



San Bernardino Community College District
POLICIES & PROCEDURES ADVISORY
COMMITTEE (PPAC)
May 13, 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. PPAC Self-Evaluation Survey

C. Approval of Minutes

1. Confirmation of Quorum
2. April 8, 2024

D. Legal Update 44 Overview

E. Legal Update 44 | Citation | Minor Edit Only | Level 1

These items are anticipated to appear on the 6/14/2024 BOT
Agenda for First Reading.

1. 1200
2. 2010
3. 2200
4. 2410
5. 2431
6. 2435
7. 2510
8. 2712
9. 2745
10. 3050
11. 3200
12. 3225
13. 3410
14. 3420
15. 4021
16. 4025

17. 4030
18. 4040
19. 4050
20. 4102
21. 4015
22. 4105
23. 5010
24. 5011
25. 5030
26. 5050
27. 5110
28. 5500
29. 5530
30. 5700
31. 6300
32. 6340
33. 6400
34. 6535

F. Review of Constituent Feedback & Initial Academic Senate Input on Level 3 Items from 4/8/2024

These items are anticipated to appear on the 5/15/2024 PPAC Agenda for Final Review.

1. 4100
2. 5075
3. 5500

G. 7250 Educational Administrators and 7340 Leaves - Remove 10+1 Designation

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

These items are anticipated to appear on the 6/14/2024 BOT Agenda for First Reading.

1. 4225
2. 4232
3. 4235
4. 4236
5. 5015
6. 6200

I. New Chapter Lead Recommendations - Level 1

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

1. 3226
2. 3430
3. 3433
4. 7310

J. Change in Recommendation from BOT First Reading to Final Approval

These minor changes from BOT First Reading to Final Approval reflect Legal Update 44 citations/minor clerical edits only.

1. 2510
2. 2712
3. 4105
4. 7120

K. Adjournment & Next Meeting

The next PPAC meeting is scheduled for August 2024. The day and time are pending a new advisory committee meeting schedule for the Fall.



Policies & Procedures Advisory Committee
Meeting Minutes – April 8, 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 Torres started the meeting shortly after 3:00 p.m. Aida Gil was in attendance representing LFSA as proxy for Carmen Rodriguez.

B. Approval of Minutes

1. Confirmation of Quorum

Quorum was confirmed.

2. Approval of Minutes from 3/11/2024

Keith Wurtz made a motion which Christopher Crew seconded to approve the minutes. The motion was passed by a majority vote.

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

1. 2712 Conflict of Interest Code

The PPAC members reviewed this P&P schedule and recommendation with no feedback. Christopher made a motion to advance this item through the process and Keith seconded. The motion was approved by a majority vote.

2. 7145 Personnel Files

The PPAC members reviewed this P&P schedule and recommendation with no feedback. Keith made a motion to move it through the process which Lisa Henkle seconded. The motion was approved by a majority vote.

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

Jose went over the schedule for these recommendations. PPAC is hearing feedback and initial Academic Senate input, but no committee action is required at this time.

1. 4225 Course Repetition

PPAC members reviewed the recommendation. There was no feedback. Jose reviewed the color key found on the recommendation (Initial Staff Recommended, Legal Changes, PPAC Constituent, Chapter Lead Feedback).

2. 4232 Pass-No Pass

Reviewed recommended changes. There was no feedback.

3. 4235 Credit for Prior Learning

PPAC members reviewed the recommendation. There was no feedback. Nohemy Ornelas commented that this P&P aligns with the State's Vision 2030 and some of the efforts that have been going along with ensuring that students are given credit for any prior experience or learning they have had.

4. 4236 Advanced Placement Credit

PPAC members reviewed the recommendation. There was no feedback.

5. 5015 Residence Determination

PPAC members reviewed the recommendation. The schedule for this recommendation reflected the March PPAC feedback that neither Academic Senate had reviewed it, so the Academic Senate first read was moved from March 6 to April 5. Davena Burns-Peters indicated that this item had received final approval at the SBVC Academic Senate meeting on April 5. There was no further feedback.

6. 5420 Associated Students Finance

PPAC members reviewed the recommendation. Ray Carlos advised his estimation that this P&P doesn't relate to 10+1 as much as it does to the student's SSCCC 9+1, which allows them feedback on things solely related to students. Ray provided a link referencing the basis of his comments (https://ssccc.org/file_download/inline/fe7a61ae-ba63-4ed3-aa2b-be981a01ccb0). After discussion, it was decided that the 10+1 designation could be removed from this item, which focuses on student finance, and the Review Level changed from a Level 3 to a Level 2. A motion was made by Davena to do this and to reflect this change on the Annual Review Schedule. Keith Wurtz seconded the motion which was approved by a majority vote.

7. 6200 Budget Preparation

PPAC members reviewed the recommendation. There was no feedback.

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

Committee members went over the proposed schedule for these items. Davena and Lisa reported to PPAC members that the SBVC Academic Senate had no feedback on these recommendations. It was explained that the SBVC Academic Senate had opted at the last meeting to table these P&Ps citing the fact that the recommendations did not reflect initial feedback provided to PPAC although it was confirmed through PPAC minutes that the input from both CHC and SBVC Academic Senates had been received and discussed at the March PPAC meeting.

1. 2510 Participation In Local Decision

PPAC members reviewed the recommendation. Lisa reported that before the SBVC Academic Senate tabled the P&Ps, it did review this item and had no feedback. Christopher made a motion to approve it through the process which Lisa seconded. The motion was approved by a majority vote.

2. 4015 District Course Enrollment Philosophy

PPAC members reviewed the recommendation and discussed the lack of time between the PPAC and Academic Senate meetings which had resulted in the perception that voices were not being heard. Jose pointed out the new practice of copying and pasting minutes in for each step in the process. Lisa reported that although the SBVC Academic Senate did not actually vote on this item, they had major concern over the word "can" in item 2.2 and thought it should be "shall." She advised her opinion that if this word was changed, the recommendation could be moved along.

The committee discussed its process and the practice of appointing proxies. After careful deliberation, Davena made a motion to proceed with a vote on moving 4015 through the process with the change of the word "can" to "shall" in the first sentence of 2.2. This was seconded by Lisa. There were no further comments and the motion was approved by a majority vote with Ryan Bartlett voting no.

3. 4105 Distance Education

PPAC members reviewed the recommendation, including comments made at the March PPAC meeting. Christopher made a motion to approve it through the process, which Keith seconded. Davina commented that this item had been reviewed quite a bit and even though it may still have to come back at a later date regarding stronger language, she felt it was in a place where it could be moved forward. The motion was approved by a majority vote.

4. 5040 Student Records, Directory Information, and Privacy

PPAC members reviewed the recommendation. Lisa shared a constituent's concern on requiring legal evidence necessary to make the name change. Nohemy responded that for preferred name, no documentation is necessary, but to change a legal name, there is. Jose highlighted the AP language on legal documentation, which is found under item J. Davena made a motion to approve this item through the process which Lisa seconded. The motion was approved by a majority vote.

5. 5300 Student Equity

PPAC members reviewed the recommendation. It was confirmed again that "justice-involved" referred to a student that was currently or formerly incarcerated, while "justice-impacted" could refer to a student or a student guardian. Lisa made a motion to approve this item through the process which Ryan seconded. The motion was approved by a majority vote.

6. 7120 Recruitment & Hiring

PPAC members reviewed the recommendation. It was confirmed that the highlighted text indicates that the CCLC is recommending an organization name be inserted.

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.

Kristina Hannon recommended using the term “classified professionals.” Ernest Guillen expressed support of this choice since it includes both the Classified Senate and CSEA. Lisa made a motion to move this item forward reflecting the addition of the phrase “classified professionals” to replace the highlighted text. Ernest seconded this motion which was approved by a majority vote.

7. 7210 Academic Employees

Committee members reviewed this recommendation. There was no feedback. Lisa made a motion to approve this item through the process which Keith seconded. The motion was approved by a majority vote.

8. 7216 Academic Employees - Grievance Procedure

PPAC members reviewed this recommendation. It was commented that the highlights in this item indicate optional CCLC legal update language which was approved by the Chapter Lead. Lisa made a motion to approve this item through the process which Christopher seconded. The motion was approved by a majority vote.

F. New Chapter Lead Recommendations – Level 1

1. 6330 Purchasing

Jose clarified that for this agenda item, PPAC is only reviewing the review level. Karen Peterson made a motion to approve the Level 1 review, which Keith seconded. The motion was approved by a majority vote.

G. New Chapter Lead Recommendations - Level 2

There were no items on the agenda in this category.

H. New Chapter Lead Recommendations - Level 3

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

The committee decided to vote on these three recommendations as a group, since there is no higher level than 3. Keith made a motion which Lisa seconded to approve the Level 3 review. The motion was approved by a majority vote.

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

1. 2430 Delegation of Authority to the Chancellor

Jose reported to the PPAC on the change that was made to this item between the BOT first read on March 14 and the final approval agenda item for April 11, which clarifies the need to notify trustees in a timely manner during an emergency or life-threatening situation.

J. Adjournment & Next Meeting

Prior to adjourning Jose echoed comments from Kristina about the desire of the SBCCD BOT to understand, support, and participate as appropriate in the P&P process, and shared that this was the topic of the Board's March 28 strategy session. Davena commented that in terms of accreditation, this is very important. Jose advised that the BOT has an ad-hoc committee that reviews P&P on behalf of the Board.

The meeting adjourned at approximately 4:09 p.m. The next meeting of the PPAC is scheduled for Monday, May 13, at 3:00 p.m.

Not Yet Approved

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	Latino Faculty, Staff, & Administrators Association	Aida Gil (proxy)	<i>present</i>
2	Faculty, CHC (appointed by Academic Senate President)	Brandi Bailes	
3	Management Association	Christopher Crew	<i>present</i>
4	ASG President or designee, SBVC	Dyami Ruiz-Martinez Nelva Ruiz-Martinez	
5	ASG President or designee, CHC	Enggie Ocampo	<i>present</i>
6	CSEA (appointed by CSEA President)	Ernest Guillen	<i>present</i>
7	Police Officer’s Association	James Quigley Angelica Arechavaleta	
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	<i>present</i>
13	Faculty, SBVC (appointed by Academic Senate President)	Lisa Henkle	<i>present</i>
14	Classified, SBVC (appointed by Classified Senate President)	Nathan Yearyean	<i>present</i>
15	Management, SBVC (appointed by college president)	Ray Carlos	<i>present</i>
16	Asian Pacific Islanders Association	Rejoice Chavira	
17	CTA (appointed by CTA)	Ryan Bartlett	<i>present</i>
18	Black Faculty & Staff Association	Veada Benjamin	<i>present</i>

Not



POLICY & PROCEDURE SERVICE

Policy & Procedure Subscription Service

Community College League of California
Liebert Cassidy Whitmore

Legal Update #44

April 2024

OVERVIEW

This is the 44th update to district members of the League's Policy & Procedure Subscription Service, offered in partnership with the law firm of Liebert Cassidy Whitmore. The update reflects new statutes and regulations, legal opinions, the 2024 ACCJC Accreditation revisions, and questions from subscribers that have occurred since legal Update 43 (disseminated to member districts in October 2023).

Revisions to the Board Policy Templates

BP 1200 District Mission – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and update the usage note pursuant to the 2024 changes in the ACCJC's Accreditation Standards.

BP 2010 Board Membership – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and Eligibility Requirement pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 2015 Student Member(s) – The Service updated this policy to add voting privileges for student members of the governing board and clarify the student member's rights pursuant to changes in the Education Code.

BP 2200 Board Duties and Responsibilities – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 2310 Regular Meetings of the Board – The Service updated this policy to remove provisions regarding meetings during proclaimed states of emergency pursuant to changes in the Government Code. Requirements regarding teleconferenced meetings are in AP 2325 Teleconferenced Meetings and requirements regarding special or emergency meetings are in BP/AP 2320 Special and Emergency Meetings.



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- BP 2315 Closed Sessions** – The Service updated this policy to add a citation to the Government Code and clarify when a governing board may hold a closed session.
- BP 2340 Agendas** – The Service updated this policy to revise the limitation on how frequently a member of the public may resubmit an agenda item is a local decision.
- BP 2355 Decorum** – The Service updated this policy to add references to the Government Code and update language pursuant to changes in the Government Code.
- BP 2410 Board Policies and Administrative Procedures** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 2430 Delegation of Authority to the [CEO]** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and related language pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 2431 [CEO] Selection** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and the usage note pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 2432 [CEO] Succession** – The Service updated this policy to change a reference to an “acting president” to an “acting [CEO].”
- BP 2435 Evaluation of the [CEO]** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 2510 Participation in Local Decision-Making** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standards pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 2715 Code of Ethics/Standards of Practice** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this policy to change a reference to the “Superintendent/President” to “[CEO].”
- BP 2740 Board Education** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

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- BP 2745 Board Self-Evaluation** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 3200 Accreditation** – The Service updated this policy to revise the reference to the ACCJC Eligibility Requirement pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 3225 Institutional Effectiveness** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 3250 Institutional Planning** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standards and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 3410 Nondiscrimination** – The Service updated this policy to remove one of the accreditation-related references pursuant to the 2024 changes in the ACCJC Accreditation Standards and add a Government Code section reference.
- BP 3420 Equal Employment Opportunity** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 3501 Campus Security and Access** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 3550 Drug-Free Environment and Drug Prevention Program** – The Service updated this policy to add additional requirements related to fentanyl test strips and specify the need to identify supporting administrative procedures pursuant to changes to the Education Code.
- BP 4020 Program, Curriculum, and Course Development** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 4025 Philosophy and Criteria for Associate Degree and General Education** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.



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BP 4030 Academic Freedom – The Service updated this policy to revise the references to the ACCJC Accreditation Standard and Eligibility Requirements pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 4040 Library and Learning Support Services – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 4050 Articulation – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 4100 Graduation Requirements for Degrees and Certificates – The Service updated this policy to remove the requirement regarding publishing graduation requirements in the District’s catalog pursuant to changes in the Title 5 regulations.

BP 5010 Admissions and Concurrent Enrollment – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 5030 Fees – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this policy to remove the reference to baccalaureate degree pilot programs pursuant to changes in the Education Code.

BP 5040 Student Records, Directory Information, and Privacy – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this policy to clarify when a district may use a student’s gender or legal name as indicated in a government-issued identification document pursuant to changes in the Education Code.

BP 5050 Student Success and Support Program – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 5110 Counseling – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 5130 Financial Aid – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

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- BP 5500 Standards of Student Conduct** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 5510 Off-Campus Student Organizations** – The Service updated this policy to align with the Clery Act and clarify requirements related to working with local law enforcement agencies.
- BP 5700 Intercollegiate Athletics** – The Service updated this policy to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 6200 Budget Preparation** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 6300 Fiscal Management** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 6340 Bids and Contracts** – The Service updated this policy to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 6400 Financial Audits** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 6520 Security for District Property** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- BP 6700 Civic Center and Other Facilities Use** – The Service updated this policy to align with changes in the Education Code.
- BP 7120 Recruitment and Hiring** – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards and add an Education Code section to the references.

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BP 7160 Professional Development – The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 7340 Leaves – The Service updated this policy to add a citation to the Government Code and add language providing leave for reproductive loss pursuant to changes in the Government Code.

Revisions to the Administrative Procedure Templates

AP 2110 Vacancies on the Board – The Service updated this procedure to add vacancy notice requirements pursuant to changes in the Education Code and best practice.

AP 2325 Teleconferenced Meetings – The Service updated this procedure to align with the Ralph M. Brown Act requirements pursuant to changes in the Government Code.

AP 2410 Board Policies and Administrative Procedures – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 2430 Delegation of Authority to the [CEO] – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 2435 Evaluation of the [CEO] – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 2510 Participation in Local Decision-Making – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standards pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 2710 Conflict of Interest – The Service updated this procedure to provide legally advised language regarding the prohibition on outside employment that is inconsistent, incompatible, or in conflict with the individual's District duties, functions, and responsibilities.

AP 2712 Conflict of Interest Code – The Service updated this procedure to add a citation to the Government Code.

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- AP 3050 Institutional Code of Ethics** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 3200 Accreditation** – The Service updated this procedure to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 3225 Institutional Effectiveness** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 3250 Institutional Planning** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standards pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 3300 Public Records** – The Service updated this procedure to revise the citations to the California Public Records Act pursuant to changes in the Government Code.
- AP 3410 Nondiscrimination** – The Service updated this procedure to remove the reference to the ACCJC Accreditation Standard Catalog Requirements pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 3420 Equal Employment Opportunity** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 3435 Discrimination and Harassment Complaints and Investigations** – The Service updated this procedure to align the deadline for complaints of discrimination, harassment, or retaliation in employment to the statute of limitations allowed under the Fair Employment and Housing Act.
- AP 3501 Campus Security and Access** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 3510 Workplace Violence** – The Service updated this procedure to add citations to the Labor Code and identify requirements of a workplace violence prevention plan and file retention requirements pursuant to changes in the Labor Code.
- AP 3530 Weapons on Campus** – The Service updated this procedure to clarify the prohibition on weapons.



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AP 3550 Drug-Free Environment and Drug Prevention Program – The Service updated this procedure to include provisions related to fentanyl test strips pursuant to changes in the Education Code.

AP 3720 Computer and Network Use – The Service updated this procedure to revise the citations to the California Public Records Act pursuant to changes in the Government Code.

AP 4010 Academic Calendar – The Service updated this procedure to identify optional language pursuant to changes in the Education Code.

AP 4020 Program and Curriculum Development – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 4021 Program Discontinuance – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 4025 Philosophy and Criteria for Associate Degree and General Education – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 4030 Academic Freedom – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard and Eligibility Requirements pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 4040 Library and Learning Support Services – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 4050 Articulation – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 4100 Graduation Requirements for Degrees and Certificates – The Service updated this procedure to revise associate degree requirements to align with changes in the Title 5 regulations.

