



San Bernardino Community College District  
 POLICIES & PROCEDURES ADVISORY  
 COMMITTEE (PPAC)  
 April 08, 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. March 11, 2024

### C. Review of Constituent Feedback on Level 2 Items from 3/11/2024

*These items are anticipated to appear on the 5/9/2024 BOT Agenda for First Reading.*

1. 2712 Conflict of Interest Code
2. 7145 Personnel Files

### D. Review of Constituent Feedback & Initial Academic Senate Input on Level 3 Items from 3/11/2024

*These items are anticipated to appear on the 5/13/2004 PPAC Agenda for Final Review.*

1. 4225 Course Repetition
2. 4232 Pass-No Pass
3. 4235 Credit for Prior Learning
4. 4236 Advanced Placement Credit
5. 5015 Residence Determination
6. 5420 Associated Students Finance
7. 6200 Budget Preparation

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

*These items are anticipated to appear on the 5/9/2024 BOT Agenda for First Reading.*

1. 2510 Participation In Local Decision
2. 4015 District Course Enrollment Philosophy

3. 4105 Distance Education
4. 5040 Student Records, Directory Information, and Privacy
5. 5300 Student Equity
6. 7120 Recruitment & Hiring
7. 7210 Academic Employees
8. 7216 Academic Employees - Grievance Procedure

**F. New Chapter Lead Recommendations - Level 1**

These items are anticipated to appear on the 5/9/2024 BOT Agenda for First Reading.

1. 6330 Purchasing

**G. New Chapter Lead Recommendations - Level 2**

None

**H. New Chapter Lead Recommendations - Level 3**

These items are anticipated to appear on the 5/13/2024 PPAC Agenda to review Constituent Feedback and Initial Academic Senate Input.

1. 4100 Graduation Requirements for Degrees and Certificates
2. 5075 Course Adds, Drops and Withdrawals
3. 5500 Standards of Student Conduct

**I. Change in Recommendation from BOT First Reading to Final Approval**

This item appears on the 4/11/2024 BOT Agenda for Final Approval, reflecting a small change from the 3/14/2024 First Reading updating language to clarify notification of the board in emergency situations, by adding the language, “and shall update the Board in a timely manner” to paragraph 8.

1. 2430 Delegation of Authority to the Chancellor

**J. Adjournment & Next Meeting**

The next PPAC meeting is scheduled for Monday, May 13, 2024, at 3:00 p.m.



Policies & Procedures Advisory Committee  
**Meeting Minutes – March 11, 2024, 3:00 p.m.**  
 Via Zoom: <https://cccconfer.zoom.us/j/91470895848>  
 Or Dial-In: 669-900-6833 | Meeting ID: 914 7089 5848

**A. Welcome & Introductions**

*Jose started the meeting shortly after 3:00 p.m.*

**B. Approval of Minutes**

1. Confirmation of Quorum

*Quorum was confirmed.*

2. Approval of Minutes from February 26, 2024

*Keith Wurtz made a motion, which Christopher Crew seconded, to approve the minutes. The motion was passed by a majority vote with Ryan Bartlett and Brandi Bailes abstaining.*

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

1. 3420 Equal Employment Opportunity

*This item was reviewed with no feedback provided. Christopher motioned to move it through the process and Keith seconded. The motion was approved by a majority vote.*

2. 7145 Personnel Files

*Committee members reviewed the item and discussed concerns over the timeline of the implementation of the system described in the first sentence of the new paragraph. Nohemy Ornelas confirmed that from a technology standpoint the system is in place but mentioned that perhaps clarification needed to be sought from HR. Brandi recommended a language change. In addition, Ray Carlos advised that he would like to see consistent use of the word employee rather than staff, faculty, or individual. Based on the conversation, the recommendation will be returned to Chapter Lead Kristina Hannon with the committee's feedback.*

*"The Chancellor shall notify campuses once a year as to the process implemented whereby an employee 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 such request of a staff or faculty member, the District shall update any records for the individual employee 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."*

3. 7230 Classified Employees

*Committee members reviewed this recommendation. Ray advised he was curious about the matrix for rating "proficiency in diversity, equity, inclusion, and accessibility competencies that enable work with diverse communities." This comment will be passed to the Chapter Lead.*

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

1. 2510 Participation In Local Decision

*Committee members reviewed this recommendation. Brandi and Lisa Henkle advised there was no feedback from either Academic Senate on this recommendation.*

2. 4015 District Course Enrollment Philosophy

*Committee members reviewed this recommendation. Brandi and Lisa reported the following feedback from their Academic Senates.*

- *Change the language as follows:*

*“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.” (SBVC)*

*“2.2. Each College’s Chief Instructional Officer or designee can confer with the Academic Senate and receive a recommendation on the optimum class size for courses not outlined in the CBA. The Chief Instructional Officer or designee will have the final decision of the optimum class size, and this will be posted on the office of instruction website.” (SBVC & CHC)*

- *The Academic Senate would like a clear definition of “3.1. d) combined courses meeting at the same hour with the same instructor.” (SBVC)*
- *2.1 treats each college individually; however, it is recommended that SBCCD start looking at enrollment districtwide rather than as individual colleges. (CHC)*
- *The Academic Senate questions what would the efficiency number be for each college and what is meant by “efficiency”? (CHC)*

3. 4105 Distance Education

*Nohemy recognized the hard work that went into the revision of this P&P and expressed her gratitude to the Academic Senates and faculty representatives that contributed. Brandi expressed a remaining question about language under Course Modality:*

- “1) All online and in-person synchronous meeting days/dates and times  
 2) Any required asynchronous in-person activities”*

*Specifically, the language should be covering all field trips, but is there a hole in between 1) and 2) where a field trip can be added that is not in the schedule? Nohemy recalled that this had been vetted, but advised she will triple-check that this fell into the guidelines.*

#### 4. 4300 Field Trips and Excursions

*SBVC Senate did not review this item. Brandi reported that the CHC Senate had many questions.*

- *How can it be made clear in 4300 that a field trip can be conducted which isn't required for credit even if it is not reported prior to the semester as required in P&P 4105?*
- *Under A. Authorization in the AP, it states that, "any overnight trip in excess of \$500 total cost, or any trip involving cost for student meals must be approved by the college president." Do these parameters still make sense?*
- *Under B. Expenditure of Funds, it states that, "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." Does this refer to the Foundations? This seems inappropriate for inclusion in an AP and needs clarification.*
- *Keith commented that if students can't afford to go on a field trip, and there's a cost associated with it, 1) this should be included in the course schedule, and 2) an accommodation for the student other than the field trip should be made.*
- *Ray advised it would be helpful to add language differentiating between instructors and club directors.*
- *Veada Benjamin shared her recent experience with students being unable to afford entry into a college sporting event. Ray advised his willingness to discuss outside the PPAC meeting. Nohemy emphasized the importance of resolving these types of issues because one of the strategies for student retention is engagement outside of the classroom. She offered to share her input in the discussion and would suggest that all college students – and even high school students – get in free.*
- *Kelly Goodrich commented that there is monthly Board item based on a County rule requiring that any funds spent on behalf of students on a field trip receive Board approval. This will be confirmed with the AP team.*

#### 5. 5015 Residence Determination

*Both Lisa and Brandi reported that their Academic Senate was unable to review this at their meeting. There was no other feedback.*

#### 6. 5040 Student Records, Directory Information, and Privacy

- *Lisa reported no feedback from SBVC Academic Senate.*
- *Brandi reported that the CHC Academic Senate inquired what the directories are and how they can be accessed.*

- *In addition, they would like clarification of the information CCCAA is requesting for student athletes. Ray advised that the parameters depend on the sport. Keith recommended that we include language that SBCCD will comply with CCCAA.*
- *In answer to the CHC Academic Senate request that info for weight and height be stricken, Nohemy recalled that there are certain sports that require the directory to include weight and height. She will confirm this recollection and added that the P&P may also need to align with FRPA. She will research and circle back.*

#### 7. 5300 Student Equity

- *Lisa advised that the SBVC Academic Senate had no feedback on this item.*
- *Rejoice Chavira advised that the APIA had requested the Chapter Lead confirm racial and ethnic categories listed on the AP under C.5.b. and C.5.e. match those being used by the US Census Bureau. [Note to file – the terms are correct per the US Census Bureau.]*
- *Brandi requested that C.6. Homeless students be changed to “Unhoused students,” and that the term “food-insecure” be added.*
- *It was also requested that and that that the catch-all category listed under 8. be moved to follow the new category of “justice-involved” listed as 9.*
- *Committee members discussed the term “justice-involved” vs “justice-impacted.” Christopher advised that justice-impacted is a broader term encompassing not only justice-involved individuals (those that are now spending or have spent time incarcerated), but also those individuals that are simply impacted by another person, such as a parent or guardian, who is now spending or has spent time incarcerated.*

#### 8. 7120 Recruitment & Hiring

*Lisa advised that she had nothing to report on behalf of the SBVC Academic Senate while Brandi advised that the CHC Academic Senate had been unable to review this one. There was no other feedback.*

#### 9. 7210 Academic Employees

*SBVC Academic Senate had not had the opportunity to review this recommendation. Ryan commented that they did not either.*

#### 10. 7216 Academic Employees - Grievance Procedure

*SBVC Academic Senate had no feedback while Ryan and Brandi shared that their constituents did not have the time to review this recommendation.*



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

### **1. 2410 Board Policies & Administrative Procedures**

*Lisa reported that SBVC Academic Senate reported that it could not vote this recommendation through unless the following sentence was removed from the BP: "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." Furthermore, they are still having an issue with the language "urgent circumstances." Jose advised that the Board is required to approve Board Policies, including revising, adding, or amending them. He shared the process that any changes that would be made are always brought back to PPAC.*

*Jose went on to advise that the decision of the SBVC Academic Senate will be shared with the Chancellor and Chancellor's Council. Keith made a motion to move this recommendation through the process which Kelly seconded. The motion was approved by a majority vote with Brandi and Ryan abstaining.*

### **2. 5050 Student Success and Support Program**

*Lisa reported that SBVC passed this item without any further feedback. Brandi reported that the CHC Academic Senate asked to remove the following language.*

