and is not self-paced. Title 5, as well as State and The Federal Regulations require districts to have processes in place to ensure that the student who registers in a distance education course or program is the same student who participates in and completes the program and receives academic credit. Distance Education programs do not include correspondence courses. 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.

Correspondence Education: Education provided through one or more courses by a community college or district under which the college or district provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor. Interaction between the instructor and student is limited due to separation, is not regular and substantive, and is primarily initiated by the student. Correspondence courses are typically self-paced, although a regular cycle of assignment submissions and delivery of feedback should be established for facilitated learning. If a course is part correspondence and part residential training, it is considered a correspondence course. Correspondence education is not distance education.

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD’s process, visit <https://sbccd.edu/ap2410>.

AP 4105 Distance Education (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Student Authentication: ~~Technology & Educational Support Services (TESS) 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.~~

~~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.~~

~~Technology & Educational Support Services (TESS) 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: ~~The colleges may mark courses in which the instructor and student are separated by distance and interact through the assistance of communication technology as Distance Education.~~

Course Modality: ~~The modes of Distance Education courses will be published and made available in the course schedule of classes. Course-required materials and devices will be available in college publications and adhere to Title 5 disclosure requirements. This includes but is not limited to:~~

- ~~1) All online and in-person synchronous meeting days/dates and times~~
- ~~2) Any required asynchronous in-person activities~~
- ~~3) Any required technology platforms, devices, and applications~~
- ~~4) Any test or assessment proctoring requirements.~~

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~~Distance Education courses shall be approved under the same conditions and criteria as all other courses, ~~and adhere to Title 5, as well as State and Federal regulations.~~

Course Quality: ~~Distance Education (including courses offered online) is recognized by both the Association and the District as an appropriate mode of delivery to meet the needs of our student population. Faculty for whom this provision applies to shall follow the guidelines regarding the course quality and qualifications to teach online courses set forth by their respective campuses' Distance Education/Online committees.~~

Course 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 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.

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 4105 Distance Education (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2

4

- **Instructor Contact:** Each section of the course that is delivered through distance education will include regular and substantive interaction-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:
 - Course outcomes;
 - Regular and substantive interaction-effective contact between instructors and students; as well as among students, and
 - Requirements of the Americans with Disabilities Act (ADA) and Section 508 of the Rehabilitation Act of 1973.
- **Duration of Approval:** Courses will be reviewed following the ~~6-year~~ curriculum review process. Outside of the 6-year review process, all ~~d~~Distance ~~e~~Education courses approved under this procedure will continue to be in effect unless there are substantive changes of the course outline.

References:

[Education Code Sections 66700 and 70901 et seq.;](#)

Title 5 Sections 55002.5, 55200 et seq., and 55260 et seq.;

34 Code of Federal Regulations Part 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

End of Recommendation for AP 4105 Distance Education

BP 4300 Field Trips and Excursions (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 1/24/2024 | Recommendation Received | 1/31/2024 |

Reason(s) for Review/Changes

- > Legal Update 43: The Service updated this policy to remove the out-of-state travel ban pursuant to changes in the Government Code.

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 02/26/2024 PPAC Approves Review Level
- 03/06/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
- 04/08/2024 PPAC Reviews Second AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
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BP 4300 Field Trips and Excursions (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> **Legal Update 43: The Service updated this policy to remove the out-of-state travel ban pursuant to changes in the Government Code.**

Review Process Notes:

> Review Level switched from Level 1 to Level 3 at 2/26/2024 PPAC meeting to coincide with review of 4015 Distance Education

~~(Replaces current SBCCD BP 4300)~~

The Chancellor shall establish procedures that regulate the use of District funds for student travel and attendance at conferences and other activities that are performed as a class assignment or co-curricular activity.

The District may pay for expenses of students participating in a field trip or excursion with auxiliary, grant or categorical program funds if the funds are used consistently with the funding source. The expenses of instructors, chaperones, and other personnel traveling with students may be paid from District funds.

Students and staff shall at all times adhere to the standards of conduct applicable to conduct on campus.

Reference:

[Government Code Section 11139.8](#); Title 5 Section 55220

End of Recommendation for BP 4300 Field Trips and Excursions

AP 4300 Field Trips and Excursions (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

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| N Ornelas | 1/24/2024 | Recommendation Received | 1/31/2024 |

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AP 4300 Field Trips and Excursions (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

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Review Process Notes:

> Review Level switched from Level 1 to Level 3 at 2/26/2024 PPAC meeting to coincide with review of 4015 Distance Education

(Replaces current SBCCD-AP-4300)

The District may conduct field trips and excursions in connection with courses of instruction or college-related social, educational, cultural, athletic or musical activities to and from places in California, or any other state, the District of Columbia, or a foreign country for students.

The District shall engage instructors, supervisors, and other personnel, except classified employees, as may be necessary for such excursions or field trips who desire to contribute their services over and above the normal period for which they are employed by the District.

The District shall, at the discretion of the *Chancellor or designee*, transport students, instructors, supervisors or other personnel by use of District equipment, contract to provide transportation, or arrange transportation by the use of other equipment.

When District equipment is used, the District shall obtain liability insurance, and if travel is to and from a foreign country, the liability insurance shall be secured from a carrier licensed to transact insurance business in the foreign country.

The District may provide supervision of students involved in field trips or excursions by academic employees of the district.

A. Authorization

Any curricular activity, field trip, or excursion involving student participation at an off-campus location other than the usual meeting location of the class requires authorization by the appropriate administrator prior to the commencement of the activity. Any overnight trip, in excess of \$500 total cost, or any trip involving cost for student meals must be approved by the College President.

B. Expenditure of Funds

The approval request shall include any anticipated expenditure of funds for lodging, food, transportation, or activity fees. The District may pay expenses of instructors, chaperones, and other personnel participating in a field trip or excursion. Payment shall be by way of itemized reimbursement in a form prescribed by the *Chancellor or designee*. The District may pay for expenses of students participating in a field trip or excursion with auxiliary, grant, or categorical program funds if the funds are used consistently with the funding source. Usual and customary travel expenses for authorized District personnel may be provided. Expenditures shall be approved only after an approved trip request is submitted with a Purchase Requisition, and if that amount has been budgeted and sufficient funds remain in the account to cover the claim.

No student shall be prevented from making a field trip or excursion which is integral to the completion of a course because of lack of sufficient funds. The District shall coordinate efforts of community services groups to provide funds for students in need of them.

AP 4300 Field Trips and Excursions (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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C. Accountability

When transportation is provided, the individual responsible for the field trip shall leave a list of all participants, including students and employees who are on the trip, where it can easily be found in case of an emergency.

D. Transportation

1. Students shall be transported in commercially procured transportation whenever possible. Van size is limited to no larger than the 10-passenger size as defined in California Vehicle Code. Commercial bus lines must have on file a certificate of insurance with the Office of Risk Management prior to the commencement of the trip naming the District as "additional insured." Transportation requiring rental of van(s) or bus(s) must have a contract. The contract must be signed by a Board approved authorized signer fourteen (14) calendar days prior to the day of travel. (See AP 6340 titled Contracts)
2. If rented vans or automobiles are used, each driver must be a District employee, be registered on the Approved Drivers' List and have the appropriate class of driver's license to operate the intended vehicle. No student is authorized to drive any vehicle on District business. District insurance provides primary liability coverage for rented vehicles and secondary coverage for property damage coverage.
3. If funds are not available for transportation, students may provide their own transportation. In such cases students should be asked to meet at the site at a specified time. Car caravans are not appropriate.
4. No employee shall transport any student in his/her private vehicle on college business.

E. Liability

All persons making a field trip or excursion shall be deemed to have waived all claims against the District for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking such trips and all parents or guardians of minor students shall sign a statement waiving such claims.

Reference:

[Government Code Section 11139.8](#); Title 5 Section 55220

End of Recommendation for AP 4300 Field Trips and Excursions

BP 5015 Residence Determination (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
*PPAC Reviews Constituent &
Initial AS Feedback*

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

- > Legal Update 43: The Service updated this policy to add a reference to the Education Code.
- > Legal Update 42: The Service updated this policy to allow specified athletes to be entitled to classification as residents tuition and fee purposes pursuant to changes in the Education Code.
- > Legal Update 39: The Service updated this policy to add language regarding exceptions to California residency determinations for certain students with military or veteran status, for determining eligibility for in-state tuition. (38 U.S. Code Section 3679) The Service also added a legal citation to the U.S. Code. (2022-23 carryover)

Review Level**Level 3****Anticipated AP2410 Schedule** (for info on this process, visit <https://sbccd.edu/ap2410>)

02/26/2024 PPAC Approves Review Level
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BP 5015 Residence Determination (10+1)

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San Bernardino Community College District



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Review Process Notes:

(Replaces current SBCCD BP 5015)

Except for students seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, students shall be classified at the time of each application for admission or registration as a resident or nonresident student.

A resident is any person who has been a bona fide resident of California for at least one year on the residence determination date. The residence determination date shall be the day immediately preceding the first day of the semester for which the student applies to attend. [Notwithstanding this standard for determining bona fide California residency, a student with military or veteran status may be deemed to qualify as a California resident for in-state tuition eligibility, in accordance with state and federal law.](#)

Residence classification shall be made for each student at the time applications for admission are accepted or registration occurs and whenever a student has not been in attendance for more than one semester. A student previously classified as a nonresident may be reclassified as of any residence determination date.

The Chancellor shall enact procedures to assure that residence determinations are made in accordance with Education Code and Title 5 regulations.

References:

Education Code Sections 68040, [68083](#), 68086, and 76140;
Title 5 Sections 54000 et seq.
[\(38 U.S. Code Section 3679\)](#)

End of Recommendation for BP 5015 Residence Determination

AP 5015 Residence Determination (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
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| N Ornelas | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

- > Legal Update 42: The Service updated this procedure to allow specified athletes to be entitled to classification as residents for tuition and fee purposes pursuant to changes in the Education Code.
- > Legal Update 39: The Service updated this procedure to reflect amendments to Title 38 of the U.S. Code regarding residencies determinations for a student with military or veteran status, for determining eligibility for in-state tuition. (38 U.S. Code Section 3679, as amended by Public Law 116-315) (2022-23 carryover)

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AP 5015 Residence Determination (10+1)

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San Bernardino Community College District



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Review Process Notes:

(Replaces current SBCCD AP 5015)

Residence Classification

Residency classifications shall be determined for each student at the time of each application for admission or registration and whenever a student has not been in attendance for more than one semester. Residence classifications are to be made in accordance with the following provisions:

- A residence determination date is that day immediately preceding the opening day of instruction for any semester during which the student proposes to attend.
- Residence classification is the responsibility of the Admissions & Records Office.

Students must be notified of residence determination within 14 calendar days of submission of application.

A student seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, shall not be subject to this residency classification requirement.

Each college shall publish the residence determination date and summary of the rules and regulations governing residence determination and classification in the college catalog or addenda thereto.

Rules Determining Residence

- A student who has resided in the state for more than one year immediately preceding the residence determination date is a resident.
- A student who has not resided in the state for more than one year immediately preceding the residence determination date is a nonresident.

The residence of each student enrolled in or applying for enrollment in any class or classes maintained by this District shall be determined in accordance with the Education Code which states that every person has, in law, a residence. In determining the place of residence, the following rules are to be observed:

- Every person who is married or eighteen years of age, or older, and under no legal disability to do so, may establish residence.

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- A person may have only one residence.
- A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
- A residence cannot be lost until another is gained.
- The residence can be changed only by the union of act and intent.
- A man or a woman may establish **his/her/their** residence. A woman's residence shall not be derivative from that of her husband.
- The residence of the parent with whom an unmarried minor child maintains **his/her/their** place of abode is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last place of abode was maintained, provided the minor may establish **his/her/their** residence when both parents are deceased and a legal guardian has not been appointed.
- The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control.

Determination of Resident Status

A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:

- A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.
- A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until **he/she/they have/has** resided in the state the minimum time necessary to become a resident.
- A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence.
- A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:

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- ~~He/she~~**They** holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.
- ~~He/she~~**They** holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.
- ~~He/she is~~**They are** enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259.
- A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.
- A student who is a full-time employee of the California State University, the University of California or a community college, or of any state agency or a student who is a child or spouse of a full-time employee of the California State University, the University of California or a community college, or of any state agency may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident.
- A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. If the member of the armed forces of the United States later transfers on military orders to a place outside this state, or retires as an active member of the armed forces of the United States, the student dependent shall not lose ~~his/her~~**their** resident classification, so long as ~~he/shethey~~ remains continuously enrolled in the District.
- A student who is a member of the armed forces of the United States stationed in this state, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. If the student later transfers on military orders to a place outside this state, the student shall not lose ~~his/her~~**their** resident classification, so long as ~~he/shethey~~ remains continuously enrolled in the District.
- A veteran who was discharged or released from at least 90 days of active service, ~~less than three years before the date of enrollment in a course~~ commencing on or after July 1, 2015, and his/her/their dependents, regardless of the veteran's state of residence is entitled to resident classification.
- An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California.
- An individual who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their relationship to a member of the uniformed services who is serving on active duty.

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- A student who is a minor and resides with his or her parent in a district or territory not in a district shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester, quarter or term for which the student proposes to attend.
- A student who is a Native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.
- A student who is a federal civil service employee and ~~his/her~~their natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.
- A student who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system, or was served by California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until ~~he/shethey have~~has resided in the state the minimum time necessary to become a resident.
- A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his state or federal personal income tax return if ~~he/shethey have~~has sufficient income to have personal income tax liability shall be entitled to resident classification.
- A student who demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of that deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three or more years, and upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he or she intends to establish residency in California as soon as possible.

Right To Appeal

Students who have been classified as non-residents have the right to a review of their classification (Title 5 Section 54010 (a)). Any student, following a final decision of residence classification by the Admissions Office, may make written appeal to the Vice President of Student Services within 30 calendar days of notification of final decision by the college regarding classification.

Appeal Procedure

The appeal is to be submitted to the Admissions Office, which must forward it to the Vice President of Student Services within five working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement

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indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

The Vice President of Student Services shall review all the records and have the right to request additional information from either the student or the Admissions Office.

Within 30 calendar days of receipt, the Vice President of Student Services shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

Reclassification

A student previously classified as a non-resident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

Petitions are to be submitted to the Admissions Office.

Petitions must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

Written documentation may be required of the student in support of the reclassification request.

A questionnaire to determine financial independence must be submitted with the petition for reclassification. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college district (Education Code Section 68044).

A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:

- Has not and will not be claimed as an exemption for state and federal tax purposes by ~~his/her~~their parent in the calendar year prior to the year the reclassification application is made;
- Has not lived and will not live for more than six weeks in the home of ~~his/her~~their parent during the calendar year the reclassification application is made.

A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5 Sections 54020, 54022, and 54024.

Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one year requirement is met and demonstration of intent is sufficiently strong.

Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the

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student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.

The Vice President of Student Services will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.

Students have the right to appeal according to the procedures above.

Non-Citizens

The District will admit any non-citizen who is 18 years of age or a high school graduate.

If non-citizens are present in the United States illegally or with any type of temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.

If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him/her/them to live permanently in the United States and she or he meets the California residency requirements, the student can be classified as a resident.

Any students who are U.S. citizens, permanent residents of the U.S., and aliens who are not nonimmigrants (including those who are undocumented), may be exempt from paying nonresident tuition if they meet the following requirements:

- high school attendance in California for three or more years;
- graduation from a California high school or attainment of the equivalent thereof;
- registration or enrollment in a course offered by any college in the district for any term commencing on or after January 1, 2002,
- completion of a questionnaire form prescribed by the State Chancellor's Office and furnished by the district of enrollment, verifying eligibility for this nonresident tuition exemption; and
- in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her/their immigration status, or will file an application as soon as he/shethey is eligible to do so.

The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Vice President of Student Services. Students may appeal the decision.

References:

Education Code Sections 68000 et seq., 68130.5, 68074-68075.7, and 68068;
Title 5 Sections 54000 et seq.
38 U.S. Code Section 3679

AP 5015 Residence Determination (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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Reviewed:

End of Recommendation for AP 5015 Residence Determination

BP 5040 Student Records, Directory Information, and Privacy (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

- > Legal Update 42: The Service updated this policy to state that a district will develop and implement a process for students, staff, and faculty to declare an affirmed name, gender, or both pursuant to changes in the Education Code.
- > Legal Update 40: The Service updated this policy to add legal citations and language concerning a student’s ability to request name and gender changes in the student’s records. (2022-23 carryover)

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 02/26/2024 PPAC Approves Review Level
- 03/06/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
- 04/08/2024 PPAC Reviews Second AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
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BP 5040 Student Records, Directory Information, and Privacy (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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- > **Legal Update 40: The Service updated this policy to add legal citations and language concerning a student's ability to request name and gender changes in the student's records. (2022-23 carryover)**

Review Process Notes:

(Replaces current SBCCD BP 5040 and BP 5045)

The Chancellor shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.