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- AP 4102 Career and Technical Education Programs** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 4105 Distance and Correspondence Education** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 4222 Remedial Coursework** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this procedure to identify requirements related to placement pursuant to the 2024 changes in the Education Code.
- AP 5010 Admissions** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students** – The Service updated this procedure to add a legal citation and to revise language regarding College and Career Access Pathways (CCAP) pursuant to changes in the Education Code and in the Title 5 regulations.
- AP 5030 Fees** – The Service updated this procedure to remove the reference to the ACCJC Accreditation Standard and add a reference to an ACCJC Eligibility Requirement pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this procedure to remove the reference to baccalaureate degree pilot programs pursuant to changes in the Education Code.
- AP 5040 Student Records, Directory Information, and Privacy** – The Service updated this procedure to add a legal citation, clarify when a district may use a student’s gender or legal name as indicated in a government-issued identification document, and clarify the records a district shall update to reflect an affirmed name and gender pursuant to changes in the Education Code. The Service also updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- AP 5050 Student Success and Support Program** – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.



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AP 5110 Counseling – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 5130 Financial Aid – The Service updated this procedure to add a legal citation pursuant to changes in the Education Code. The Service also updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 5500 Standards of Student Conduct – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 5520 Student Discipline Procedures – The Service updated this procedure to clarify and simplify language regarding determination of discipline and student discipline hearings.

AP 5530 Student Rights and Grievances – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 5700 Intercollegiate Athletics – The Service updated this procedure to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 6200 Budget Preparation – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 6300 Fiscal Management – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 6340 Bids and Contracts – The Service updated this procedure to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 6355 Job Order Contracts – The Service updated this procedure to revise the citations to the California Public Records Act pursuant to changes in the Government Code.



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AP 6400 Financial Audits – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 6520 Security for District Property – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 6535 Use of District Equipment – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 6910 Housing – The Service updated this procedure to add a usage note regarding a district's ability to offer groups priority for housing.

AP 7110 Delegation of Authority, Human Resources – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 7120 Recruitment and Hiring – The Service updated this procedure to add a legal citation and add that a district's local practice regarding recruitment and hiring of academic employees should include information on an applicant's required disclosure of sexual harassment pursuant to changes in the Education Code. The Service also updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 7145 Personnel Files – The Service updated this procedure to clarify the records a district shall update to reflect an affirmed name and gender pursuant to changes in the Education Code.

AP 7150 Evaluation – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this procedure to align content to the ACCJC Accreditation Standard and add a usage note to clarify optional language.

AP 7160 Professional Development – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this procedure to align content to the ACCJC Accreditation Standard.



POLICY & PROCEDURE SERVICE

AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies – The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

AP 7340 Leaves – The Service updated this procedure to add a legal citation regarding leave for reproductive loss pursuant to changes in the Government Code.

AP 7346 Employees Called to Military Duty – The Service updated this procedure to align with language from the Uniformed Services Employment and Re-employment Rights Act of 1994 (“USERRA”), the Education Code, and the Military and Veterans Code.

AP 7400 Employee Travel – The Service updated this procedure to revise the title to “Employee Travel.”

Board Policy 1200 District Mission Statement

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	<i>No matching AP exists</i>

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard and update the usage note pursuant to the 2024 changes in the ACCJC's Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 06/04/2024 BPPAC Approval
- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 1200 District Mission Statement

SBCCD positively impacts the lives and careers of our students, the well-being of their families, and the prosperity of our community through excellence in educational and training opportunities.

The mission is evaluated and revised on a regular basis.

Reference:

ACCJC Accreditation Standard [I.A-1.1 and Eligibility Requirements 6 & 20](#)

End Recommendation

Board Policy | 1200 District Mission Statement

Board Policy

2010 Board Membership

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	<i>No matching AP exists</i>

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard and Eligibility Requirement pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 06/04/2024 BPPAC Approval
- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 2010 Board Membership

(Replaces current SBCCD BP 2050)

The Board of Trustees shall consist of seven members elected by the qualified voters of the District. The Board shall be elected by geographical area for terms of four years as defined in BP 2100 titled Board Elections.

Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board.

An employee of the District may not be sworn into office as an elected or appointed member of the Board unless ~~he/she~~ they resigns as an employee.

No member of the Board shall, during the term for which ~~they are he/she is~~ elected, hold an incompatible office.

No member of the Governing Board shall, during the term for which he or she was elected, be eligible to serve on the governing board of a high school district whose boundaries are coterminous with those of the community college district.

Also see BP 2100 titled Board Elections

References:

- Education Code Sections 72023, 72103, and 72104;
- ACCJC Accreditation Standard ~~IV.C.6.4~~ and Eligibility Requirement 7

End Recommendation

Board Policy | 2010 Board Membership

Board Policy

2200 Board Duties and Responsibilities

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	<i>No matching AP exists</i>

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 06/04/2024 BPPAC Approval
- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 2200 Board Duties and Responsibilities

The Board of Trustees governs on behalf of the citizens of the District in accordance with the authority granted and duties defined in Education Code Section 70902.

The Board is committed to fulfilling its responsibilities to:

- Act as a unit
- Represent the common good
- Set policy direction
- Employ, support, and evaluate the chief executive officer
- Define policy standards for college operations
- Monitor institutional performance
- Create a positive climate
- Support and advocate the interests of the institution

Board Policy

2200 Board Duties and Responsibilities

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



- Lead as a thoughtful, educated team

In addition, each Board member accepts the following responsibilities to:

- Work as a member of the board unit
- Make being a trustee a priority
- Understand their role and the colleges' roles
- Know the community and represent its best interests
- Be visionary and thoughtful
- Support the colleges' pursuit of their missions
- Act with integrity and respect
- Use influence effectively
- Avoid conflicts of interest
- Assure the Board operates in an open, accessible, welcoming spirit, and maintains an anti-racist culture
- Establish policies that ensure the District operates in anti-racist manner

In addition, the Board of Trustees is committed to fulfilling its roles and responsibilities in the following ways:

- Act as a Unit – The board as a whole is a corporate body. It governs as a unit, with one voice. Each trustee contributes his or her talents, skills, and backgrounds to the board but has no power or authority to act on his or her own to further individual agendas or direct college employees or operations. Individual trustees do not make commitments for the board to constituents, nor do they criticize or work against board decisions once they are made.
- Boards of trustees exist to represent the general public for whom they hold the colleges in trust. They are responsible for balancing and integrating the wide variety of interests and needs into policies that benefit the common good and the future of their region. Trustees should learn as much as they can about the communities they serve. Representing the public means considering multiple viewpoints and discussing the issues in public.
- Set the Policy Direction – Policy is defined as a set of broad statements that define the institutional mission and vision as well as acceptable practices to achieve them. Governing boards provide guidance to the Chancellor and administration of the colleges through their policies. Visionary boards are aware of broad values and diverse needs-they gain this knowledge through the work they do to learn about and communicate with many different groups.
- Employ, Evaluate and Support the Chancellor – One of the essential factors for successful governance is a good relationship between the board and the Chancellor. He or she is the primary agent of the board and is the single most influential person is creating an outstanding institution. Selecting, evaluating, and supporting the Chancellor are among the board's most important responsibilities. This paradoxical relationship works best when there are clear, mutually agreed on expectations and role descriptions. The partnership thrives on open communication, confidence, and trust.
- Define Policy Standards for College Operations – Successful boards of trustees establish policies that set standards for quality, ethics, and prudence in college operations, including the following:
 - Educational Programs and Services – The colleges' educational programs and services are guided by the policy direction set by the board. The board adopts policies that set standards for student achievement and how students should be treated. At its discretion, Program Review or other evaluations processes may be addressed in board policy.
 - Personnel and Human Resources – The board will establish policies that ensure the District and Colleges attract and retain high quality personnel and that hiring, evaluation, and dismissal procedures are legal, equitable, and

Board Policy

2200 Board Duties and Responsibilities

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



clear. Policies and budgets should create an expectation for professional development and growth. The board will define standards for salaries and benefits, and collective bargaining processes.

- Fiscal Health and Stability- The board is responsible for ensuring that the public's money is spent wisely and well. It will set policy standards for the use of public funds. Policy will address budgets, expenditures and protection of assets. The board will adopt a budget based on its support of progress toward the educational goals of the colleges.
- Create a Positive Climate – The board sets the tone for the entire District. Through their behavior and policies, they establish a climate in which learning is valued, and professional growth is enhanced. The importance of student success and adding value to the community are of utmost importance. The board creates a positive climate by focusing on the future, acting with integrity, supporting risk taking, and challenging the Chancellor and college staff to strive for excellence.
- Monitor Institutional Performance – The board is responsible for holding the Chancellor and the Colleges accountable for serving current and future community learning needs. The board, through the Chancellor, will monitor adherence to board policy standards for programs, personnel, and fiscal and asset management. All monitoring processes culminate in the evaluation of the Chancellor as the institutional leader.
- Support and be Advocates for the Colleges – Trustees promote the college in the community and seek support for it from local, state, and national policymakers.
- Lead as a Thoughtful, Educated Team- Each trustee will function as a part of the team, by being well informed, and committed to working with each other. Trustees will speak openly for their points of view during decision making processes and then will support the position of the board.

References:

ACCJC Accreditation Standard [IV \(formerly IV.B.1.d\); 4](#)

Education Code Section 70902

End Recommendation

Board Policy | 2200 Board Duties and Responsibilities

Board Policy

2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 06/04/2024 BPPAC Approval
- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 2410 Board Policies and Administrative Procedures

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

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

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

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

Board Policy

2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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

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

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

Reference:

Education Code Section 70902;

ACCJC Accreditation Standards [IV.C.7](#), [IV.D.4](#), [I.B.7](#), and [I.C.5 \(formerly IV.B.1.b & e\)](#) 4.4

End Recommendation

Board Policy | 2410 Board Policies and Administrative Procedures

Administrative Procedure

2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 2410 Board Policies and Administrative Procedures

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

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

I. STARTING POINT

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

A. Annual Review

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

1. Identify appropriate P&Ps for review.
2. Work with Academic Senate Presidents to determine which P&Ps fall under 10+1.
3. Notify Chapter Leads responsible for review.
4. Develop a timeline.

Administrative Procedure

2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



5. Present a *Review Schedule* to PPAC in September.
6. Maintain and publish the *Review Schedule* on PPAC webpage throughout the year.

B. Legal Updates

SBCCD keeps current with changes in law or accreditation standards through a subscription to the Community College League of California. This service issues periodic legal updates which promote regulatory compliance and familiarity with industry best practices. Legal updates do not need Board review prior to going through the process.

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

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

C. Other Requests

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

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

II. CHAPTER LEAD REVIEW & RECOMMENDATION

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

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

III. CONSTITUENT FEEDBACK TO FINAL APPROVAL

Administrative Procedure

2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024

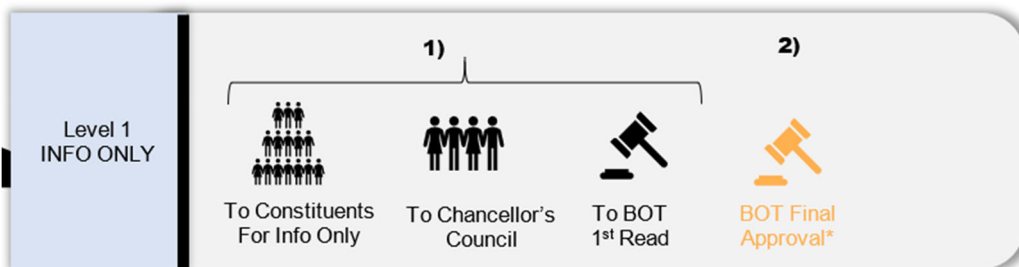


Constituent feedback is collected through the appointed PPAC representatives and reviewed at committee meetings. The *Review Schedule* is posted on the PPAC webpage, and a report of PPAC activity is sent districtwide to keep all SBCCD employees informed.

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

A. Level 1 | Info Only

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



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

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

- These appear on the PPAC agenda for confirmation of review level assignment and are generally comprised of recommendations involving:
 - Existing P&Ps which are simple and non-controversial.
 - New P&Ps that are simple and non-controversial.
- All items deemed appropriately placed in Level 2 | *Minor Review (Non 10+1)* by PPAC members begin the following review process.
 1. PPAC representatives solicit constituent feedback which is uploaded via Microsoft Teams.

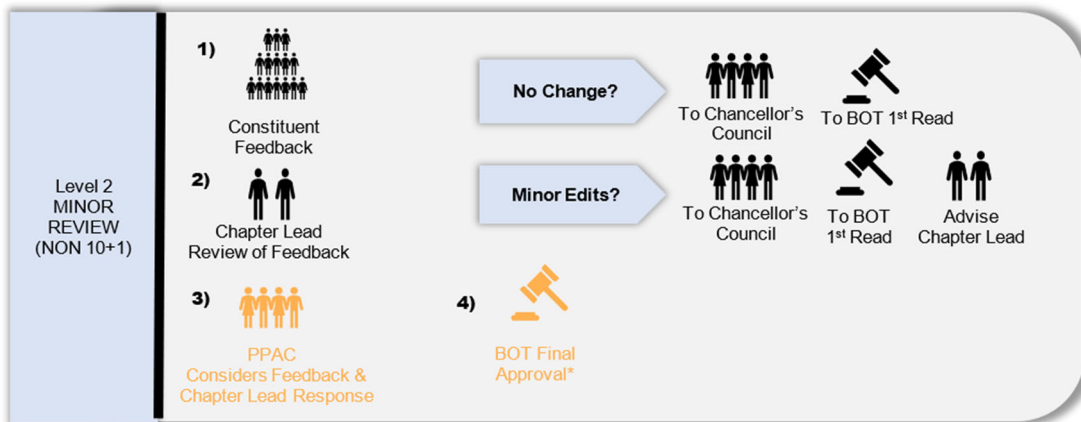
Administrative Procedure

2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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



C. Level 3 | Extensive Review

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

Administrative Procedure

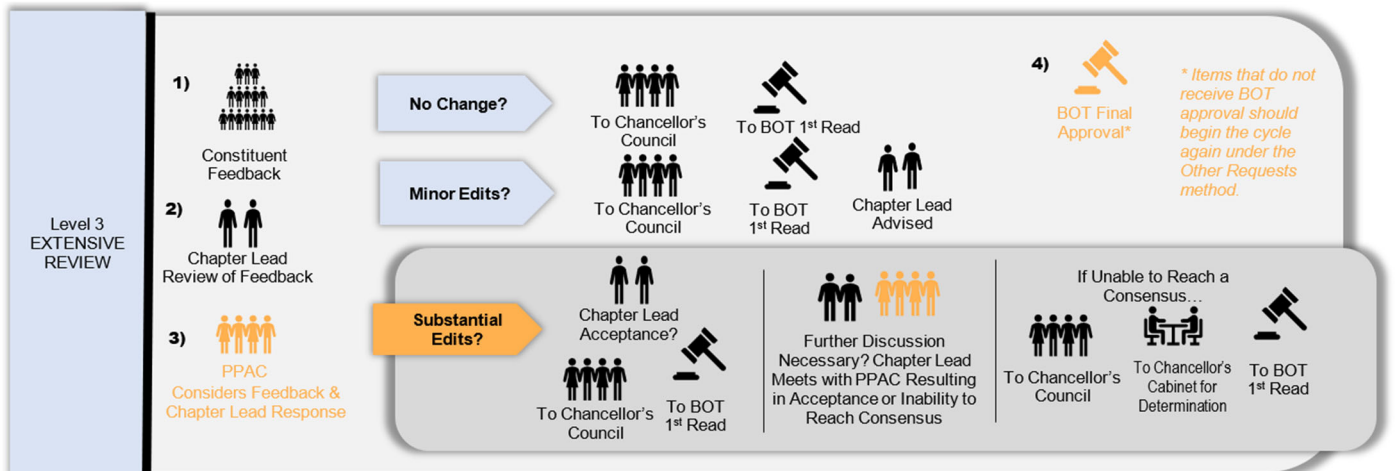
2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



sessions or four weeks. Constituent representatives should keep PPAC members updated as to the work of their constituent groups on these items.