- Diligently attend class and complete assigned coursework*
- Complete courses and maintain progress toward an educational goal"*

*Nohemy reiterated that the language had been found to be necessary by the deans and counseling faculty who are responsible for the educational plans. Jose advised that this item would be move forward to Chancellor and Chancellor's Council reflecting the CHC Academic Senate comments. Lisa made a motion to approve this item through the process which Keith seconded. The motion was approved by a majority vote with Brandi voting no and Ryan abstaining.*

## **F. New Chapter Lead Recommendations - Level 1**

### **1. 2712 Conflict of Interest Code**

*Committee members discussed the recommendation and asked that a sentence be added stating, "A list of positions subject to filing a Form 700 will be maintained and posted online alongside this AP as a separate document." The approval of this recommendation will increase SBCCD efficiencies by not requiring the list to go through the AP 2410 process every time a job title is created or changed. Brandi made a motion to change this recommendation review to a Level 2 with the edits mentioned. Ryan seconded the motion which was approved by a majority vote.*

### **G. New Chapter Lead Recommendations - Level 2**

1. 6200 Budget Preparation

*Brandi made a motion to change the review level on this recommendation to a Level 3 which Ryan seconded. There was no discussion, and the motion was approved by a majority vote.*

### **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

*Brandi motioned to approve these five items as a Level 3 review. This was seconded by Lisa and approved by a majority vote.*

### **I. Adjournment & Next Meeting**

*Prior to adjourning the meeting, Brandi passed on to the PPAC the request from her Academic Senate for a Chapter Lead review of 4260 Prerequisites and Co-Requisites. Specifically, there is a desire to change the five-day timeframe in which to resolve challenges to a ten-day time frame, and to define what working days mean for faculty.*

*Jose mentioned that a survey was sent to committee members regarding possibly moving all DSO-led advisory committees to Thursdays to ease in scheduling. He asked that everyone respond as quickly as possible.*

*The meeting adjourned at approximately 4:15 p.m. The next meeting of the PPAC is scheduled for Monday, April 8, 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.

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

Not

# AP 2712 Conflict of Interest Code *(no matching BP exists)*

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> Chapter Lead: Remove Appendix A – Designated Postions from the AP to streamline the efficiancy of updates through the FPPC

Review Level  
**Level 2**

Chapter Lead  
K Hannon

Recommendation Received:  
3/4/2024

### 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 Levels 2 & 3 to Constituents for Feedback
- 04/08/2024 Level 2 PPAC Hears Constituent & 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 2712 Conflict of Interest Code *(no matching BP exists)*



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Chapter Lead: Remove Appendix A – Designated Positions from the AP to streamline the efficiency of updates through the FPPC

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

03/11/2024 PPAC Approves Review Level – PPAC voted to change from Level 1 to Level 2 and add requirement that the list be posted on the website.

03/12/2024 Levels 2 & 3 to Constituents for Feedback

03/19/2024 Chapter Lead agreed with changes

04/08/2024 Level 2 PPAC Hears Constituent & AS Feedback

05/09/2024 BOT First Reading

06/13/2024 BOT Final Approval

(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, which will appear on the Policies & Procedures webpage alongside 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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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 GG	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:

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:

- 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.
- 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.

**End of Recommendation for AP 2712 Conflict of Interest Code-2**

# AP 7145 Personnel Files *(no matching BP exists)*

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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.

<b>Review Level</b> <b>Level 2</b>	<b>Chapter Lead</b> K Hannon	<b>Recommendation Received:</b> 2/21/2024
---------------------------------------	---------------------------------	--

### 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 Level 2 PPAC Hears Constituent & AS Feedback
- 04/08/2024 PPAC Hears Chapter Lead Response to 3/11/2024 PPAC comments
- 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**



# AP 7145 Personnel Files *(no matching BP exists)*



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

02/26/2024 PPAC Approves Review Level

02/27/2024 Levels 2 & 3 to Constituents for Feedback

03/11/2024 Level 2 PPAC Hears Constituent & AS Feedback - Committee members discussed concerns over the timeline of the implementation of the system described in the first sentence of the new paragraph and recommend language change highlighted below. Based on the conversation, the recommendation will be returned to Chapter Lead Kristina Hannon with the committee's feedback.

4/3/2024 Chapter Lead Response – HR confirmed that the process whereby employees can declare an affirmed name, gender, or both is available to employees through the District's online name/address change form. In addition, outdated language regarding the timing of personnel record inspection is being removed.

04/08/2024 PPAC Hears Chapter Lead Response to 3/11/2024 PPAC comments

05/09/2024 BOT First Reading

06/13/2024 BOT Final Approval

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 notify campuses once a year as to the process implemented whereby an~~

~~Using the online Name/Address Change Form, District employees 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 such request of a staff or faculty member, the District shall update any records for the individual employee 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**

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

# BP 4225 Course Repetition (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

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

<b>Review Level</b> <b>Level 3</b>	<b>Chapter Lead</b> N Ornelas	<b>Recommendation Received:</b> 3/5/2024
---------------------------------------	----------------------------------	---

### 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.**
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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 4225 Course Repetition (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

~~(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**

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

# AP 4225 Course Repetition (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/5/2024

### 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.**
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](mailto: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 4225 Course Repetition (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

~~(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.~~

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>.

- Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.
- Prior grade will be disregarded in computing the student's GPA.
- 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.
  - ~~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.
  - ~~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<sub>1</sub>" ~~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 determined by the Scholastic Standards Committee. Extenuating circumstances are verified cases of accidents, illness, or other circumstance beyond the student's control.
  - ~~Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.~~
  - Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.
  - 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>.



- 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 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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> Minor Clerical Edit

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/5/2024

### 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.**
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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 4232 Pass/No Pass (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor Clerical Edit

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- 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

~~(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 ~~regulations~~procedures.

**Reference:**

Title 5, Section 55022

## End of Recommendation for BP 4232 Pass/No Pass

# AP 4232 Pass/No Pass (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/5/2024

### 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.**
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](mailto: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 4232 Pass/No Pass (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key: [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

~~(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 or 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.

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>.



**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

**End of Recommendation for AP 4232 Pass/No Pass**

# BP 4235 Credit for Prior Learning (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/5/2024

### 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.**
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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 4235 Credit for Prior Learning (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/5/2024

### 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.**
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](mailto: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 4235 Credit for Prior Learning (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

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.

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>.

- 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 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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/5/2024

### 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.**
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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

**AP 4236 Advanced Placement Credit** (10+1) (no*matching BP exists)*P&P Chapter Lead Recommendation  
San Bernardino Community College District

04/04/24

**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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

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 5015 Residence Determination (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

**Current Step:**  
*PPAC Reviews First 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
- 03/06/2024 Level 3 First Anticipated AS Review
- 03/11/2024 Level 3 PPAC Reviews Constituent & ~~Initial AS~~ Feedback
- 04/05/2024 Level 3 ~~Second~~ First Anticipated AS Review
- 04/08/2024 PPAC Reviews ~~Second~~ First 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

**BP 5015 Residence Determination (10+1)**

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

**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 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)**

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

**Current Step:**  
*PPAC Reviews First 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 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 residency 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)

**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
- 04/05/2024 Level 3 ~~Second~~ First Anticipated AS Review
- 04/08/2024 PPAC Reviews ~~Second~~ First AS Feedback
- 05/09/2024 BOT First Reading
- 06/13/2024 BOT Final Approval

**Action Requested**

- Please review this Chapter Lead recommendation based on the reasons above.
- Staff recommended changes are **shown in red**.
- Legal changes are **shown in blue** and should only be considered optional if indicated.
- If there are no changes showing, this item is being presented for information only.
- For questions on this recommendation, please contact J Torres or [kgoodric@sbccd.edu](mailto: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 5015 Residence Determination (10+1)**

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

**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 residency 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)**

Review Process Notes:

- > 3/11/2024 PPAC – No constituent feedback. P&P not reviewed at Academic Senates

*(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.
- A person may have only one residence.

**AP 5015 Residence Determination (10+1)**

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

- 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:
  - ~~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.

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 5015 Residence Determination (10+1)**

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

- 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.
- 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

**AP 5015 Residence Determination (10+1)**

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

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 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.



**AP 5015 Residence Determination (10+1)**

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

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 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/hers/hem 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,



**AP 5015 Residence Determination (10+1)**

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

- 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/she~~they 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

**Reviewed:**

**End of Recommendation for AP 5015 Residence Determination**

# BP 5420 Associated Students Finance (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor Clerical Edit (2022-23 carryover)

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/5/2024

## 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.**
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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 5420 Associated Students Finance (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor Clerical Edit (2022-23 carryover)

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- 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

~~(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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

# AP 5420 Associated Students Finance (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/5/2024

### 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.**
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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 5420 Associated Students Finance (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

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.

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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-of-academic](#) employee of the District who is the designated advisor of the particular student body organization; and
- A representative of the student body organization.

**References:** Education Code Sections 76063-76065

**End of Recommendation for AP 5420 Associated Students Finance**

# BP 6200 Budget Preparation

04/05/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> Legal Update 43 review of AP and minor clerical changes.

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	J Torres	3/6/2024

### 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
- 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.**
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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 6200 Budget Preparation



04/05/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Legal Update 43 review of AP and minor clerical changes.