The Chancellor may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of the District has a right to review any and all student records relating to him/ or her maintained by the District.

Upon request by a former student of the District, the District will update and reissue student records to include an updated legal name or gender. These documents include but are not limited to transcripts or a diploma.

Commencing with the 2023–24 graduating class, a graduating student may request the District confer the diploma in the student's chosen name. The District shall not require a graduating student to provide legal documentation to demonstrate a legal name or gender change in order to have the student's chosen name listed on the student's diploma.

No District representative shall release the contents of a student record including directory information to any member of the public without the prior written consent of the student, other than information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information.

Directory information as required by law is included in the College Catalog which is updated and posted to the college website annually. Directory information shall include but is not limited to:

- Student participation in officially recognized activities and sports including weight, height, and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards, and Dean's List recognition.

References:

Education Code Sections 66271.4 and 76200, et seq.;
Title 5, Sections 54600, et seq.

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BP 5040 Student Records, Directory Information, and Privacy (10+1)

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San Bernardino Community College District



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20 U.S. Code Section 1232g(j);
ACCJC Accreditation Standard II.C.8

End of Recommendation for BP 5040 Student Records, Directory Information, and Privacy

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AP 5040 Student Records, Directory Information, and Privacy (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent &
Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
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| N Ornelas | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

- > Legal Update 43: The Service updated this procedure to provide a timeline for the district to respond to a request for student records pursuant to the Education Code.
- > Legal Update 42: The Service updated this procedure to provide a process for students to declare an affirmed name, gender, or both pursuant to changes in the Education Code.
- > Legal Update 40: The Service updated this procedure to add legal citations and language concerning a student's ability to request name and gender changes in the student's records. (2022-23 carryover)
- > Legal Update 39: The Service updated this procedure to add a legal citation to reflect an amendment to Title 10 of the U.S. Code regarding the disclosure of student information to the military for recruitment purposes. (2022-23 carryover)

Review Level

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RECOMMENDATION STARTS ON NEXT PAGE

AP 5040 Student Records, Directory Information, and Privacy (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Review Process Notes:

STUDENT RECORDS

- A. The colleges shall maintain appropriate records to document and verify student enrollment, attendance, and withdrawal information as required for state apportionment purposes.
- B. Data provided by the instructor shall be readily available for audits, internal controls, and other verification.
- C. Data for Enrollment (Data)
 1. Student Applications
 2. Change of Program Data
 3. Fee Data
 4. Credit by Examination
 5. Student Academic Records
 6. Assessment Scores

COLLECTION AND RETENTION OF STUDENT INFORMATION

- A. The District shall treat all students equitably in the receipt of all school services, including, but not limited to, the gathering of student and family information for the institution's benefit programs.
- B. The Colleges shall maintain in writing District policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

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AP 5040 Student Records, Directory Information, and Privacy (10+1)

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- C. The District will provide students and families with annual notice, at the beginning of each school year, of institutional policies for student privacy and the abilities of parents or eligible students to inspect student information.
- D. The District will provide students an opportunity to opt out of disclosure of directory information. Notices must describe the following:
- a. The kind of information that the school has identified as directory information;
 - b. The eligible student's ability to refuse to let the school designate the information as directory information, which could be disclosed to outside entities;
 - c. The period of time in which the eligible student has to notify the school in writing that they do not want the information designated as directory information; and
 - d. That opting out by the noted deadline is the students' only way to prevent the release of directory information.
- E. Any sensitive information, such as a student's, parent's, or guardian's SSN, any AB 540 determinations, or citizenship status information collected by the District or disclosed by the student, should be maintained only for as long as necessary.
- F. If the District possesses information that could indicate immigration status or citizenship status, the District shall not consider the acquired information in admissions decisions or access to educational courses or degree programs.
- G. Students may elect not to provide immigration or citizenship status information to the institution, and this election shall not impede admissions or enrollment in educational programs.
- H. The District shall not create a list of student names linked with immigration status.
- I. District police or security departments shall not inquire into an individual's immigration status for immigration enforcement purposes.
- J. District police or security departments shall not aid any effort to create a registry containing individuals' country of birth or based on any other protected characteristics of victims, witnesses, or suspects of crimes unless required by law for specified purposes.

ACCESS TO STUDENT RECORDS**A. Definitions**

1. "Student" means any person who is currently enrolled or formally enrolled in classes in the San Bernardino Community College District.
2. The following data and documents will be maintained by the colleges and classified as "Student Records":
 - a. admission data
 - b. discipline records

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AP 5040 Student Records, Directory Information, and Privacy (10+1)

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San Bernardino Community College District



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- c. health records
- d. veteran records
- e. educational records

3. The following are not classified as "Student Records":

- a. information provided by a student's parents relating to applications for financial aid or scholarships.
- b. information related to a student compiled by a college officer or employee:
 - 1. appropriate for such officer or employee's performance of ~~his/her~~their responsibility; and
 - 2. which remains in the sole possession of the maker thereof; and
 - 3. is not accessible or revealed to any other person except a substitute. For the purposes of this subdivision, "substitute" shall mean a person who performs on a temporary basis the duties of the individual who made the notes and does not refer to a person who permanently succeeds the maker of the notes in ~~his/her~~their position.
- c. information related to a student created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional:
 - 1. acting or assisting in his professional or para-professional capacity; and
 - 2. the record is created, maintained or used in connection with the provision of treatment to the student; and
 - 3. the record is not available to anyone other than persons providing such treatment provided, however, that such a record may be personally reviewed by a physician or other appropriate professional of the student's choice.
- d. information maintained by a college law enforcement unit:
 - 1. necessary and appropriate to enable such law enforcement unit to carry out its duties and responsibilities as required by law or as may be assigned by the district;
 - 2. unit personnel do not have access to other student records; and
 - 3. such information is kept apart from other student records; and
 - 4. maintained solely for law enforcement purposes; and
 - 5. is available only to other law enforcement officials of the same jurisdiction.

e. any data or records not identified in part 2 is not to be considered a student record.

B. Access to Student Records

- 1. Students, as defined in this policy, have the right to review and receive copies of all student records relating to the student as maintained by the colleges. Expressly exempted from the right of inspection:
 - a. financial records of the parents of the students;

AP 5040 Student Records, Directory Information, and Privacy (10+1)

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- b. confidential letters and statements of recommendation that were placed in the education record prior to January 1, 1975. After January 1, 1975, confidential recommendations and other materials regarding admission to special departmental programs or honorary recognition for students may be acquired and remain confidential if the student has signed a waiver of his/her/their right to review and inspect such documents. In the event a student does not sign a waiver, such student must be given access to these records;
 - c. records of instructional, supervisory, counseling and administrative personnel which are in their sole possession and are not accessible or revealed to any other person except a substitute;
 - d. records of employees at the college, who are not in attendance at the college, made and maintained in the normal course of college business; and
 - e. records of students made and maintained by the college Health Office that are used in the treatment of students.
2. Procedures shall be developed by each college to provide for access to student records that will include:
 - a. a written request from the individual student;
 - b. access to student records not to exceed ten working days;
 - c. a review and inspection process that will be under the direct supervision of a designated employee
 - d. the option to obtain copies of their student records at a designated fee for each page copied.
 3. If any material or document in the education record of a student includes information on more than one student, the student shall have the right to inspect and review only such part of the material or document as relates to him/her/them or to be informed of the specific information contained in such part of the material or document.

C. Release of Student Records

1. Release of or access to individual student records is not authorized without specific written consent of the individual student or under judicial order, except that access may be permitted to the following:
 - a. officials and employees of the college, provided that any such person has a legitimate educational interest to inspect a record.
 - b. authorized representatives of the Comptroller General of the United States, the Secretary of Health, Education, and Welfare, an administrative head of an education agency, state education officials, or their respective designees, or the United States Office of Civil Rights, where such information is necessary to audit or evaluate a state or federally supported education program, or pursuant to a federal or state law, provided that except when collection of personally identifiable information is specifically authorized by federal law, any data collected by such officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and such personally identifiable data shall

AP 5040 Student Records, Directory Information, and Privacy (10+1)

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San Bernardino Community College District



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- be destroyed when no longer needed for such audit, evaluation, and enforcement of federal legal requirements.
- c. other state and local officials or authorities to the extent that information is specifically required to be reported pursuant to state law adopted prior to November 19, 1974.
 - d. accrediting organizations in order to carry out their accrediting functions.
 - e. organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction if such studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted.
 - f. appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons, or safety of a student or other persons, or subject to such regulations as may be issued by the Secretary of Health, Education and Welfare.
2. The agencies and individuals listed above are expressly forbidden from permitting access of said educational records to third parties.
 3. Where the colleges receive a judicial order to review and/or release a student record, the student involved will receive notification of this action by the colleges as soon as possible.
 4. No person, persons, agency or organization permitted access to student records pursuant to this policy shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student; however, this paragraph shall not be construed as to require prior student consent when information obtained pursuant to this section is shared with other persons within the educational institution, agency or organization obtaining access as long as such person(s) have a legitimate educational interest in the information.

D. Access to Student Records for Immigration Enforcement Purposes

The District must obtain a student's written consent before disclosing educational records, unless the information is relevant for a legitimate educational interest or includes directory information only. Neither exception permits disclosing information for immigration enforcement purposes; no student information shall be disclosed for immigration enforcement purposes without a court order or judicial warrant. Without a court order or a judicial warrant, written consent must be signed and dated by the student, or (if the student is a minor) by the student's parent(s) or guardian(s), before disclosure of the information, and must specify the records that may be disclosed, the purpose of the disclosure, and the party or class of parties to whom the disclosure may be made.

If desired by the student, the District must provide a copy of the records to be released. The party to whom the information is disclosed may not re-disclose the information to any other party without the prior consent of the student or subsequent court order.

District personnel shall develop a written policy for interactions with immigration authorities seeking to review student records. At minimum, such policies shall include the following information:

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- Contact information [**name, title, e-mail addresses, and phone numbers**] for the correct person to review and respond to a request for student records.
- Access to sample warrant and subpoena documents that could be used for access onto campus property, or to seize or arrest students or other individuals on campus.
- District personnel shall provide a set of responses for [**building personnel or residence hall staff**] to use in response to officers seeking access to records for immigration enforcement purposes.

In addition to notifying the [**designated campus official**], District personnel shall take the following action steps in response to an officer other than campus police requesting access to student records:

1. Ask for the officer's name, identification number, and agency affiliation;
2. Record or copy this information;
3. Ask for a copy of any warrants;
4. Inform the officer that you are not obstructing their efforts but that you need to contact a campus administrator or campus counsel for assistance.

Campus Police shall not provide personal information about an individual for immigration enforcement purposes, unless that information is publicly available, or required by a court order or judicial warrant. "Personal information" is defined as any information that identifies or describes an individual, and includes but is not limited to, a student's physical description, home or work address, telephone number, education, financial matters, medical or employment history, and statements made by, or attributed to, the individual. This restriction does not apply to information regarding the immigration or citizenship status of an individual.

Unless the District is served with a judicial subpoena or court order that by its terms prohibits disclosure to the student, the student must be notified of any judicial order or subpoena before the institution complies with the order in accordance with FERPA.

D.E. **Record of Access**

1. A log or record shall be maintained of each person, agency, or organization requesting or receiving information from individual student records. Such listing need not include college officials, instructors, or counselors.
2. The log or record shall be open to inspection only by the **Student** and the college official or **his/her**/their designee responsible for the maintenance of student records, and to other school officials with legitimate educational interests in the records, and to the Comptroller General of the United States, the Secretary of Health, Education and Welfare, and administrative head of an education agency as defined in Public Law 93.380, and state educational authorities as a means of auditing the operation of the system.
3. Personal information may be transferred to a third party only on the condition that such party will not permit access by any other party without the written consent of the student. (As an example, information released to agencies for auditing purposes or for improving instruction.) The following statement will accompany student records released under these circumstances:

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AP 5040 Student Records, Directory Information, and Privacy (10+1)

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"All student education records will be destroyed when they are no longer needed for implementation of the study. Student education records may not be released without the written consent of the student."

F. Name and Gender Changes to Former Student Records

If the District receives government-issued documentation, as described below, from a former student demonstrating that the former student's legal name or gender has been changed, the District shall update the former student's records to include the updated legal name or gender. If requested by the former student, the District shall reissue any documents conferred upon the former student with the former student's updated legal name or gender. Documents that shall be reissued by the District upon request include, but are not necessarily limited to, a transcript or a diploma conferred by the institution.

The District shall not charge a higher fee for correcting, updating, or reissuing a document based on a legal name or gender change than the fee it charges for correcting, updating, or reissuing that document generally.

The documentation of a former student sufficient to demonstrate a legal name or gender change includes, but is not necessarily limited to, any of the following:

- State-issued driver's license or identification card;
- Birth certificate;
- Passport;
- Social security card;
- Court order indicating a name change or a gender change, or both.

The District is not required to modify records that the former student has not requested for modification or reissuance.

Commencing with the 2023–24 graduating class, a graduating student may request that the District confer the diploma in the student's chosen name. The District cannot not-require a graduating student to provide legal documentation to demonstrate a legal name or gender change in order to have the student's chosen name listed on the student's diploma.

E.G. Challenge of Student Records

See Administrative Procedure 5045 titled Student Records: Challenging Content and Access Log

H. Use of Social Security Numbers

The District shall not do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit their social security number over the internet using a connection that is not secured or encrypted;

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- Require an individual to use their social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication device; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
 - Application or enrollment purposes;
 - To establish, amend, or terminate an account, contract, or policy; or
 - To confirm the accuracy of the social security number.

If the District has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that they have the right to stop the use of their social security number in a manner otherwise prohibited;
- The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
- No fee shall be charged for implementing this request; and the District shall not deny services to an individual for making such a request.

F.I. Annual Notice to Students

1. Students of the *San Bernardino Community College* District shall be notified annually of their rights under this procedure.
2. Standard college publications may be used to satisfy this annual notice to students.

G.J. Destruction of Records

Nothing in this policy shall prevent the destruction of records per established District procedure. (See BP/AP 3310 titled Records Retention and Destruction)

References:

Education Code Sections 66093.3 and 76200 et seq. ;
Title 5 Sections 54600 et seq. and 59410;
20 U.S. Code Section 1232g(j) (U.S. Patriot Act);
Civil Code Section 1798.85;
ACCJC Accreditation Standard II.C.8

End of Recommendation for AP 5040 Student Records, Directory Information, and Privacy

BP 5300 Student Equity (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|-------------------------------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 2/21/2024 |
| Reason(s) for Review/Changes | | | |
| > Minor Clerical Edit | | | |

Review Level

Level 3

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BP 5300 Student Equity (10+1)
P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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Reason(s) for Review/Changes

> Minor Clerical Edit

Review Process Notes:

(Replaces current SBCCD BP 5300)

The District is committed to assuring student equity and access in educational programs and college services.

The Chancellor is responsible for establishing and implementing a student equity plan in accordance with Title 5.

References:

Education Code Sections 66030, 66250, et seq. and 72010 et seq.;
Title 5, Section 54220

End of Recommendation for BP 5300 Student Equity

AP 5300 Student Equity (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

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| N Ornelas | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

> Legal Update 42: The Service updated this procedure to correct a reference to foundational skills.

Review Level

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AP 5300 Student Equity (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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Reason(s) for Review/Changes

> Legal Update 42: The Service updated this procedure to correct a reference to foundational skills.

Review Process Notes:

(Replaces current SBCCD AP 5300)

The colleges of the San Bernardino Community College District are firmly committed to a policy of student equity that promotes equal access to the District's educational opportunities, and remedies achievement gaps for historically disadvantaged groups.

Each College of the District shall develop, update, and maintain an effective Student Equity Plan. Following approval by the Board of Trustees, the plan shall be filed as required with the State Chancellor's Office.

The plan shall include:

- A. Goals, objectives, and key performance indicators for each outcome. Outcomes shall include, at a minimum:
 1. Access: Successful Enrollment
 2. Retention: Fall to Spring
 3. Transfer to a Four-year Institution
 4. Completion of transfer level math and English
 5. Earned High School equivalency, noncredit certificate, Chancellor's Office approved credit certificate, associate degree, or, if applicable to the college, a California Community College bachelor's degree.
- B. Campus-based research using the methodology established pursuant to subdivision (d) of Section 78221 to determine the extent of disproportionate impact in each outcome.
- C. Research shall examine each outcome for the following student categories, disaggregated by gender:
 1. Current or former foster youth
 2. Students with disabilities
 3. Low-income students
 4. Veterans
 5. Students in the following ethnic and racial categories, as they are defined by the United States Census Bureau for the 2010 Census for reporting purposes:
 - a. American Indian or Alaska Native
 - b. Asian
 - c. Black or African American
 - d. Hispanic or Latino
 - e. Native Hawaiian or other Pacific Islander
 - f. White
 - g. Some other race
 - h. More than one race
 6. Homeless students

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AP 5300 Student Equity (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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7. Lesbian, gay, bisexual, or transgender students
8. Additional categories of students determined by the governing board of the community college district. Research-based services, support, and programs to eliminate barriers to access and academic success of disproportionately impacted groups.
9. Justice-involved students

Each college will have a participatory governance committee charged with developing and maintaining the Student Equity Plan. The committee will monitor the planned efforts of the colleges to carry out the objectives of this plan.