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



Administrative Procedure

2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



DEFINITIONS

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

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

AP: Administrative Procedure(s)

BOT: Board of Trustees

BP: Board Policy(ies)

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

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

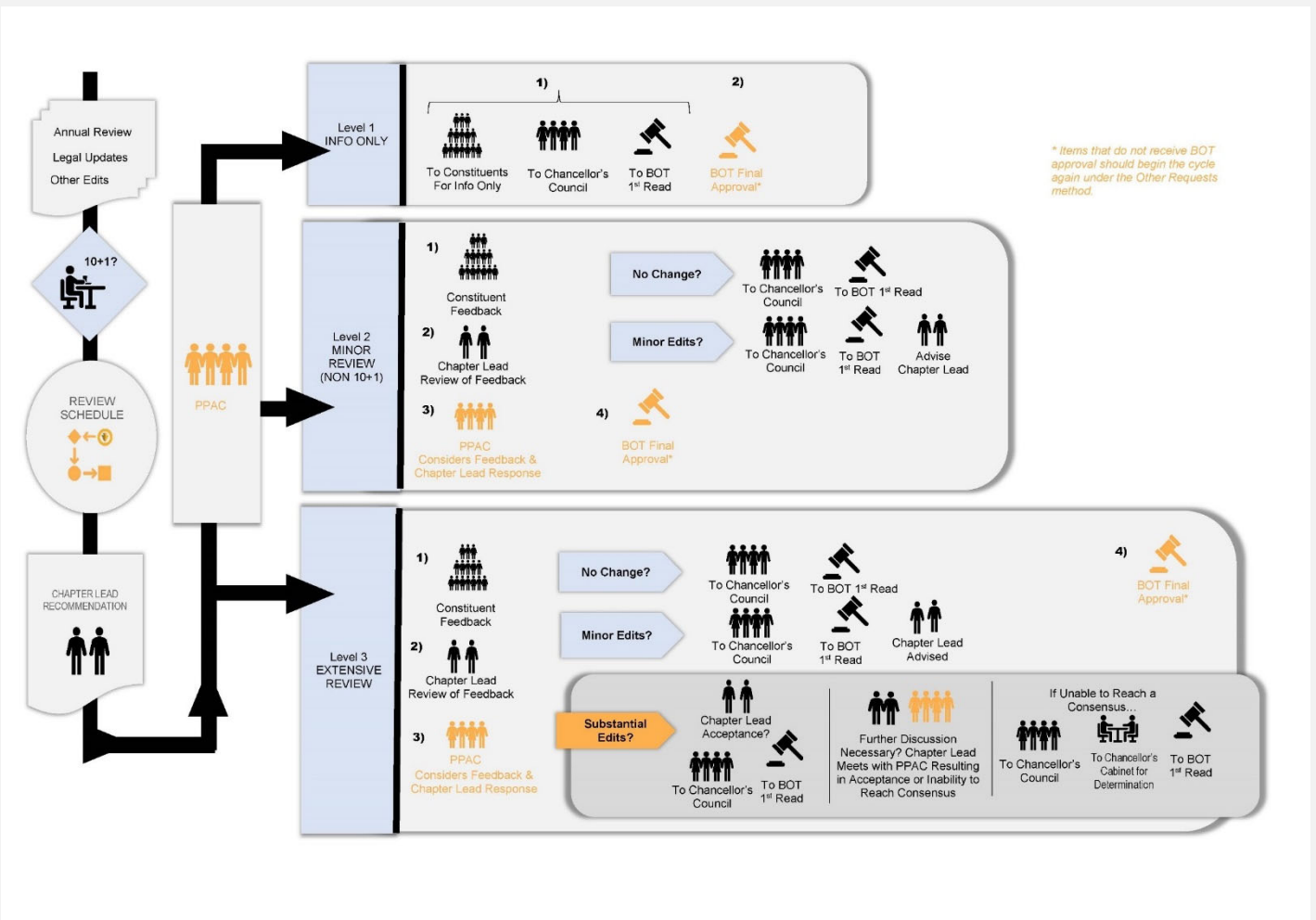
P&P: Board Procedure(s) and Administrative Policy(ies)

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

Administrative Procedure

2410 Board Policies and Administrative Procedures

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



References:

Education Code Section 70902;

ACCJC Accreditation Standards [I.B.7](#); [I.C.5](#); [IV.C.7](#); and [IV.D.4](#) (formerly [IV.B.1.b & e](#)) [4.4](#)

End Recommendation

Administrative Procedure | 2410 Board Policies and Administrative Procedures

Board Policy 2431 Chancellor Selection

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard and the usage note pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

-
- 05/13/2024 PPAC Approves Review Level
- 06/04/2024 BPPAC Approves
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation
Board Policy | 2431 Chancellor Selection

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

References:
Title 5 Sections 53000 et seq.;
ACCJC Accreditation Standards ~~IV.B and IV.C.3~~ (formerly IV.B.1 and IV.B.1.j) 4.5

End Recommendation
Board Policy | 2431 Chancellor Selection

Administrative Procedure 2431 Chancellor Selection

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> FYI Only - No Changes

Begin Recommendation

Administrative Procedure | 2431 Chancellor Selection

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

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

End Recommendation

Administrative Procedure | 2431 Chancellor Selection

Board Policy

2435 Evaluation of the Chancellor

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

05/13/2024 PPAC Approves Review Level
 05/14/2024 Level 1 to Constituents for Information Only
 06/13/2024 BOT First Reading
 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 2435 Evaluation of the Chancellor

The Board of Trustees shall conduct an evaluation of the Chancellor at least annually. Such evaluation shall comply with any requirements set forth in the contract of employment with the Chancellor as well as this policy.

The Board shall evaluate the Chancellor using an evaluation process developed and jointly agreed to by the Board and the Chancellor.

The criteria for evaluation shall be based on Board policy, the Chancellor job description, and performance goals and objectives developed in accordance with BP 2430 titled Delegation of Authority to the Chancellor.

Reference:

Education Code Section 87663;
 ACCJC Accreditation Standard [IV.C.3 \(formerly IV.B.1\) 4.5](#)

End Recommendation

Board Policy | 2435 Evaluation of the Chancellor

Administrative Procedure

2435 Evaluation of the Chancellor

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

> Minor clerical update.

Begin Recommendation

Administrative Procedure | 2435 Evaluation of the Chancellor

Frequency of Evaluation

The Chancellor will be evaluated at least annually in accordance with BP 2435 titled Evaluation of the Chancellor.

Evaluation Committee

If necessary, the Board and the Chancellor will meet and mutually agree upon the formation of a Board Evaluation Ad-Hoc Committee.

The Board Evaluation Ad-Hoc Committee and/or consultant agreed upon by the Board will seek written feedback from every manager, academic and classified senate presidents, CTA and CSEA presidents, permanent employees, and community representatives as agreed upon by the Chancellor and the Board.

Evaluation instruments, if used, will be approved by the Board and distributed a month prior to the session, and completed separately by each voting board member.

The final evaluation will be a composite of the evaluations by individual board members and shall be furnished in advance to the Chancellor. The Board, as a whole, will meet with the ~~CEO~~ Chancellor to discuss the final evaluation.

The evaluation shall be signed by all members of the Board. The Chancellor shall receive a copy of the evaluation report, and will have an opportunity to attach a written response within fifteen working days. This response may offer clarification, additional information, or a rebuttal. There will be only three copies of a completed evaluation. One copy will remain in the possession of the Chancellor one copy will remain with the Board's attorney, and the original will become a part of the official file in the Human Resources Office.

Mutually agreed-upon goals, priorities, tasks, and/or objectives for the following year will be identified at the close of the annual evaluation process.

Reference:

Education Code Section 87663

ACCJC Accreditation Standards ~~IV.C.3 (formerly IV.A)~~ 4.5

End Recommendation

Administrative Procedure | 2435 Evaluation of the Chancellor

Board Policy

2510 Participation In Local Decision-Making

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	J Torres	BP & AP exist

Reason for Review

> Recommendation from VC Hannon

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standards pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

02/21/2024 Recommendation Received

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

Updated between BOT First Reading and Final Approval to update legal citations per CCLC Legal Update 44.

06/13/2024 BOT Final Approval

Begin Recommendation

Board Policy | 2510 Participation In Local Decision-Making

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:

Board Policy

2510 Participation In Local Decision-Making

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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

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

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

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

Board Policy

2510 Participation In Local Decision-Making

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



guaranteed under the Educational Employment Relations Act, Government Code Sections 3540 et seq.

References:

Education Code Section 70902(b)(7);

Title 5 Sections 53200 et seq. (Academic Senate), 51023.5 (Staff), and 51023.7 (Students);

ACCJC Accreditation Standards 4.2 and 4.3

End Recommendation

Board Policy | 2510 Participation In Local Decision-Making

Administrative Procedure

2510 Participation In Local Decision-Making

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	J Torres	BP & AP exist

Reason for Review

> FYI Only

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standards pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 2510 Participation In Local Decision-Making

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.

Administrative Procedure

2510 Participation In Local Decision-Making

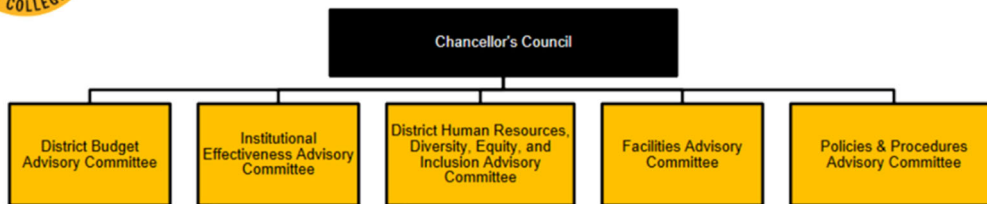
San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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



Chancellor's Council
Advisory Committee Structure
As of October 2021



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) 4.2 and 4.3

End Recommendation

Administrative Procedure | 2510 Participation In Local Decision-Making

Administrative Procedure 2712 Conflict of Interest Code

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 2	No	K Hannon	<i>No matching BP exists</i>

Reason for Review

- > Chapter Lead: Remove Appendix A – Designated Postions from the AP to streamline the efficiency of updates through the FPPC
- > Legal Update 44 - Updated to add a citation to the Government Code.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/04/2024 Recommendation Received

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

Updated between BOT First Reading and Final Approval to update legal citationsper CCLC Legal Update 44.

06/13/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 2712 Conflict of Interest Code

~~(Replaces current SBCCD AP 2260)~~

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

Administrative Procedure

2712 Conflict of Interest Code

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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
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 CC	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 shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure

Administrative Procedure

2712 Conflict of Interest Code

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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 [subdivision](#) (e), [87200](#), 87300-87302, 89501, 89502, and 89503;
Title 2 Section 18730

End Recommendation

Administrative Procedure | 2712 Conflict of Interest Code

Board Policy

2745 Board Self-Evaluation

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	<i>No matching AP exists</i>

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 2745 Board Self-Evaluation

~~(Replaces current SBCCD BP 2020)~~

The Board of Trustees is committed to assessing its own performance as a Board in order to identify its strengths and areas in which it may improve its effectiveness.

To this end the Board has established the following processes for evaluation:

An ad hoc committee of the Board shall be appointed in April to determine the instrument or process to be used in Board self-evaluation. Any evaluation instrument shall incorporate criteria contained in these Board policies regarding Board operations, as well as criteria defining Board effectiveness promulgated by recognized practitioners in the field.

The process for evaluation shall be recommended to and approved by the Board.

If an instrument is used, all Board members will be asked to complete the evaluation instrument and submit them to the Office of the Chancellor and/or consultant.

A summary of the evaluations will be presented and discussed at an annual Board retreat scheduled for that purpose. The results will be used to identify accomplishments in the past year and goals for the following year.

Reference:

ACCJC Accreditation Standard [IV.C.10 \(formerly IV.B.1.e & g\) 4](#)

End Recommendation

Board Policy | 2745 Board Self-Evaluation

Board Policy**3050 Institutional Code of Ethics**

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Change of citation to reflect CCLC Legal Update for AP 3050.

Review Schedule & Notes (for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)

05/12/2024 Recommendation Received

05/13/2024 PPAC Approves Review Level
 05/14/2024 Level 1 to Constituents for Information Only
 06/13/2024 BOT First Reading
 07/11/2024 BOT Final Approval

Begin Recommendation**Board Policy** | 3050 Institutional Code of Ethics

The District upholds a written code of professional ethics for all its personnel.

The Chancellor shall establish appropriate administrative procedures in furtherance of the District's expectation and requirement of ethical conduct by all personnel in carrying-out their duties for the benefit of the institution and the public in compliance with all applicable laws, policies, rules, and regulations.

Reference:

[WASC/ACCJC Accreditation Standard III.A.1.d 3](#)

End Recommendation**Board Policy** | 3050 Institutional Code of Ethics

Administrative Procedure

3050 Institutional Code of Ethics

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards

Begin Recommendation

Administrative Procedure | 3050 Institutional Code of Ethics

The District recognizes its responsibility and obligation to the public and to the students it serves to conduct its business with honesty, integrity, professionalism, and quality in the performance of those operations and functions necessary to achieve its established mission and philosophy as described in board policy. To that end, the District is committed to public accountability and transparency.

The Institutional Code of Ethics applies to all employees of the District. Employees of the District share the fundamental responsibility to always act with integrity and in a manner that reflects the best interests of the District and its students. Employees of the District shall conform their conduct to the following Standards of Ethics:

Use of District Resources: District resources shall not be used for other than their intended purpose. Employees of the District shall manage the District's resources prudently and shall not improperly convert such resources to personal use or for the personal use of another. The District's resources shall not be offered to another in order to obtain unfair advantage or otherwise offered in a manner or under circumstances that would constitute a violation of law.

Relationship with Vendors: Employees of the District who have a financial interest in a firm under consideration for business transactions with the District must disclose the relationship to appropriate District personnel, if the employee is participating in the business decision. Such employees shall recuse themselves from participation in decisions related to District business with the firm. In addition, such employees shall disclose the relationship in writing, to the District's legal counsel to determine that the proposed activity is fair to the District and will not result in the District foregoing revenues, or incurring costs in excess of the costs that would be incurred for goods, property, or services of like quality if acquired from another source.

Under no circumstances may an employee with a financial interest, as described above, approve a relationship with, order or authorize purchase from, or approve or make payments to an affiliated firm or person on behalf of the District. For the purposes of this paragraph, the terms "person" and "affiliated person" includes an individual's immediate family members, spouse, and others living within such individual's household.

Conflict of Interest: Executive administrative personnel and other designated personnel subject to the provisions of the Political Reform Act of 1974 as set forth in Government Code Sections 81000 et seq. have additional responsibilities with reference to contracts and financial decisions made by the District as described in applicable conflict of interest laws, which include the following:

- **Contractual Conflicts:** Executive administrative personnel and other designated personnel are prohibited from having a financial interest in any contract made by the District or in any contract entered into in their official capacity. As such, they are prohibited from making, participating in making or in any way attempting to use their official positions to influence a District decision when it is foreseeable that their personal financial interests may be

Administrative Procedure

3050 Institutional Code of Ethics

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



affected by those decisions. If an executive administrator or other designated person determines that they have a conflict of interest at some point in the contract-making process, this determination shall be disclosed and they shall immediately disengage from the contract process.

- **Obligation to Resolve Conflicts:** Executive administrative personnel and other designated personnel have an obligation to examine any situation in which they believe they have a conflict of interest and take steps to resolve the conflict.
- **Disqualification:** When a conflict of interest exists, an executive administrator or other designated person who has declared or who has been found to have a conflict of interest in a matter shall refrain from participating in consideration of the matter.
- **Gratuities:** No employee of the District shall receive or solicit anything of value in return for influencing or exercising their discretion in a particular way on a District matter. In addition, employees of the District are prohibited from accepting or soliciting any gratuity or thing of value (for which a fair market price has not been paid) for or because of any official act performed or to be performed in their official capacity with the District. The gratuities provision does not prohibit the acceptance of an item having a nominal value or ceremonial gifts received by employees of the District in their official capacity.

Maintenance of Accurate Accounts and Records: The accounts and records of the District are maintained in a manner that provides for an accurate and auditable record of all financial transactions in conformity with generally accepted accounting principles, established business practices, and all relevant provisions of controlling law. No false or deceptive entries may be made and all entries must contain an appropriate description of the underlying transaction.

To the extent not required for daily operating transactions (e.g., petty cash transactions), all District funds must be retained in the appropriate District accounts with appropriately designated financial institutions and no undisclosed or unrecorded fund or asset shall be established or maintained for any purpose.

All reports, vouchers, bills, invoices, payroll information, personnel records, and other essential business records must be prepared accurately and honestly, and access to such data shall be closely controlled.

Employees of the District who improperly access District accounts and records or who improperly convert these records and accounts for their own personal purpose or for the personal purpose of another, or who wrongfully disclose such records or accounts will be subject to appropriate sanctions by the District.

Maintenance of Confidentiality: Employees of the District who may have access to confidential information relating to students, job applicants, employees, and other information of a sensitive nature are expected to take appropriate measures to safeguard confidential or sensitive information and not disclose such information except in the course of their official duties to those who have a legitimate business need to know or as otherwise required by law.

Employment Practices: Employees of the District are expected to conform their actions to the requirements of the law and District policy related to their positions and areas of responsibility, and to ethically and effectively carry out their responsibilities.

Consequences for Violations: Employees of the District who fail to comply with this Institutional Code of Ethics will be subject to disciplinary action in accordance with established disciplinary procedures.

Reference:

ACCJC Accreditation Standard [III.A.13 \(formerly III.A.1.d\) 3](#)

End Recommendation

Administrative Procedure | 3050 Institutional Code of Ethics

Board Policy 3200 Accreditation

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Eligibility Requirement pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 3200 Accreditation

(Replaces current SBCCD BP 3200)

The Chancellor shall ensure that the District complies with the requirements of the accreditation process of the Western Association of Schools and Colleges (WASC)/Accrediting Commission of Community and Junior Colleges (ACCJC) and of other agencies that accredit District programs that seek accreditation.

The Chancellor shall keep the Board of Trustees informed of the District's relationship with approved accrediting organizations and the status of accreditations.

The Chancellor shall ensure that the Board is involved in any accreditation process in which Board participation is required.

The Chancellor shall provide the Board with a summary of any accreditation report and any actions taken or to be taken in response to recommendations in an accreditation report.

- References:
- ACCJC Accreditation Eligibility Requirement 21 ~~and~~ ACCJC Accreditation Standards I.C.12 and 13 (formerly IV.B.1.i);
 - Title 5 Section 51016

End Recommendation

Board Policy | 3200 Accreditation

Administrative Procedure

3200 Accreditation

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 3200 Accreditation

(Replaces current SBCCD AP 3200)

- A. The following requirements apply to the colleges' preparation for reaffirmation of accreditation by the Accrediting Commission of Community and Junior Colleges (ACCJC), a part of the Western Association of Schools and Colleges (WASC):
1. The development of a self-evaluation report and any other materials necessary to support accreditation or reaffirmation of accreditation shall begin no less than two years before the accreditation visit.
 2. The college president shall appoint an accreditation liaison officer, who will be responsible for coordinating all necessary activities in preparation for the visit by the visiting team and subsequent reports and visits.
 3. Each college shall have an Accreditation Steering Committee with members from faculty, management, the classified staff, and students.
 4. The Accreditation Steering Committee will meet to support the writing of the self-evaluation and any other reports required by the ACCJC.
 5. The self-evaluation report shall be made available to the faculty, classified staff, managers, and student leaders for review and comment before it is sent to the Board of Trustees for approval.
 6. The self-evaluation and any subsequent reports required by the ACCJC shall be approved by the SBCCD Board of Trustees before they are submitted to the ACCJC.
- B. The following requirements apply to all other activities in preparation for accreditation or reaffirmation of accreditation:
1. Preparation for accreditation activities must begin no less than one year before that activity.
 2. The college president, after consultation with the president of the academic senate, is responsible for appointing someone to coordinate the accreditation activities.