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

03/05/2024 BPPAC Approval  
03/11/2024 PPAC Approves Review Level – changed review level from 2 to 3  
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

~~(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**

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)



# AP 6200 Budget Preparation

04/05/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

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

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	J Torres	3/6/2024

### 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
- 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.**
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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 6200 Budget Preparation



04/05/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

03/05/2024 BPPAC Approval  
03/11/2024 PPAC Approves Review Level – changed review level from 2 to 3  
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

*(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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

# AP 6200 Budget Preparation



04/05/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

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 \(b\)\(5\)](#);  
Title 5 Sections 58300 et seq.;  
ACCJC Accreditation Standard III.D

**End of Recommendation for AP 6200 Budget Preparation**

# BP 2510 Participation In Local Decision-Making

(10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> Recommendation from VC Hannon

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	J Torres	2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

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



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Recommendation from VC Hannon

## Review Notes | Key: [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- 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 – No feedback
- 04/03/2024 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

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

## Review Notes | Key: [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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 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

04/04/24

(10+1)



P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> FYI Only

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	J Torres	2/21/2024

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

No Changes | FYI Only to support review of BP

## 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

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



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

No Changes | FYI Only to support review of BP

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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 – No feedback  
04/03/2024 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

## 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.

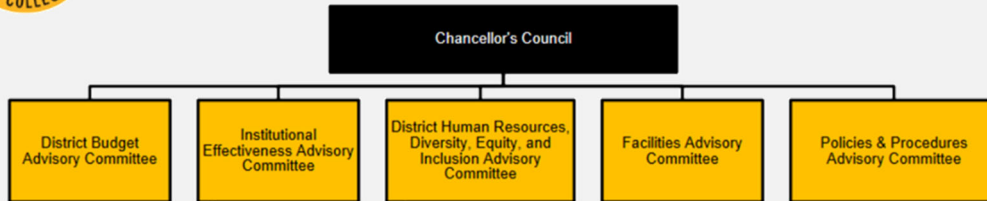
To promote additional participation in local decision-making and efficacy, five advisory committees have been created which make recommendations to Chancellor's Council. Subcommittees/task force/workgroup's structure for each advisory committee (if needed, not mandatory) will be unique and established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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)





Chancellor's Council  
Advisory Committee Structure  
As of October 2021



**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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> New BP developed by VC of HR

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 4015 District Course Enrollment Philosophy (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> New BP developed by VC of HR

## Review Notes | Key: [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- 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 – no feedback
- 04/03/2024 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

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

# AP 4015 District Course Enrollment Philosophy

04/04/24

(10+1)



P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> New AP developed by VC of HR

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	2/21/2024

## 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
- 04/03/2024 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](mailto: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 4015 District Course Enrollment Philosophy (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> New AP developed by VC of HR

## Review Notes | Key: Initial Staff Recommended, Legal Changes, PPAC Constituent, Chapter Lead Feedback

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

- AS Initial Feedback is to change the language as follows:

"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.~~" (SBVC)

"2.2. Each College's Chief Instructional Officer or designee can confer with the Academic Senate and receive a recommendation on the optimum class size for courses not outlined in the CBA. The Chief Instructional Officer or designee will have the final decision of the optimum class size, and this will be posted on the office of instruction website." (SBVC & CHC)

- The Academic Senate would like a clear definition of "3.1. d) combined courses meeting at the same hour with the same instructor." (SBVC)
- 2.1 treats each college individually; however, it is recommended that SBCCD start looking at enrollment districtwide rather than as individual colleges. (CHC)
- The Academic Senate questions what would the efficiency number be for each college and what is meant by "efficiency"? (CHC)

03/18/2024 – Chapter Lead Okay with Changes

04/03/2024 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

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

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>.

optimum class size, and this will be posted on the office of instruction website.

### 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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> Legal Update 39 & Academic Senate Request (2022-23 carryover)

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	2/22/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 4105 Distance Education (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Legal Update 39 & Academic Senate Request (2022-23 carryover)

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- 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 – no feedback
- 04/03/2024 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

~~(Replaces current SBCCCD 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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)



# AP 4105 Distance Education (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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**

Chapter Lead

N Ornelas

Recommendation Received:

2/22/2024

**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
- 04/03/2024 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](mailto: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 4105 Distance Education (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

*CHC Senate Rep expressed a remaining question about language under Course Modality:*

*"1) All online and in-person synchronous meeting days/dates and times*

*2) Any required asynchronous in-person activities"*

*Specifically, the language should be covering all field trips, but is there a hole in between 1) and 2) where a field trip can be added that is not in the schedule? Nohemy recalled that this had been vetted, but advised she will triple-check that this fell into the guidelines.*

04/03/2024 Feedback from Chapter Lead

– Course Modality language has been verified against updated regulations

- Additional Chapter Lead change based on recommendations from the Chancellor's Office

04/03/2024 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

*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,

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>.

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.

**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 such as the college catalog, a schedule of classes, a student handbook, course outlines of record, or course syllabi, 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 and 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>.

- **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 ~~e~~Distance ~~e~~E~~du~~cation 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 5040 Student Records, Directory Information, and Privacy (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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**

**Chapter Lead**

N Ornelas

**Recommendation Received:**

2/21/2024

**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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

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



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

- Lisa reported no feedback from SBVC Academic Senate.
- CHC Academic Senate inquired what the directories are and how they can be accessed.
- In addition, they would like clarification of the information CCCAA is requesting for student athletes. Ray advised that the parameters depend on the sport. Keith recommended that we include language that SBCCD will comply with CCCAA.
- In answer to the CHC Academic Senate request that info for weight and height be stricken, Nohemy recalled that there are certain sports that require the directory to include weight and height. She will confirm this recollection and added that the P&P may also need to align with FERPA. She will research and circle back.

04/03/2024 Level 3 Second Anticipated AS Review

04/03/2024 – Chapter Lead – additional changes from Chapter Lead below shown in green.

04/08/2024 PPAC Reviews Second AS Feedback

05/09/2024 BOT First Reading

06/13/2024 BOT Final Approval

~~(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.

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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.  
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**

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

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### 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)

<b>Review Level</b> <b>Level 3</b>	<b>Chapter Lead</b> N Ornelas	<b>Recommendation Received:</b> 2/21/2024
---------------------------------------	----------------------------------	--

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

**Review Notes | Key:** Initial Staff Recommended, Legal Changes, PPAC Constituent, Chapter Lead Feedback



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



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## 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 Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

- Lisa reported no feedback from SBVC Academic Senate.
- CHC Academic Senate inquired what the directories are and how they can be accessed.
- In addition, they would like clarification of the information CCCAA is requesting for student athletes. Ray advised that the parameters depend on the sport. Keith recommended that we include language that SBCCD will comply with CCCAA.
- In answer to the CHC Academic Senate request that info for weight and height be stricken, Nohemy recalled that there are certain sports that require the directory to include weight and height. She will confirm this recollection and added that the P&P may also need to align with FERPA. She will research and circle back.

04/03/2024 Level 3 Second Anticipated AS Review

04/03/2024 – Chapter Lead – additional changes from Chapter Lead below shown in green.

04/08/2024 PPAC Reviews Second AS Feedback

05/09/2024 BOT First Reading

06/13/2024 BOT Final Approval

**STUDENT RECORDS** A cumulative record of enrollment, scholarship, and educational progress shall be kept for each student.

- 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)
  - a. Student Applications
  - b. Change of Program Data
  - c. Fee Data
  - d. Credit by Examination
  - e. Student Academic Records

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

## f. 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.
- 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**

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

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

#### E. Access to Student Records

- a. 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;
  - 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.
- b. 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.
- c. 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/them or to be informed of the specific information contained in such part of the material or document.

#### F. Release of Student Records

- a. 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 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.
- b. The agencies and individuals listed above are expressly forbidden from permitting access of said educational records to third parties.
- c. 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.

d. 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.

#### **G. Access to Student Directory Information**

Directory information shall include:

- 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. Directory Information

The following Directory Information may be released without student signature of approval:

- Student name
- Dates of attendance
- Major field of study
- Degrees and awards received
- Honors and dean's list recognition

For athletic purposes, coaches and the athletic director may release:

- Student name
- Dates of attendance
- Most recent previous school attended
- Major Field of Study
- Participation in officially recognized sports
- Height and weight of athletic team members
- High school of graduation of athletic team members
- Athletic awards

Students may withhold Directory Information by notifying the Director, Admissions and Records in writing. Students with directory holds are noted in the District's computer system and their record is marked confidential. Release of confidential records to third parties or acknowledging that such students are in attendance or have had past attendance at Allan Hancock College is prohibited without the student's written permission to do so. In most instances all other student educational record information may not be released without written consent of the student, other than to the District's representatives with a "need to know". This includes grades, social security numbers, ethnicity, ID number, academic progress, or any other non-directory information. Policies and procedures regarding Family Educational Rights and Privacy Act (FERPA) are published and available to students in the catalog and on the District's website. Students who wish to authorize a third-party access to their records, must submit a Student Authorization to Release Information, along with a copy of their government issued photo ID, to the Admissions and Records Office.

#### **H. 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:

- Contact information 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 staff to use in response to officers seeking access to records for immigration enforcement purposes.

In addition to notifying the Admissions & Records Department, 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.

#### **I. Record of Access**

- a. 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.
- b. 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.
- c. 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:

"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."

#### J. 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:

- a. State-issued driver's license or identification card;
- b. Birth certificate;
- c. Passport;
- d. Social security card;
- e. 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 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.

#### K. **Challenge of Student Records**

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

#### L. 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;
- 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.

#### M. Annual Notice to Students

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

Educational rights and privacy SBCCD students' records are maintained in accordance with the Family Educational Rights and Privacy Act, the California Education Code, California Code of Regulations, and the U.S. Patriot Act. Written student consent is required for access and the release of information defined as educational records in the federal and state laws as described in AP 5040 Student Records, Directory Information and Privacy. A student's directory information may, under certain circumstances or as required by law, be released to any person upon request unless the Admissions and Records Office receives written notification, that a student reserves the right to authorize in writing on an individual request basis the access and release of the directory information. Such a notice of restriction shall remain in effect until it is countermanded in writing. Additionally, the laws provide that a student may request access to his/her student records which are personally identifiable to that student, and may challenge the accuracy or the appropriateness of retention of information in his/her student record. Questions concerning student rights under the privacy acts should be directed to the Admissions and Records Office

#### COLLECTION AND RETENTION OF STUDENT INFORMATION

- N. 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.
- O. 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.
- P. 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.
- Q. 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.
- R. 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.
- S. 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.
- T. 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.