The Vice President of Student Services or designee will have administrative oversight of the Equity plan: Duties will include:

- A. Promoting the active involvement of faculty, staff, and students through each campus' shared governance process.
- B. Promoting the involvement by campus and community members who can articulate the perspective and concerns of historically underrepresented groups.
- C. Ensuring the availability of campus-based, equity-related research.
- D. Development of activities and interventions to attain the goals of the plan, including coordination of existing student equity related programs.
- E. Identification of resources to fund these activities.
- F. Development and distribution of a schedule and process for evaluation of progress towards the goals.
- G. Development of an annual executive summary that includes, at a minimum, the Student Equity goals for each required student group, the activities the college will undertake to achieve these goals, and the resources budgeted for these activities.
- H. Maintaining a record of Student Equity expenditures for a minimum of three years.
- I. Assessing the progress made in achieving the identified goals from prior year plans.
- J. Posting the executive summary to the college website.

References:

Education Code Sections 66030, 66250 et seq., and 72010 et seq.; Title 5 Section 54220

End of Recommendation for AP 5300 Student Equity

BP 7120 Recruitment and Hiring (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| K Hannon | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

- > Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 02/26/2024 PPAC Approves Review Level
- 03/06/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
- 04/08/2024 PPAC Reviews Second AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

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BP 7120 Recruitment and Hiring (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> **Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.**

Review Process Notes:

> Chapter Lead advises the current review for legal update purposes only; P&P is undergoing an internal review and other changes will be brought to PPAC 2024-25.

(Replaces current SBCCD BP 7120)

The Chancellor shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria.

An Equal Employment Opportunity Plan shall be implemented according to Title 5 and Board Policy 3420 titled Equal Employment Opportunity.

All District employees shall demonstrate the ability to work with and serve individuals within a diverse community college campus environment.

Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.

The criteria and procedures for hiring instructional/non-instructional academic employees shall be established and implemented in accordance with board policies and administrative procedures regarding the Academic Senate's role in local decision-making.

The criteria and procedures for hiring classified employees shall be established by the Board of Trustees.

The criteria and procedures for hiring classified employees shall be established after first affording the **classified organization** an opportunity to participate in the decisions under the Board's policies regarding local decision making.

References:

Education Code Sections 70901.2, 70902 subdivisions (b)(7) & (d), and 87100 et seq.; and 87458;
Title 5 Sections 51023.5 and 53000, et seq. and 51023-5;
ACCJC Accreditation Standard III.A.1

End of Recommendation for BP 7120 Recruitment and Hiring

AP 7120 Recruitment and Hiring (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
*PPAC Reviews Constituent &
Initial AS Feedback*

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| K Hannon | 8/7/2023 | Recommendation Received | 2/21/2024 |
| Reason(s) for Review/Changes | | | |
| > FYI Only | | | |

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

> FYI Only

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AP 7120 Recruitment and Hiring (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes**> FYI Only**

Review Process Notes:

The District employs persons for positions categorized as Faculty, Classified, Confidential, Educational Administrators, and Classified Administrators as outlined in corresponding board policies and administrative procedures:

BP/AP 7210 titled Faculty
BP 7230 titled Classified Employees
BP/AP 7240 titled Confidential Employees
BP/AP 7250 titled Educational Administrators
BP/AP 7260 titled Classified Administrators

The information in this procedure does not apply to the recruitment and hiring for the position of Chancellor (see AP 2431 Chancellor Selection).

Position Approval Process

Every department, program, or discipline in the District, whether associated with a District function or on a campus/college, completes an annual program review, identifying needed positions for the coming fiscal year. Needed positions could be new positions or positions that are vacant at the time of the review. Once the positions are identified, they are submitted to the strategic planning process for review. The various strategic planning committees make recommendations to the site manager. All positions are subject to funding.

Job Opening/Application Processes

The District utilizes a completely electronic process for posting all job openings and the application process. The online applicant tracking system serves as the mechanism for submittal of recruitment requests, routes them through approval process and serves as the tool for job posting and application submittal. Initial screening is coordinated between Human Resources and screening committee members. Application materials may be submitted to the District Office during regular business hours.

Job Postings

When a position is approved for recruitment, the job is posted on the District's Human Resources webpage, and advertised in other appropriate venues.

Applying for a Job

Applicants can apply for any open position by logging onto the District's Human Resources webpage. Applicants will be expected to electronically attach all required documentation, such as, but not limited to: resume, cover letter, transcripts, certifications, etc., to the application.

The District has established the following hiring qualifications for all educational administrator positions:

- A. Demonstrated sensitivity to, understanding of, and respect for the diverse academic, socio-economic, cultural, disability, religious, sexual orientation, and ethnic backgrounds of community college students.
- B. Meet the minimum qualifications as stated in the job description.
- C. Commitment to participate in the collegiate consultation process of the College and the District.
- D. See BP/AP 3410 Nondiscrimination to ensure the most up-to-date protected classes are addressed.

Recruitment

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AP 7120 Recruitment and Hiring (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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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.

Job announcements shall clearly state job specifications setting forth the knowledge, skills, and abilities necessary for job performance. All job specifications including any "required", "desired" or "preferred" qualifications beyond the state minimum qualifications 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 (53022) 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 Executive Director of Human Resources 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).

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, will consult expertise as needed, and, on that basis, will certify the "qualified" pool of applicants. The District's Office of Human Resources shall conduct applicant pool reviews and take appropriate action as necessary consistent with all of the requirements set forth in Section 53023 of Title 5 of the California Code of Regulations. The composition of the qualified applicant pool shall be reviewed and compared to the composition of the initial applicant pool. If the Chief Human Resources Officer or designee finds that the composition of the qualified pool may have been influenced by factors which are not job related, appropriate action will be taken. This applicant pool data shall be reviewed in conducting the analysis described in section 53006(a).

The Screening Committee

1. 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.
2. The Screening Committee make up can be found in the Screening Committee Guidelines and in accordance the EEO Plan.
3. 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.
4. 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.
5. 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.

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AP 7120 Recruitment and Hiring (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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6. The administrator of the vacant position will appoint 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.
7. The Equal Employment Opportunity representative's role and responsibility is to maintain confidentiality and ensure the hiring process remains fair and equitable.
8. Every effort must be made to incorporate broad representation on every Screening Committee to bring a variety of perspectives to the screening process.
9. The appropriate administrator of the vacant position submits the membership of the Screening Committee to the Office of Human Resources for approval.

Interview Process

1. In cases where fewer than three (3) candidates are selected for a first level interview, the Screening Committee Chair shall provide written justification to the Office of Human Resources for approval.
2. The screening Committee develops job related interview questions. All questions will be reviewed by the Executive Director of Human Resources 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 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 Human Resources Department.
8. After the 1st level interviews are concluded, each member of the Screening Committee will evaluate 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 2nd level interviews.
9. The supervisor may participate on the 1st level interviews on 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 Chair presents written justification for submitting fewer than three (3) for 2nd level interview.
11. Second level interviews will be convened for all finalists by the appropriate administrator or designee. An EEO representative will be present for second level interviews.
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 interview, as determined by the appropriate administrator or designee.

Selection Process

The appropriate administrator and designee shall select one of the finalists, who is best qualified to fill the position and shall recommend such person to the Chancellor. An eligibility list can be established for multiple non academic

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AP 7120 Recruitment and Hiring (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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positions.

The appropriate administrator will submit an online notification to the Office of Human Resources to forward the screening to the Board of Trustees for approval.

Reference Check

Upon receipt of the selected candidate, the Office of Human Resources or the College President 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. If an eligibility list is established, candidates will be informed of their rank and duration.

Loyalty Oath

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

Scheduling of Interviews

Applicants who are invited for an initial interview and who live more than 100 miles away will be scheduled for an interview with the college president or chancellor, if possible, in addition to the committee interview on the same day as the initial interview.

Finalists who are invited for a second interview and live more than 200 miles away will be reimbursed for actual travel and meal expenses incurred as set forth in the Employee Travel Policy.

Also see BP/AP 3410 Nondiscrimination; BP/AP 3420 Equal Employment Opportunity; BP/AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies; and AP 7126 Applicant Background Checks

References:

Education Code Sections 87100 et seq., 87400, and 88003;
ACCJC Accreditation Standard III.A.1 (formerly III.A)

End of Recommendation for AP 7120 Recruitment and Hiring

BP 7210 Academic Employees (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Reviews Constituent & Initial AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| K Hannon | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

> Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

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BP 7210 Academic Employees (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
4

Reason(s) for Review/Changes

> **Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.**

Review Process Notes:

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

Academic employees are all persons employed by the District in academic positions. Academic positions include every type of service, other than paraprofessional service, for which the Board of Governors has established minimum qualifications for the California Community Colleges.

Faculty members are those employees who are employed by the District in academic positions that are not designated as supervisory or management. Faculty employees include, but are not limited to, instructors, librarians, counselors, and professionals in health services, SAS, and EOPS.

Decisions regarding tenure of faculty shall be made in accordance with the evaluation procedures established for the evaluation of probationary faculty and in accordance with the requirements of the Education Code. The Board of Trustees reserves the right to determine whether a faculty member shall be granted tenure. [The evaluation of academic employees, including tenure review, must include consideration of the employee's demonstrated, or progress toward, proficiency in diversity, equity, inclusion, and accessibility competencies that enable work with diverse communities.](#)

The District may employ temporary faculty from time to time as required by the interests of the District. Temporary faculty may be employed full time or part time. The Board delegates authority to the Chancellor to determine the extent of the District's needs for temporary faculty.

Notwithstanding this policy, the District shall comply with its goals under the Education Code regarding the ratio of full-time to part-time faculty to be employed by it and the for making progress toward the standard of 75% of total faculty work load hours taught by full-time faculty.

References:

Education Code Sections 87400 et seq; 87419.1; 87482.8, and 87600 et seq;
Title 5, Sections [51025](#) and [53602](#)

End of Recommendation for BP 7210 Academic Employees

AP 7210 Academic Employees (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
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Initial AS Feedback*

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| K Hannon | 8/7/2023 | Recommendation Received | 2/21/2024 |
| Reason(s) for Review/Changes | | | |
| > Minor clerical correction | | | |

Review Level

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AP 7210 Academic Employees (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
4

Reason(s) for Review/Changes**> Minor clerical correction**

Review Process Notes:

ACADEMIC EMPLOYEES, NON-MANAGEMENT**HIRING OF FULL-TIME FACULTY**

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 and inclusive hiring process that supports the goals of equal opportunity and diversity, providing equal consideration and opportunities for all qualified candidates. The goal of every hiring process is to select the qualified candidate who best meets the needs of our students. The hiring process for full-time faculty also focuses on candidates who will develop and maintain inclusive curriculum and environments that represent the ethnic and socioeconomic demographic of the college's student population.

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

Hiring faculty, classified staff, and administrators is accomplished through selection committees, which produce a recommendation of a final candidate from the President, or other appropriate administrator, to the Chancellor to recommend to the Board for employment.

HIRING QUALIFICATIONS**Minimum Qualifications**

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

1. For faculty and administrative positions, job requirements shall include (A) a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students as demonstrated by skills and abilities in cultural responsiveness and cultural humility; and (B) a demonstrated commitment to recognizing patterns of inequity in student outcomes, taking personal and institutional responsibility for the success of students, engaging in critical assessment of own practices, and applying a race-conscious awareness of the social and historical context of exclusionary practices in American Higher Education.
2. The Minimum Qualifications for discipline expertise adopted by the Board of Governors for California Community Colleges or possession of a valid and appropriate California Community College Credential as provided in Education Code 87355.
3. All applicants will be provided the opportunity to have qualifications for discipline expertise reviewed and considered for meeting minimum qualifications that meet or exceed those listed adopted by the Board of Governors through alternate means.

Application Procedure

1. The Human Resources Office will determine which applicants meet minimum education and expertise qualifications as set forth in the job announcement based on information provided on the official application for employment and verified by copies of transcripts provided by the applicant. Applicants not having minimum qualifications but requesting consideration of equivalent qualifications will be separated from those determined to meet minimum qualifications. If there is any discrepancy between the established minimum qualifications and the qualifications presented by an applicant as meeting minimum qualifications, that applicant's file will be grouped with the applications requesting consideration of equivalent qualifications.

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AP 7210 Academic Employees (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Applicant groups for equivalency review will have their qualifications evaluated by the Equivalency Committee, in accordance with the Equivalency Policy and Procedures. Human Resources will also evaluate the diversity of the pool of applicants to determine if further outreach is required before proceeding.

2. The files of all applicants who meet minimum qualifications or who have had equivalent qualifications determined by the Equivalency Committee will be reviewed by the selection committee. The selection committee will not review the file of any applicant who does not meet minimum qualifications or who has not been determined as possessing equivalent qualifications by the Equivalency Committee. Human Resources will forward candidates to the Equivalency Committee for final confirmation of meeting MQs when appropriate. A list of candidates who did not meet MQs will be provided to the hiring manager and/or selection committee by request. Should the selection committee have any concern about the pool or process, the selection committee chair may confer with the Vice Chancellor of Human Resources and Police Services or designee regarding these concerns.
3. For disciplines for which the master's degree is not generally expected or available (as designated in *Minimum Qualifications for Faculty & Administrators in California Community Colleges*, adopted by the Board of Governors), a "year of professional experience" shall be considered the period of time which the District accepts as a regular work year on a full-time basis. One year of professional experience must have been completed within the three years prior to the closing date for applications for the position. The minimum qualifications listed on the job announcement should identify the specific types of professional experience required for the position.
4. For disciplines for which the master's degree is not generally expected or available (as designated in *Minimum Qualifications for Faculty & Administrators in California Community Colleges*, adopted by the Board of Governors), the appropriate, valid certification or license to practice shall be stipulated based on the instructional responsibilities of the position. If no certificate or license is appropriate to the position, no certificate or license will be listed as a minimum qualification.

Desirable Qualifications

1. Job announcements may include a set of "desirable qualifications," separate from the minimum qualifications. These desirable qualifications should be approved by discipline faculty and describe characteristics that support the responsibilities of the position.
2. The combination of the minimum qualifications and the job-related desirable qualifications will be used as the basis for decision-making throughout the selection, interview, and recommendation of applicants.

Establishing Minimum and Desirable Qualifications

1. The minimum and desirable qualifications will be reviewed and edited by discipline faculty in consultation with the Division/Department Dean or other appropriate administrator. When no full-time faculty member is employed in the discipline, at least two full-time faculty in a reasonably related discipline will write the desirable qualifications in consultation with the Division/Department Dean or appropriate administrator. The academic senate may elect to recommend additional qualifications related to the ability to serve our diverse students well in any faculty position.
2. The Vice Chancellor of Human Resources and Police Services or their designee will monitor the minimum and desirable qualifications for adverse impact on groups that have been historically under-represented. If the Vice Chancellor of Human Resources and Police Services or their designee believes the qualifications appear to be too restrictive, they will meet with the discipline faculty and the Division/Department Dean or appropriate administrator to review the qualifications. If discriminatory intent or effect is identified, the Vice Chancellor of Human Resources and Police Services or their designee shall confer with the appropriate Vice President and the Academic Senate President to determine necessary remedies.

PROCEDURES

The goal of every hiring process is to select the qualified candidate who best meets the needs of our diverse student population.

AP 7210 Academic Employees (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Establishing the Position

Any request to fill new or vacant positions must be processed through the appropriate Manager and the Human Resources Office, and must receive approval by the Chancellor before any position announcement is made.

1. Faculty positions are identified by a process established by each College and Fiscal Services.
2. Chancellor approves faculty positions from those requested by the Colleges.
3. Human Resources receives the Staffing Requisition approved by the Chancellor and begins the search process.

Position Announcement

1. The Announcement of a Position will be drafted by the faculty of the discipline and the Division/Department Dean or appropriate administrator who established the minimum and desirable qualifications for the position (See "Establishing Minimum and Desirable Qualifications") in consultation with the Vice Chancellor of Human Resources and Police Services or designee and the appropriate Vice President. The final job announcement as seen by applicants will not be posted until reviewed and approved by all parties.