Administrative Procedure

3200 Accreditation

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



3. The development of all supporting materials shall involve appropriate faculty, management, classified staff, and students.
4. Accreditation reports shall be approved by the Board of Trustees before they are submitted to an accrediting agency on behalf of the college.

References:

ACCJC Accreditation Eligibility Requirement 21 ~~and ACCJC Accreditation Standards I.C.12 and 13 (formerly IV.B.1.i);~~
Title 5 Section 51016

End Recommendation

Administrative Procedure | 3200 Accreditation

Board Policy

3225 Institutional Effectiveness

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 3225 Institutional Effectiveness

The Board is committed to developing goals that measure the ongoing condition of the District's operational environment. The Board regularly assesses the District's institutional effectiveness through goals that address (1) accreditation status; (2) fiscal viability; (3) student performance and outcomes; (4) diversity, equity and inclusion; and (5) programmatic compliance with state and federal guidelines.

The Chancellor shall ensure that the specified institutional effectiveness goals are established and shall inform the Board about the status of goal setting, implementation, and assessment of the District's institutional effectiveness.

References:

- Education Code Sections 78210 et seq., and 84754.6;
- ACCJC Accreditation Standard ~~1.B.5~~—9 1

End Recommendation

Board Policy | 3225 Institutional Effectiveness

Administrative Procedure 3225 Institutional Effectiveness

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 3225 Institutional Effectiveness

As specified in BP 3225, each college in the District is required to collaboratively develop, adopt, and publicly post measurable goals that addresses all of the following: (1) accreditation status; (2) fiscal viability; (3) student performance and outcomes; (4) diversity, equity and inclusion; and (5) programmatic compliance with state and federal guidelines. The goals should be challenging and quantifiable, address achievement gaps for underrepresented populations, and align the educational attainment of California's adult population to the workforce and economic needs of the state. Institutional effectiveness includes the assessment of goals and objectives with respect to the District's commitment to equity and inclusion.

References:

Education Code Sections 78210 et seq. and 84754.6;
ACCJC Accreditation Standards ~~1.B.5~~ 9.1

End Recommendation

Administrative Procedure | 3225 Institutional Effectiveness

Board Policy

3410 Nondiscrimination

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to remove one of the accreditation-related references pursuant to the 2024 changes in the ACCJC Accreditation Standards and add a Government Code section reference.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

-
- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 3410 Nondiscrimination

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, immigration status, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because they are perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The District shall not discriminate against a person in hiring, termination, or any term or condition of employment or otherwise penalize a person based upon the person's use of cannabis off the job and away from the workplace unless permitted by California law.

The Chancellor shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

Board Policy

3410 Nondiscrimination

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, immigration status, religion, age, gender, gender identity, gender expression, race, ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because they are perceived to have one or more of the foregoing characteristics, or because of their association with a person or group with one or more of these actual or perceived characteristics.

References:

Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.;

Title 5 Sections 53000 et seq. and 59300 et seq.;

Labor Code Section 1197.5;

Penal Code Section 422.55;

Government Code Sections 12926.1, ~~and~~ 12940 et seq., ~~and~~12954;

Title 2 Sections 10500 et seq.;

ACCJC Accreditation Eligibility Requirement 20 ~~and ACCJC Accreditation Standard Catalog Requirements~~

End Recommendation

Board Policy | 3410 Nondiscrimination

Administrative Procedure

3410 Nondiscrimination

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to remove the reference to the ACCJC Accreditation Standard Catalog Requirements pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 3410 Nondiscrimination

Education Programs

The District shall provide access to its services, classes and programs without regard to national origin, immigration status, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or because **he/she/they is are** perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, "gender" means sex, and includes a person's gender identity and gender expression. "Gender expression" mean's a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

The District shall not prohibit any student from enrolling in any class or course on the basis of gender. Academic employees, including but not limited to counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of gender.

Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

Nondiscrimination References for Education Programs:

Education Code Sections 66250 et seq., 200 et seq., and 72010 et seq.;

Penal Code Sections 422.55 et seq.;

Title 5 Sections 59300 et seq.;

ACCJC Accreditation Eligibility Requirement 20-~~and ACCJC Accreditation Standard Catalog Requirements~~

Employment

The District shall provide equal employment opportunities to all applicants and employees regardless of race, religious creed, color, national origin, immigration status, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. The District shall not

Administrative Procedure

3410 Nondiscrimination

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



discriminate against a person in hiring, termination, or any term or condition of employment or otherwise penalize a person based upon the person's use of cannabis off the job and away from the workplace unless permitted under Government Code Section 12954.

All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria as well as be responsive to the District's needs.

The District shall from time to time as necessary provide professional and staff development activities and training to promote understanding of diversity.

Nondiscrimination References for Employment:

Education Code Sections 87100 et seq.;

Title 5 Sections 53000 et seq.;

Government Code Sections 11135 et seq. and 12940 et seq.

Title 2 Sections 10500 et seq.;

Labor Code Section 1197.5

End Recommendation

Administrative Procedure | 3410 Nondiscrimination

Board Policy

3420 Equal Employment Opportunity

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

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- 05/13/2024 PPAC Approves Review Level
 - 05/14/2024 Level 1 to Constituents for Information Only
 - 06/13/2024 BOT First Reading
 - 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 3420 Equal Employment Opportunity

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

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

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

Board Policy

3420 Equal Employment Opportunity

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



References:

Education Code Sections 87100 et seq.;

Title 5 Sections 53000 et seq.

ACCJC Accreditation Standard [III.A.12.3](#)

End Recommendation

Board Policy | 3420 Equal Employment Opportunity

Administrative Procedure

3420 Equal Employment Opportunity

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 3420 Equal Employment Opportunity

The District shall make a continuous good faith effort to comply with the requirements of the Equal Employment Opportunity Plan which can be found online at <https://sbccd.edu/district-services/human-resources/equal-employment-opportunity-plan.php>. An equitable and inclusive employment process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment. The District’s employment procedures are driven by diversity, equity, and inclusion.

Employment Procedures

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

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

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

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

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

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

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

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

Recruitment for administrative and faculty positions (full and part-time) may include advertisement in appropriate professional journals, job registries and newspapers of general circulation; distribution of job announcements to the EEO Registry, K-12 districts,

Administrative Procedure

3420 Equal Employment Opportunity

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



two and four year colleges, and graduate schools where appropriate candidates might be enrolled; recruitment at conferences, fairs, and professional meetings; notices to institutions and professional organizations.

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

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

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

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

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

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

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

- review its recruitment procedures;
- consult with counsel to determine whether there are other, additional measures that may be undertaken that are required or permitted by law; and

Administrative Procedure

3420 Equal Employment Opportunity

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



- consider various other means of reducing the underrepresentation which do not involve taking monitored group status into account and implement any such techniques that are feasible.

If significant underrepresentation persists:

- review each locally-established job qualification to determine if it is job related and consistent with business necessity;
- discontinue the use of any non job-related local qualification;
- continue using job-related local qualifications only if no alternative standard is reasonably available; and
- consider the implementation of additional measures designed to promote diversity.

Delegation of Authority

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

Complaint Procedure

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

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

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

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

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

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

Administrative Procedure

3420 Equal Employment Opportunity

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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

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

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

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

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

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

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

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

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

Job Announcements

Administrative Procedure

3420 Equal Employment Opportunity

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



All job announcements shall contain a statement in substantially the following form: The District is an equal opportunity employer. The policy of the District is to encourage applications from persons who are economically disadvantaged and individuals belonging to significantly underrepresented groups within the District's workforce, including ethnic and racial minorities, women, and persons with disabilities. No person shall be denied employment because of ethnicity or race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, veteran or military status, or political or organizational affiliation.

Dissemination and Revision of the Plan

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

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

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

Accountability and Corrective Action

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

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

References:

Education Code Sections 87100 et seq.;

Title 5 Sections 53000 et seq. and 59300 et seq.;

ACCJC Accreditation Standard ~~III.A.12;~~ and 3

Government Code Sections 7400 et seq. and 12940 et seq.

End Recommendation

Administrative Procedure | 3420 Equal Employment Opportunity

Administrative Procedure

4021 Program Discontinuance

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	<i>No matching BP exists</i>

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 4021 Program Discontinuance

1. **Statement of Purpose:** The District is committed to the vitality and integrity of its educational programs as validated by processes of regular and ongoing evaluation. The purpose of this Procedure is to provide a framework for the effective consideration of program vitality that utilizes regular and rigorous institutional evaluation, and in those rare instances where consideration of discontinuance is appropriate, to provide a framework and a process of effective engagement within which to consider the relevant issues and to come to an appropriate and timely institutional resolution.
2. **Consideration of Collective Bargaining Rights:** Nothing contained in this Procedure is intended to infringe upon, diminish, or supersede any collective bargaining rights established for employees of the District. It is the intention of the District that consideration of issues appropriately under the scope of bargaining be addressed through the regular processes established for such consideration by the District and its collective bargaining units.
3. **Process of Regular Program Evaluation:** The District is committed to regular processes of evaluation of its programs that support and advance the District mission. The colleges shall follow locally developed and approved institutional evaluation processes in support of excellence and in accord with all appropriate statutory and accrediting body standards and requirements.

The process used to determine program discontinuance/viability shall be developed and adopted by each college and posted on the respective college website.

References:

Education Code Section 78016;
 Title 5 Sections 51022 and 55130
 ACCJC Accreditation Standard [II.A.15- 2](#)

End Recommendation

Administrative Procedure | 4021 Program Discontinuance

Board Policy

4025 Philosophy and Criteria for Associate Degree and General Education

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

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Begin Recommendation

Board Policy | 4025 Philosophy and Criteria for Associate Degree and General Education

(Replaces current SBCCD BP 4025)

NOTE: This policy is legally required. The following philosophy is taken from Title 5 Section 55061, which is the policy of the Board of Governors and is provided only as an example. The District should define and insert its own philosophy and criteria.

- ~~From current SBCCD BP 4025 titled Philosophy and Criteria for Associate Degree and GE~~

Courses that are designated to fulfill the general education and depth requirements shall meet the following philosophy:

The awarding of an Associate degree is intended to represent more than an accumulation of units. It is to symbolize a successful attempt on the part of the college to lead students through patterns of learning experiences designed to develop certain capabilities and insights. Among these are the ability to think and to communicate clearly and effectively both orally and in writing; to use mathematics, to understand the modes of inquiry of the major disciplines; to be aware of other cultures and times; to achieve insights gained through experience in thinking about ethical problems, and to develop the capacity for self-understanding.

Board Policy

4025 Philosophy and Criteria for Associate Degree and General Education

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



In addition to these accomplishments, the student shall possess sufficient depth in some field of knowledge to contribute to lifetime interest.

Central to an Associate degree, general education is designed to introduce students to the variety of means through which people comprehend the modern world. It reflects the conviction of colleges that those who receive their degrees must possess in common certain basic principles, concepts and methodologies both unique to and shared by the various disciplines. College educated persons must be able to use this knowledge when evaluating and appreciating the physical environment, the culture, and the society in which they live. Most important, general education should lead to better self-understanding.

In establishing or modifying a general education program, ways shall be sought to create coherence and integration among the separate requirements. It is also desirable that general education programs involve students actively *in* examining values inherent in proposed solutions to major *society* societal problems.

The Chancellor is responsible for establishing procedures to assure that courses used to meet general education and associate degree requirements meet the standards in this policy. The procedures shall provide for Academic Senate involvement following the guidelines of Title 5.

References:

Title 5 Section 55061;

ACCJC Accreditation Standard [II.A \(formerly II.A.3\)-2](#)

End Recommendation

Board Policy | 4025 Philosophy and Criteria for Associate Degree and General Education

Administrative Procedure 4025 Philosophy and Criteria for Associate Degree and General Education

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

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- 07/11/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 4025 Philosophy and Criteria for Associate Degree and General Education

(Replaces current SBCCD AP 4025)

The philosophy and criteria for the associate degree and general education should address the considerations contained in the references listed below. These include, but are not limited to:

- The programs of the District are consistent with the institutional mission, purposes, demographics and economics of its community.
- The philosophy and criteria regarding the associate degree references the policy of the Board of Governors that the associate degree symbolizes a successful attempt to lead students through patterns of learning experiences designed to develop certain capabilities and insight, including:
 - the ability to think and communicate clearly and effectively in speaking and writing;
 - understand and use mathematics in everyday living;
 - understand the modes of inquiry of the major disciplines;

Administrative Procedure

4025 Philosophy and Criteria for Associate Degree and General Education

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



- understand the methods used in knowledge acquisition within major disciplines such as science, humanities, and social sciences;
- achieve insights gained through experience in thinking about ethical problems; and to develop the capacity for self-understanding. Be aware and receptive to other cultures and time periods
- develop an understanding and appreciation of the arts and humanities

The philosophy and criteria regarding general education references the policy of the Board of Governors that general education should lead to better self-understanding, including:

- Develop the capacity for improved self-understanding.
- General education is designed to introduce students to the variety of means through which people comprehend the modern world.
- General education introduces the content and methodology of the major areas of knowledge and provides an opportunity for students to develop intellectual skills, information technology facility, affective and creative capabilities, social attitudes, and an appreciation for cultural diversity.

Procedures to determine which courses address this philosophy and criteria are developed by the campus curriculum committees under the purview of the respective Academic Senate. These procedures are documented in the campus curriculum committee handbook.

References:

Title 5 Section 55061;

ACCJC Accreditation Standard [II.A \(formerly II.A.3\) 2](#)

End Recommendation

Administrative Procedure | 4025 Philosophy and Criteria for Associate Degree and General Education

Board Policy

4030 Academic Freedom

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the references to the ACCJC Accreditation Standard and Eligibility Requirements pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

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Begin Recommendation

Board Policy | 4030 Academic Freedom

(Replaces current SBCCD BP 4030)

A. Introduction

The San Bernardino Community College District is committed to the principle that the free expression of ideas is essential to the education of its students and to the effective governance of its colleges. The District recognizes that academic and intellectual freedom is best protected by a system of tenure, academic due process, and policies and procedures that provide faculty, students, and classified employees with the opportunity to freely express themselves in any campus venue, from the classroom to the board room. The District further subscribes to the principle that the free expression of ideas should be limited only by the responsibility to express ideas with fairness, and in a manner that respects the differing ideas of others and distinguishes between established fact and theories and one's own opinion.

B. Rights of Academic Employees

Academic freedom shall be guaranteed to all academic employees. No special limitations shall be placed upon study, investigation, presentation, and interpretation of facts and ideas concerning human society, the physical and biological world, and other branches of learning, subject to accepted standards of professional responsibility. The right to academic freedom herein established shall include the right to support or oppose political causes, issues, and parties outside of normal classroom activities.

Academic employees are citizens, members of learned professions, and members of the institution. When academic employees speak or write as citizens, they should be free from institutional censorship or discipline, provided they clearly indicate they are not representing the institution.

Board Policy

4030 Academic Freedom

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Academic freedom allows academic employees to seek and present the truth as they know it on problems and issues, subject to the accepted standards of professional responsibility, without fear of interference from administrators, the District Board of Trustees, governmental authorities, or pressure groups.

Although academic employees have the obligation to ensure that their classroom material meets the valid educational objectives of the course as stated in the approved Course Outline of Record, they are entitled to freedom in the classroom in presenting the subjects they teach and shall be free to select and use textbooks and materials that they deem appropriate to meet the stated learning outcomes for the course.

Academic employees are entitled to full freedom in their use of books, online sources, and internet sites and in the publication of the results of any research that may result from the use of these resources.

Academic employees may arrange for classroom lecturers or speakers to make presentations in regularly scheduled classes or groups of classes. The academic employees shall be responsible for the relevance of the lecturer or speaker's subject matter to the course.

C. Obligations of Academic Employees

Academic freedom requires that all academic employees establish and preserve an open learning environment at the college. No special limitations shall be placed upon students in their study, investigation, presentation, and interpretation of facts and ideas concerning human society, the physical and biological world, and other branches of learning, subject to accepted standards of academic responsibility. Students shall have the opportunity to study controversial issues and divergent views and to arrive at their own conclusions. Academic employees have an obligation to protect the student's right to freedom of inquiry even when the student's conclusions differ from those of the academic employees.

While students may represent without penalty any opinion in or out of class, they may be required to demonstrate knowledge of views contrary to their own in order to fulfill course requirements.

D. Libraries and Learning Resource Centers

Books and other library and learning resources materials selected and databases provided should be chosen for values of interest, information, and enlightenment of all the people of the community. In no case should library materials be excluded because of the race, nationality, social, political, or religious views of the authors. Libraries should provide materials and information presenting diverse points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

References:

Title 5 Section 51023;

ACCJC Accreditation Eligibility Requirements [13](#) and [20](#); and

ACCJC Accreditation Standard [I.C.7 \(formerly II.A.7\) 4.1](#)

End Recommendation

Board Policy | 4030 Academic Freedom

Board Policy 4040 Library Services

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 4040 Library Services

~~(Replaces current SBCCD BP 4040)~~

The District shall have library services that are an integral part of the educational program and will comply with the requirements of the Reader Privacy Act.

References:

- Education Code Section 78100;
- Civil Code Section 1798.90;
- ACCJC Accreditation Standard ~~#~~2.7

End Recommendation

Board Policy | 4040 Library Services

Administrative Procedure

4040 Library Services

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 4040 Library Services

Libraries in the San Bernardino Community College District provide instructional services and resources to support information literacy, supplement educational programs, and the mission of the District. Additionally, the libraries support the professional, personal, and intellectual development of students, faculty, and staff of the college communities.