- U. The District shall not create a list of student names linked with immigration status.
  - V. District police or security departments shall not inquire into an individual's immigration status for immigration enforcement purposes.
  - W. 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.
- X. **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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> Minor Clerical Edit

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 5300 Student Equity (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor Clerical Edit

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- 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 – no feedback
- 04/03/2024 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

*(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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

# AP 5300 Student Equity (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

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

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 5300 Student Equity (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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

- SBVC Academic Senate had no feedback on this item.
- Rejoice Chavira advised that the APIA had requested the Chapter Lead confirm racial and ethnic categories listed on the AP under C.5.b. and C.5.e. match those being used by the US Census Bureau. (This has been confirmed.)
- Brandi requested that C.6. Homeless students be changed to "Unhoused students," and that the term "food-insecure" be added.
- It was also requested that and that that the catch-all category listed under 8. be moved to follow the new category of "justice-involved" listed as 9.
- Committee members discussed the term "justice-involved" vs "justice-impacted." Christopher advised that justice-impacted is a broader term encompassing not only justice-involved individuals (those that are now spending or have spent time incarcerated), but also those individuals that are simply impacted by another person, such as a parent or guardian, who is now spending or has spent time incarcerated.

03/22/2024 Chapter Lead accepts feedback

04/03/2024 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

~~(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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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/Unhoused and/or food insecure students
7. Lesbian, gay, bisexual, or transgender students
8. Justice-involved students
9. 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.

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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

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

Review Level  
**Level 3**

Chapter Lead  
K Hannon

Recommendation Received:  
2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 7120 Recruitment and Hiring (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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 - *Lisa advised that she had nothing to report on behalf of the SBVC Academic Senate while Brandi advised that the CHC Academic Senate had been unable to review this one. There was no other feedback.*  
04/03/2024 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

~~(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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> No Changes | FYI Only.

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	K Hannon	2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 7120 Recruitment and Hiring (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> No Changes | FYI Only

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- 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
- 04/03/2024 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

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.

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- 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

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.
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 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)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

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

Review Level  
**Level 3**

Chapter Lead  
K Hannon

Recommendation Received:  
2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 7210 Academic Employees (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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 - SBVC Academic Senate had not had the opportunity to review this recommendation. Ryan commented that they did not either.

04/03/2024 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

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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

# AP 7210 Academic Employees (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> Minor clerical correction

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	K Hannon	2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**



# AP 7210 Academic Employees (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor clerical correction

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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 – no feedback  
04/03/2024 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

## 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. Applicant groups for equivalency review will have their

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

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.

### 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.
- 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 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 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 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)

04/04/24



P&P Chapter Lead Recommendation  
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 Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	K Hannon	2/21/2024

### 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
- 04/03/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**



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



04/04/24

P&P Chapter Lead Recommendation  
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 Notes | Key: [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

02/26/2024 PPAC Approves Review Level -> 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.  
03/06/2024 Level 3 First Anticipated AS Review  
03/11/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback -> 3/11/2024 PPAC - SBVC Academic Senate had not had the opportunity to review this recommendation.  
04/03/2024 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

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 6330 Purchasing

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

>Minor clerical change

Review Level	Chapter Lead	Recommendation Received:
<b>Level 1</b>	J Torres	4/3/2024

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

- 04/08/2024 PPAC Approves Review Level
- 04/09/2024 Level 1 to Constituents for Information Only
- 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 6330 Purchasing



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

>Minor clerical change

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

04/08/2024 PPAC Approves Review Level  
04/09/2024 Level 1 to Constituents for Information Only  
05/09/2024 BOT First Reading  
06/13/2024 BOT Final Approval

*(Replaces current SBCCD BP 6330)*

The authority to purchase supplies, materials, apparatus, equipment, and services is vested in the Board of Trustees. This authority is delegated to the Chancellor.

The Chancellor shall establish administrative procedures for purchasing, subject to the following:

- The Board of Governors sets the formal bid limit for procurement of goods and or services on an annual basis. The formal bid limit for the current year shall be published on the Business Service webpage. Any purchase request to procure goods and or services (excluding construction and public works) which meets or exceeds the formal bid limit shall require approval by the Board of Trustees to constitute an enforceable agreement.
- In accordance with Public Contract Code Section 17605, the Board of Trustees delegates authority to approve purchase requests under the formal bid limit to the named agents on the authorized signature list. Such purchase requests shall not require Board approval, but shall be sent to the Board as an information item every 60 days.

### References:

Education Code Section 81656;  
Public Contract Code Sections 20650 and 20651

## End of Recommendation for BP 6330 Purchasing

# AP 6330 Purchasing

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

>Chapter Lead changes to reflect streamlined processing.

Review Level	Chapter Lead	Recommendation Received:
<b>Level 1</b>	J Torres	4/3/2024

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

- 04/08/2024 PPAC Approves Review Level
- 04/09/2024 Level 1 to Constituents for Information Only
- 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 6330 Purchasing

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

## Reason(s) for Review/Changes

>Chapter Lead changes to reflect streamlined processing.

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

04/08/2024 PPAC Approves Review Level  
04/09/2024 Level 1 to Constituents for Information Only  
05/09/2024 BOT First Reading  
06/13/2024 BOT Final Approval

~~(Replaces current SBCCD AP 6330)~~

## GENERAL PURCHASING

### A. Authority to Purchase

Authority to purchase goods and services under the formal bid limit has been delegated by the Board to the named agents on the authorized signature list. Only these district officers are authorized to execute purchase orders and contracts on behalf of the District. Purchase requests which meet or exceed the formal bid limit require pre-approval by the Board.

The purchase of goods and services shall be a centralized function performed by the Purchasing Department whereby all requests for purchase orders, contracts, and procurement cards shall be routed. The Purchasing Department shall comply with all applicable laws and regulations and established policies and procedures in conducting purchasing and contracting activities on behalf of the District.

Any purchase made by an employee without proper authorization will be considered an obligation and liability of the employee and not the San Bernardino Community College District. Employees shall not commit the District to any purchase or service obligation except through the Purchasing Department.

### B. Purchasing Ethics

Purchasing functions will be carried out with fairness, dignity, honesty, integrity and in the most efficient manner consistent with service to the District, legal requirements, and sound procurement practices. The District's purchasing philosophy is to maintain professional relationships with all vendors. While vendors are free to advertise, their promotional efforts should not include gifts, favors, or any form of personal gratuities to any District employee.

#### Employee-Vendor Relationships

An employee-vendor relationship is any relationship between a District employee, officer, or agent and a proposed vendor that might create a conflict of interest. Employee-vendor relationships may cause the appearance of favoritism and have legal ramifications. District policy attempts to avoid preferential treatment in purchasing goods and services by separating employees' personal interests from the interests of the District.

#### Conflict of Interest

Employees, officers, or agents of the District must not be financially interested in any purchase for goods and services under the following conditions:

- The contract is between the District and the employee, or any member of his/her immediate family.
- The contract is between the District and a partnership, or unincorporated association of which the employee, or any member of his/her immediate family, is a partner or in which he/she is the owner or holder, directly or indirectly, of a proprietorship interest and/or shall benefit financially due to the contract or purchase.
- The contract is between the District and corporation in which any employee, or any members of his/her immediate family, is the owner or holder, directly or indirectly, of five percent (5%) or more of the outstanding common stock.

Also, see the District Board Policy and Administrative Procedures 2710 titled Conflict of Interest.

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

## C. General Purchasing Information

1. All purchases or commitments to buy are made through the use of or commitments to buy require the issuance of a purchase order. Purchase orders will be issued by the Purchasing Department only upon receipt of a properly authorized purchase requisition. Departments shall not order or authorize the purchase of goods and/or services until a purchase order is issued by the Purchasing Department.
2. **Specifications**  
Departments may submit their own specifications for supplies and/or equipment; however, the Purchasing Department has the authority to question requests, such as necessity, quantity, quality, and materials requested and to make recommendations where the general health and welfare or economy is in question. The Purchasing Department will provide assistance in the development of specifications as requested.
3. **Selection of Vendor**  
The Purchasing Department will accept recommendations from the requesting department for potential vendors. New vendors will only be considered upon submittal of a completed vendor application and supporting documents that have been approved by the Purchasing Department. The District will endeavor, where possible, to encourage the use of local and small business enterprises in its procurement activities. On all procurement activities that must be competitively bid, or for which the District must receive quotes, such will be evaluated with a ten (10%) percent preference for local vendors. The vendor must claim local vendor preference to be considered. Please note the following exceptions:
  - Where State Law or, other law or regulation precludes this local preference.
  - Purchases made through cooperative purchasing and leveraged procurement agreements and piggy-back purchases.
  - Public Works construction projects.
 A "local" vendor will be approved as such when, 1) it conducts business in a physical location within the County of San Bernardino; and 2) it holds a valid business license issued by an agency within the County of San Bernardino; and 3) business has been conducted in such a manner for not less than six months prior to being able to receive the preference. Proof of eligibility will be provided to the District as part of the vendor application process. Subject to the Local Vendor Preference, final vendor designation will be made by the Purchasing Department.
4. **Sole Source Purchasing**  
Sole source products are one-of-a-kind and are not sold through distributors but are provided by a sole distributor. Sole source purchases will require documented, legitimate justification on the SBCCD Sole Source Justification Memo Form. The requesting department must address the unique performance features of the product that are not available in any other product or brand; why such features are required; and other products or brands evaluated and why they were rejected. Departments contemplating a sole source purchase should contact the Purchasing Department for further guidance. Requests for sole source purchases will be vetted by the Purchasing Department.
5. **Price Quotations & Bids**  
For purchases of equipment, materials, or supplies to be furnished, sold, or leased to the District; purchases of services that are not construction services, not professional services, not insurance services nor any work done by day labor or by force account pursuant to Public Contract Code (PCC) Section 20655; and purchases of repairs, including maintenance as defined in PCC Section 20656, that are not public projects as defined in PCC Section 22002(c):
  - If a purchase request is under a unit cost of \$20,000, only a verbal quote or vendor price list is required to determine cost.
  - If a purchase request is a unit cost of \$20,000 or more, but under the formal bid limit set annually by the Board of Governors, at least three (3) written quotes on vendors' letterhead must be submitted with the purchase requisition.
  - If a purchase request meets or exceeds the formal bid limit set annually by the Board of Governors, please refer to the bid procedures in AP 6340 titled Bids and Contracts.