Job announcements shall clearly state job specifications setting forth the minimum and desired qualifications for the position. Job announcements including any "desired" qualifications beyond the minimums shall be reviewed by Human Resources before the position is announced to ensure conformity with the guidelines of the Board of Governors for the California Community Colleges, the requirements of Title 5 and State and Federal non-discrimination laws.

2. Position announcements will include the following sections:
 - a. Position Title
 - b. Application Deadline or Initial Review Date
 - c. Introduction: A brief description of the position and the relationship of the position to college offerings and activities. This includes a brief description of the college and the community served.
 - d. Minimum Qualifications: A statement including the established minimum qualifications, the appropriate valid credential(s), and the provision for equivalencies.
 - e. Desirable Qualifications: Those job-related qualifications that are desirable but not essential to perform the job.
 - f. Duties of the Position in accordance with the CBA: A list of typical duties including the following:
 - A brief description of the primary responsibilities (e.g. Faculty will teach to the outline of record for the specific assignment and maintain a current syllabus). Faculty will facilitate learning through a variety of modalities to maximize the success of our diverse student population,
 - A description of any co-curricular responsibilities (e.g. coaching, directing).
 - Reference to scheduling considerations (e.g. assignment to evening duties).
 - Leadership responsibilities related to the academic and/or co-curricular assignment (e.g. advisory committee, standing committees, curriculum development).
 - A description of institutional service responsibilities (e.g. five hours of institutional service, five office hours).
 - A commitment to ongoing professional development that includes cultural responsiveness, inclusiveness, and equity, as well as disciplinary relevance.
 - A description of any other duties unique to the position.

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 7210 Academic Employees (10+1)

P&P Chapter Lead Recommendation
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- g. Salary and Benefits: A statement of the salary range and a brief narrative description of fringe benefits in effect at the time of the announcement.
- h. Closing Date, Address for Submission of Application Materials, and Deadline for Equivalency requests.
- i. Application Process: Instructions regarding the completion of the application process and a statement that incomplete applications will not be considered by the selection committee. In addition, instructions will also include the need for the candidate to address how the desired qualifications have been met by the candidate in the cover letter or in the supplemental questions. The application process will include the following:
- An official district application form including a separate form for requests for equivalency along with a brief narrative description of the equivalency criteria appropriate to the minimum qualifications for the position. Applicants will be instructed to provide a narrative description of their equivalent experience along with transcripts and other documentation to support their request for equivalency.
 - A Letter of Application (A cover letter indicating explicitly how each of the minimum and desired qualifications are met.)
 - Official or unofficial transcripts for all college course work, including those generated from the Internet, to establish an applicant's file (An official transcript will be required before any offer of employment for the applied-for position).
 - A curriculum vitae or resume.
 - When appropriate, verification of credentials (community college instructor credential, vocational credential, and/or license).
 - When appropriate, verification of "professional experience" as articulated in the minimum and desirable qualifications.
 - When appropriate, additional support materials may be requested. Such materials may include letters of recommendation, work samples (e.g. videos, portfolios, written materials) and other materials directly related to the criteria established in the minimum and desirable qualifications.
- j. Selection Process: A brief description of the selection process including:
- The review by a selection committee to select candidates for interviews
 - An interview of candidates by the selection committee that may be comprised of faculty, administration, academic senate representatives, associated student government representatives, and other appropriate district personnel. Candidates are advised that all interview questions will be evaluated through the lens of both minimum qualifications and the desired qualifications.
 - A list of sample 1st level interview questions and an explanation of the panels function and limited ability to naturally interact with the candidate.
 - An interview of finalists by the President and Academic Senate President (and additional interviewers if selected by the President) or designee
 - A list of sample 2nd level interview questions and an explanation of the interactions available at the 2nd level.
 - Final recommendation to the Board of Trustees by the Chancellor of the District
 - A description of any other selection activities that are anticipated at the time of the announcement (e.g. a sample teaching demonstration, guest lecture, role playing, sample

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assignments, a questionnaire or impromptu writing sample)

k. Notice to All Candidates:

- The requirements of the Immigration Reform and Control Act of 1987
- Initial assignment information
- A reasonable accommodation notice will be included in each job announcement.

l. Statement of Equal Employment Opportunity including reference to “encouraging applications from underrepresented groups.”

3. The Vice Chancellor of Human Resources and Police Services or their designee will review the draft of the job announcement for the potential for adverse impact pursuant to provisions in #2 of “Establishing Minimum and Desirable Qualifications.”
4. The final draft of the job announcement will be reviewed by the discipline faculty and the Division Dean or appropriate administrator, and then returned to the Office of Human Resources. The discipline faculty and Division/Department Dean or appropriate administrator will make the final decision on the desired qualifications prior to submitting the DQs to Human Resources.
5. Upon the approval of the final draft of the announcement, the Division/Department Dean or appropriate administrator for the position will set a tentative timetable for the hiring process (e.g. Selection committee orientation/training, application review) in consultation with the discipline faculty, the Vice Chancellor of Human Resources and Police Services or their designee and the appropriate Vice President.

Applications

Human Resources accepts applications and supplemental materials until 11:59 pm on the closing date.

Human Resources will review the composition of the applicant pool to ensure that any failure to obtain projected representation for any monitored group is not due to discriminatory recruitment procedures. If necessary to establish an adequate and representative pool, the application closing date shall be extended and additional recruitment shall be conducted. (A "monitored group" means those groups identified by state and federal regulations for which monitoring and reporting are required. According to the provisions of Title 5 53004 (B), each applicant shall be afforded the opportunity to identify his or her gender, ethnic group identification, and if applicable, his or her disability.) After the pool is approved, all complete applications will be forwarded to the selection committee for consideration.

Recruitment and Advertising

Faculty positions are advertised for a minimum of thirty (30) days. Extensions to the deadline will be discussed with the discipline faculty and hiring dean both before the posting and during the posting.

An email notification of the posting will be sent to the discipline faculty, Dean and/or appropriate administrator.

Any ads placed in publications will contain the statement "An Equal Opportunity Employer."

New faculty will be recruited by means of wide dissemination of job announcements, with special efforts to contact referral sources for underrepresented minorities, persons with disabilities, and women. These efforts will be reviewed with the discipline faculty and hiring dean for input on increasing the hiring pool. This dissemination will be the responsibility of the Office of Human Resources in accordance with the EEO Plan.

A complete record will be maintained of all efforts to disseminate information and the response regarding the job opportunity. The record to be kept by the Office of Human Resources includes: (1) recruitment sources, (2) number of applicants for a specific position, and (3) gender, race, and disability status of applicants.

Notification of position openings will be mailed by Human Resources to colleges, universities, and organizations committed to providing equal employment opportunities to a wide range of applicants. In addition, positions are advertised locally and in professional journals and related publications when appropriate, and the State Chancellor's Office Job Registry and on the internet as recommended by the appropriate Division/ Department Dean or a Vice

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President.

SCREENING COMMITTEE**Membership**

Screening committees for faculty positions will be established and convened by the Division/Department Dean or other appropriate administrator or their designee.

- The Division/Department Dean or appropriate administrator for the position may formulate a preliminary list of candidates to serve as screening committee members.
- The President of the Academic Senate, after consultation with faculty in the discipline of the position and with the appropriate Division Dean, will appoint at least 3 faculty to serve on the selection committee.
- An Equal Opportunity Representative from the District HR-DEIA Committee shall be appointed to the Committee by the Vice Chancellor of Human Resources and Police Services or their designee. The Equal Opportunity Representative is a non-voting member.
- The Committee should also include representation from those employees or employee groups who are served by or otherwise interact with the position. If a classified employee is selected to serve on the committee, the President of CSEA will provide the names of individuals nominated to serve as the representative from the unit. The hiring supervisor will select appropriate committee member(s) from those nominees.
- The Screening Committee should normally have no fewer than five (5) and no more than nine (9) members.
- A majority of the membership of the selection committee shall be faculty.
- Every screening committee will include the Division/Department Dean or appropriate administrator or their designee
- The chair of the Committee will be chosen by a majority vote of the committee.
- When possible, every effort will be made, within the limits allowed by federal and state law, to ensure screening committees include a diverse membership, which will bring a variety of perspectives to the assessment of application qualifications. Selection/screening committees will be encouraged to include members from monitored groups and may include members from other colleges to include members from monitored groups.
- Human Resources will provide clerical/technical support and coordination.
- If unusual circumstances prevent the formation of a screening committee as described herein, the Division/Department Dean or appropriate administrator for the position will consult with the Vice Chancellor of Human Resources and Police Services or their designee to determine a reasonable representation. However, the final composition of the screening committee shall remain confidential.
- The Vice Chancellor of Human Resources and Police Services or their designee will approve all screening committee members to ensure diversity.

Second-Level Interview Procedures

Second level interviews will be conducted on all finalist by the College President or their designee with additional interviewers of their choice, and the Academic Senate President or their designee acting in an advisory capacity. In the case of District Office, second level interviews will be conducted by the appropriate administrator. Second -level interviews will also include an EEO Representative.

Training

All faculty, staff, and administrators involved in hiring faculty must receive training on diversity and the employment process for each Committee on which they serve. Such training will be provided by the Office of Human Resources at the first meeting of the Committee to ensure that each Committee member receives the required training that

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includes:

- Discussion of District commitment to equal opportunity, diversity, and student success
- The search and selection process
- Role of the selection committee
- Development of selection criteria
- Writing effective interview questions
- Development of selection criteria including DQ's as part of the job posting process
- Role of the Equal Opportunity Representative
- Confidentiality
- Effective reference checks (administrators only)

~~Pending Revision Approval: June 9, 2022~~

~~Approved: January 11, 1990~~

End of Recommendation for AP 7210 Academic Employees

AP 7216 Academic Employees: Grievance Procedure for Contract Decisions (10+1) (no matching BP exists)

03/05/24

Current Step:
PPAC Reviews Constituent & Initial AS Feedback



P&P Chapter Lead Recommendation
 San Bernardino Community College District

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| K Hannon | 8/7/2023 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

> Legal Update 41: The Service updated this procedure to clarify how a district processes grievance procedures and the requirement for the faculty union, if any, to consult with the Academic Senate regarding the faculty grievance procedure.

Review Level

Level 3

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

- 02/26/2024 PPAC Approves Review Level
- 03/06/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/20/2024 Level 3 Second Anticipated AS Review
- 04/08/2024 PPAC Reviews Second AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are **shown in blue** and should only be considered optional if indicated.
4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE

Recommended Changes (**shown in red**); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (**shown in blue**) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 7216 Academic Employees: Grievance Procedure for Contract Decisions (10+1) (no matching BP exists)



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San Bernardino Community College District

Reason(s) for Review/Changes

> **Legal Update 41: The Service updated this procedure to clarify how a district processes grievance procedures and the requirement for the faculty union, if any, to consult with the Academic Senate regarding the faculty grievance procedure.**

Review Process Notes:

> Chapter Lead advises the current review for legal update purposes only; P&P is undergoing an internal review and other changes will be brought to PPAC 2024-25.

Allegations that the District in a decision to not reappoint a probationary employee violated, misinterpreted, or misapplied any of its policies and procedures concerning the evaluation of probationary employees shall be classified and procedurally addressed as grievances.

Allegations that the community college district, in denying tenure, made a negative decision that to a reasonable person was unreasonable, or violated, misinterpreted, or misapplied, any of its policies and procedures concerning the evaluation of probationary employees shall be classified and procedurally addressed as grievances.

Unless noted otherwise in the collective bargaining agreement, probationary faculty members who wish to challenge a decision not to grant a second or third contract must follow the established grievance process outlined in the collective bargaining agreement. The employee after completing this process may proceed to a hearing in accordance with Education Code Section 87740, which is before an Administrative Law Judge appointed by the Office of Administrative Hearings.

Pursuant to Education Code Section 87610.1 subdivision (a), the faculty union must consult with the Academic Senate prior to bargaining the faculty grievance procedure.

Reference:

Education Code Section 87610.1

End of Recommendation for AP 7216 Academic Employees: Grievance Procedure for Contract Decisions

BP 2410 Board Policies and Administrative Procedures –
Chapter Lead Response (10+1)

03/05/24



P&P Chapter Lead Recommendation
 San Bernardino Community College District

Current Step:
PPAC Reviews 2nd AS Feedback

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| J Torres | 11/1/2023 | Recommendation Received | 12/5/2023 |

Reason(s) for Review/Changes

> Legal Update 40: The Service updated this policy to clarify that in unusual circumstances the governing board may adopt changes at the same meeting at which they are introduced. (2022-23 carryover)

Review Level

Level 3

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

- 09/06/2023 BPPAC Approval
- 09/18/2023 PPAC Approves Review Level
- 09/20/2023 Level 3 First Anticipated AS Review
- 10/09/2023 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 10/18/2023 Level 3 Second Anticipated AS Review
- 11/13/2023 PPAC Reviews Second AS Feedback
- 12/05/2023 BPPAC Approval of Chapter Lead Response to AS Input
- 12/11/2023 PPAC Reviews Feedback to AS Input
- 12/05/2023 BPPAC Approval
- 12/11/2023 PPAC Approves Review Level
- 02/07/2024 Level 3 First Anticipated AS Review
- 02/26/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/06/2024 Level 3 Second Anticipated AS Review
- 03/11/2024 PPAC Reviews Second AS Feedback
- 04/11/2024 BOT First Reading
- 05/09/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are shown in blue and should only be considered **optional** if indicated.
4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE

Recommended Changes (**shown in red**); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

BP 2410 Board Policies and Administrative Procedures

Chapter Lead Response (10+1)



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P&P Chapter Lead Recommendation
San Bernardino Community College District

Reason(s) for Review/Changes

> Legal Update 40: The Service updated this policy to clarify that in unusual circumstances the governing board may adopt changes at the same meeting at which they are introduced. (2022-23 carryover)

Review Process Notes:

> SBVC 2nd Academic Senate Feedback | There was a vote of No Support for the changes with the following feedback. The update is identified as being due to Legal Update 40 and the faculty were unable to locate the legal advisement or wording that supports the changes. They were asking if this is coming from Ed Code, from CCL, or some other location. Given the legal update, does it require the addition of the words “normally” and “in unusual circumstances” or is this language optional? If there is required language, is there other wording that would indicate more specifically circumstances that qualify as emergent or unusual, or a way to incorporate notification to the constituent groups of an upcoming change. The overall concern of the body is that the words “normally” and “in unusual circumstances” provide an avenue for many things to fall into that category and procedures being changed without following the normal processes outlined in the policy. If the language is not required, our Senate asked to strike it. Either way, they voted No Support as it stands.

> Chapter Owner Feedback below.

> [Academic Senate Feedback](#)

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 per the AP 2410 approved process. Proposed changes or additions shall normally be introduced not less than one regular meeting prior to the meeting at which action is recommended. In unusual urgent circumstances, the Board may change, amend, or add to Board Policies at the same meeting at which they are introduced. However, such exceptions to the first read/final approval two-month process will not circumvent or replace the AP 2410 Level Review process. In urgent circumstances, Policies of the Board may be adopted at the same Board meeting at which they are introduced. However, such exceptions to the first read/final approval two-month process will not circumvent or replace the AP 2410 Level Review process.

The Board shall regularly assess its policies for effectiveness in fulfilling the District's mission.

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

Board policies and administrative procedures are to be reviewed as per the schedule specified in AP 2410. Board policies and administrative procedures shall be readily available on the District's website.

Reference:

Education Code Section 70902;

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

End of Recommendation for BP 2410 Board Policies and Administrative Procedures - Chapter Lead Response

AP 2410 Board Policies and Administrative Procedures – Chapter Lead Response (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
AS Final Review

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|-------------------------------------|----------------|-------------------------------------|--------------------------|
| J Torres | 11/1/2023 | Recommendation Received | 12/5/2023 |
| Reason(s) for Review/Changes | | | |
| > No Change; FYI Only | | | |

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

> No Change; FYI Only

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
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4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE

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AP 2410 Board Policies and Administrative Procedures – Chapter Lead Response (10+1)



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Reason(s) for Review/Changes

> No Change; FYI Only

Review Process Notes:

The Policies and Procedures Advisory Committee (PPAC) to the Chancellor's Council is charged with updating, creating, developing, and systematically reviewing Board Policies (BP)/ Administrative Procedures (AP), also known as Policies and Procedures (P&P). This task is accomplished through a cyclical schedule which begins each academic year. The process is intended to:

- Efficiently allow for regular evaluation of policies and procedures.
- Provide faculty, staff, and students an opportunity to express opinions, and give those opinions every reasonable consideration.
- Ensure the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.