The District supports the Standards and the Association of College & Research Libraries (ACRL) and the American Library Association's (ALA) Library Bill of Rights, and operates in accordance with the Education Code, Sections 78100, 78101, 78103 and Title 5, Section 51023.

ETHICAL AND PROFESSIONAL CONSIDERATIONS FOR ACQUISITIONS AND COLLECTION MANAGEMENT STATEMENT OF ETHICS

Overarching acquisition guidelines are based on the following tenets from the American Library Association's Library Bill of Rights:

- Books and other library resources should be for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

COLLECTION MANAGEMENT

Collection management is required by the standards of the Accrediting Commission of California Junior and Community Colleges (ACCJC), a branch of the Western Association for Schools and Colleges (WASC) Accreditation Commission. These standards are the means by which the Library is tasked to provide an organized collection of print and non-print resources that will meet institutional, curricular research, and instructional requirements, as well as supporting the development of the lifelong habit of reading.

Administrative Procedure

4040 Library Services

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Under the supervision of the appropriate administrator, faculty librarians will utilize their collection management training and skills to ensure that the cultural and personal enrichment needs of the college community are met through the development and maintenance of library collections which best fulfill the above-stated requirements.

Broad objectives for selection of educational materials include:

- To provide materials that enrich and support the curriculum
- To provide materials that will stimulate growth in factual knowledge
- To provide a background of broad-based information resources to empower students to make informed judgments in their daily lives
- To provide materials representative of the diversity of the District, and
- To place library ethics above personal opinion and prejudice in the selection of materials.

As a measure of adequacy the library shall review its collection against the recommended lists of materials for community college libraries, professional journals in all disciplines taught at the college, and current bibliographic publications, and assess, supplement, or withdraw materials from all areas as needed.

CHALLENGES TO MATERIALS

On occasion, a patron may question or challenge the suitability of an item or items found in the collection. On these occasions, the complainant will be reminded that it is the obligation of academic libraries to promote intellectual freedom. As such entities, district libraries will provide materials that promote free, open, and educational discussion of sometimes-controversial matters in order to prepare students to make informed decisions about challenges in their daily lives. It is the sole responsibility of the librarians and library administration to make final decisions concerning inclusion and exclusion of materials in the libraries' collections.

CIRCULATION SERVICES

STUDENTS: Currently-enrolled SBCCD students have free access to library materials and services both on campus and online during posted hours. Students utilizing library materials or services will be held responsible for them and overdue fines/replacement costs will apply. At each time of checkout, students must provide to staff their student identification number and a current photo I.D. for protection against identity theft. Certain library material and items must be used in the college library only.

DISTRICT EMPLOYEES: Currently-employed District employees may borrow materials from the circulating collections of the libraries. Standard loan periods and fines may apply. Library services are cancelled upon termination of employment.

COMMUNITY MEMBERS and ALUMNI ASSOCIATION MEMBERS: All are welcome to use the library facility, circulating books, and reference materials while in the building. Upon proof of residence in a college's service area and the verification of a valid email address, individuals over the age of 18 may borrow a limited number of items as defined locally by each campus, from the general circulating collection. An activation fee may apply and vary by location. Community and Alumni Association members are prohibited from use of the Library Computer Lab and may not check out Reserve and Textbook Bank materials, student computers, nor obtain remote access to databases, as these materials and services are reserved for the exclusive use of the colleges' students.

References:

Education Code Section 78100;
ACCJC Accreditation Standard ~~II.B (formerly II.C)~~ 2.7

End Recommendation

Administrative Procedure | 4040 Library Services

Board Policy 4050 Articulation

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 4050 Articulation

~~(Replaces current SBCCD BP 4050)~~

The Chancellor is responsible for establishing procedures that assure appropriate articulation of the District's educational programs with high schools and baccalaureate institutions in accordance with law and regulations.

The procedures also may support articulation with institutions, including other community colleges and those that are appropriate and advantageous for partnership with the District.

References:

- Education Code Sections 66720-66744;
- Title 5 Section 51022(b);
- ACCJC Accreditation Standard ~~II.A.10~~ [2](#)

End Recommendation

Board Policy | 4050 Articulation

Administrative Procedure

4050 Articulation

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

05/13/2024 PPAC Approves Review Level
 05/14/2024 Level 1 to Constituents for Information Only
 06/13/2024 BOT First Reading
 07/11/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 4050 Articulation

(Replaces current SBCCD AP 4050)

Because the responsibility for articulation rests with the faculty, each college in the San Bernardino Community College District has an articulation officer assigned to facilitate the activities associated with the processes of articulation. These processes follow the guidelines set out in the 2001 Handbook of California Articulation Policies and Procedures developed by the California Intersegmental Articulation Council (CIAC). This handbook covers policies and procedures for all segments of the California higher education systems including both public and private institutions.

The articulation processes include, but are not limited to, the following:

1. Annual review of board approved courses for the Transfer Course Agreement (TCA) for the University of California Office of the President.
2. Annual review of board approved courses for the California State University Baccalaureate List (CSU Baccalaureate List). Annual review of Transfer Model Curriculum (TMC) as defined by California Community College Chancellor's Office (CCCCO).

Administrative Procedure

4050 Articulation

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



3. Annual review of TCA approved courses for the Intersegmental General Education Transfer Curriculum (IGETC) requirements.
4. Annual review of CSU Baccalaureate List approved courses for the California State University General Education Breadth (CSUGE Breadth) requirements.
5. Quarterly review and update of articulation information in ASSIST (Articulation System Stimulating Inter-institutional Student Transfer) database.
6. Consultation with faculty regarding course outline requirements and articulation procedures and timelines.

The Articulation Officers at each college in the San Bernardino Community College District are responsible for the development, maintenance, and distribution of articulation agreements. *The Administration of each college will ensure that the Articulation officers have sufficient time to perform their duties as described in the CIAC 2001 Handbook of California Articulation Policies and Procedures.*

References:

Education Code Section 66720-66744;

Title 5 Section 51022(b);

ACCJC Accreditation Standard [II.A.10 \(formerly II.A.6.a\) 2](#)

End Recommendation

Administrative Procedure | 4050 Articulation

Board Policy

4102 Career and Technical Education Programs

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Minor clerical edit

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 4102 Career and Technical Education Programs

(Replaces current SBCCD BP 4104)

The District's career and technical programs will follow Title 5 guidelines for such programs.

References

Title 5 Sections 55600 et seq.

End Recommendation

Board Policy | 4102 Career and Technical Education Programs

Administrative Procedure

4102 Career and Technical Education Programs

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 4102 Career and Technical Education Programs

(Replaces current SBCCD AP 4104)

Each career/technical program in the District shall appoint career/technical education advisory committees to develop recommendations for the career/technical education programs and to serve as a liaison between the District and its business/industry community partners.

Each career/technical program shall develop appropriate entrance requirements and discipline- specific competencies that students should master by the time they complete the program. The documentation of these competencies may be demonstrated by program-determined measures, local public agency examinations, national program examinations, success at transfer institutions, and/or employer surveys.

Written procedures mandated by The Federal Education Department General Administrative Regulations 2nd Edition

Consistent with federal regulations pertaining to federal financial aid eligibility, the Vice President of Instruction will ensure that the District complies with the United States Department of Education's disclosure requirements for each of the District's gainful employment programs, by disclosing federally-mandated information about the programs to prospective students. The District shall make the required disclosures available to prospective students in promotional materials and on its website.

The Vice President of Instruction shall establish procedures to ensure that the District meets these reporting requirements whenever the District intends to add a new gainful employment program.

References:

Title 5, Sections 55600 et seq.

2 Code of Federal Regulations Part 200 (The Federal Education Department General Administrative Regulations, 2nd Edition);

34 Code of Federal Regulations Part 600 (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); ~~34 C.F.R. Part 600.~~

ACCJC Accreditation Standard ~~II.A.14 2~~

End Recommendation

Administrative Procedure | 4102 Career and Technical Education Programs

Board Policy

4015 District Course Enrollment Philosophy

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	K Hannon	BP & AP exist

Reason for Review

> New BP developed by VC of HR

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

02/21/2024 Recommendation Received

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

Begin Recommendation

Board Policy | 4015 District Course Enrollment Philosophy

Board Policy

4015 District Course Enrollment Philosophy

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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 Recommendation

Board Policy | 4015 District Course Enrollment Philosophy

Administrative Procedure

4015 District Course Enrollment Philosophy

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	K Hannon	BP & AP exist

Reason for Review

> New AP developed by VC of HR

Begin Recommendation

Administrative Procedure | 4015 District Course Enrollment Philosophy

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 College's Chief Instructional Officer or designee ~~Vice President of Instruction and/or enrollment management team can~~ confer with the Academic Senate and receive a recommendation on the optimum class size for courses not outlined in the ~~Collective Bargaining Agreement~~CBA. ~~Management~~The Chief Instructional Officer or designee will have the final decision of the optimum class size, 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.

Administrative Procedure

4015 District Course Enrollment Philosophy

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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 Recommendation

Administrative Procedure | 4015 District Course Enrollment Philosophy

Board Policy

4102 Career and Technical Education Programs

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Minor clerical edit

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 4102 Career and Technical Education Programs

(Replaces current SBCCD BP 4104)

The District's career and technical programs will follow Title 5 guidelines for such programs.

References

Title 5 Sections 55600 et seq.

End Recommendation

Board Policy | 4102 Career and Technical Education Programs

Administrative Procedure

4102 Career and Technical Education Programs

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 4102 Career and Technical Education Programs

(Replaces current SBCCD AP 4104)

Each career/technical program in the District shall appoint career/technical education advisory committees to develop recommendations for the career/technical education programs and to serve as a liaison between the District and its business/industry community partners.

Each career/technical program shall develop appropriate entrance requirements and discipline- specific competencies that students should master by the time they complete the program. The documentation of these competencies may be demonstrated by program-determined measures, local public agency examinations, national program examinations, success at transfer institutions, and/or employer surveys.

Written procedures mandated by The Federal Education Department General Administrative Regulations 2nd Edition

Consistent with federal regulations pertaining to federal financial aid eligibility, the Vice President of Instruction will ensure that the District complies with the United States Department of Education's disclosure requirements for each of the District's gainful employment programs, by disclosing federally-mandated information about the programs to prospective students. The District shall make the required disclosures available to prospective students in promotional materials and on its website.

The Vice President of Instruction shall establish procedures to ensure that the District meets these reporting requirements whenever the District intends to add a new gainful employment program.

References:

Title 5, Sections 55600 et seq.

2 Code of Federal Regulations Part 200 (The Federal Education Department General Administrative Regulations, 2nd Edition);

34 Code of Federal Regulations Part 600 (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); ~~34 C.F.R. Part 600.~~

ACCJC Accreditation Standard ~~II.A.14 2~~

End Recommendation

Administrative Procedure | 4102 Career and Technical Education Programs

Board Policy

5010 Admissions

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 5010 Admissions

~~(Replaces current SBCCD BP 5010)~~

The District shall admit students who meet one of the following requirements and who are capable of profiting from the instruction offered:

- Any person possessing a high school diploma or its equivalent.
- Other persons who are over the age of 18 years and who, in the judgment of the Chancellor or his or her designee, are capable of profiting from the instruction offered. Such persons shall be admitted as provisional students, and thereafter shall be required to comply with the District's rules and regulations regarding scholastic achievement and other standards to be met by provisional or probationary students as a condition to being readmitted in any succeeding semester.
- Persons who are apprentices as defined in Labor Code Section 3077.

The District may deny or place conditions on a student's enrollment upon a finding by the Board of Trustees or designee that the applicant has been expelled within the preceding five years or is undergoing expulsion procedures in another California community college district, and that the applicant continues to present a danger to the physical safety of the students and employees of the District.

Board Policy

5010 Admissions

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



The District shall in its discretion, or as otherwise federally mandated, evaluate the validity of a student's high school completion. The Chancellor shall establish procedures for evaluating the validity of a student's high school completion.

Admission – Any student under the age of 18 and who has not yet earned a high school diploma or its equivalent is eligible to attend as a special part-time student for advanced scholastic or career/technical education (vocational) courses.

Any student under the age of 18 and who has not yet earned a high school diploma or its equivalent is eligible to attend as a special full-time student.

Denial of Requests for Admission – If the Board of Trustees denies a request for special full time or part time enrollment by a pupil who is identified as highly gifted, the Board will record its findings and the reason for denying the request in writing within 60 days.

The written recommendation and denial shall be issued at the next regularly scheduled board meeting that occurs at least 30 days after the pupil submits the request to the District.

Claims for State Apportionment for Dual Enrollment – Claims for state apportionment submitted by the district based on enrollment of high school pupils shall satisfy the criteria established by statute and any applicable regulations of the Board of Governors.

References:

Education Code Sections 76000, 76001, 76002, and 76038;

Labor Code Section 3077;

34 Code of Federal Regulations Section 668.16(p) (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 [#C.6.2](#)

End Recommendation

Board Policy | 5010 Admissions

Administrative Procedure

5010 Admissions

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 5010 Admissions

(Replaces current SBCCD AP 5010)

The Chief Instructional Officer shall establish procedures for evaluating the validity of a student's high school completion if the District or the United States Department of Education has reason to believe that the high school diploma is not valid or was not obtained from an entity that provides secondary school education.

REGULAR ADMISSION

- A. The colleges of the District shall admit any California resident, and may admit any nonresident, possessing a high school diploma or the equivalent thereof. (See AP 5012 titled International Students as well as BP/AP 5020 titled Nonresident Tuition)
- B. The colleges may admit any other person who is over 18 years of age and who, in the judgment of the Board or the college president, is capable of profiting from the instruction offered. Any such person who enrolls as a full-time student shall be admitted as a provisional student and there-after shall be required to comply with the rules and regulations prescribed by the Board of Governors of the California Community Colleges or the Chancellor's Office pertaining to the scholastic achievement and other standards to be met by provisional or probationary students, as a condition to being readmitted in any succeeding semester.
- C. Capability to "profit from instruction" shall be determined through the regular college assessment process.
- D. The colleges may admit special full-time and part-time students as allowed by the California Education Code.
- E. Each person who applies for admittance shall complete the college admissions application form and all related forms required by state or federal government agencies.

SPECIAL ADMISSION OF K-12 STUDENTS

(See AP 5011 titled Admission of High School and Other Young Students)

Any pupil enrolled in grades K-12 from a public school district may apply for admission to a District college upon submitting evidence that the Board of Trustees of the public school district has granted such approval. A parent or guardian of a pupil who is

Administrative Procedure

5010 Admissions

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



not enrolled in a public school district may petition the college president for such admission. The college president or designee shall review and act upon all applications.

K-12 Students who enroll in a college of the District shall be exempt from payment of the enrollment fee. All other appropriate fees shall be assessed.

INTERNATIONAL STUDENTS

(See AP 5012 titled International Students)

The District is authorized under Federal law to enroll F-1 non-immigrant students. The District shall admit students who meet the following requirements:

Applicants Overseas

- Complete an International Student Application.
- TOEFL score of 500 on the paper-based test or 173 on the computer-based test or 61 on the internet-based test. The TOEFL requirement may be waived, if an applicant whose native language is English and who have attended schools at the secondary level or above for at least three years full time where English is the principal language of instruction. The reporting code for CHC is 4126.
- Official transcripts from high school and/or college or university. If the transcript is not in English, an official translation in English is needed.
- Financial statement showing that students have the sufficient funds for tuition and estimated living expenses for one year. There is no financial aid available for international students.
- \$25 non-refundable application processing fee.
- Essay (describing the reasons for applying to Crafton Hills College usually one to two pages).

Applicants within USA must submit all of the above including:

- Transfer Eligibility Form
- Copy of passport
- Copy of visa
- Copy of I-94
- Copy of previous school's I-20

References:

Education Code Sections 76000, 76141; 76142;

34 FR Section 668.16(p) (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 [H.C.6 2](#)

End Recommendation

Administrative Procedure | 5010 Admissions

Administrative Procedure

5011 Admission and Concurrent Enrollment of High School and Other Young Students

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	<i>No matching BP exists</i>

Reason for Review

> Legal Update 44 - Updated to add a legal citation and to revise language regarding College and Career Access Pathways (CCAP) pursuant to changes in the Education Code and in the Title 5 regulations.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/15/2024 Level 3 First Anticipated AS Review
- 08/12/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
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- 09/09/2024 PPAC Reviews Second AS Feedback
- 10/10/2024 BOT First Reading
- 11/14/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 5011 Admission and Concurrent Enrollment of High School and Other Young Students

Eligibility for Admissions

SBCCD authorizes the admission of K-12 students who can benefit from advanced scholastic or vocational work to take credit courses as special part-time students or special full-time students. The District may also admit K-12 students to take noncredit and community education classes. Courses in which high school and other young students are permitted to enroll will be open to the entire college population, and will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline.

The student's K-12 school of attendance maintains the right to grant course credit for courses taken at SBCCD. Courses in which high school and other young students are permitted to enroll will be open to the entire college population, unless a legal

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exemption applies, and will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline.

To be considered for admittance as a special part-time student, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001.

Definitions

Dual Enrollment: Dual enrollment refers to opportunities for high school or adult school students, or other eligible students, to enroll in community college courses as a special admit student and receive college credit while also obtaining credit for the enrollment at the student's high school or adult school.

College and Career Access Pathways (CCAP) Dual Enrollment: CCAP Dual Enrollment describes dual enrollment opportunities created by the passage of AB288 whereupon Community College Districts enter into partnerships with public schools to offer dual credit opportunities that promote seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school students achieve college and career readiness.

Non-CCAP Dual Enrollment: Non-CCAP Dual Enrollment refers to dual enrollment in courses not affiliated with a College and Career Access Pathways agreement; this may include Concurrent Enrollment, Middle College High School, Early College High School, and Adult Dual Enrollment programs.