**NOTE:** *The formal bid limit is annually adjusted by the Board of Governors as required by PCC Section 20651(d);*

For construction and public works projects under UCCAAP threshold:

  - If a purchase request is under a unit cost of \$20,000, only a single written quote on vendor's letterhead is required with submission of the purchase requisition.
  - If a purchase request is a unit cost of \$20,000 or more, but under the UCCAAP threshold, at least three written quotes on vendors' letterhead are required with submission of the purchase requisition.
  - If a purchase request is over the UCCAAP threshold, please refer to bid thresholds and applicable bid procedures in AP 6350 titled Contracts – Construction.

The Purchasing Department may require price quotations for items regardless of the cost if it determines that such quotes would be in the best interest of the District.

6. **Bid & Contract Requirements**

See the following board policies and administrative procedures:

- BP and AP 6340 titled Bids and Contracts
- AP 6350 Contracts – Construction
- AP 6370 Contracts – Professional Services

7. **Date of Delivery**

Materials and services must be charged against and paid from appropriations within the fiscal year in which the material or service is actually received.

8. **Delivery Location**

Generally, all goods will be shipped to the District Warehouses. Each Warehouse shall receive and distribute purchased materials and equipment to the requesting department. Material and equipment subject to inventory shall be tagged and inventoried at the time of receipt.

9. **Procurement with Grant Funding**

Procurements made with grant funding will follow all applicable guidelines as outlined in the granting agency's letter of award as well as the District's policies and procedures. For federal awards this may include, but is not limited to, following the guidelines as detailed in the Code of Federal Regulations Title II, Part 200. State funded grants may require special processing as noted in the grant. Grant awardees and grant administrators are ultimately responsible for complying with any grant-related purchasing restrictions or requirements.

**D. Procurement by Competitive Proposals for Federal Awards**

The District conducts all procurement transactions in a manner providing full and open competition. The District does not place unreasonable requirements on firms, have noncompetitive pricing practices between firms, or specify only a brand name product instead of allowing an equal product and describing the performance or requirements of the procurement.

If competitive proposals are used, the District publicizes the requests for proposals and identifies all evaluation factors and their relative importance, solicits proposals from an adequate number of qualified sources available, and has a written method for conducting technical evaluations of the proposals received and for selecting recipients. The District considers any response to publicized requests for proposals to the extent practical, and awards contracts to the firm whose proposal is most advantageous to the program, with price and other factors considered.

For federal awards, the District conducts procurements in a manner that prohibits geographical preferences, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering services, geographic location may be a selection criterion if it leaves an appropriate number of qualified firms to compete for the contract.

**E. Purchase Requisitions**

A purchase requisition is prepared by an individual or department to request the Purchasing Department to buy specific items. The requisition will be routed to obtain all required approvals based on established approval paths. Required approvals will depend on the amount of the contemplated purchase, the type of items requested for purchase, and approving limits. Major purchases may require additional approvals. The requested information on the requisition provides guidance to the Purchasing Department as to the requester's preferences regarding vendor, specifications, etc. The Purchasing Department will review each purchase requisition for legality; availability of funds; proper use of expense account code based on the description of the requested purchase; and compliance with applicable laws, standards, funding restrictions and the District's policies and procedures.

**F. Authorization of Purchase Orders**

After a purchase requisition has been reviewed by the Purchasing staff, a purchase order is prepared and routed to an authorized district officer for approval. The named agents on the authorized signature list have been delegated authority to approve purchase orders under the formal bid limit. A purchase order under the formal bid limit only requires approval by one of the authorized district officers, and does not require approval by the Board to be legally enforceable. Purchase orders for contracted ERP catalog vendors are considered approved at the time of purchase order creation, with no additional authorization required.

Any purchase request which meets or exceeds the formal bid limit set annually by the Board of Governors requires approval by the Board of Trustees to constitute an enforceable agreement.

Only an approved purchase order authorizes the vendor to deliver the supplies/equipment or provide the service requested. No vendor has authority to provide materials or services until an approved purchase order has been issued, signed and received by the vendor.

#### G. **Change Orders**

A change order may be required if there are material changes to the purchase order. The requisitioning department must submit a purchase order change notice form to the Purchasing Department to request a change order. A proper request will include the purchase order number, vendor name, the cause of the change order, a detailed description of the changes to be made on the purchase order, and the budget codes affected, if applicable.

#### H. **Emergencies**

In the event of a health and safety emergency, authority to purchase may be obtained from the Purchasing Department and a purchase order can be issued without a fully authorized purchase requisition. Such approval must be obtained from the Purchasing Department in advance of the purchase.

#### I. **Procurement Card Program**

The District administers a Procurement Card Program, which provides a simplified method for end-users to procure low-value purchases of authorized commodities and services using a specialized credit card. Refer to the Procurement Card Document Library located on the Business Services webpage, for information on eligibility, rules and restrictions.

#### J. **Fuel Card Program**

The District also administers a Fuel Card Program, which provides a simplified method for end-users to procure fuel for District-owned vehicles using a specialized credit card.

#### K. **Policy and Procedural Violations**

Any violation of purchasing policies and/or procedures, whether contained in this or other administrative procedures, board policies, or document libraries, will require ~~the documentation by way of -submittal-~~ of an audit exception memo ~~to Business Services~~. Violations deemed serious enough may result in disciplinary action up to and including termination of employment.

#### **References:**

Education Code Section 81656;  
Public Contract Code Sections 20650 and 20651  
Code of Federal Regulations, Title 2, 200.318, 200.319, 200.320

### **End of Recommendation for AP 6330 Purchasing**

# BP 4100 Graduation Requirements for Degrees and Certificates (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Chapter Lead suggestions

<b>Review Level</b> <b>Level 3</b>	<b>Chapter Lead</b> N Ornelas	<b>Recommendation Received:</b> 3/18/2024
---------------------------------------	----------------------------------	--

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

- 04/08/2024 PPAC Approves Review Level
- 04/17/2024 Level 3 First Anticipated AS Review
- 05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 05/15/2024 Level 3 Second Anticipated AS Review
- 08/12/2024 PPAC Reviews Second AS Feedback
- 09/12/2024 BOT First Reading
- 10/10/2024 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](mailto: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 4100 Graduation Requirements for Degrees and Certificates (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Chapter Lead suggestions

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

04/08/2024 PPAC Approves Review Level  
04/17/2024 Level 3 First Anticipated AS Review  
05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback  
05/15/2024 Level 3 Second Anticipated AS Review  
08/12/2024 PPAC Reviews Second AS Feedback  
09/12/2024 BOT First Reading  
10/10/2024 BOT Final Approval

~~(Replaces current SBCCD BP 4100)~~

The District grants the degrees of Associate in Arts, Associate in Arts-Transfer, Associate in Science and Associate in Science-Transfer to those students who have completed the subject requirements for graduation. The District also grants Certificates of Achievement and Certificates of Completion. ~~and who have maintained a 2.0 grade point average in subjects attempted unless otherwise stipulated by the major. Students must also complete the general education residency and competency requirements set forth in Title 5 regulations and Education Code.~~

~~Students may be awarded a Certificate of Achievement upon successful completion with a grade of C or higher of a minimum of 16 or more semester units or 27 or more quarter units of degree-applicable coursework designed as a pattern of learning experiences designed to develop certain capabilities that may be oriented to career or general education.~~

The Chancellor shall establish procedures to determine degree and certificate requirements that include appropriate involvement of the local Curriculum Committee. The procedures shall ensure that graduation requirements are published in the college catalog(s) and included in other resources that are convenient for students.

References:

Education Code Section 66746 (a) and (b), 70902(b)(3);  
Title 5, Sections 55002(b), 55070, 55800, et seq. 55060 et seq.

**End of Recommendation for BP 4100 Graduation Requirements for Degrees and Certificates**

# AP 4100 Graduation Requirements for Degrees and Certificates (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

- > Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.
- > Legal Update 40: The Service updated this procedure to reflect new Title 5 Regulations regarding direct assessment competency-based education. (2022-23 carryover)

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/18/2024

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

- 04/08/2024 PPAC Approves Review Level
- 04/17/2024 Level 3 First Anticipated AS Review
- 05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 05/15/2024 Level 3 Second Anticipated AS Review
- 08/12/2024 PPAC Reviews Second AS Feedback
- 09/12/2024 BOT First Reading
- 10/10/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 4100 Graduation Requirements for Degrees and Certificates (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

- > Legal Update 42: The Service updated this procedure to align with updated Title 5 regulations.
- > Legal Update 40: The Service updated this procedure to reflect new Title 5 Regulations regarding direct assessment competency-based education. (2022-23 carryover)

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

04/08/2024 PPAC Approves Review Level  
04/17/2024 Level 3 First Anticipated AS Review  
05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback  
05/15/2024 Level 3 Second Anticipated AS Review  
08/12/2024 PPAC Reviews Second AS Feedback  
09/12/2024 BOT First Reading  
10/10/2024 BOT Final Approval

~~(Replaces current SBCCD AP 4100)~~

~~Requirements for graduating with a dDegree or eCertificate [graduate requirements](#) are developed through collegial consultation on each campus, approved by the Board of Trustees, and published in the respective college catalogs.~~

For ~~the~~ Associate [Degrees \(AA/AS\)](#) the requirements for students include:

~~in Arts or Associate in Science degree, a student must dDemonstrate competence in reading, in written expression, [and and](#) in mathematics, [and in satisfactory completion of a course in ethnic studies.](#)~~

- ~~The student must sSatisfactorily complete at least 60 semester units of college work [and](#) have maintained a 2.0 grade point average in subjects attempted unless otherwise stipulated by the major. Students must also complete the general education residency and competency requirements set forth in Title 5 regulations and Education Code.~~
- ~~Complete at least 18 semester units in general educations and at least 18 semester units in a major listed in the State Chancellor's Taxonomy of Programs.~~
- ~~Complete at least 12 semester units of study in residence; exceptions to the residence requirement can be made by the Governing Board when [an injustice or under hardship would result.](#)~~
- ~~Complete a minimum of general education course work in the natural sciences, the social and behavioral sciences, humanities and language and rationally.~~

College work includes all courses acceptable toward the associate degree that have been properly approved pursuant to Title 5 Section 55002(a), or, if completed at other than a California community college, would reasonably be expected to meet the standards of that section.