I. STARTING POINT

- Policies & Procedures are incorporated into the *Review Schedule* in one of three ways: *Annual Review*, *Legal Updates*, or *Other Requests*.
- Policies & Procedures are reviewed in pairs, when applicable, to ensure the AP supports the direction outlined in the BP.
- BPs require Board approval. APs are submitted to the Board for informational purposes; however, the Board may direct revisions of any APs judged to be inconsistent with BPs.
- The Chancellor's designee facilitates this process.

A. Annual Review

The Board will receive a list annually and prioritize the policies that need to be reviewed. Prior to the start of each academic year, the Chancellor's designee will take the necessary steps to initiate review of 10% of SBCCD's P&Ps, including:

1. Identify appropriate P&Ps for review.
2. Work with Academic Senate Presidents to determine which P&Ps fall under 10+1.
3. Notify Chapter Leads responsible for review.
4. Develop a timeline.
5. Present a *Review Schedule* to PPAC in September.
6. Maintain and publish the *Review Schedule* on PPAC webpage throughout the year.

B. Legal Updates

SBCCD keeps current with changes in law or accreditation standards through a subscription to the Community College League of California. This service issues periodic legal updates which

AP 2410 Board Policies and Administrative Procedures – Chapter Lead Response (10+1)



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promote regulatory compliance and familiarity with industry best practices. Legal updates do not need Board review prior to going through the process.

Upon receipt of a Legal Update, the Chancellor's designee will take the necessary steps to initiate review of affected P&Ps, including:

1. Add P&Ps to the Review Schedule.
2. Work with Academic Senate Presidents to determine which P&Ps fall under 10+1.
3. Notify Chapter Leads responsible for review.

C. Other Requests

Other requests for P&P review may be Chapter Lead-initiated, or come from a trustee, a staff member, or a student. All such requests should be submitted to the Chancellor's designee who will take the necessary steps to initiate review, including:

1. Add P&Ps to the Review Schedule.
2. Work with Academic Senate Presidents to determine which P&Ps fall under 10+1.
3. Notify Chapter Leads responsible for review.

II. CHAPTER LEAD REVIEW & RECOMMENDATION

Chapter Leads are the responsible “owners” of SBCCD P&Ps. These individuals are charged with reviewing and making recommendations based on general correctness and operational feasibility, including alignment with current practices, legal considerations, mandates, etc. SBCCD Chapter Leads are listed in the Definitions section of AP 2410.

- Chapter Leads receive requests to review P&Ps, and/or suggestions to revise P&Ps, from the Chancellor's designee.
- Chapter Leads are encouraged to collaborate with appropriate constituent groups before making a recommendation to PPAC. ALL P&Ps designated 10+1 will use Academic Senate as the primary recommending body.
- Chapter Leads return a recommendation to the Chancellor's designee based on the outcome of the review (i.e., reviewed with no change, reviewed with minor revisions, reviewed with content change, suggested deletion, etc.)
- The Chancellor's designee assigns the recommendation a rating of *Level 1 | Info Only*, *Level 2 | Minor Review (Non 10+1)*, or *Level 3 | Extensive Review* and includes item on the PPAC agenda.

III. CONSTITUENT FEEDBACK TO FINAL APPROVAL

Constituent feedback is collected through the appointed PPAC representatives and reviewed at committee meetings. The *Review Schedule* is posted on the PPAC webpage, and a report of PPAC activity is sent districtwide to keep all SBCCD employees informed.

AP 2410 Board Policies and Administrative Procedures – Chapter Lead Response (10+1)



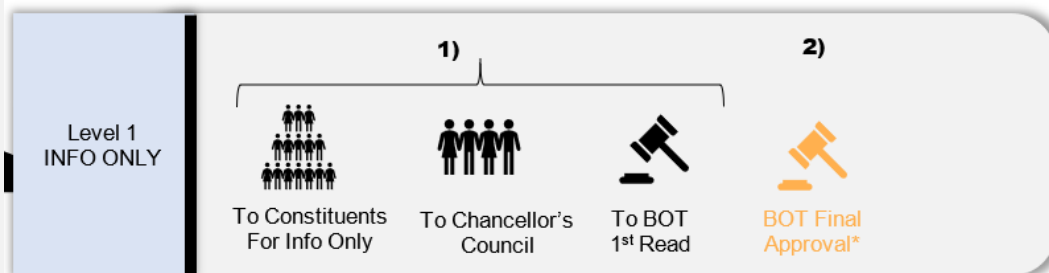
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To promote efficiency and respect the time of PPAC and constituent group members, P&Ps are categorized by level of review. This is to streamline the process and promote efficiency. PPAC members will assess review levels to ensure appropriateness.

A. Level 1 | Info Only

- These appear on the PPAC agenda for confirmation of review level assignment and are generally comprised of items that are:
 - Reviewed with no changes.
 - Reviewed with only minor clerical edits or legal reference changes.
 - Chapter 2 Board of Trustees P&Ps that do not fall under 10+1.
- All items deemed appropriately placed in *Level 1* by PPAC members are:
 1. Simultaneously forwarded to constituent groups for information only, forwarded to Chancellor's Council, and scheduled for BOT first read.
 2. The month following BOT first read, items should appear on the BOT agenda for second read and final approval.
 3. Items that do not receive BOT approval should begin the cycle again under the *Other Requests* method.



** Items that do not receive BOT approval should begin the cycle again under the Other Requests method.*

B. Level 2 | Minor Review (Non 10+1)

- These appear on the PPAC agenda for confirmation of review level assignment and are generally comprised of recommendations involving:
 - Existing P&Ps which are simple and non-controversial.
 - New P&Ps that are simple and non-controversial.
- All items deemed appropriately placed in Level 2 | *Minor Review (Non 10+1)* by PPAC members begin the following review process.
 1. PPAC representatives solicit constituent feedback which is uploaded via Microsoft Teams.
 2. Constituent feedback is forwarded to Chapter Leads to be reviewed for operational applicability and feasibility, and a determination on any suggested edits is made.

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

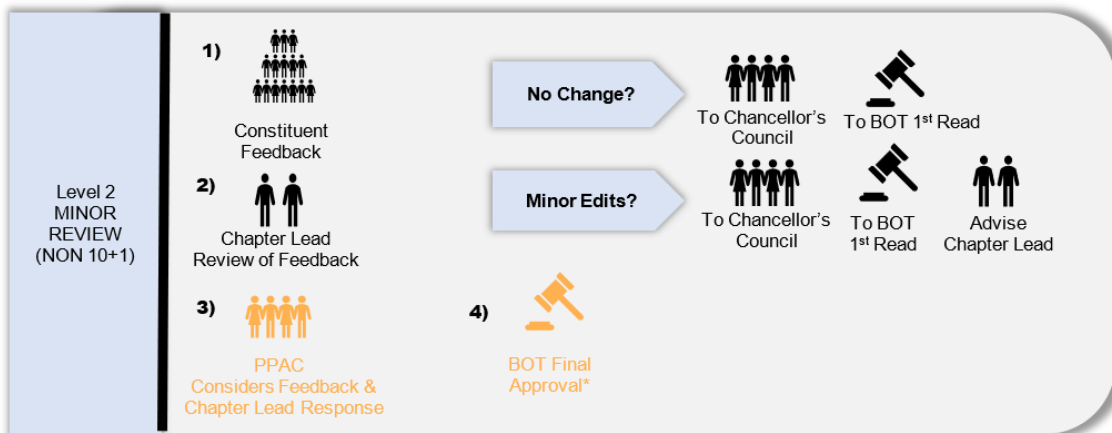
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3. At its next meeting, PPAC members review constituent feedback and the corresponding Chapter Lead determination, responding to the determination with *No Changes or Minor Edits*. (*Substantial Edits* are not expected for *Level 2 | Minor Review* recommendations.)
 - a. No Changes: Items with no changes are forwarded to Chancellor’s Council and scheduled for BOT first read.
 - b. Minor Edits: When appropriate, minor edits are incorporated into P&Ps, and Chapter Leads made aware. These items are then forwarded to Chancellor’s Council and scheduled for BOT first read.
 - c. Substantial Edits: Substantial edits are not expected for *Level 2 | Minor Review* recommendations. Any substantial edits will cause these items to be moved to *Level 3 | Extensive Review*.
4. The month following BOT first read, items should appear on the BOT agenda for second read and final approval.
5. Items that do not receive BOT approval should begin the cycle again under the *Other Requests* method.



* Items that do not receive BOT approval should begin the cycle again under the *Other Requests* method.

C. Level 3 | Extensive Review

- These appear on the PPAC agenda for confirmation of review level assignment and are generally comprised of recommendations involving:
 - Existing P&Ps with substantial changes and/or subject to 10+1
 - New P&Ps that are controversial, complex and/or subject to 10+1
- If consensus cannot be achieved on P&Ps falling under 10+1, Chancellor’s Council will be informed, and the issue referred to Chancellor’s Cabinet to make a determination.
- All items deemed appropriately placed in *Level 3 | Extensive Review* by PPAC members begin the following review process. Constituent review, especially for the Academic Senate, may take up to two sessions or four weeks. Constituent representatives should keep PPAC members updated as to the work of their constituent groups on these items.

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD’s process, visit <https://sbccd.edu/ap2410>.

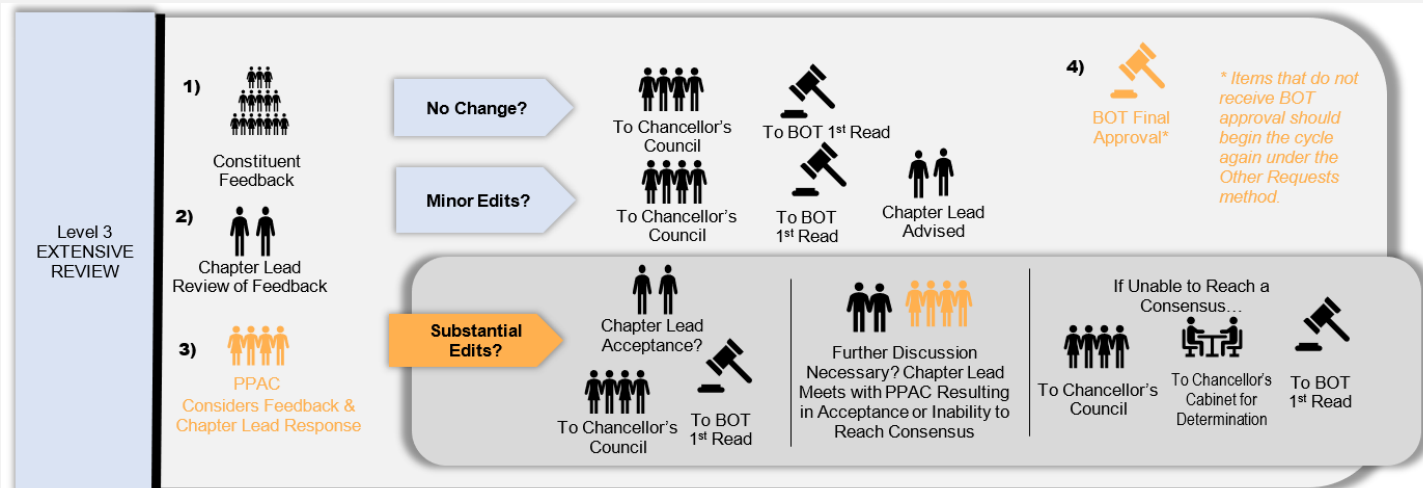
AP 2410 Board Policies and Administrative Procedures – Chapter Lead Response (10+1)



03/05/24

P&P Chapter Lead Recommendation
San Bernardino Community College District

1. PPAC representatives solicit constituent feedback which is uploaded via Microsoft Teams.
2. Constituent feedback is forwarded to Chapter Leads to be reviewed for operational applicability and feasibility, and a determination on any suggested edits is made.
3. At its next meeting, PPAC members review constituent feedback and the corresponding Chapter Lead determination, responding to the determination with *No Changes*, *Minor Edits*, or *Substantial Edits*.
 - a. *No Changes*: Items with no changes are forwarded to Chancellor’s Council and scheduled for BOT first read.
 - b. *Minor Edits*: When appropriate, minor edits are incorporated into P&Ps, and Chapter Leads made aware. These items are then forwarded to Chancellor’s Council and scheduled for BOT first read.
 - c. *Substantial Edits*: Any substantial edits will be forwarded to the Chapter Leads to be reviewed for operational applicability and feasibility.
 - i. *Chapter Lead Acceptance of Edits* results in P&Ps being forwarded to Chancellor’s Council and scheduled for BOT first read.
 - ii. *For Edits Requiring Further Discussion*, Chapter Leads are invited to attend PPAC meeting to discuss, resulting in acceptance or failure to reach consensus.
 - iii. When *Consensus Cannot be Reached on Edits*, Chancellor’s Council will be informed, and P&Ps referred to Chancellor’s Cabinet for a determination, which will then be scheduled for BOT first read.
4. The month following BOT first read, items should appear on the BOT agenda for second read and final approval.
5. Items that do not receive BOT approval should begin the cycle again under the *Other Requests* method.



DEFINITIONS

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD’s process, visit <https://sbccd.edu/ap2410>.

AP 2410 Board Policies and Administrative Procedures – Chapter Lead Response (10+1)



03/05/24

P&P Chapter Lead Recommendation
San Bernardino Community College District

10+1 or Academic and Professional: Relating to policy development and implementation matters for the following:

1. Curriculum, including establishing prerequisites and placing courses within disciplines;
2. Degree and certificate requirements;
3. Grading policies;
4. Educational program development;
5. Standards or policies regarding student preparation and success;
6. District and college governance 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. Processes for institutional planning and budget development; and
11. Other academic and professional matters as are mutually agreed upon between the governing board and the academic senate.

AP: Administrative Procedure(s)

BOT: Board of Trustees

BP: Board Policy(ies)

Chapters and Chapter Leads: Chapter Leads are the responsible “owners” of SBCCD P&Ps. These individuals are charged with reviewing and making recommendations based on general correctness and operational feasibility, including alignment with current practices, legal considerations, mandates, etc. SBCCD Chapter Leads are listed below.

- Chapter 1: The District | BOT, Chancellor (Lead)
- Chapter 2: Board of Trustees | BOT, Chancellor (Lead)
- Chapter 3: General Institution | Chancellor (Lead) and Chancellor’s Cabinet
- Chapter 4: Academic Affairs | Chancellor’s Designee(s) and Academic Senate Presidents (Co-Leads)
- Chapter 5: Student Services | Chancellor’s Designee(s) and Academic Senate Presidents (Co-Leads)
- Chapter 6: Business & Fiscal Services | Executive Vice Chancellor (Lead) and Vice Presidents of Administrative Services
- Chapter 7: Human Resources | Vice Chancellor of Human Resources and Police Services (Lead)

P&P: Board Procedure(s) and Administrative Policy(ies)

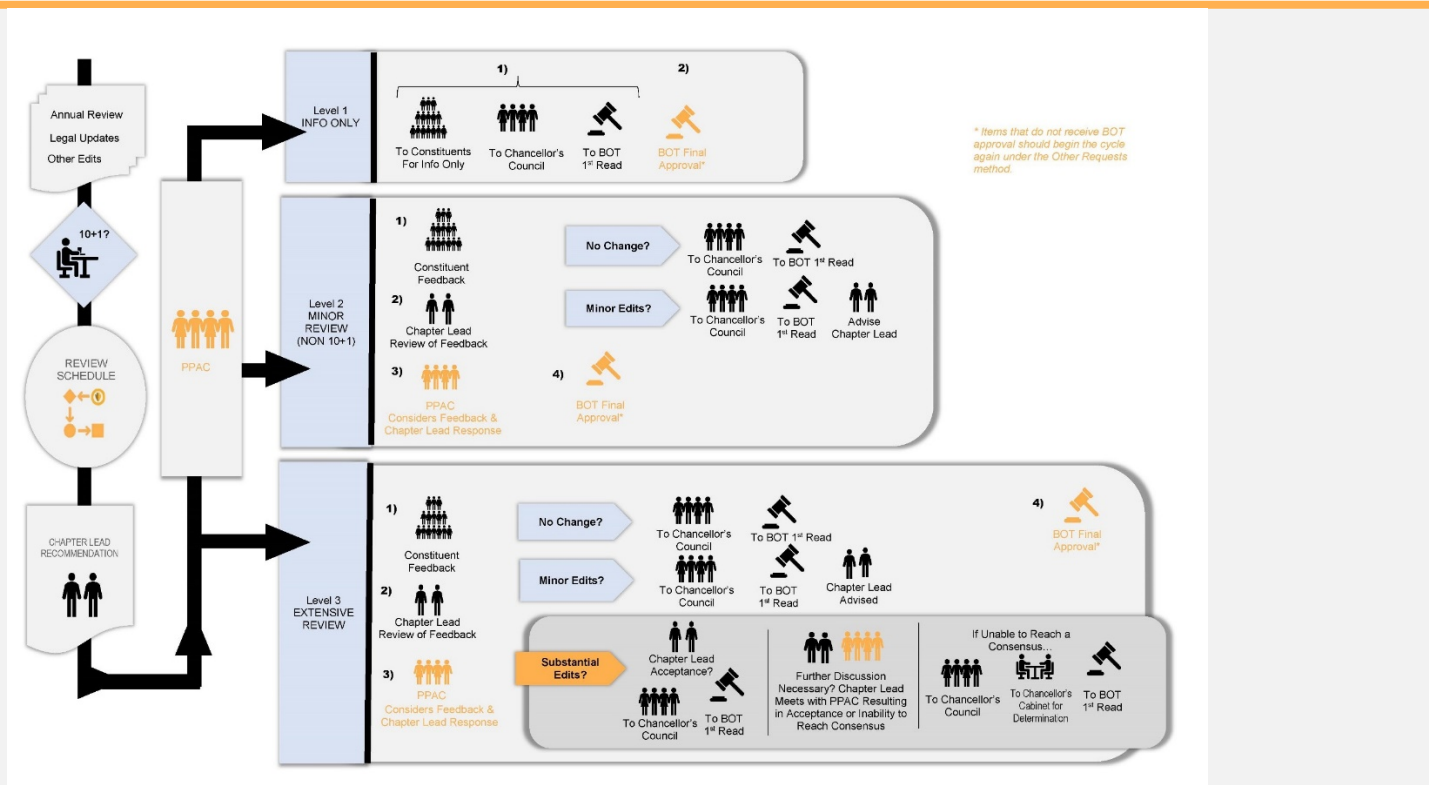
PPAC: Policies and Procedures Advisory Committee, an advisory body to the Chancellor’s Council, charged with updating, creating, developing, and systematically reviewing BPs/APs.