Middle College High School: Middle College High School programs are secondary schools located on a college campus and offer programs designed to serve at-risk high school students who are performing below their academic potential.

Early College High School: Early College High Schools are innovative partnerships between charter or non-charter public secondary schools and local community colleges that allow students to earn a high school diploma and up to two years of college credit in four years or less.

Adult Dual Enrollment: Adult Dual Enrollment shall describe dual enrollment opportunities for special part-time adult students recommended for enrollment at the community college by an adult school pursuant to Education Code 52620. Students enrolled under these provisions are not eligible for CCAP Dual Enrollment.

Special Part-Time or Full-Time Student: Any minor student (any elementary, secondary, or home-schooled student) who attends community college courses during Fall or Spring Semesters and Summer Session(s) and meets certain eligibility standards. A special part-time student takes fewer than 12 units and a special full-time student takes 12 units or more. Dual enrollment students (see below) are a subset of special part-time or full-time students.

Dual Enrollment and Concurrent Enrollment Student: For purposes of this administrative procedure, the terms dual enrollment student and concurrent enrollment student are used interchangeably.

Special Summer Part-Time or Full-Time Students: To be considered for admittance as a special part-time or full-time student, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001. All special part-time and full-time students shall receive credit for the community college courses completed in the same manner as regularly enrolled community college students.

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Admission Process

Admission is subject to seat availability and locally approved college policies for dual enrollment. High school transcripts, grade point average (GPA) and Social Security numbers are not prerequisites for eligibility and should not be used as a condition for student access to dual enrollment.

The student must submit:

- District application for admission.
- When parental or guardian consent is required to admit a student to a community college dual enrollment course, the consent obtained shall apply to all community college dual enrollment courses attempted by the student until parental or guardian consent is withdrawn in writing.
- Written and signed approval of their principal (NOTE: A parent or guardian of a pupil who is not enrolled in a public or private school may petition directly without the signature of a principal.)
- Demonstration that the student is capable of profiting from instruction.
- The director of admissions and records or designee has the authority to make the final decision on whether a student can benefit from instruction.

High School Students:

For students attending high school, the director of admissions and records or designee will review the materials, and will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the director of admissions and records or designee shall be final. This determination may be done by applying one or more of the following criteria:

- a review of the materials submitted by the student;
- meeting with the student and their parent or guardian;
- consultation with discipline faculty as needed;
- consideration of the welfare and safety of the student and others; and/or
- consideration of local, state, and/or federal laws.

Middle and Lower School Students:

For students attending middle and lower schools, the determination shall be made by director of admissions and records or designee. The school must provide a letter signed by the principal indicating how in their opinion the student can benefit from instruction. The director of admissions and records or designee will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college, and that the student's safety and that of others will not be affected. The decision of the director of admissions and records or designee shall be final. Once a decision has been made, the student and their parent or guardian shall be informed of the decision. This determination may be done by applying one or more of the following criteria:

- a review of the materials submitted by the student;
- meeting with the student and their parent or guardian;

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- consultation with discipline faculty as needed;
- consideration of the welfare and safety of the student and others;
- consideration of local, state, and/or federal laws;
- review of the content of the class in terms of sensitivity and possible effects on the minor;
- requirements for supervision of the minor; and/or
- times the class(es) meet and the effect on the safety of the minor.

If a request for special part-time or full-time enrollment is denied for a pupil who has been identified as highly gifted, the Board shall provide written findings and reasons for the denial within 60 days. A recommendation regarding the request for admission, and the denial shall be submitted to the Board at a regularly scheduled meeting that falls at least 30 days after the request for admission has been submitted.

References:

Education Code Sections 48800, 48800.5, 76001, 76002, and 76004

[Title 5 Section 56700](#)

End Recommendation

Administrative Procedure | 5011 Admission and Concurrent Enrollment of High School and Other Young Students

Board Policy

5030 Fees-2

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this policy to remove the reference to baccalaureate degree pilot programs pursuant to changes in the Education Code.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

08/12/2024 PPAC Approves Review Level
 08/13/2024 Level 1 to Constituents for Information Only
 09/12/2024 BOT First Reading
 10/10/2024 BOT Final Approval

Begin Recommendation

Board Policy | 5030 Fees-2

The Board of Trustees authorizes the following fees. All fees must comply with Education Code and Title 5 regulations. The Chancellor is responsible for establishing procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also assure those who are exempt from or for whom the fee is waived are properly enrolled and accounted for. Fee amounts shall be published in the college catalogs or class schedules (Schedule of Classes).

Enrollment Fee (Education Code Section 76300)

Each student shall be charged a fee for enrolling in credit courses as required by law.

Baccalaureate Degree ~~Pilot~~ Program Fees (Title 5 Section 58520)

Each student shall be charged a fee in addition to an enrollment fee for upper division coursework in a baccalaureate degree ~~pilot~~ program.

Course Auditing Fees (Education Code Section 76370)

Persons auditing a course shall be charged a fee (see AP 5030). The fee amount shall be adjusted proportionally based upon the term length. Students enrolled in classes to receive credit for 10 or more semester credit units shall not be charged this fee to audit three or fewer units per semester.

Parking Fee (Education Code Section 76360)

Students shall be required to pay a fee (see AP 5030). To encourage ride sharing, a student may certify in writing at the time of payment of the fee that they regularly have two or more passengers commuting with them.

Instructional Materials (Education Code Section 76365; Title 5 Sections 59400 et seq.)

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Students may be required to provide required instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District. (See BP/AP 5031 titled Instructional Materials Fees)

Physical Education Facilities (Education Code Section 76395)

Where the District incurs additional expenses because a physical education course is required to use non-district facilities, students enrolled in the course may be charged a fee for participating in the course. Such fee shall not exceed the student's calculated share of the additional expenses incurred by the District.

Student Representation Fee (Education Code Section 76060.5)

Students will be charged a fee (see AP 5030) to be used to provide support for student governmental affairs representation. A student may refuse to pay the fee and shall submit such refusal on a form provided by the District to collect fees.

Student Transportation Costs (Education Code Section 76361)

Students shall be charged a fee (see AP 5030) for the purpose of recovering transportation costs incurred by the District for services provided by common carriers to students. These fees will only be paid by students who use the transportation services, unless a vote of the students in accordance with the Education Code establishes otherwise.

Transcript Fees (Education Code Section 76223)

The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The Chancellor is authorized to establish the fee (see AP 5030), which shall not exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two transcripts of students' records, or for two verifications of various records. There shall be no charge for searching for or retrieving any student record.

International Students Application Processing Fee (Education Code Section 76142)

The District shall charge students who are both citizens and residents of a foreign country a fee to process their application for admission. This processing fee and regulations for determining economic hardship may be established by the Chancellor. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the U.S. government; or 2) one hundred dollars (\$100), which shall be deducted from the tuition fee at the time of enrollment.

Fee Refunds

The Board of Trustees authorizes refunds to be made according to administrative procedures established by the Chancellor. All refunds must comply with Education Code and Title 5 regulations, and the refund schedule shall be published in the college catalogs and class schedules.

References:

Education Code Section 76300 et seq;

Title 5 Sections 58520;

ACCJC Accreditation [Standard I.C.6-Eligibility-Requirement 20](#)

End Recommendation

Board Policy | 5030 Fees-2

Administrative Procedure

5030 Fees-2

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to remove the reference to the ACCJC Accreditation Standard and add a reference to an ACCJC Eligibility Requirement pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this procedure to remove the reference to baccalaureate degree pilot programs pursuant to changes in the Education Code.

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Begin Recommendation

Administrative Procedure | 5030 Fees-2

Required fees include:

- Enrollment (Education Code Section 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- Baccalaureate degree ~~pilot~~ program fees (Title 5 Section 58520)
 - As prescribed by state law.
- Nonresident tuition with these permissive exemptions (Education Code Sections 76140 and 76140.5):
 - As prescribed by state law and established by the Board of Trustees no later than March 1 for the succeeding fiscal year.
 - All nonresident students enrolling for 6 or fewer units; or
 - A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);
 - All students, other than non immigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:
 - high school attendance in California for three or more years;
 - graduation from a California high school or attainment of the equivalent thereof;
 - registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
 - completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
 - in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize their immigration status, or will file an application as soon as they are eligible to do so.
 - A nonresident student who enrolls in a credit English as a Second Language (ESL) course at the district and who is any of the following:
 - A recent immigrant, as defined in 8 U.S. Code Section 1101(a)(15);
 - A recent refugee, as defined in 8 U.S. Code Section 1101(a)(42); or
 - A person who has been granted asylum by the United States, as defined in 8 U.S. Code Section 1158.

This exemption applies only to individuals who, upon entering the United States, settled in California and who have resided in California for less than one year. This exemption applies only to the tuition fee for credit ESL courses.
 - Student representation (Education Code Section 76060.5; Title 5 Section 54805)

Fees authorized by law include:

- Non-District physical education facilities (Education Code Section 76395)
- Noncredit courses (Education Code Section 76385)
- Community service courses (Education Code Section 78300)
- Auditing of courses (Education Code Section 76370)
- Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 59400 and 59408)

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- Athletic insurance (Education Code Section 70902 subdivision (b)(9))
- Cross-Enrollment with the California State University (CSU) or University of California (UC) (Education Code Section 66753)
- Health (Education Code Section 76355)
- Parking (Education Code Section 76360)
- Transportation (Education Code Sections 76361 and 82305.6)
- Student Center (Education Code Section 76375; Title 5 Section 58510)
- Copies of student records (Education Code Section 76223)
- Dormitory (Education Code Section 81670)
- Child care (Education Code Sections 79121 et seq. and 66060)
- Nonresident capital outlay (Education Code Section 76141)
- Nonresident application processing (Education Code Section 76142)
- Credit for Prior Learning (Education Code Section 76300; Title 5 Section 55050)
- Use of facilities financed by revenue bonds (Education Code Section 81901 subdivision (b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone registration (Education Code Section 70902 subdivision (a))
- Physical fitness test (Education Code Section 70902 subdivision (b)(9))
- Instructional Tape Lease/Deposit (Education Code Section 70902 subdivision (b)(9))
- Credit Card Use (Education Code Section 70902 subdivision (b)(9))
- International Student Medical Insurance (Education Code Section 70902 subdivision (b)(9))

Prohibited fees include:

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

Administrative Procedure

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

Collection and Refund of Fees

- A. Associated Students Discount Sticker
\$9.50 - CHC
\$7.50 - SBVC
- B. Breakage/Lost Property Fee
Replacement cost of item(s) broken or lost
- C. Campus Center Fee
\$1.00/unit (not to exceed \$10 per fiscal year)
- D. Capital Outlay Fee
As allowed by law and approved by the Board of Trustees prior to March 1 for the succeeding fiscal year.
- E. Catalog
\$6.00 - purchased on campus
- F. Enrollment Fee
\$46.00/unit
- G. Upper Division Coursework Fee
\$84/unit

Administrative Procedure

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- H. Insufficient Funds Check
\$15.00
- I. International Student Application
\$25.00 (nonrefundable)
- J. Key Deposit/Replacement
\$15.00 plus cost of rekeying if needed (metal/electronic key)
- K. Learning Center Reproduction Fees, SBVC
\$0.20 - Laser printout: text, black and white printer
\$0.50 - Laser printout: graphics, black and white printer (over ½ page)
\$1.00 - Laser printout: graphics and/or text, color
\$2.00 - Scan text or graphics to disk, per scan
- L. Library Fines – SBVC/CHC
\$0.10 - Books: per day for 50 days; after 50 days, bill \$5 fine plus the replacement value \$0.25 - Reserve Books/Multimedia: per hour to a maximum of the replacement value of the reserve materials; after 14 days, bill \$5 fine plus the replacement value
\$0.50 - Videos: per day for 50 days; after 50 days, bill \$5 fine plus the replacement value
\$0.10 - Per page for laser printout of Internet, CD ROM, Periodicals
\$2.00 - replacement for lost library card
- M. Parking Permit Fees
\$45.00 - one semester (\$25 Promise Grant students)
\$24.00 - summer session
\$3.00 - daily
- N. Student Health and Accident Insurance
\$26.00 - per semester (includes \$1.50 accident insurance)
\$22.00 - summer session (includes \$1.50 accident insurance)
\$1.50 - accident insurance only
- O. Student Representation
\$2.00
- P. Supplemental Health Services Fee
At cost - TB skin test (one-step test)
At cost - All Vaccines
\$25.00 - Physical Exams
\$50.00 - DMV Physical Exams
At cost - Prescription medications
At cost - In-house Lab Tests
At cost - Lab Test sent to external lab
At cost - Optional Medical Procedures
At cost - Optional Medical Supplies
\$ 2.00 per item - Duplication of medical records
At cost - Birth Control Pills
- Q. Transcripts/Verification
No cost - First two transcripts
\$10.00 - Additional transcripts

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\$20.00 - Immediate requests for transcripts

\$5.00 plus cost - Online transcripts

R. Transportation Fee

Students registering for Spring or Fall semester to pay:

\$9.00 for 6 or more credits/semester

\$8.00 for less than 6 credits/semester

\$6.00 for 6 or more credits/summer

\$5.00 for less than 6 credits/summer

S. Crafton Hills College Recreation Fee

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

\$8.00 per semester

Fee Refunds

A. Designated Fees

This regulation covers the following fees:

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

B. Conditions

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

C. Military Service Exception

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

D. Refund Schedule

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

1. Fees collected in error
Fees collected in error will be refunded in their entirety.

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2. Class canceled by the college
If a class is canceled by the college, enrollment and/or non-resident tuition fees will be refunded in their entirety. If that cancellation results in a student's withdrawal from the college, refunds of the appropriate fees listed in Paragraph "A" will apply.
3. Withdrawal from the College
 - a. Enrollment Fee/Nonresident Tuition
If a student withdraws during the first two weeks of a full-term class or during the first 10% of a short-term class, enrollment fees or nonresident tuition fees will be refunded.
 - b. Parking Fee, Health Fee, Accident Insurance Fee, Student Services Card Fee, Student Center Fee, Student Representation Fee, Capital Outlay Fee, Student Transportation Fee.
In order to be eligible for a refund, a student must withdraw prior to the first day of the term for a full-term class or prior to the first day of instruction for a short-term class.
4. Unit Reduction
If a change of program within the first two weeks of a full-term class or during the first 10% of a short-term class results in a reduction in the number of units taken, the enrollment fee or non-resident fee will be refunded at the per unit cost of the reduction.
5. A student who withdraws from a class or the college after the second week of instruction for a full-term class or the first 10% of a short-term class is not eligible for any refund.

Waiver of Fees

The District will waive campus fees for students participating in the California Virtual Campus (CVC). Students attending online courses through the California Community Colleges online course exchange will be responsible for the tuition of courses.

The District may also waive enrollment fees which were not collected in a previous session where the enrollment fees were not collected as a result of the District's error in awarding a Board of Governors Fee Waiver to an ineligible student and not through the fault of the student, and to collect the enrollment fee would cause the student undue hardship.

References:

Education Code Sections 66025.3, 68120, 70902(b)(9), 76300, and 76300.5

Title 5 Sections 51012, 58520, and 58629

California Community College Chancellor's Office (CCCCO) Student Fee Handbook

ACCJC Accreditation [Standard I.C.6 Eligibility Requirement 20](#)

End Recommendation

Administrative Procedure | 5030 Fees-2

Board Policy

5050 Student Success and Support Program-2

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

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Begin Recommendation

Board Policy | 5050 Student Success and Support Program-2

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

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

The District shall provide Student Success and Support Program services to students for the purpose of furthering equality of educational opportunity and academic success. The purpose of Student Success and Support Program services is to bring the student and the District into agreement regarding the student’s educational goal through the District’s established programs, policies, and requirements.

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

References:

- Education Code Sections 78210 et seq.;
- Title 5 Sections 55500 et seq.
- ACCJC Accreditation Standard ~~4.C.2~~ 2

Board Policy

5050 Student Success and Support Program-2

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End Recommendation

Board Policy | 5050 Student Success and Support Program-2

Administrative Procedure

5050 Student Success and Support Program-2

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



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Begin Recommendation

Administrative Procedure | 5050 Student Success and Support Program-2

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

Matriculation brings the student and the District into agreement regarding the student's educational goal through the District's established

programs, policies, and requirements. The agreement is implemented by means of the student educational plan. Matriculation services include, but are not limited to, all the following:

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

Admission and Placement:

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

The District shall:

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San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



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

Counseling Services:

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

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

Educational Planning:

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

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

References:

Education Code Sections 78210 et seq.;

Title 5, Sections 55500 et seq.

ACCJC Accreditation Standard [#C-2.2](#)

End Recommendation

Administrative Procedure | 5050 Student Success and Support Program-2

Board Policy

5110 Counseling

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

08/12/2024 PPAC Approves Review Level
 08/13/2024 Level 1 to Constituents for Information Only
 09/12/2024 BOT First Reading
 10/10/2024 BOT Final Approval

Begin Recommendation

Board Policy | 5110 Counseling

(Replaces current SBCCD BP 5010)

The District shall admit students who meet one of the following requirements and who are capable of profiting from the instruction offered:

- Any person possessing a high school diploma or its equivalent.
- Other persons who are over the age of 18 years and who, in the judgment of the Chancellor or his or her designee, are capable of profiting from the instruction offered. Such persons shall be admitted as provisional students, and thereafter shall be required to comply with the District's rules and regulations regarding scholastic achievement and other standards to be met by provisional or probationary students as a condition to being readmitted in any succeeding semester.
- Persons who are apprentices as defined in Labor Code Section 3077.

The District may deny or place conditions on a student's enrollment upon a finding by the Board of Trustees or designee that the applicant has been expelled within the preceding five years or is undergoing expulsion procedures in another California community college district, and that the applicant continues to present a danger to the physical safety of the students and employees of the District.