~~The work must include at least 18 semester units in general education, (Note: SBVC requires at least 24 units) and at least 18 semester units in a major listed in the Community Colleges "Taxonomy of Programs".~~

~~The work must include at least 12 semester units of study in residence; [the Board may excuse exceptions to the residence requirement can be made by the Scholastic Standards Committee when anto alleviate injustice or undue hardship would result.](#)~~

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>.

~~The general education requirements must include a minimum of work in the natural sciences, the social and behavioral sciences, humanities, and language and rationality, (note: ethnic studies must be offered in at least one of these four areas), communication and analytical thinking, and lifelong learning and self-development as applicable. In addition, the general education transfer requirements may apply.~~

Students may petition to have noncredit courses counted toward the satisfaction of requirements for an associate degree.

The District must offer ethnic studies as part of the general education curriculum.

District policies and procedures regarding general education and degree requirements must be published in the college catalog and must be filed with the State Chancellor's Office.

For Certificates:

~~Successful completion of a course of student or curriculum that consists of 16 or more semester units of degree-applicable credit coursework for a certificate of achievement shall be designed to demonstrate that the students has completed coursework and developed capabilities relating to a career or general pathway.~~

~~a certificate of achievement, a student must successfully complete a course of study or curriculum that consists of 16 or more semester units of degree-applicable credit coursework. The certificate of achievement shall be designed to demonstrate that the student has completed coursework and developed capabilities relating to career or general education.~~

Requirements for the District include:

- Shorter credit programs that lead to a certificate of completion may be established by the District.
- Content and assessment standards for certificates shall ensure that certificate programs at either college are consistent with the mission of the college, meet a demonstrated need, are feasible, and adhere to guidelines on academic achievement.
- The District may obtain approval of a direct assessment competency-based program from the California Community College Chancellor's office.

~~Certificates for which State Chancellor's Office approval is not sought may be given any name or designation deemed appropriate except for certificate of achievement, certificate of completion, or certificate of competency.~~

References:

Education Code Section 70902(b)(3);

Title 5, Sections 55070, 55800, et seq. 55060 et seq. and 55270 et seq.

**End of Recommendation for AP 4100 Graduation Requirements for Degrees and Certificates**

# BP 5075 Course Adds, Drops, and Withdrawals

04/04/24

(10+1)



P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor Clerical Edit

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/18/2024

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

- 04/08/2024 PPAC Approves Review Level
- 04/17/2024 Level 3 First Anticipated AS Review
- 05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 05/15/2024 Level 3 Second Anticipated AS Review
- 08/12/2024 PPAC Reviews Second AS Feedback
- 09/12/2024 BOT First Reading
- 10/10/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 5075 Course Adds, Drops, and Withdrawals (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor Clerical Edit

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

04/08/2024 PPAC Approves Review Level  
04/17/2024 Level 3 First Anticipated AS Review  
05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback  
05/15/2024 Level 3 Second Anticipated AS Review  
08/12/2024 PPAC Reviews Second AS Feedback  
09/12/2024 BOT First Reading  
10/10/2024 BOT Final Approval

~~(Replaces current SBCCD BP 5080)~~

Students may add or drop courses in accordance with the procedures recommended by the Chancellor.

### References:

Title 5 Sections 55024, [and 58004](#) [and 58509](#)

**End of Recommendation for BP 5075 Course Adds, Drops, and Withdrawals**

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

# AP 5075 Course Adds, Drops and Withdrawals

04/04/24

(10+1)



P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

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

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/18/2024

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

- 04/08/2024 PPAC Approves Review Level
- 04/17/2024 Level 3 First Anticipated AS Review
- 05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 05/15/2024 Level 3 Second Anticipated AS Review
- 08/12/2024 PPAC Reviews Second AS Feedback
- 09/12/2024 BOT First Reading
- 10/10/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 5075 Course Adds, Drops and Withdrawals (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

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

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

04/08/2024 PPAC Approves Review Level  
04/17/2024 Level 3 First Anticipated AS Review  
05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback  
05/15/2024 Level 3 Second Anticipated AS Review  
08/12/2024 PPAC Reviews Second AS Feedback  
09/12/2024 BOT First Reading  
10/10/2024 BOT Final Approval

*(Replaces current SBCCD AP 5080)*

The District may allow students to add and drop courses pursuant to policy.

### Adding Courses

- A. Students may add courses during the first two weeks for a full-term course, or the first 10% of a ~~short term~~ short-term course, only with the instructor's permission, contingent upon:
  1. the course still having available space
  2. the instructor's judgment regarding pedagogical and safety issues
- B. After the add period concludes,
  1. ~~students~~ Students may add a course only with the instructor's permission and through a petition approved by the Director of Admissions & Records or designee.
  2. ~~students~~ Students not officially registered in a course shall not be permitted to attend that course.

### Withdrawal/Military Withdrawal

#### A. Withdrawal Prior to Census (20% of instruction)

Students who withdraw or are withdrawn from weekly census sections prior to census (or 20% of the instructional time frame for all other section accounting methods) shall have no notation made to the permanent record.

#### B. Withdrawal 20% - 60% of Instruction

Students who withdraw or are withdrawn from weekly census sections on or after census (or 20% of the instructional time frame for all other section accounting methods) and through the end of the eleventh week (or 60% of the instructional time frame) shall have a "W" posted to the permanent record.

#### C. Withdrawal After 60% of Instruction

The permanent record of students who remain in class beyond the eleventh week of the term in a weekly census section (or 60% of the instructional time frame for all other section accounting methods) must reflect a grade symbol other than "W".

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)



#### D. Extenuating Circumstances

Students who withdraw from weekly census sections after the eleventh week of the term (or 60% of the instructional time frame for all other sections accounting methods) may, in the case of extenuating circumstances, be assigned the "W". Such cases will require verification and will be handled by the appropriate college official in consultation with the instructor(s). Extenuating circumstances are defined as illness, accident, unforeseen job shift change, job assignment outside of the attendance area and extreme weather conditions.

#### E. Military Withdrawal

An "MW" (Military Withdrawal) shall be assigned for students who are members of an active or reserve United States military service who receive orders compelling a withdrawal from courses. Upon verification of such orders, the symbol may be assigned at any time. The "MW" shall not be counted in progress probation and dismissal calculations.

#### Intervention Program

A student will be permitted to withdraw from a class and receive a "W" no more than three times. In the case of multiple withdrawals, the District offers the following intervention program:

- A. Students may be permitted to enroll in a class after having received the maximum authorized number of "W" symbols as long as the students will receive a grade or a non-evaluative symbol other than a "W" upon completion of the course, if the District policy permits additional withdrawals for which it does not receive apportionment and the official designated in the District's policy approves such withdrawal after a review of a petition submitted by the student.
- B. An excused withdrawal ("EW") will not be counted toward the permitted number of withdrawals or counted as an enrollment attempt, nor will it be counted in progress probation and dismissal calculations. An excused withdrawal occurs when a student withdraws from a course due to an extraordinary condition under Title 5 Section 58509. In no case shall an excused withdrawal result in a student being assigned an "FW" grade.

#### Instructor Initiated Drops Prior to Census

- A. For purpose of census collection, instructors shall drop students due to inactive enrollment not later than the end of the last business day before the census day for all students who have:
  1. Been identified as a no show
  2. Students who are no longer attending the course

Instructors shall clear their rolls of inactive students no later than the day prior to census.

"Inactive students" include:

- Students identified as no-shows,
- Students who officially withdraw,
- Students who are no longer participating in the courses ~~and~~ are therefore dropped by the instructor.

#### Course Repetition

The District will comply with Title 5 regulations regarding course repetition and withdrawals.

#### References:

Title 5 Sections 55024, [and](#) 58004, [and](#) 58509

### End of Recommendation for AP 5075 Course Adds, Drops and Withdrawals

# BP 5500 Standards of Student Conduct (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

### Reason(s) for Review/Changes

> Legal Update 42: The Service updated this policy to add legal citations.

Review Level  
**Level 3**

Chapter Lead  
N Ornelas

Recommendation Received:  
3/18/2024

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

- 04/08/2024 PPAC Approves Review Level
- 04/17/2024 Level 3 First Anticipated AS Review
- 05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 05/15/2024 Level 3 Second Anticipated AS Review
- 08/12/2024 PPAC Reviews Second AS Feedback
- 09/12/2024 BOT First Reading
- 10/10/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# BP 5500 Standards of Student Conduct (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Legal Update 42: The Service updated this policy to add legal citations.

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

04/08/2024 PPAC Approves Review Level  
04/17/2024 Level 3 First Anticipated AS Review  
05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback  
05/15/2024 Level 3 Second Anticipated AS Review  
08/12/2024 PPAC Reviews Second AS Feedback  
09/12/2024 BOT First Reading  
10/10/2024 BOT Final Approval

~~(Replaces current SBCCD BP 5500)~~

The Chancellor shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state laws and regulations.

The Chancellor shall establish procedures that clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension, or expulsion of a student.

The Board shall consider any recommendation from the Chancellor for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

The procedures shall be made widely available to students through the college catalog and other means.

References:

Education Code Sections 66300, [and 66301](#), [and 76120](#);  
ACCJC Accreditation Standards I.C.8 and 10 [\(formerly II.A.7.b\)](#)

**End of Recommendation for BP 5500 Standards of Student Conduct**

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

# AP 5500 Standards of Student Conduct (10+1)

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor Clerical Edit

Review Level	Chapter Lead	Recommendation Received:
<b>Level 3</b>	N Ornelas	3/18/2024

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

- 04/08/2024 PPAC Approves Review Level
- 04/17/2024 Level 3 First Anticipated AS Review
- 05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
- 05/15/2024 Level 3 Second Anticipated AS Review
- 08/12/2024 PPAC Reviews Second AS Feedback
- 09/12/2024 BOT First Reading
- 10/10/2024 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](mailto:kgoodric@sbccd.edu).