AP 2410 Board Policies and Administrative Procedures – Chapter Lead Response (10+1)



03/05/24

P&P Chapter Lead Recommendation
San Bernardino Community College District



References:

Education Code Section 70902;

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

End of Recommendation for AP 2410 Board Policies and Administrative Procedures - Chapter Lead Response

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

BP 5050 Student Success and Support Program – Chapter Lead Feedback (10+1)

03/05/24

Current Step:
PPAC Reviews 2nd AS Review



P&P Chapter Lead Recommendation
San Bernardino Community College District

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 12/11/2023 | Recommendation Received | 11/28/2023 |

Reason(s) for Review/Changes

> Legal Update 38: The Service updated this policy to add optional language to highlight diversity, equity, and inclusion issues. (2022-23 carryover)

Review Level

Level 3

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

- 8/25/2023 PPAC Approves Review Level
- 09/06/2023 Level 3 First Anticipated AS Review
- 09/18/2023 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 09/20/2023 Level 3 Second Anticipated AS Review
- 10/9/PPAC Reviews Second AS Feedback | Chapter Lead Response to Input
- 12/11/2023 PPAC Approves Review Level
- 02/07/2024 Level 3 First Anticipated AS Review
- 02/26/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 03/06/2024 Level 3 Second Anticipated AS Review
- 03/11/2024 PPAC Reviews Second AS Feedback
- 04/11/2024 BOT First Reading
- 05/09/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are shown in blue and should only be considered optional if indicated.
4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE

Recommended Changes (**shown in red**); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

BP 5050 Student Success and Support Program – Chapter Lead Feedback (10+1)



03/05/2
4

P&P Chapter Lead Recommendation
San Bernardino Community College District

Reason(s) for Review/Changes

> **Legal Update 38: The Service updated this policy to add optional language to highlight diversity, equity, and inclusion issues. (2022-23 carryover)**

Review Process Notes:

- Davena Burns-Peters reported SBVC Academic Senate approval on 9/20/2023
- **No further change requested; being brought back to support evaluation of BP 5050 for out-of-date educational plan language.**

Student Success for San Bernardino Community College District students means more than just obtaining degrees, transfer, certificate, or career advancement. It also means the achievement of the individual student's self-established educational goals including completing a specific course, program, career and/or technical education to maximize the skills necessary to become a better person, worker, and/or citizen. Student Success is not merely an outcome, but also a process. It's a journey that encompasses multiple levels of achievement and milestones such as the abilities to: analyze, synthesize, and evaluate information; effectively communicate with others; achieve proficiency in various disciplines; collaboratively work in culturally diverse settings; be leaders who see projects through to completion; be responsible decision makers who are self-motivated; be active civic participants; and be ethical individuals who are committed to their families, communities, and others.

The Board's commitment to Student Success is to ensure the availability of resources for the colleges to achieve the goals and objectives as stated in their college planning documents.

The District shall provide Student Success and Support Program services to students for the purpose of furthering equality of educational opportunity and academic success. ~~Optional: The Board expects the Student Success and Support Programs to specifically identify and close opportunity gaps that impact student success and improve the District's commitment to diversity, equity, and inclusion to better support student success.~~ The purpose of Student Success and Support Program services is to bring the student and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements.

The Chancellor is responsible for establishing procedures to assure implementation of Student Success and Support Program services that comply with the Title 5 regulations.

References:

Education Code Sections 78210 et seq.;

Title 5 Sections 55500 et seq.

ACCJC Accreditation Standard II.C.2.

End of Recommendation for BP 5050 Student Success and Support Program - Chapter Lead Feedback

AP 5050 Student Success and Support Program – Chapter Lead Feedback (10+1)

03/05/24

Current Step:
PPAC Reviews 2nd AS Review



P&P Chapter Lead Recommendation
San Bernardino Community College District

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 12/11/2023 | Recommendation Received | 11/28/2023 |

Reason(s) for Review/Changes

- > Legal Update 38: The Service updated this procedure add optional language to highlight diversity, equity, and inclusion issues. (2022-23 carryover)
- > Chapter Lead Request to address outdated Student Plan language per PPAC meeting on 10/09/2023.

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 8/25/2023 PPAC Approves Review Level
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- 03/11/2024 PPAC Reviews Second AS Feedback
- 04/11/2024 BOT First Reading
- 05/09/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
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RECOMMENDATION STARTS ON NEXT PAGE

Recommended Changes (**shown in red**); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 5050 Student Success and Support Program – Chapter Lead Feedback (10+1)



03/05/2
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P&P Chapter Lead Recommendation
San Bernardino Community College District

Reason(s) for Review/Changes

- > **Legal Update 38: The Service updated this procedure add optional language to highlight diversity, equity, and inclusion issues. (2022-23 carryover)**
- > **Chapter Lead Request to address outdated Student Plan language per PPAC meeting on 10/09/2023.**

Review Process Notes:

- > Davena Burns-Peters reported SBVC Academic Senate approval on 9/20/2023

> *Per 2023-12-11 PPAC: The committee reviewed the recommendation showing Chapter Lead changes in response to feedback. Nohemy confirmed the changes were discussed with college deans and counseling chairs. The committee questioned the language indicating what each student will do in establishing a plan, and particularly the fourth bullet, "Diligently attend class and complete assigned coursework."*

Several opinions were expressed dealing with why this section is part of the AP, and the fact that the faculty, who are the content experts, vetted the language. It was decided that Chapter Lead Nohemy will continue to work on this recommendation in conjunction with the stakeholders and bring it back to a future PPAC meeting.

1/22/2024 NOTE TO PPAC: The issues discussed at the December PPAC were reviewed with the Counseling team by the Chapter Lead and determined to be appropriate for this AP)

~~(Replaces current SBCCD AP 5050)~~

The District shall provide Student Success and Support Program services to students to further equality of educational opportunity and academic success. **The Student Success and Support Programs shall identify and close opportunity gaps that impact student success and improve the District's commitment to diversity, equity, and inclusion to better support student success.**

Matriculation brings the student and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements. The agreement is implemented by means of the student educational plan.

Matriculation services include, but are not limited to, all the following:

- Processing application for admission and English, Math, and/or ESL Placement authorized by the California Community Colleges Chancellor's Office
- Counseling and orientation services designed to provide students, on a timely basis, information concerning campus procedures, academic expectations, financial aid, registration procedures, student support programs and services, and any other appropriate matters
- Educational planning

Admission and Placement:

The District shall support students with the admissions process. SBCCD will not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

The District shall:

- **Inform students of their rights to access transfer-level coursework in English, mathematics (or quantitative reasoning), credit English as a Second Language and of the multiple measures placement policies or other college placement processes including the availability of challenge processes;**
- **Include information about the student's course placement options in the college catalog, in orientation and**

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 5050 Student Success and Support Program – Chapter Lead Feedback (10+1)



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advisement materials, on the college's website, and in any written communication by counseling services;

- Provide annual reports to the California Community Colleges Chancellor's Office in a manner and form described by the California Community Colleges Chancellor's Office; and
- Publicly post the college's placement results, including the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit English as a Second Language coursework, disaggregated by race and ethnicity.

Counseling Services:

Services upon enrollment, shall include, but not be limited to, all the following:

- Interpretation of placement results to recommend appropriate courses
- Assistance to students in the identification of aptitudes, interests, and educational objectives, including, but not limited to, associate degrees, transfer for baccalaureate degrees, and career/technical certificates and licenses
- Evaluation and instruction on student study and learning skills
- Referral to instructional and student support services
- Advisement concerning course selection for registration and developing the student educational plan

Educational Planning:

Each student, in establishing an educational plan, will do the following:

- Express at least a broad educational intent upon admission
- Declare a specific goal no later than the term after which the student completes 15 semester units of degree applicable coursework
- Cooperate in the development of the student educational plan that meets a student's educational goal after completing 15 units
- Diligently attend class and complete assigned coursework
- Complete courses and maintain progress toward an educational goal

~~The Student Success and Support Program brings the student and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements. The agreement is implemented by means of the student educational plan.~~

~~Each student, in entering into an educational plan, will do all of the following:~~

- ~~identify an education and career goal;~~
- ~~identify a course of study;~~
- ~~be assessed to determine appropriate course placement;~~
- ~~complete orientation;~~
- ~~participate in the development of the student educational plan;~~
- ~~complete a student educational plan no later than the term after which the student completes 15 semester units of degree applicable credit coursework;~~
- ~~diligently attend class and complete assigned coursework; and~~
- ~~complete courses and maintain progress toward an educational goal.~~

~~Student Success and Support Program services include, but are not limited to, all of the following:~~

- ~~Orientation on a timely basis, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters.~~
- ~~Assessment and counseling upon enrollment, which shall include, but not be limited to, all of the following:~~
 - ~~Administration of approved AB705 assessment instruments to determine student competency in computational and language skills.~~
 - ~~Assistance to students in the identification of aptitudes, interests, and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and~~

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 5050 Student Success and Support Program – Chapter Lead Feedback (10+1)



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P&P Chapter Lead Recommendation
San Bernardino Community College District

- ~~vocational certificates and licenses.~~
- ~~○ Evaluation of student study and learning skills.~~
- ~~○ Referral to specialized support services as needed, including, but not limited to, federal, state, and local financial assistance; health services; mental health services; campus employment placement services; extended opportunity programs and services; campus child care services programs that teach English as a second language; and **disabled student accessibility services.**~~
- ~~○ Advisement concerning course selection.~~
- ~~○ Follow-up services, and required advisement or counseling for students who are enrolled in basic skills courses, who have not declared an educational objective as required, or who are on academic probation.~~
- ~~○ an ongoing institutional research program to determine the effectiveness of Student Success and Support Programs, services, and processes.~~
- ~~○ faculty and staff training to assist with implementation of Student Success and Support Program requirements.~~

~~The District shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.~~

The District shall:

- ~~● Inform students of their rights to access transfer-level coursework in English, mathematics (or quantitative reasoning), credit English as a Second Language and of the multiple measures placement policies or other college placement processes including the availability of challenge processes;~~
- ~~● Include information about the student's course placement options in the college catalog, in orientation and advisement materials, on the college's website, and in any written communication by counseling services;~~
- ~~● Provide annual reports to the California Community Colleges Chancellor's Office in a manner and form described by the California Community Colleges Chancellor's Office; and~~
- ~~● Publicly post the college's placement results, including the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit English as a Second Language coursework, disaggregated by race and ethnicity.~~
- ~~● **From current SBCCD AP 5050 titled Matriculation**~~

~~Matriculation is a process that brings a district college and a student who enrolls for credit into an agreement for the purpose of realizing the student's educational goal through the college's established programs, policies, and requirements.~~

~~A. The student's responsibilities under this agreement include:~~

- ~~1. the expression of at least a broad educational intent upon enrollment;~~
- ~~2. the declaration of a specific educational objective after completion of 15 semester units of degree applicable credit coursework;~~
- ~~3. diligence in class attendance and completion of assigned coursework;~~
- ~~4. the completion of courses and maintenance of progress toward an educational goal, according to standards established by the college, the district, and the state.~~

~~B. The responsibilities of a district college under this agreement will entail providing appropriate matriculation services that shall include:~~

- ~~1. the processing of applications for admission in a timely manner;~~
- ~~2. orientation and pre-orientation services designed to provide, on a timely basis, needed information about instructional programs, course prerequisites, student services, college regulations, and student rights and responsibilities;~~
- ~~3. assessment of students to determine student competency in computational and language skills; to identify aptitudes, interests, and educational objectives and to evaluate study and learning skills. Multiple assessment measures may include State approved tests, prior academic history, work experience, personal responsibilities/circumstances, maturation, desire and determination.~~
- ~~4. counseling and advising to assist students in interpreting test results, and in developing and updating their educational plans; referral of students to:

 - ~~a. support services which may be available including, but not limited to, counseling/advising, transfer services, financial aid, campus employment placement services, extended~~~~

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 5050 Student Success and Support Program – Chapter Lead Feedback (10+1)



03/05/2
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P&P Chapter Lead Recommendation
San Bernardino Community College District

- ~~opportunity programs & services; campus child care services, tutorial services and disabled student programs and services; and~~
- ~~b. specialized curriculum offerings including, but not limited to, pre-collegiate basic skills courses and programs in English as a second language;~~
- ~~5. a follow-up system to detect and correct early signs of academic difficulty, and to ensure the academic progress of each student;~~
 - ~~6. an ongoing institutional research program to determine the effectiveness of matriculation programs, services, and procedures;~~
 - ~~7. faculty and staff training to help them implement matriculation requirements.~~

~~NOTE: Please confirm that the following language SBCCD AP 5050 reflects current practice and is still legally accurate.~~

~~C. EXEMPTIONS~~

~~Although all students are given the opportunity to participate, each college has elected to exempt certain students from orientation, assessment and counseling/advisement (Title 5 Section 55532(a)). Exempted students are identified and informed through the matriculation process. Exemption criteria are outlined in the Matriculation Plan for each college.~~

~~D. PREREQUISITES AND ENROLLMENT LIMITATIONS~~

- ~~1. All courses shall be open for enrollment to any student who has been admitted to a district college except that students may be required to meet necessary and valid prerequisites. Additionally, a college may also limit enrollment in a course based on health and safety considerations, facility limitations, faculty workload, availability of qualified instructors, funding limitations, constraints of regional planning or legal requirements imposed by status, regulations or contracts (Title 5 Section 58106(a)).~~
- ~~2. Prerequisites for a course shall be clearly related to course content and must be valid as being necessary for success in such course. Prerequisites shall be developed and established in full compliance with Title V 5 Regulations, Section 58106. Violations, waivers and appeals will be addressed and resolved through the established District Grievance Policy.~~
- ~~3. Each college will have a matriculation plan which clearly addresses each of the matriculation mandates. Compliance with these requirements will be monitored by the State Chancellor's Office as stipulated by the Seymour-Campbell Matriculation Act.~~
- ~~4. By this statement, the Board acknowledges the intent of the Seymour-Campbell Matriculation Act and agrees to implement its regulations to the extent possible and as appropriate.~~

References:

Education Code Sections 78210 et seq.;
Title 5, Sections 55500 et seq.
ACCJC Accreditation Standard II.C.2

End of Recommendation for AP 5050 Student Success and Support Program - Chapter Lead Feedback

AP 2712 Conflict of Interest Code

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| K Hannon | 03/11/2024 | Recommendation Received | 03/04/2024 |

Reason(s) for Review/Changes

> **Remove Appendix A – Designated Postions from the AP to streamline the efficiancy of updates through the FPPC.**

Review Level

Level 1

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 03/05/2024 BPPAC Approval
- 03/11/2024 PPAC Approves Review Level
- 03/12/2024 Level 1 to Constituents for Information Only
- 04/11/2024 BOT First Reading
- 05/09/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are **shown in blue** and should only be considered optional if indicated.
4. If there are no changes showing, this item is being presented for information only.
5. For questions on this recommendation, please contact J Torres or kgoodric@sbccd.edu.