The District shall in its discretion, or as otherwise federally mandated, evaluate the validity of a student's high school completion. The Chancellor shall establish procedures for evaluating the validity of a student's high school completion.

Admission – Any student under the age of 18 and who has not yet earned a high school diploma or its equivalent is eligible to attend as a special part-time student for advanced scholastic or career/technical education (vocational) courses.

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Any student under the age of 18 and who has not yet earned a high school diploma or its equivalent is eligible to attend as a special full-time student.

Denial of Requests for Admission – If the Board of Trustees denies a request for special full time or part time enrollment by a pupil who is identified as highly gifted, the Board will record its findings and the reason for denying the request in writing within 60 days.

The written recommendation and denial shall be issued at the next regularly scheduled board meeting that occurs at least 30 days after the pupil submits the request to the District.

Claims for State Apportionment for Dual Enrollment – Claims for state apportionment submitted by the district based on enrollment of high school pupils shall satisfy the criteria established by statute and any applicable regulations of the Board of Governors.

References:

Education Code Sections 76000, 76001, 76002, and 76038;

Labor Code Section 3077;

34 Code of Federal Regulations Section 668.16(p) (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 [#C.6 2.7](#)

End Recommendation

Board Policy | 5110 Counseling

Administrative Procedure

5110 Counseling

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

- 08/12/2024 PPAC Approves Review Level
- 08/13/2024 Level 1 to Constituents for Information Only
- 09/12/2024 BOT First Reading
- 10/10/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 5110 Counseling

The counseling services available in the District's counseling program include at least the following:

- Academic counseling, in which the student is assisted in assessing, planning, and implementing ~~his/her~~ **their** immediate and long-range academic goals;
- Career counseling, in which the student is assisted in assessing ~~his/her~~ **their** aptitudes, abilities, and interests, and is advised concerning the current and future employment trends;
- Personal counseling, in which the student is assisted with personal, family, or other social concerns, when that assistance is related to the student's education;
- Coordination with the counseling aspects of other services to students which exist on campus, including but not limited to those services provided in programs for students with special needs, skills testing programs, financial assistance programs, and job placement services.

Confidentiality of Counseling Information: Information of a personal nature disclosed by a student 12 years of age or older in the process of receiving counseling from a counselor is confidential, and shall not become part of the student record without the written consent of the person who disclosed the confidential information. However, the information shall be disclosed when permitted by applicable law, including but not limited to disclosure as necessary to report child abuse or neglect; reporting to the Chancellor or other persons when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons living in the college community; reporting information to the Chancellor or other persons as necessary when the student indicates that a crime involving the likelihood of personal injury or significant or substantial property losses will or has been committed; reporting information to one or more persons specified in a written waiver by the student.

Administrative Procedure

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San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



References:

Education Code Sections 72620 and 72621;

Title 5 Section 51018

ACCJC Accreditation Standard [#C-5 2.7](#)

End Recommendation

Administrative Procedure | 5110 Counseling

Board Policy

5500 Standards of Student Conduct

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- > Legal Update 42: The Service updated this policy to add legal citations.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/18/2024 Recommendation Received

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

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

Begin Recommendation

Board Policy | 5500 Standards of Student Conduct

~~(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.

Board Policy

5500 Standards of Student Conduct

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References:

Education Code Sections 66300, [and](#) 66301, [and](#) 76120;
ACCJC Accreditation Standards [I.C.8 and 10 \(formerly II.A.7.b\) 2](#)

End Recommendation

Board Policy | 5500 Standards of Student Conduct

Administrative Procedure

5500 Standards of Student Conduct

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- > Chapter Lead Changes resulting from legal review of BP

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/18/2024 Recommendation Received

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

Begin Recommendation

Administrative Procedure | 5500 Standards of Student Conduct

(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;

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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.

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. 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.

O-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.

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- 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 or 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,

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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.

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- 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

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motivated communications, photos or other means of communication.

44.15. 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 ~~1.C.8 and 10~~ 2

End Recommendation

Administrative Procedure | 5500 Standards of Student Conduct

Board Policy

5530 Student Rights and Grievances

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

> Minor Clerical Edit (2022-23 carryover)

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/30/2024 Estimated Receipt of Recommendation

08/12/2024 PPAC Approves Review Level
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 09/09/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
 09/18/2024 Level 3 Second Anticipated AS Review
 10/14/2024 PPAC Reviews Second AS Feedback
 11/14/2024 BOT First Reading
 12/13/2024 BOT Final Approval

Begin Recommendation

Board Policy | 5530 Student Rights and Grievances

(Replaces current SBCCD BP 5530 and BP 5540)

Students may initiate grievance proceedings against a district employee under the procedures provided by the Chancellor.

It is the policy of the District that there shall be an appeal process by which a dispute in the assigned final grade received by a student may be resolved in a fair and efficient manner according to State law. (See BP and AP 4231 titled Grade Changes).

References:

Education Code Section 76224 [subdivision](#) (a);
 Title 5 Section 55025
 Title IX, Education Amendments of 1972

End Recommendation

Board Policy | 5530 Student Rights and Grievances

Administrative Procedure

5530 Student Rights and Grievances

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to clarify and simplify language regarding determination of discipline and student discipline hearings.
- > Legal Update 39: The Service updated this procedure to address a typo. (2022-23 carryover)
- > Legal Update 38: The Service updated the use note for this procedure to make it legally advised in order to ensure compliance with accreditation requirements. (2022-23 carryover)

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/30/2024 Estimated Receipt of Recommendation

08/12/2024 PPAC Approves Review Level
 09/04/2024 Level 3 First Anticipated AS Review
 09/09/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback
 09/18/2024 Level 3 Second Anticipated AS Review
 10/14/2024 PPAC Reviews Second AS Feedback
 11/14/2024 BOT First Reading
 12/13/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 5530 Student Rights and Grievances

(Replaces current SBCCD AP 5530 and AP 5540)

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. These procedures shall be available to any student who reasonably believes a college decision or action by an instructor, college official, or by another student has adversely affected his/her their status, rights or privileges as a student. The procedures shall include, but not be limited to, grievances regarding:

- For grievances related to sexual harassment, sexual assault, or illegal discrimination (i.e. age, ancestry, citizenship status, color, disability, ethnic group identification, gender, marital status, medical condition, national origin, parental status, race, religion, sexual orientation, or veteran status), students should contact the Human Resources Department and/or the San Bernardino Community College Police. Staff members in those areas will assist students with the correct processes for resolution. Complaint and investigation procedures related to harassment and discrimination (including sexual assault, sexual violence, dating violence, stalking, and domestic violence) can be found in Administrative Procedure 3435.
- Financial aid (see AP 5130 Financial Aid for appeals relating to financial aid);
- Course grades, to the extent permitted by Education Code Section 76224(a) (see AP 4231 Grade Changes for appeals relating to course grades)
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

In addition to San Bernardino Community College District Procedures, a student may address a grievance directly to the California Community

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Colleges Chancellor's Office by accessing the following website:

<http://californiacommunitycolleges.cccco.edu/ComplaintsForm.aspx>

This procedure does not apply to:

- Student disciplinary actions, which are covered under separate Board Policies and Administrative Procedures.
- Police citations (i.e. "tickets"); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.

Definitions

Party – The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee or the College Grievance Officer.

Chancellor – The Chancellor or a designated representative of the Chancellor.

Student – A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224(a).

Respondent – Any person claimed by a grievant to be responsible for the alleged grievance.

Day – Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays and Sundays.

Informal Resolution

Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the local college administration.

Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of a dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have stated official or public positions that might tend to polarize the dispute and render a solution more difficult. At no time shall any of the persons directly or indirectly involved in the case use the fact of such informal discussion, the fact that a grievance has been filed, or the character of the informal discussion for the purpose of strengthening the case for or against persons directly involved in the dispute or for any purpose other than the settlement of the grievance.

Formal Process

If informal resolution through discussion or mediation does not resolve the conflict, the student shall have the right to request a grievance hearing, in writing, to the Vice president of Student Services. The request for a hearing must be made within 180 calendar days of the incident being grieved.

The determination of whether the Statement of Grievance presents sufficient grounds for a hearing shall be based on the following:

- The statement contains facts which, if true, would constitute a grievance under these procedures;
- The grievant is a student as defined in these procedures, which include applicants and former students;
- The grievant is personally and directly affected by the alleged grievance;
- The grievance was filed in a timely manner;
- The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Vice president of Student Services shall notify the student in writing of the rejection of the Request for a Grievance Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within *five* days of the date the decision is made.

If the Request for Grievance Hearing satisfies each of the requirements, the Vice president of Student Services shall schedule a grievance hearing. The hearing will begin within *ten* days following the decision to grant a Grievance Hearing. All parties to the grievance shall be given not less than *five* days notice of the date, time and place of the hearing.

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Grievance Hearing

The formal grievance hearing will be scheduled within 10 days (during which the college is in session) of receipt of the request.

The grievance hearing committee will be composed of the following:

- One student appointed by the Student Senate president.
- One faculty member appointed by the Academic Senate president if the grievance is against a faculty member.
- One staff member appointed by the Classified Senate president if the grievance is against a staff member.
- Vice president of Student Services, who will chair the committee if the grievance is non-academic, or the Vice president of Instruction if the grievance is academic.

No person shall serve as a member of a Grievance Hearing Committee if that person has been personally involved in any matter giving rise to the grievance, has made any statement on the matters at issue, or could otherwise not act in a neutral manner.

Any party to the grievance may challenge for cause any member of the hearing committee prior to the beginning of the hearing by addressing a challenge to the chair, who shall determine whether cause for disqualification has been shown. If the chair feels that sufficient ground for removal of a member of the committee has been presented, **he/she/they** shall remove the challenged member or members and substitute a member or members from the panel described above. This determination is subject to appeal as defined below.

The chair will conduct the hearing. Possible protective measures that may be utilized include, but are not limited to, no-contact orders, remote participation during the hearing (telephone, videoconferencing, use of a privacy screen, etc.), separate waiting areas during hearing, safety escorts, and prohibitions against retaliation.

The members of the grievance hearing committee will be provided a copy of the grievance and any written response to the grievance.

Each party to the grievance may call witnesses and introduce oral and written testimony. Witnesses unable to be present may submit written statements.

Although the hearing is formal, rules of evidence do not apply as they would in a court of law.

Each party to the grievance will be permitted to make an opening statement; thereafter, the grievant will present evidence followed by the respondent.

The student may bring an advocate or attorney to the hearing provided the Vice President of Student Services is notified at least five calendar days in advance of the hearing. In the event the student serves notification that **he/she/they** will have representation, the respondent has the right to legal counsel and a right to receive notification that the student will have counsel present.

The hearing will be recorded, and the recording shall remain in the custody of the Vice president of Student Services. Any party to the grievance may request a copy of the recording.

Hearings shall be closed and confidential unless all parties request that they be open to the public. Any such request must be made no less than three calendar days prior to the date of the hearing. In a closed hearing, witnesses will testify and be excused.

The grievance hearing committee will recommend a resolution of the grievance after listening to all of the participants. The committee will inform the student and the respondent in writing about its recommendation within 10 days of the hearing. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original grievance, any written response, and the oral and written evidence produced at the hearing.

Within *five* days following the close of the hearing, the Grievance Hearing Committee shall prepare and send to the President a written decision. The recommendation shall include specific factual findings regarding the grievance. The recommendation shall also include relief afforded to the student, if any.

Within *five* days following receipt of the Grievance Hearing Committee's decision and recommendation(s), the President shall send to all parties **his/her/their** written decision, together with the Hearing Committee's decision and recommendations. The Chancellor may accept or reject the findings, decisions and recommendations of the Hearing Committee. The factual findings of the Hearing Committee shall be accorded great weight; and if the President does not accept the decision or a finding or recommendation of the Hearing Committee, the President shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the President shall be final, subject only to appeal as provided below

Appeals

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The student may appeal the recommendation of the grievance hearing committee by writing to the president within 10 calendar days of being notified of the grievance hearing committee's recommendation. The president will send the student a final decision in writing within 10 calendar days of receiving the appeal.

Any appeal relating to a Grievance Hearing Committee decision that the Statement of Grievance does not present a grievance as defined in these procedures shall be made in writing to the president within *five* days of that decision. The president shall review the Statement of Grievance and Request for Grievance Hearing in accordance with the requirements for a grievance provided in these procedures, but shall not consider any other matters. The Chancellor's decision whether or not to grant a grievance hearing shall be final and not subject to further appeal.

Any party to the grievance may appeal the decision of the president after a hearing before a Grievance Hearing Committee by filing an appeal with the Chancellor. The Chancellor may designate a District administrator to review the appeal and make a recommendation.

Any such appeal shall be submitted in writing within five days following receipt of the Chancellor's decision and shall state specifically the grounds for appeal.

The written appeal shall be sent to all concerned parties. All parties may submit written statements on the appeal.

The Chancellor or designee shall review the record of the hearing and the documents submitted in connection with the appeal, but shall not consider any matters outside of the record. Following the review of the record and appeal statements, the Chancellor's designee, if any, shall make a written recommendation to the Chancellor regarding the outcome of the appeal.

Time Limits

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all parties.

References:

Education Code Section 76224 [subdivision\(a\)](#);
 ACCJC Accreditation Eligibility Requirement 20;
 ACCJC Accreditation Standard ~~IV.D.~~ 4

End Recommendation

Administrative Procedure | 5530 Student Rights and Grievances

Board Policy

5700 Intercollegiate Athletics-3

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

- 08/12/2024 PPAC Approves Review Level
- 08/13/2024 Level 1 to Constituents for Information Only
- 09/12/2024 BOT First Reading
- 10/10/2024 BOT Final Approval

Begin Recommendation

Board Policy | 5700 Intercollegiate Athletics-3

The District shall maintain an organized program for students in intercollegiate athletics. The District will offer opportunities to participate equally on male and female athletic teams consistent with their gender identity, state and federal law, and California Community College Athletic Association standards.

The Chancellor shall assure that the athletics program complies with state and federal law, the California Community College Athletic Association (CCCCAA) Constitution Bylaws and Sport Championship Handbooks, and appropriate Conference Constitution regarding student athlete participation.

References:

- Education Code Sections 66271.6, 66271.8, 67360, and 78223 et seq
- 20 U.S. Code Sections 1681 et seq.;
- [ACCJC Accreditation Standard II.C.4](#)
- California Community College Athletic Association (CCCCAA) Constitution and CCCCCAA Bylaws

End Recommendation

Board Policy | 5700 Intercollegiate Athletics-3

Administrative Procedure

5700 Intercollegiate Athletics-3

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



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Begin Recommendation

Administrative Procedure | 5700 Intercollegiate Athletics-3

The District is a member of the California Community College Athletic Association (CCCAA) and is governed by the rules of the CCCAA constitution and bylaws. The college will provide an athletics program and physical education curriculum based on the most recent constitution and bylaws of CCCAA and conference(s) in which the District is a member. SBCCD complies with any local, state, and federal athletic reporting requirements.

The Athletics Department is committed to student-athlete academic success and shall monitor and track student-athlete academic performance. The Athletics Department is committed to nondiscrimination and providing equitable opportunities, benefits, and resources to all students. This commitment promotes an atmosphere that is free from harassment or discrimination within all athletic program activities and classes. SBCCD adheres to Board Policy 3410, Nondiscrimination.

Academic Programs

Changes to the Intercollegiate Athletics program curriculum will follow the procedures outlined in Board Policy 4021 Establishing, Modifying, or Discontinuing Programs. Athletic programmatic procedures are contained in the Athletics Department Staff Handbook and information is located in the Athletics Director's Office.

Name, Image, Likeness, and Athletic Reputation

Prospective Student Athlete:

The District will not provide a prospective student athlete with compensation in relation to the athlete's name, image, likeness, or athletic reputation.

Student Athletes:

The District will not prevent a student participating in intercollegiate athletics from either earning compensation as a result of the use of the student athlete's name, image, likeness, or athletic reputation, or from obtaining professional representation

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by duly licensed athletic agents or attorneys. However, a student athlete may not enter into a contract that provides compensation to the student athlete for their name, image, likeness, or athletic reputation if the contract conflicts with a provision of the student athlete's team contract.

A student who enters into a contract providing compensation for use of the student's name, image, likeness, or athletic reputation must disclose the contract to Athletic director/dean. If the District determines that a conflict between the student athlete's contract and the student athlete's team contract, the Athletic director/dean will disclose the conflict to the student or student's legal representative, if any, and identify the contractual provisions that conflict.

Any team contract entered into, modified or renewed on or after September 1, 2021 will not prevent a student athlete from using their name, image, likeness, or athletic reputation for a commercial purpose when the athlete is not engaged in official team activities.

A student athlete's scholarship eligibility will not be impacted as a result of the student earning compensation for their name, image, likeness, or athletic reputation.

The District will not revoke a student-athlete's scholarship that provides the student-athlete with the cost of attendance as a result of the student athlete earning compensation or obtaining legal representation in accordance with state law.

References

Education Code Sections 66271.6, 66271.8, 67360 et seq.; 67456; and 78223

20 US Code Section 1681 et seq;

[ACCJC Accreditation Standard II.C.4;](#)

Community College Athletic Association (CCCAA) Constitution and CCCAA Bylaws

End Recommendation

Administrative Procedure | 5700 Intercollegiate Athletics-3

Board Policy 6300 Fiscal Management

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

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Begin Recommendation
Board Policy | 6300 Fiscal Management

(Replaces current SBCCD BP 6300)

The Chancellor shall establish procedures to assure that the District's fiscal management is in accordance with the principles contained in Title 5 Section 58311, including:

- Adequate internal controls exist.
- Fiscal objectives, procedures, and constraints are communicated to the Board and employees.
- Adjustments to the budget are made in a timely manner, when necessary.
- The management information system provides timely, accurate, and reliable fiscal information.
- Responsibility and accountability for fiscal management are clearly delineated.