**RECOMMENDATION STARTS ON NEXT PAGE**

# AP 5500 Standards of Student Conduct (10+1)



04/04/24

P&P Chapter Lead Recommendation  
San Bernardino Community College District

## Reason(s) for Review/Changes

> Minor Clerical Edit

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

04/08/2024 PPAC Approves Review Level  
04/17/2024 Level 3 First Anticipated AS Review  
05/13/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback  
05/15/2024 Level 3 Second Anticipated AS Review  
08/12/2024 PPAC Reviews Second AS Feedback  
09/12/2024 BOT First Reading  
10/10/2024 BOT Final Approval

*(Replaces current SBCCD AP 5500)*

### Standards of Student Conduct

The District may impose discipline for the commission, or attempted commission, of the following types of violations by Students, or for aiding or abetting, inciting, conspiring, assisting, hiring or encouraging another person to engage in a violation of this Standards of Student Conduct, or for any violation of state or Federal law. Being under the influence of drugs and/or alcohol, or the existence of other psychological impairment does not excuse a violation of this Standards of Student Conduct.

- A. Academic Misconduct. All forms of academic misconduct including, but not limited to, cheating, fabrication, plagiarism, or facilitating academic dishonesty.
- B. Alcohol. Manufacture, distribution, dispensing, possession, use, consumption or sale of, or the attempted manufacture, distribution, dispensing, distribution, consumption or sale of alcohol that is unlawful or otherwise prohibited by, or not in compliance with, District policy, administrative procedures, or campus regulations.
- C. Assault/Battery. Assault, battery, or any threat of force or violence upon a Student or upon any Member of the District Community. This includes, but is not limited to:
  1. Inflicting bodily harm upon any Member of the District Community;
  2. taking any action for the purpose of inflicting bodily harm upon any Member of the District Community;
  3. taking any reckless, but not accidental action, from which bodily harm could result to any Member of the District Community;
  4. Causing a Member of the District Community to believe that the offender or their agent may cause bodily harm to that person or any member of their family or any other Member of the District Community;
  5. Inflicting or attempting to inflict bodily harm on oneself.
- D. Bias. Bias-related incidents are behavior that constitutes an expression of hostility against a person or property or another due to the targeted person's race, religion, sexual orientation, ethnicity, national origin, gender, age, marital status, political affiliation, or disability. These acts or behaviors may not rise to the level of a crime, or a violation of state or federal law, but may constitute to creating an unsafe, negative, or unwelcome environment for the targeted person.
- ~~D-E.~~ Bullying. Defined as the aggressive and hostile acts of an individual or group of individuals which are intended to humiliate, mentally or physically injure or intimidate, and/or control another individual or group of individuals.
- F. Continued Misconduct or Repeat Violation. Repeated misconduct or violations of this Policy, when other means of correction have failed to bring about proper conduct.

**Review Notes | Key:** [Initial Staff Recommended](#), [Legal Changes](#), [PPAC Constituent](#), [Chapter Lead Feedback](#)

- E.G. Cyber Bullying. Defined as bullying an individual using any electronic form, including, but not limited to, the Internet, interactive and digital technologies, or mobile phones.
- F.H. Dating Violence. Violence committed by a member of the District Community who is, or has been, in a social relationship of a romantic or intimate nature with the victim.
- G.I. Destruction of Property. The damaging, destroying, defacing, or tampering with District Property or the property of any person or business on District Property or at a District function, including but not limited to, taking down, defacing, or otherwise damaging District authorized posters, handbills and/or notices posted on District property.
- H.J. Discrimination. Unlawful discrimination against a person on the basis of race, ethnicity, color, religion, national origin, sex, age, disability, military or veteran status, gender identification, gender expression, marital status; sexual orientation, or genetic information, except where such distinction is authorized by law.
- H.K. Dishonesty. All forms of dishonesty including but not limited to fabricating information, furnishing false information, or reporting a false emergency to the District.
- J.L. Disorderly or ~~lewd-Lewd~~ ~~conduct~~Conduct. Engaging in disorderly or lewd, indecent or obscene behavior on District Property or at a District function.
- K.M. Disruption of Educational Process. Destruction or disruption on or off District Property of the District educational process(es), including but not limited to interrupting, impeding, obstructing or causing the interruption or impediment of any class (regardless of modality), lab, administrative office, teaching, research, administration, disciplinary procedures, District activity or District authorized Student activity or administrative process or other District function; or disturbing the peace on District Property or at any District function.
- L.N. Disruptive Behavior. Disruptive behavior, disobedience, profanity, vulgarity, or the open defiance of the authority of or abuse of District personnel, or which adversely ~~effects-affects~~ the delivery of educational services to Students and the District Community.
- M.O. Disturbing the Peace. Disturbing the peace and good order of the District by, among other things, fighting, quarreling, disruptive behavior, or participation in a disturbance of the peace or unlawful assembly.
- N.P. Drugs. Unlawful or attempted manufacture, distribution, dispensing, possession, use, distribution or sale of, controlled substances, dangerous drugs, restricted dangerous drugs or narcotics, as those terms are used in state or federal statutes on District Property or at any District function. Possession of medicinal marijuana on District premises is prohibited.
- Q.Q. Endangering the Welfare of Others. Violation of any state or federal law relating to the placing at risk of physical or emotional harm of a member of the District Community.
- P.R. Failure to Appear. Failure to appear before a District official when directed to do so.
- Q.S. Failure to Comply or Identify. Failure to identify oneself to, or comply with the directions of, a District employee when requested.
- R.T. Failure to Repay Debts or Return District Property. Failure to (a) repay debts to the District; (b) return District property; (c) return property of any member of the District Community.
- S.U. False Report of Emergency. Knowingly and purposefully, causing, making, and/or circulating a false report or warning of a fire, explosion, crime, or other catastrophe.
- T.V. Forgery. Any forgery, alteration, or misuse of any District document, record, key, electronic device, or identification, or knowingly furnishing false information to a District official.
- U.W. Fraud. Any attempt to steal, take, carry, lead, or take away the personal property of another, or who fraudulently appropriated property which has been entrusted to him/~~or~~-her/they, or who shall knowingly and designedly, by any false or fraudulent representation or pretense, defraud any other person of money, labor or property, or who causes or procures or obtains credit and thereby, or fraudulently gets or obtains possession of money, or property, or obtains the labor or service of another, is guilty of theft.
- V.X. Gambling. Unauthorized gambling on District Property or at any District function.
- W.Y. Harassment/Bullying. A specific act, or series of acts, of a verbal or physical nature, including threats, intended to annoy, intimidate, pester, aggravate, irritate, dominate, ridicule, or cause fear to a member of the District Community, occurring within the jurisdiction of the District as set forth in Section 1.4.
- X.Z. Hateful Behavior. Hateful behavior aimed at a specific person or group of people.

- Y-AA. Hazing. Participation in hazing or any method of initiation or pre-initiation into a campus organization or other activity engaged in by the organization or members of the organization at any time that causes, or is likely to cause, physical injury or personal degradation or disgrace which can inflict psychological or emotional harm to any Student or other person.
- Z-BB. Infliction of Mental Harm. (a) Inflicting mental harm upon any member of the District Community; (b) taking any action for the purpose of inflicting mental harm upon any Member of the District Community; (c) taking any reckless, but not accidental action, from which mental harm to Member of the District Community could result; (d) causing a Member of the District Community to believe that the Student or their agent may cause mental harm to that person or any member of their family or any other member of the District Community; (e) any act which purposefully demeans, degrades, or disgraces any person.
- AA-CC. Library Materials. Cutting, defacing, or otherwise damaging or theft of college library or bookstore materials or property.
- AB. Misrepresentation. A false statement or representation based upon the intentional disregard of false or possibly false information, or knowingly entering into a transaction based upon false information, or misrepresenting oneself to be an agent, employee, or representative of the District or its colleges.
- AC. Misuse of Identification. Transferring, lending, borrowing, altering or unauthorized creation of identification.
- AD. Possession of Stolen Property. Possession of District Property, or the property of any other person, when the Student knows or reasonably should know, that the property was stolen.
- AE. Possession of Weapons. Unauthorized possession, use, storage, or manufacture of explosives, dangerous chemicals, firebombs, firearms, or other destructive devices or weapons as defined in Section K of Appendix A.
- AF. Public Intoxication. Public intoxication or being under the influence of alcoholic beverages, any illegal narcotics, or any substance that causes impairment on District/College Property or at any District/College function.
- AG. Sexual Harassment. Sexual harassment against a member of the District Community. Sexual harassment is defined as (a) unwelcome verbal harassment, e.g., epithets, derogatory comments, or slurs; (b) physical harassment, e.g., assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual; (c) visual forms of harassment, e.g., derogatory posters, cartoons, or drawings; (d) unwelcome sexual advances, requests for sexual favors; or (e) an intimidating, hostile, or offensive environment. "Unwelcome conduct" is defined as conduct which the member of the District Community does not solicit or initiate, and which the person regards as undesirable or offensive.
- AH. Sexual Misconduct. Comprises a broad range of unwelcome behaviors focused on sex and/or gender that may or may not be sexual in nature. Any intercourse or other intentional sexual touching or activity without the other person's consent is sexual assault, is a form of Sexual Misconduct under this Procedure. Sexual Misconduct is any form of gender-based harassment, including, but not limited to, sexual harassment, sexual assault, and sexual exploitation, as well as harassment based on gender identity, gender expression, and non-conformity with gender stereotypes. Sexual misconduct may also include acts of a sexual nature, including acts of stalking, domestic violence, and dating violence, intimidation, or for retaliation following an incident where alleged Sexual Misconduct or has occurred. Sexual Misconduct can occur between strangers or acquaintances, or people who know each other well, including between people involved in an intimate or sexual relationship, can be committed by anyone regardless of gender identity and can occur between people of the same or different sex or gender.
- AI. Serious Injury or Death. Any intentional, unintentional or reckless action or conduct which results in serious injury or death to a Member of the District Community or their family.
- AJ. Smoking. Smoking in an area where smoking has been prohibited by law or regulation of the District.
- AK. Stalking. Stalking behavior in which a Student repeatedly engages in the course of conduct directed at another person and makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his/~~her~~/or ~~their~~/~~her~~ family; where the threat is reasonably determined by the College Conduct Officer to create substantial emotional distress, torment, create fear, or to terrorize the person.
- AL. Sexual Stalking. The course of conduct directed at a specific person that would cause a reasonable person to feel fear or suffer substantial emotional distress due to another's sexual interest or gender-based stalking. Stalking involves repeated and continued harassment of a sexual or gender-based nature, against the expressed consent of another individual, which causes the targeted individual to feel emotional distress, including fear or apprehension. Such stalking behaviors may include: pursuing or following; unwanted communication or contact—including face-to-face encounters, telephone calls, voice messages, electronic messages, web-based messages, text messages, unwanted gifts, etc.; trespassing; and surveillance or other types of observation.
- AM. Theft or Abuse of District's Computers or Electronic Resources. Theft or abuse of District computers and other District electronic resources such as computer and electronic communications facilities, systems, and services. Abuses include (but are not limited to) unauthorized entry, use, transfer, or tampering with the communications of others, and interference with the work of others, and with the operation of a computer and electronic communications facilities, systems, and services. Theft or attempted theft of any kind, including seizing, receiving, or concealing property with knowledge that it has been stolen, is prohibited. Sale, possession, or



misappropriation of any property or services without the owner's permission is also prohibited.