RECOMMENDATION STARTS ON NEXT PAGE

Recommended Changes (**shown in red**); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (**shown in blue**) should not be considered optional unless so indicated. For more on SBCCD’s process, visit <https://sbccd.edu/ap2410>.

AP 2712 Conflict of Interest Code

P&P Chapter Lead Recommendation
 San Bernardino Community College District



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Reason(s) for Review/Changes

> Remove Appendix A – Designated Postions from the AP to streamline the efficiency of updates through the FPPC.

Review Process Notes:

(Replaces current SBCCD AP 2260)

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

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

APPENDIX A

Designated Positions

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

| Designated Positions | Disclosure Categories |
|--|-----------------------|
| Board of Trustees | 1,2 |
| Chancellor | 1,2 |
| Executive Vice Chancellor | 1,2 |
| General Counsel | 1,2 |
| Business Manager | 1,2 |
| Director, Facilities Planning, Emergency Management & Construction | 2 |
| Associate Deans | 2 |

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD’s process, visit <https://sbccd.edu/ap2410>.

AP 2712 Conflict of Interest Code

P&P Chapter Lead Recommendation
San Bernardino Community College District



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| | |
|---|--------------|
| Associate Director of Energy, Sustainability & Safety Administration | 2 |
| Campus Project Manager | 2 |
| Chief Technology Officer | 2 |
| College President, CHC | 2 |
| College President, SBVC | 2 |
| Deans | 2 |
| Director, Diversity, Equity, and Inclusion | 2 |
| Director of Technology Services | 2 |
| Director, Administrative Application Systems | 2 |
| Director, Alternative Text Production Center | 2 |
| Director, Technology Services | 2 |
| Director, SAS | 2 |
| Director, Fiscal Services | 2 |
| Director, Grants Development & Administration | 2 |
| Facilities Project Manager | 2 |
| General Manager, KVCR TV/FM | 2 |
| Local Business Outreach Administrator Measure CG | 2 |
| Vice Chancellor, Educational and Student Support Services | 2 |
| Vice Chancellor of Human Resources and Police Services | 2 |
| Vice Chancellor, Workforce Development, Advancement & Media Systems | 2 |
| Vice President of Administrative Services | 2 |
| Vice President of Instruction | 2 |
| Vice President of Student Services | 2 |
| Director, Facilities, Maintenance & Operations | 3 |
| Director, Human Resources, EEO, Legal Services and Labor Relations | 3 |
| Food Services Supervisor | 3 |
| Chief of Police | 3 |
| Consultants/New Positions | * |

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

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 2712 Conflict of Interest Code

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2

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

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

- Retirement Board Authority
- Investment Advisors

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

APPENDIX B

DISCLOSURE CATEGORIES

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

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

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

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

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

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

REFERENCES:

Government Code Sections 87103(e), 87300-87302, 89501, 89502, and 89503; Title 2 Section 18730 Any changes to this AP requires approval of the FPPC prior to board approval.

AP 2712 Conflict of Interest Code

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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End of Recommendation for AP 2712 Conflict of Interest Code

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

BP 6200 Budget Preparation

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| J Torres | 1/31/2024 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes
> FYI only to support Legal Update 43 review of AP; minor clerical change.

Review Level

Level 2

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 03/11/2024 PPAC Approves Review Level
- 03/12/2024 Levels 2 & 3 to Constituents for Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are **shown in blue** and should only be considered optional if indicated.
4. If there are no changes showing, this item is being presented for information only.
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RECOMMENDATION STARTS ON NEXT PAGE

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BP 6200 Budget Preparation

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> FYI only to support Legal Update 43 review of AP; minor clerical change.

Review Process Notes:

(Replaces current SBCCD BP 6200)

Each year, the Chancellor shall present to the Board a budget, prepared in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. The schedule for presentation and review of budget proposals shall comply with state law and regulations, and provide adequate time for Board study.

Budget development shall meet the following criteria:

- The annual budget shall support SBCCD's Strategic Plan as well as other District and college plans.
- Assumptions upon which the budget is based are presented to the Board for review.
- A budget calendar is provided to the Board for approval each year that includes dates for presentation of the tentative budget, required public hearing(s), Board ~~study-strategy~~ session(s), and approval of the final budget. [At the public hearing, interested persons may appear and address the Board regarding the proposed budget or any item in the proposed budget.](#)
- Unrestricted general ~~fund~~ reserves shall be no less than the prudent reserve defined by the State Chancellor's Office and ~~b~~Board budget priorities.
- Changes in the assumptions upon which the budget was based shall be reported to the Board in a timely manner.
- Budget projections address both long- and short-term goals, commitments, and strategic directions.

References:

Education Code Section 70902 ~~subdivision~~ (b)(5);
Title 5 Sections 58300 et seq.;
ACCJC Accreditation Standard III.D

End of Recommendation for BP 6200 Budget Preparation

AP 6200 Budget Preparation

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| J Torres | 1/31/2024 | Recommendation Received | 2/21/2024 |

Reason(s) for Review/Changes

> Legal Update 43: The Service updated this procedure to align with Title 5 regulations.

Review Level

Level 2

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 03/11/2024 PPAC Approves Review Level
- 03/12/2024 Levels 2 & 3 to Constituents for Feedback
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- 06/13/2024 BOT Final Approval

Action Requested

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AP 6200 Budget Preparation

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> **Legal Update 43: The Service updated this procedure to align with Title 5 regulations.**

Review Process Notes:

(Replaces current SBCCD-AP-6200)

A. Budget Calendar

A budget calendar that includes presentation of the tentative and final budgets shall be developed to comply with California Code of Regulations Section 58300 et seq. The tentative budget shall be presented no later than July 1 (Title 5 Section 58305 [subdivision \(a\)](#)), and the final budget no later than September 15 (Title 5 Section 58305 [subdivision \(c\)](#)). A public hearing on the budget shall be held on or before September 15 (Title 5 Section 58301). All dates are subject to change if directed by the State Chancellor's Office.

Prior to February 1, the Board will adopt a budget calendar that identifies activities and sets dates for each step in the budget development process.

~~B.~~ B. Budget Directives

Budget planning supports institutional goals and is linked to strategic plans and other institutional planning efforts. ~~The Board of Trustees may create a budget committee in order to discuss budget details that could affect directives. The Board of Trustees will update its budget directives annually prior to~~

~~Prior to March 1, the Board will give direction for budget development to include:~~

- ~~1. Reaffirmation or change in mission;~~
- ~~2. Resource allocation (set level of Reserve for Contingency, Workers' Compensation Reserve, any special project reserve, etc.);~~
- ~~3. Determination of the amount of resources estimated to be available for General Fund expenditure with potential increases or decreases during the budget preparation period;~~
- ~~4. Preliminary establishment of budget allocations for the colleges, district office and other sites.~~

~~C.~~ C. Budget Preparation

1. Prior to March 1 information will be provided to responsibility center managers that will include the status of current expenditures, state and local estimates of revenues, site "base budget" allocations, and targets for increases or decreases.
2. Each college and the central services offices will prepare a site budget through the responsibility center managers using the information provided. Each president may provide additional directions or forms for site budget development to complement these general procedures.
3. Each college will work with Fiscal Services in analyzing short- and long-term enrollment directions as they apply to the development of both revenue and expenditure plans.
4. The aggregate site budget shall be submitted to Fiscal Services in the prescribed format. Each president will certify that the site budget has met the Board-approved budget development guidelines. All budget amounts will be rounded to the nearest dollar.

~~D.~~ D. Budget Consolidation

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AP 6200 Budget Preparation

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Fiscal Services will:

1. Check the budgets for compliance with instructions;
2. Check mathematical accuracy;
3. Ensure that the aggregate of the budgets submitted is within the site allocation; and
4. Facilitate data entry of the budgets, and analyze the data.

~~E.D.~~ **E. Budget Presentation and Adoption**

1. **Preliminary Budget**

- a. No later than May of each year the ~~Vice Chancellor of Business &~~ Fiscal Services ~~department~~ will ~~present-prepare at~~ the preliminary budget ~~to-for presentation to~~ the Board ~~of Trustees~~. No formal action is required by the Board on ~~the-this~~ preliminary budget.
- b. Between the time that the preliminary budget is developed and the final budget is adopted, changes to the budget will be made as additional information is received from the state based on the state budget adoption process.

2. **Tentative Budget**

No later than July 1 the Board will adopt a tentative budget. This budget will reflect changes made to the preliminary budget.

3. **Final Budget**

Prior to the state-prescribed date, the Board will adopt a final budget for SBCCD that reflects changes made to the tentative budget and provides the operational budget base for the fiscal year. ~~Two copies of the adopted budget will be submitted to the State Chancellor's Office on or before September 30 (Title 5 Section 58305(d)).~~ A copy of the adopted annual financial and budget report to be submitted to the California Community College Chancellor's Office on or before October 10 [Title 5 Section 58305 subdivision (d)].

The budget development processes, which initially take place in the District Strategic Planning and Budget Committees, include consultation with appropriate groups and ultimately will be recommended to the Chancellor. The Chancellor will make a recommendation to the Board of Trustees.

The State required 311 Report, including budget data, will be submitted to the State Chancellor's Office.

A copy of the annual financial and budget report will be filed with the appropriate County office for information and review [Title 5 Section 58305 subdivision (d)].

~~F.E.~~ **F. Budget Control**

It is the charge of each responsibility center manager to control the budget(s) within his/her assignment. Fiscal Services will provide a monthly budget report and assistance in budget analysis and management as required.

References:

Education Code Section 70902 [subdivision \(b\)\(5\)](#);

Recommended Changes ([shown in red](#)); if there are no changes showing, this item is being presented for information purposes only. Legally required changes ([shown in blue](#)) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 6200 Budget Preparation

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Title 5 Sections 58300 et seq.;
ACCJC Accreditation Standard III.D

End of Recommendation for AP 6200 Budget Preparation

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

BP 4225 Course Repetition (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |

Reason(s) for Review/Changes

- > Minor Clerical Edit
- > Legal Citation to coincide with Legal Update to AP.

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 03/11/2024 PPAC Approves Review Level
- 04/03/2024 Level 3 First Anticipated AS Review
- 04/08/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 04/17/2024 Level 3 Second Anticipated AS Review
- 05/13/2024 PPAC Reviews Second AS Feedback
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
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RECOMMENDATION STARTS ON NEXT PAGE

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BP 4225 Course Repetition (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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Reason(s) for Review/Changes

> **Minor Clerical Edit**

> **Legal Citation to coincide with Legal Update to AP.**

Review Process Notes:

~~(Replaces current SBCCD BP 4225)~~

Students may repeat courses in which substandard grades (less than " C ," and including "FW") were earned. Reasonable limitations on course repetition are described in [Administrative Procedure \(AP\) 4225](#), ~~itled~~ Course Repetition.

When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

Under special circumstances, students may repeat courses in which a C or better grade was earned. The special circumstances are defined in [AP 4225 administrative regulations](#).

References:

Title 5 Sections 55040, 55041, [55042](#), [55044](#), and 58161

End of Recommendation for BP 4225 Course Repetition

AP 4225 Course Repetition (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |

Reason(s) for Review/Changes

- > Legal Update 42: The Service updated this procedure to update the definition of substandard grades and the circumstances under which a student can repeat courses pursuant to changes in Title 5 regulations.

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

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- 05/13/2024 PPAC Reviews Second AS Feedback
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- 07/11/2024 BOT Final Approval

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AP 4225 Course Repetition (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> **Legal Update 42: The Service updated this procedure to update the definition of substandard grades and the circumstances under which a student can repeat courses pursuant to changes in Title 5 regulations.**

Review Process Notes:

(Replaces current SBCCD AP 4225)

Students may petition for approval to repeat up to a total of 16 units in the following courses:

- Courses for which repetition is necessary to meet the major requirements of CSU or UC for completion of a bachelor's degree;
- Intercollegiate athletics courses; and
- Intercollegiate academic or vocational competition courses. Such courses may be repeated no more than four times for semester courses.

Students may enroll in activity courses in physical education, visual arts, or performing arts. Such courses may not be repeated for more than four semesters. This limit applies even if the student receives a substandard grade or "W" during one or more enrollment or if a student petitions for repetition for repetition due to extenuating circumstances.

When a student repeats a course designated as repeatable to alleviate substandard academic work (a "D," "F," "FW," or "NP," or "NC", the previous grade and credit shall be disregarded in the computation of grade point averages. No more than two substandard grades may be alleviated.

When a student with a disability repeats a class, the previous grade and credit shall be disregarded in the computation of grade point averages.

Courses that are repeated shall be recorded on the student's permanent academic record using an appropriate symbol.

Annotating the permanent academic record shall be done in a manner that all work remains legible, insuring a true and complete academic history.

Nothing can conflict with Education Code Section 76224 pertaining to the finality of grades assigned by instructors, or with Title 5 or District procedures relating to retention and destruction of records.

A student earning a satisfactory grade in a course may not enroll in that course again unless one of the following exceptions applies:

- In courses designated by the District as repeatable in accordance with AP 4227.
- In enrollments based on lapse of time in accordance with AP 4228.
- In variable unit courses offered on an open-entry/open-exit basis in accordance with AP 4229.
- In documented cases of extenuating circumstances for one additional enrollment in the same course as determined by the Scholastics Standards Committee. Extenuating circumstances are verified cases of accidents, illness, or other circumstance beyond the student's control.
 - o ~~Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.~~
 - o Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.
 - o Prior grade will be disregarded in computing the student's GPA.

Recommended Changes (shown in red); if there are no changes showing, this item is being presented for information purposes only. Legally required changes (shown in blue) should not be considered optional unless so indicated. For more on SBCCD's process, visit <https://sbccd.edu/ap2410>.

AP 4225 Course Repetition (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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- In a cooperative work experience (Occupational work experience) course, if the course is not offered as a variable unit open-entry/open-exit course.
 - Students may earn up to a total of 16 units in all types of cooperative work experience education.
 - No more than 8 units of cooperative work experience in a given field may be taken during one term.
 - A student may repeat a cooperative work experience course any number of times so long as the student does not exceed the limits on the number of units of cooperative work experience education.
 - All previous grades and credits must be factored in computing the student's GPA.
- In classes designated as "special classes" as a disability-related accommodation for a reason specified in Title 5 Section 56029.
 - All previous grades and credits must be factored in computing the student's GPA.
- In a course that is required by statute or regulation as a condition of an individual student's paid or volunteer employment as determined by the Scholastic Standards Committee. Verification that the course is required by statute or regulation must be documented. ~~o All previous grades and credits must be factored in computing the student's GPA.~~
 - All previous grades and credits must be factored in computing the student's GPA.
- In cases of significant change in industry or licensure standards such that repetition of the course is necessary for the student's employment or licensure as determined by the Scholastics Standards Committee. Verification that the course is required for employment or licensure must be documented. ~~o All previous grades and credits must be factored in computing the student's GPA.~~
 - All previous grades and credits must be factored in computing the student's GPA.

A student receiving a substandard grade may enroll in the credit course again under the following specified circumstances. Substandard academic grades include the grading symbols "D," "F," "FW," or "NP," ~~or~~ "NC". Withdrawals from courses count toward the total enrollment limitation.

- A student whose prior enrollment resulted in a substandard grade or who withdrew from a course and received a "W".
 - The student may enroll one additional time and may be recommended to use available San Bernardino Valley College resources to pass the course.
 - If the student receives a substandard grade or withdrawal in the second enrollment, the student may petition to enroll in the same course a third time with the Counseling Department. The student must receive approval from their Counselor Designee to be approved to repeat the course.
 - A student may only enroll in the same course a fourth time if authorized by another provision of this policy.
 - A student may not receive a fourth Withdrawal in a course.
 - Military withdrawal, withdrawals due to extraordinary conditions (Title 5 Section 58509), and withdrawals where the district determines discriminatory treatment has occurred do not count toward the enrollment limit.
 - When a student repeats a course in which they received a substandard grade and the student receives a letter grade upon completion of the course, the first two prior grades will be disregarded in computing the GPA.
- In courses designated by the District as repeatable in accordance with AP 4227.
- In variable unit courses offered on an open-entry/open-exit basis in accordance with AP 4229.
- In documented cases of extenuating circumstances for one additional enrollment in the same course as

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AP 4225 Course Repetition (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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determined by the Scholastic Standards Committee Extenuating circumstances are verified cases of accidents, illness, or other circumstance beyond the student's control. ~~o Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.~~

- o Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.
- o Prior grade will be disregarded in computing the student's GPA.
- In a cooperative work experience course, if the course is not offered as a variable unit open-entry/open-exit course. o ~~Students may earn up to a total of 16 units in all types of cooperative work experience education.~~
 - o Students may earn up to a total of 16 units in all types of cooperative work experience education.
 - o No more than 8 units of cooperative work experience in a given field may be taken during the one term.
 - o A student may repeat a cooperative work experience course any number of times so long as the student does not exceed the limits on the number of units of cooperative work experience education.
 - o All previous grades and credits must be factored in computing the student's GPA.
- In classes designated as "special classes" as a disability-related accommodation for a reason specified in Title 5 Section 56029.
- O Prior grades will be disregarded in computing the student's GPA.
- In a course that is required by statute or regulation as a condition of an individual student's paid or volunteer employment as determined by the Scholastics Standards Committee Verification that the course is required by statute or regulation must be documented. ~~O All previous grades and credits must be factored in computing the student's GPA.~~
 - o All previous grades and credits must be factored in computing the student's GPA.
- In cases of significant change in industry or licensure standards such that repetition of the course is necessary for the student's employment or licensure as determined by the Scholastics Standards Committee. Verification that the course is required for employment or licensure must be documented.
- All previous grades and credits must be factored in computing the student's GPA.