- AN. Theft or Conversion of Property. Theft or conversion of District Property or services, or the property of any person or business on District Property or at a District function, or possession of any property when the Student had the knowledge or reasonably should have had knowledge that it was stolen.
- AO. Trespass and Unauthorized Possession. Unauthorized or forcible trespass on, entry to, possession of, receipt of, or use of any District services, grounds, equipment, resources, properties, structures, vehicles, boats, water craft or facility, including the unauthorized use of District's name, insignia, or seal without permission or authorization.
- AP. Unauthorized Recording. Recording any person on District Property or at any District function without that person's knowledge or consent. This definition shall not apply to recordings conducted in public, in a commonly recognized public forum.
- AQ. Unauthorized Use of Course or Copyrighted Materials. Students of the District will abide by all aspects of United States copyright law, Title 17 of the United States Code, to the extent possible, under the authoritative interpretation of the law. Students shall not reproduce copyrighted materials without prior permission of the copyright owner, except as allowed by the "fair use" doctrine. In addition, Students shall not sell, prepare, or distribute for any commercial purpose any course lecture notes or video or audio recordings of any course unless authorized by the District in advance and explicitly permitted by the course instructor in writing. The unauthorized sale or commercial distribution of course notes or recordings by a Student is a violation of these Policies whether or not it was the Student or someone else who prepared the notes or recordings. Copying for any commercial purpose handouts, readers or other course materials provided by an instructor as part of a District course unless authorized by the District in advance and explicitly permitted by the course instructor or the copyright holder in writing (if the instructor is not the copyright holder).
- AR. Unauthorized Use of District Keys. Unauthorized use, distribution, duplication or possession of any keys issued for any building, laboratory, facility, room, or other District Property.
- AS. Unauthorized Use of Electronic Devices. Unauthorized use of an electronic device on District property or at any District function, including but not limited to, classes, lectures, labs, and field trips.
- AT. Unauthorized Use of Property or Services. Unauthorized use of property or services or unauthorized possession of District Property or the property of any other person or business.
- AU. Unreasonable Demands. Placing repeated, hostile, or unreasonable demands on District staff.
- AV. Unwelcome Conduct: ~~conduct~~ Conduct of a sexual, gender-based, or harassing nature, which is considered unwelcome if a person did not request or invite it, and considered the conduct to be unwelcome, undesirable, or offensive. Unwelcome conduct may take various forms, including name-calling, graphic or written statements (including the use of cell phones or the Internet), hazing, bullying, or other conduct that may be physically or psychologically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, or directed at a specific target, or involve repeated incidents. Unwelcome conduct can involve persons of the same or opposite sex.
- AW. Violation of Driving Regulations. Driving unsafely on District property or while taking part in any District function, or repeated violation of District parking regulations.
- AX. Violation of Health & Safety Regulations. Violation of any health, safety or related regulations, rule or ordinance on District property or at any District function.
- AY. Violation of Law. Violation of any federal, state or local law on District property, at a District function or involving a member of the District Community.
- AZ. Violation of Posted District Rules. Violation of any rule or regulation posted on District property by the District or the College, or printed in any District publication.
- BA. Violation of Published Computer/Network Usage Policy(s), Procedures, or Guidelines.
1. Accessing and/or without permission altering, damaging, deleting, destroying, or otherwise using any data, computer, computer system, or computer network belonging to or used by the District or any Member of the District Community.
  2. Accessing and/or without permission taking, copying, or making use of any data from a computer, computer system, or computer network, or taking or copying any supporting documentation, whether existing or residing internal or external to a computer, computer system, or computer network belonging to or used by the District or any Member of the District Community.
  3. Using or causing to be used District computer services without permission.
  4. Accessing and/or without permission adding, altering, damaging, deleting, or destroying any data, computer software, or computer programs which reside or exist internal or external to a computer, computer systems, or computer network belonging to or used by the District or any Member of the District Community.
  5. Disrupting or causing the disruption of computer services or denying or causing the denial of computer services to an authorized user of a computer, computer system, or computer network belonging to or used by the District or any Member of the District



Community.

6. Providing or assisting in providing a means of accessing, without permission, a computer, computer, system, or computer network belonging to or used by the District or any Member of the District Community.
7. Accessing or causing to be accessed without authorization any computer, computer system, or computer network belonging to or used by the District or any Member of the District Community.
8. Introducing any computer contaminant or virus into any computer, computer system, or computer network belonging to or used by the District or any Member of the District Community.
9. Sending any message using any computer system or network without authorization or sending any message in the name of another person or entity.
10. Using any account or password without authorization.
11. Allowing or causing to be used an account number or password by any other person without authorization.
12. Accessing or causing to be accessed, downloading or causing to be downloaded, pornographic or obscene materials except when accessing a pornographic website which is part of the instructional process or assignment for a class the Student is currently enrolled in.
13. Use the District's systems or networks for commercial purposes; for example, by performing work for profit with District resources in a manner not authorized by the district.
- ~~13-14.~~ "Cyberstalking", which is to be understood as any use of the college or district computer system, computer network, or computer programs to stalk another person via excessive messages or inquiries, inappropriate or threatening messages, racially motivated communications, photos or other means of communication.
- ~~14-15.~~ Inappropriate Usage of Social Media. Using social media to harass, intimidate, or threaten other individuals. Usage of social media that will have indirect or direct impact on an individual or interference with the educational process.

**References:**

Education Code Sections 66300, [and 66301, 66302, 72122, and 76030-76038](#);  
ACCJC Accreditation Standard I.C.8 [and 10](#)

**End of Recommendation for AP 5500 Standards of Student Conduct**

**BP 2430 Delegation of Authority to the Chancellor** *(no matching AP exists)*

04/04/24



P&P Chapter Lead Recommendation  
San Bernardino Community College District

Point Person	Date Requested	Anticipated Date of Recommendation:	Recommendation Received:
J Torres	1/27/2024	Recommendation Received	2/7/2024

**Reason(s) for Review/Changes**

> As a result of a discussion at the January 2024 CCLC, there is a request to discuss and possibly revise the board's role in communication and emergency management

**Review Level**

**Level 1**

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

- 02/06/2024 BPPAC Approval
- 02/26/2024 PPAC Approves Review Level
- 02/27/2024 Level 1 to Constituents for Information Only
- 03/14/2024 BOT First Reading
- 04/02/2024 BPPAC 2<sup>nd</sup> Review
- 04/11/2024 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.
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](mailto: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 2430 Delegation of Authority to the Chancellor** *(no matching AP exists)*

P&P Chapter Lead Recommendation  
San Bernardino Community College District



04/04/24

**Reason(s) for Review/Changes**[Click for CCLC Legal Update Info](#)

> **As a result of a discussion at the January 2024 CCLC, there is a request to discuss and possibly revise the board's role in communication and emergency management**

Review Process Notes:

> Reviewed by BPPAC with one recommended change.

> 4/2/2024 BPPAC updated language to clarify notification of the board in emergency situations, by adding the language, "and shall update the Board in a timely manner" to paragraph 8.

~~(Replaces current SBCCD BP 2170)~~

The Board delegates to the Chancellor the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action.

The Chancellor may delegate any powers and duties entrusted to ~~him/ or her~~them by the Board (including the administration of colleges and centers), but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Chancellor is empowered to reasonably interpret Board policy. In situations where there is no Board policy direction, the Chancellor shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Chancellor to inform the Board of such action and to recommend written board policy if one is required.

The Chancellor is empowered to develop administrative procedures for submittal to the board.

The Chancellor is expected to perform the duties contained in the Chancellor's job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The Board, in consultation with the Chancellor, shall develop the job description and goals and objectives for performance.

The Chancellor shall ensure that all relevant laws and regulations are complied with, and that required reports are submitted in timely fashion.

The Chancellor shall make available any information or give any report requested by the Board as a whole. Individual trustee requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to District operations. Information provided to any trustee shall be ~~provided~~ made available to all trustees.

The Chancellor is delegated the authority to act on behalf of the Board in an emergency for the protection of life, health, and safety of individuals and the protection of property, and shall update the Board in a timely manner.

The Chancellor is delegated the authority to confer with District Counsel in addressing legal matters of the District with the exception of legal matters directly affecting the Board relationship with the Chancellor.

The Chancellor is delegated the authority to accept written resignations.

The Chancellor shall act as the professional advisor to the Board in policy formation.

References:

Education Code Sections 70902(d) and 72400;  
ACCJC Accreditation Standards IV.B.5, IV.C.12, and IV.D.1 (formerly IV.B.1.j and IV.B.2)

**End of Recommendation for BP 2430 Delegation of Authority to the Chancellor**