In addition to the foregoing enrollment limitations, a student's enrollment in active participatory courses in physical education and visual or performing arts is limited to four enrollments in levels and/or variations if the course the student is seeking to enroll in is related in content to one that he or she has previously been or is currently enrolled in unless an exception applies. All grades and credits received count in computing GPA, unless an exception applies. A course related in content includes any course with similar primary educational activities in which skill levels or variations are separated into distinct courses with different student learning outcomes for each level or variation.

- Enrollment based on significant lapse of time in accordance with AP 4228 count toward the four enrollment limit, except that if a student has exhausted the four enrollment limit, one additional enrollment in the same course may be permitted.
- In variable unit courses offered on an open-entry/open-exit basis in accordance with AP 4229, except that if the course is an active participatory course in physical education, in which case each enrollment in a portion of the course counts toward the limitation for courses that are related in content.

Courses designated by the District as repeatable in accordance with AP 4227 that are active participatory courses in physical education, visual arts, or performing arts are subject to the enrollment limitations for courses that are related content. Students may only have four enrollments in one course or a combination of courses related in content. All grades and credits received count in computing the student's GPA.

A student may repeat a course at another accredited college to alleviate a substandard grade earned at Citrus

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AP 4225 Course Repetition (10+1)

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San Bernardino Community College District



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College, except that not more than two substandard grades may be disregarded in one course. The student shall file a petition with the Admissions and Records Office and verify the grade with an official college transcript.

Grades disregarded through academic renewal in accordance with AP 4240 are not subject to the limitations outlined in this policy.

Courses that are repeated shall be recorded on the student's permanent academic record using an appropriate symbol. Annotating the permanent academic record shall be done in a manner that all work remains legible, ensuring a true and complete academic history. Nothing herein shall be construed in such a way that it conflicts with Education Code Section 76224 pertaining to the finality of grades assigned by instructors, with Title 5, or District procedures relating to retention and destruction of records.

Transfer Credit

In determining transfers of a student's credit, similar prior course repetition actions by other accredited colleges and universities may be honored.

The Records Office shall keep records of all actions taken under course repetition procedures.

References:

Education Code Section 76224;

Title 5 Sections 55040, 55041, 55042, 55043, 55253, and 56029, [and 58161](#)

End of Recommendation for AP 4225 Course Repetition

BP 4232 Pass/No Pass (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|-------------------------------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |
| Reason(s) for Review/Changes | | | |
| > Minor Clerical Edit | | | |

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 03/11/2024 PPAC Approves Review Level
- 04/03/2024 Level 3 First Anticipated AS Review
- 04/08/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 04/17/2024 Level 3 Second Anticipated AS Review
- 05/13/2024 PPAC Reviews Second AS Feedback
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Action Requested

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2. Staff recommended changes are **shown in red**.
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BP 4232 Pass/No Pass (10+1)
P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> Minor Clerical Edit

Review Process Notes:

(Replaces current SBCCD BP 4231)

Students may elect to be graded on a Pass/No Pass basis in order to explore a variety of disciplines by following appropriate administrative regulationsprocedures.

Reference:

Title 5, Section 55022

End of Recommendation for BP 4232 Pass/No Pass

AP 4232 Pass/No Pass (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |

Reason(s) for Review/Changes

- > Legal Update 42 Addendum: The Service updated this procedure to correct a typographical error and align language with the updated Title 5 regulations.
- > Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 03/11/2024 PPAC Approves Review Level
- 04/03/2024 Level 3 First Anticipated AS Review
- 04/08/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 04/17/2024 Level 3 Second Anticipated AS Review
- 05/13/2024 PPAC Reviews Second AS Feedback
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Action Requested

1. Please review this Chapter Lead recommendation based on the reasons above.
2. Staff recommended changes are **shown in red**.
3. Legal changes are **shown in blue** and should only be considered optional if indicated.
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AP 4232 Pass/No Pass (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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Reason(s) for Review/Changes

- > **Legal Update 42 Addendum: The Service updated this procedure to correct a typographical error and align language with the updated Title 5 regulations.**
- > **Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.**

Review Process Notes:

(Replaces current SBCCD AP 4231)

Application

Courses may be offered in either or both of the following categories

- A. Courses in which all students are evaluated on a "pass/no pass" basis.
- B. Courses in which each student may elect until the last day of instruction upon registration, as established and published by the District any time during the semester, whether the basis of evaluation is to be decide to take the course on a "pass-no pass" or a letter grade basis. to be graded on a Pass/No Pass basis in any class by filing the appropriate form in the college Records Office by the end of the fifth week of instruction for regular term length classes or no later than thirty percent of the term length for short-term classes.
- B.C. Courses in which each student may elect upon registration, or at any time during the semester, decide to take the course on a pass/no pass basis.

Grade

The student is held responsible for all assignments and examinations required in the course. The standards of evaluation are identical for all students in the course.

A student electing to be evaluated on the "pass/no pass" basis will receive both course credit and unit credit upon satisfactory completion of the course. In computing a student's grade-point average, grades of "pass/no pass" are omitted.

A pass grade is granted for performance that is equivalent to the letter grade of C or better. A student who fails to perform satisfactorily will be assigned a "no pass" grade.

After the deadline, the only justification for a change from Pass/No Pass to a letter grade is institutional error or extraordinary circumstances that require approval through the college petition process.

Unit Limits

No more than fifteen units in courses taken for P may apply toward meeting graduation requirements.

GPA

Units earned as P shall not be included in the determination of a student's grade point average.

Credit Units Applied to Major

Units earned as P shall not apply toward fulfilling the requirements of a student's major except under the following circumstances:

- A. A student has earned P units and subsequently declares a major in which those units are required.
- B. A student earns P units for a major that is offered only on a Pass/No Pass basis at another college.

Reference:

Title 5, Section 55022

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AP 4232 Pass/No Pass (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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End of Recommendation for AP 4232 Pass/No Pass

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BP 4235 Credit for Prior Learning (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |

Reason(s) for Review/Changes

- > Legal Update 39: The Service updated this policy to clarify that students may earn credit for prior learning through satisfactory completion of certain examinations. (2022-23 carryover)

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

- 03/11/2024 PPAC Approves Review Level
- 04/03/2024 Level 3 First Anticipated AS Review
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- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Action Requested

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BP 4235 Credit for Prior Learning (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

Credit for prior learning may be earned for eligible courses approved by the district for students who satisfactorily pass an authorized assessment [or examination](#). Authorized assessments may include the evaluation of approved external standardized examinations, joint services transcripts, student-created portfolios, and credit by examination. The Chancellor shall establish administrative procedures to implement this policy.

Reference:

Title 5 Section 55050, [et seq.](#)

End of Recommendation for BP 4235 Credit for Prior Learning

AP 4235 Credit for Prior Learning (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |

Reason(s) for Review/Changes

> Legal Update 39: The Service updated this procedure to reflect additions to Title 5 Regulations requiring districts to grant students credit for satisfactory completion of International Baccalaureate or College Level Examination Program examinations and requiring districts to ensure that students' academic records clearly annotate credit earned by such examinations. (2022-23 carryover)

Review Level**Level 3****Anticipated AP2410 Schedule** (for info on this process, visit <https://sbccd.edu/ap2410>)

03/11/2024 PPAC Approves Review Level
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AP 4235 Credit for Prior Learning (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

> **Legal Update 39: The Service updated this procedure to reflect additions to Title 5 Regulations requiring districts to grant students credit for satisfactory completion of International Baccalaureate or College Level Examination Program examinations and requiring districts to ensure that students' academic records clearly annotate credit earned by such examinations. (2022-23 carryover)**

Review Process Notes:

Students may demonstrate proficiency in a course eligible for Credit for Prior Learning and receive college credit through the approved alternative methods for awarding credit listed below:

- 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) examination.
- Achievement of a score that qualifies for credit by International Baccalaureate examination.
- Evaluation of joint service transcript (JST) that considers the credit recommendations of the American Council on Education pursuant to Education Code 66025.71.
- Evaluation of industry-recognized credential documentation.
- Evaluation of student-created portfolios.
- 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 for Credit for Prior Learning:

- The student must be currently registered in the college and in good standing.
- The student must have previously earned credit or noncredit from the college or be currently registered in the college.
- Current students must have an education plan on file.
- The student is not currently enrolled in the course to be challenged.
- Credit by Examination: The student is registered in the college and not currently enrolled in nor received credit for a more advanced course in the same subject (may be waived by discipline faculty). The determination to offer credit by examination rests solely on the discretion of the discipline faculty.
- Credits acquired by examination shall not be counted in determining the 12 semester hours of credit in

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AP 4235 Credit for Prior Learning (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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residence required for an associate's degree.

- A fee may be charged for administering an examination provided that the fee does not exceed the enrollment fee which would be associated with enrollment in the course for which the student seeks credit by examination.
- The student's academic record shall be clearly annotated to reflect that credit was earned by assessment of prior learning.
- Upon a student's demonstration of sufficient mastery through an examination or assessment, an award of credit should be made, if possible, to:
 - California Intersegmental General Education Transfer Curriculum (IGETC),
 - California State University General Education (CSUGE) Breadth,
 - The college's general education requirements or requirements for a student's chose program, or
 - Electives for students who do not require additional general education or program credits to meet their goals.
- Grading shall be according to the regular grading system approved by the governing board, except that students shall be offered a "pass-no pass" option if that option is ordinarily available for the course.
- The SBCCD Board of Trustees will review the credit for prior learning policy every three years and report the findings to the California Community College Chancellor's Office that include the following:
 - The number of students who received credit for prior learning,
 - The number of credits awarded per student,
 - Retention and persistence rates of students earning credit for prior learning,
 - Completion data (for certificate, degree, and transfer) for students earning credit for prior learning, and
 - Qualitative assessments by students of the policies and procedures.

Reference:

Education Code Section 79500;
Title 5 Sections 55050, [55051](#), [and 55052](#), [and 55025.5](#)

End of Recommendation for AP 4235 Credit for Prior Learning

AP 4236 Advanced Placement Credit (10+1) (no matching BP exists)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|--------------|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |

Reason(s) for Review/Changes

- > Legal Update 39: The Service updated this procedure to add a legal citation to Title 5 Section 55052 and clarify that if a district grants credit for satisfactory completion of Advanced Placement examination, a student’s academic record will reflect such credit.

Review Level

Level 3

Anticipated AP2410 Schedule (for info on this process, visit <https://sbccd.edu/ap2410>)

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AP 4236 Advanced Placement Credit (10+1) (no matching BP exists)

P&P Chapter Lead Recommendation
San Bernardino Community College District



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Reason(s) for Review/Changes

- > **Legal Update 39: The Service updated this procedure to add a legal citation to Title 5 Section 55052 and clarify that if a district grants credit for satisfactory completion of Advanced Placement examination, a student's academic record will reflect such credit. New to SBCCD.**

Review Process Notes:

Any student who passes a College Board Advanced Placement (AP) examination with a minimum score of three in a subject matter will be awarded credit in a general education area with a subject matter similar to that of the AP examination.

For any AP examination that the District does not offer a course similar in content, the District will award credit in the General Education area shown on the California Community College General Education AP List. If there is no General Education area that fits the AP Examination, the District may award elective credit.

Credit awarded through advanced placement may be used to satisfy department requirements toward the department award, skills competency award, certificate of achievement, associate degree, and the associate agree for transfer, if the AP score is seemed to be equivalent to the required course. The units earned from AP credit will not apply toward financial aid, nor can they be used to satisfy the 12-unit residency requirement for graduation.

A student's academic record will be annotated to reflect credit earned through an AP examination. The District shall post its Advanced Placement Credit procedure on its Internet Web site.

References:

Education Code Section 79500;
Title 5 Section 55052

End of Recommendation for AP 4236 Advanced Placement Credit

BP 5420 Associated Students Finance (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

| Point Person | Date Requested | Anticipated Date of Recommendation: | Recommendation Received: |
|---|----------------|-------------------------------------|--------------------------|
| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |
| Reason(s) for Review/Changes | | | |
| > Minor Clerical Edit (2022-23 carryover) | | | |

Review Level

Level 3

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BP 5420 Associated Students Finance (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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Reason(s) for Review/Changes**> Minor Clerical Edit (2022-23 carryover)**

Review Process Notes:

(Replaces current SBCCD BP 5420)

The Associated Students shall prepare an annual budget. The budget shall be prepared according to the procedures in the Associated Students constitution and under the supervision of the Chancellor or designee. The budget shall be approved by a vote of the Associated Student Senate.

Associated Student funds shall be deposited with and disbursed by the District Fiscal Services Department.

The funds shall be deposited, loaned, or invested in one or more of the ways authorized by law.

Revenues or expenditures of the Associated Students shall not be used for the District's operations. Expenditure of funds shall be made according to the Associated Student budget and shall be approved by a vote of the Associated Student Senate. Funds shall be expended according to procedures established by the Associated Students, subject to the approval of each of the following three persons, which shall be obtained each time before any funds may be expended:

- The Chancellor or designee;
- The employee who is the designated advisor to the Associated Students; and
- A representative of the student body organization.

The funds of the Associated Students shall be subject to an annual audit.

References:

Education Code Sections 76063-76065

End of Recommendation for BP 5420 Associated Students Finance

AP 5420 Associated Students Finance (10+1)

03/05/24



P&P Chapter Lead Recommendation
San Bernardino Community College District

Current Step:
PPAC Approves Review Level

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| N Ornelas | 8/7/2023 | Recommendation Received | 3/5/2024 |

Reason(s) for Review/Changes

- > Legal Update 40: The Service updated this procedure to clarify that an academic employee who is the designated advisor of a student body organization must approve the expenditure of funds for that organization. (2022-23 carryover)

Review Level

Level 3

Anticipated AP2410 Schedule *(for info on this process, visit <https://sbccd.edu/ap2410>)*

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AP 5420 Associated Students Finance (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
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Reason(s) for Review/Changes

> Legal Update 40: The Service updated this procedure to clarify that an academic employee who is the designated advisor of a student body organization must approve the expenditure of funds for that organization. (2022-23 carryover)

Review Process Notes:

Associated Student funds are maintained in accordance with the following procedures:

- Associated Student fund books, financial records and procedures are subject to annual audit.
- Reports of the annual audit of Associated Student funds are submitted to the Board of Trustees.
- Audit information, except that containing personnel or other confidential information, shall be released to the Associated Students by the District Fiscal Services Department.
- Associated Student funds shall be deposited with and disbursed by the District Fiscal Services Department.
- The funds shall be deposited, loaned or invested in:
 - Deposits in trust accounts of the centralized State Treasury System pursuant to Government Code Sections 16305 - 16305.7 or in a bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation.
 - Investment certificates or withdrawable shares in state-chartered savings and loan associations and savings accounts of federal savings and loan associations, if the associations are doing business in this state and have their accounts insured by the Federal Savings and Loan Insurance Corporation and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
 - Purchase of any of the securities authorized for investment by Government Code Section 16430 or investment by the Treasurer in those securities.
 - Participation in funds that are exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code and that are open exclusively to nonprofit colleges, universities, and independent schools.
 - Investment certificates or withdrawable shares in federal or state credit unions, if the credit unions are doing business in this state and have their accounts insured by the National Credit Union Administration and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
 - Loans, with or without interest, to any student body organization established in another community college of the District for a period not to exceed three years.
 - Investment of money in permanent improvements to any community college District property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadium and playing fields, where those facilities, or portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when those improvements are for the benefit of the student body.

All funds shall be expended subject to such procedures as may be established by the Associated Students subject to the approval of each of the following three persons. Approval shall be obtained each time before any funds may be expended:

- The Chancellor or designee;
- The ~~officer or academic~~ employee of the District who is the designated advisor of the particular student body

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AP 5420 Associated Students Finance (10+1)

P&P Chapter Lead Recommendation
San Bernardino Community College District



03/05/2
4

organization; and

- A representative of the student body organization.

References: Education Code Sections 76063-76065

End of Recommendation for AP 5420 Associated Students Finance