The Chancellor shall also establish procedures that satisfy the U.S. Education Department General Administrative Regulations (EDGAR) Second Edition for any federal funds received by the District.

The books and records of the District shall be maintained pursuant to the California Community Colleges Budget and Accounting Manual.

As required by law, the Board shall be presented with a quarterly report showing the financial and budgetary conditions of the District.

Board Policy

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As required by the California Community Colleges Budget and Accounting Manual, expenditures shall be recognized in the accounting period in which the liability is incurred, and shall be limited to the amount budgeted for each major classification of accounts and to the total amount of the budget for each fund.

References:

Education Code Section 84040 [subdivision \(c\)](#);

Title 5 Section 58311;

ACCJC Accreditation Standard [III.D2 2](#); and

[2](#) Code of Federal Regulations Parts 200.302 [subdivision \(b\)\(6\)-\(7\)](#), 200.305, and 200.400 et seq.

End Recommendation

[Board Policy](#) | 6300 Fiscal Management

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6300 Fiscal Management

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
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Begin Recommendation

Administrative Procedure | 6300 Fiscal Management

~~(Replaces current SBCCD AP 6300)~~

GENERAL ACCOUNTING

A. Functions

The Accounting staff, under the direction of the Director of Fiscal Services, shall provide the following functions:

1. Central accounting functions for all District funds.
2. Preparation of documents for transmittal to the County Treasurer's Office for payroll.
3. Preparation of payroll reports.
4. Processing of payments to vendors.
5. Preparation of warrants.
6. Disbursement of scholarship, financial aid and loan funds.
7. Accounting services for sponsored programs, student financial aid, auxiliary enterprises, and student body funds.
8. Maintenance of accounting data on the District's financial system.
9. Preparation of the District's financial reports.

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B. Internal Controls

To provide adequate internal controls, it is necessary for certain procedures to be followed at the operating level designed to prevent errors from occurring. The work of an employee is verified by the work of another, each working separately and independently. One employee should not have control of a complete financial transaction that includes authorizing the transaction, receiving, disbursing, recording and/or posting the transaction. Instead, different employees should participate at various stages in the transaction so that each will arrive at the same result independently and, without unnecessary duplication of work, verify the accuracy of the work of others. Such a division of duties provides a procedure whereby errors of omission or commission, whether intentional or unintentional, will be minimized.

ACCOUNTS RECEIVABLE

A. Types of Accounts Receivable:

1. Receivables from students
2. Sponsored third party receivables
3. Receivables from other District funds
4. Employee receivables

B. Controls

1. Access to the accounts receivable ledger is controlled by a security code.
2. Each entry to the accounts receivable ledger file is supported by documentary evidence.
3. All invoices are pre-numbered and all numbers are accounted for.
4. Subsidiary ledgers are balanced regularly.
5. Postings are made by someone other than those having access to incoming receipts.
6. Statements are mailed in a timely manner by someone other than the bookkeeper or cashier.
7. All non-cash credits such as credit memos, allowances, or bad debts are properly authorized.
8. Holds are placed on student records for students who have a financial obligation to the District.
9. An SBCCD invoice will be prepared for all transactions where an obligation to the District is incurred.
10. A copy of the invoice is kept in the Fiscal Services Department until the remittance is received.
11. All accounts receivable remittances will be sent to the Campus Business Office on campus or to the Fiscal Services Department in the District Office.
12. Accounting staff must be notified of any collection so that it can be applied against the outstanding invoice.
13. The collection of cash receivables should be handled as an ordinary cash transaction according to cash receipting procedures.

C. Student Loans

1. All student loan transactions will be accounted for through subsidiary ledgers.
2. Billing functions should be separated from collection functions and general ledger postings.

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3. Upon receipt of a duly authorized promissory note, a loan receivable record will be initiated by Fiscal Services/Financial Aid Section. The file of these records becomes the subsidiary ledger.
4. The record must contain the student's social security number, loan number, address, telephone number, loan amount, interest rate, payments received, and current balance due.
5. Upon receipt of payment, a cash receipt will be prepared. A copy of the payment will be sent to Fiscal Services/Financial Aid Section for posting to the subsidiary ledger.
6. The receipt will be posted to the general ledger. The subsidiary balance will be reconciled to the general ledger balance on a regular basis.
7. The Student file and general ledger may be posted simultaneously, but a District receipt should be prepared as a secondary source document.

D. Grant and Sponsored Program Accounting

In addition to the District procedures listed here, state and federal grants require special accounting procedures. General directions are provided in the board policy on Grants and Sponsored Programs. Recipients of grant awards are also cautioned to study specific requirements of the grant that may vary from traditional procedures.

CASH DISBURSEMENT

A. Disbursement Procedures

1. Disbursements must be properly authorized and supported by adequate documentation.
2. All disbursements shall be made by check or electronic payment.
3. All checks shall be pre-numbered.
4. All disbursements shall be substantiated by supporting documents including evidence of purchase, receipt, and approval.
5. All supporting documents shall be canceled in such a manner as to preclude their reuse.
6. Bulk check stock shall be adequately controlled and accounted for.
7. Daily use check stock shall be issued to the check-preparer on an adequate transfer/control document.
8. There shall be adequate separation of duties to reduce the risk of collusion and fraud.
9. The drawing of a warrant to "cash" or "bearer" is prohibited.
10. Electronic signature plates shall be secured and issued only to authorized individuals.
11. For payments from federal awards, the District minimizes the time between transfer of funds and disbursement.

B. Documentation

Documentation shall include:

1. A purchase order authorizing the commitment of funds by an appropriate approving authority.
2. An original invoice.

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3. An original receiving report, or other appropriate method, of an employee acknowledging receipt of goods or services.

C. Authorization

All checks must bear a Board authorized signature.

D. Controls

1. All invoices and/or supporting documents will be marked with the check number, or by another appropriate method, to prevent their reuse.
2. Checks will be recorded in the check registers as of the date written and the register closed promptly at the end of each month.
3. Unused checks shall be adequately controlled through sign-out logs, listing where bulk stock is located and by warrant number.
4. Voided checks shall be mutilated or spoiled to prevent reuse.
5. Checks shall be signed only after comparing them with authorizations and supporting documents.

E. Records

1. All original invoices and supporting documents shall be stamped, or otherwise appropriately canceled, to prevent duplicate payments.
2. All voucher documents shall be attached to the documentation and filed in the vendor file in alphabetical order.

CASH RECEIPTS

A. General Provisions

1. Persons who receive cash shall have no access to post payments to the general ledger. All cash received must be recorded by cash register receipt, pre-numbered cash receipt, or terminal receipt. These documents provide the accounting controls and are prepared by the employee first receiving checks or cash. An independent audit trail must be maintained for all cash receipts. The receipt must be given or mailed to the client.

All cash received must be adequately safeguarded and promptly deposited. All cash shall be deposited in the Campus Business Office within 24 hours of receipt.

2. All checks must be made or endorsed payable to the San Bernardino Community College District, San Bernardino Valley College, or Crafton Hills College.
3. All checks shall be stamped "For Deposit Only" upon receipt with the appropriate endorsement stamp.
4. Payments received in the mail shall be logged and routed to a party who can write receipts and make deposits.
5. Cash registers/drawers/terminals shall be cleared daily even if no receipts are recorded. Tape totals, including those with zero receipts, shall be signed by the individual responsible for the cash drawer and submitted to the Campus Business Office.

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6. Cash receipts shall be reconciled against cash register tapes, log-outs and/or handwritten receipts and signed by the individual responsible for the cash drawer.
7. Cash, checks, credit card slips and deposit slips from one register shall not be commingled with receipts from another register. Cash, checks, credit card slips and deposit slips from one receipting date shall not be commingled with receipts from another date.

B. Deposit of Cash Receipts

1. All cash receipts shall be received through the Central Cashier in the Campus Business Office except those received authorized by the Director of Fiscal Services to receive cash. Cash receipts received in locations other than the Campus Business Office shall be deposited intact in the Campus Business Office as prescribed above. When the deposit is made in the Campus Business Office, the deposit must be verified in the presence of the depositor or the depositor's supervisor.
2. Cash inadvertently received by offices not authorized to accept cash shall promptly be routed to the Campus Business Office for deposit.
3. Deposits of money into any account other than an authorized Campus Business Office account are prohibited. Violation of this policy may result in disciplinary action.

C. Pre-numbered Receipts

Any area/department that receives cash and does not have a cash register shall use three- part pre-numbered receipts provided by the Director of Fiscal Services. Part one goes to the individual/group who makes the payment, part two goes to the Campus Business Office with the cash deposit, and part three stays with the office which accepts the cash.

D. Registration Fees

1. During periods of registration terminal receipts are required except in those instances where source identification is necessary and/or where the office receiving the fees does not have access to a computer terminal (off-campus, etc.).
2. The operator log-out report will be used as the primary source document. The operator's cash drawer should reconcile to the operator log-out report.
3. Receipts shall be conveyed to the Campus Business Office daily. The Campus Business Office shall prepare a deposit ticket for each day's deposit.
4. Admissions and Records receipting clerks shall reconcile the drawer(s) against the daily log-outs, sign the log-outs verifying the reconciliation, and submit receipts and signed log-outs to the Director of Admissions and Records, Registrar or designee.
5. The Director of Admissions and Records, Registrar, or designee shall verify the receipts and log-outs, prepare and sign the reconciliation form attesting to its accuracy, and prepare the daily receipts for transmission to the Campus Business Office.
6. The Director of Admissions and Records, Registrar, or designee, with college police escort, shall transmit receipts daily to the Campus Business Office.
 - a. When hand-carries are impractical, the receipts are to be transported by the campus via locked bank bag to the Campus Business Office.

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- b. The locked bank bag should be placed in the locked trunk of the police vehicle for transport. Receipts, when transported in this manner, must have been verified by two independent sources prior to giving them to the college police for transport.
- c. The college police should receive a dated receipt for the locked bank bag from the Campus Business Office.
- d. The Campus Business Office shall verify the daily receipts, provide a receipt to the original source of receipts, and prepare a deposit slip by the close of the next business day following receipting. Any exception requires notification of the Director of Fiscal Services.

PETTY CASH

A. Authorization

A petty cash fund may be approved by the Director of Fiscal Services to pay for small emergency purchases of supplies or services. The Director of Fiscal Services will review each request for the establishment of a petty cash fund and set the dollar amount of the fund if it is approved. Approval for expenditures from the fund must be granted by the appropriate Responsibility Center Manager or the fund custodian.

B. Establishment of a Petty Cash Fund

A Responsibility Center Manager may request a petty cash fund from the Director of Fiscal Services. The request must identify the fund custodian and a requested dollar amount. Upon approval, a check will be forwarded to the requesting party payable to the designated fund custodian.

C. Petty Cash Custodian's Responsibility

1. The petty cash custodian will sign for and assume responsibility for the safeguarding and proper utilization of the petty cash fund. The petty cash custodian is the only individual who may make cash transactions. If an authorized change in custodian occurs, the status of the fund should be verified before any transactions are completed by the new custodian. A status memo signed by both the outgoing and incoming custodians must be sent to the Director of Fiscal Services.
2. The petty cash fund will be maintained at the approved amount, and will at times be kept in balance with cash, petty cash vouchers, and receipts.
3. A copy of the Petty Cash Reconciliation Form will be retained by the custodian for a minimum of two years.
4. All cash, sales receipts, and other related documents shall be kept in a locked metal box. When unattended, the box shall be placed in a safe, desk or cabinet that is kept locked.

D. Purchase Authorizations and Procedures

1. Single disbursements from petty cash may not exceed 50.00.
2. The petty cash custodian must approve all expenditures from the fund. The custodian must sign a Petty Cash Disbursement Voucher for each expenditure.
3. The purchaser may request a cash advance or be reimbursed for authorized purchases. If a cash advance is made, the purchaser must provide a sales receipt and change, if any, to the custodian and sign a petty cash voucher indicating reimbursement.
4. A sales receipt must be kept with each Petty Cash Disbursement Voucher.

E. Replenishment Procedure

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1. The petty cash fund will be replenished when substantially depleted. At the end of each fiscal year the account must be fully replenished or closed in order for expenditures to be recorded in the proper fiscal year.
2. A request for replenishment will be made on a purchase requisition signed by the Responsibility Center Manager.
3. An itemized list of expenditures is to be recorded on the Petty Cash Reconciliation Form. A separate Petty Cash Disbursement Voucher with a sales receipt attached shall be presented for each expenditure.
4. Reimbursements of petty cash are to be the only deposits into the fund.

F. Accounting/Audit

1. Any shortage must be adequately documented and explained by the fund custodian. Replenishment requests for shortages in excess of \$5 must be approved by the Director of Fiscal Services. Overages must be deposited with the revolving cash accountant.
2. The Director of Fiscal Services or designee will periodically make unannounced audit reviews of the petty cash fund. The independent auditors will also make test counts and review the petty cash fund. The fund custodian and the responsible manager should ensure the fund is balanced and available for audit at any time.
3. The internal control checklist is to be completed by each petty cash fund custodian at least once a year. The Director of Fiscal Services or designee will periodically review the petty cash operation and determine if the operation of the fund is in compliance with the checklist.

CHANGE FUNDS

A. Change Funds

A change fund may be approved by the Director of Fiscal Services for the sole purpose of making change in the conduct of business. The funds shall not be used for cash advances, purchases, reimbursements, or other activities appropriate to a petty cash fund.

B. Establishment of a Change Fund

A Responsibility Center Manager may request a change fund from the Director of Fiscal Services. The request must identify the fund custodian and a requested dollar amount. Upon approval a check will be forwarded to the requesting party payable to the designated fund custodian.

C. Change Fund Custodian's Responsibility

The custodian will sign a receipt for the change fund and assume responsibility for its security and proper use. The Director of Fiscal Services must be notified in writing if there is a change in the custodianship of a change fund. The change fund will be maintained at the approved amount and will at all times be kept in balance.

D. Accounting/Audit

The Accounting Department will retain records and documentation for all change funds. Change funds must be available for audit at any time.

Allowability of Costs for Federal Awards

The District assumes responsibility for administering federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of federal awards. The accounting practices of the District support the accumulation of

Administrative Procedure

6300 Fiscal Management

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costs and provide for adequate documentation to support costs charged to federal awards. The District does not earn or keep any profit resulting from federal financial assistance, unless expressly authorized by the terms and conditions of a federal award.

For federal awards, costs:

1. Are necessary, reasonable for the performance of the federal award, and allocable,
2. Conform to any limitations or exclusions set forth in the federal award,
3. Are consistent with policies and procedures that apply to both federally financed and other activities of the District,
4. Are accorded consistent treatment,
5. Are determined in accordance with Generally Accepted Accounting Principles,
6. Are not included as a cost or used to meet cost sharing or matching requirements of any other federally financed program,
7. Are adequately documented.

In determining reasonableness of a given cost, the District assesses:

1. Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the District or the proper and efficient performance of the federal award,
2. The restraints or requirements imposed by such factors as: sound business practices; arm's-length bargaining; federal, state and other laws and regulations; and terms and conditions of the federal award,
3. Market prices for comparable goods or services,
4. Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the District, its employees, its students, the public, and the federal government.

The District does not charge any cost allocable to a particular federal award to other federal awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or terms and conditions of the federal awards, or for other reasons. However, this prohibition does not preclude the District from shifting costs that are allowable under two or more federal awards in accordance with existing federal statutes, regulations, or the terms and conditions of the federal awards.

References:

Education Code Section 84040(c);

Title 5 Section 58311;

ACCJC Accreditation Standard [III.D.9 \(formerly III.D.2\) 3](#); and

[2 Code of Federal Regulations, Title 2, Parts 200.302 subdivision \(b\)\(6\)-\(7\), 200.305, and 200.400 et seq. and Subpart E](#)

End Recommendation

Administrative Procedure | 6300 Fiscal Management

Board Policy

6340 Bids and Contracts

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

- 08/12/2024 PPAC Approves Review Level
- 08/13/2024 Level 1 to Constituents for Information Only
- 09/12/2024 BOT First Reading
- 10/10/2024 BOT Final Approval

Begin Recommendation

Board Policy | 6340 Bids and Contracts

(Replaces current SBCCD BP 6340)

The authority to sign and execute contracts on behalf of the San Bernardino Community College District (SBCCD) is vested in the Board of Trustees (the Board). This authority can only be delegated by Board action.

The Chancellor shall establish administrative procedures for bids and contracts, 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 Services webpage. Any contract 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 PCC Section 17605, Section 22034(c) and Section 81656, the Board of Trustees delegates authority to sign, execute, and legally bind contracts less than the formal bid limits mentioned above, to the named agents on the authorized signature list. Such contracts shall not require Board approval, but shall be sent to the Board as an information item every 60 days.
- When bids are required according to PCC Section 20651, SBCCD shall award each such contract to the lowest responsible bidder who meets the specifications published by SBCCD and who shall give such security as SBCCD requires, or reject all bids. SBCCD may award a contract to the lowest responsible bidder on the basis of best value as specified by the type of bid.
- The Board has adopted the Uniform Construction Cost Accounting Procedures under PCC Section 22000 et seq. for the bidding of public works projects. In addition, pursuant to PCC Sections 20101 et seq., the Board has adopted a district-

Board Policy

6340 Bids and Contracts

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



wide Pre-Qualification Program that when applicable provides for the pre-qualification of bidders based on a uniform system of rating. See AP 6345 titled Bids and Contracts – Construction.

- If the best interests of SBCCD will be served by a contract, lease, or purchase order through any other public corporation or agency in accordance with PCC Section 20652, the Chancellor is authorized to proceed with a contract. Board members, employees and consultants of the District must not participate or attempt to influence decisions to procure or contract for goods or services if he or she has a financial interest in the decision. See BP 2710 titled Conflict of Interest.

References:

Education Code Sections 81641 , et seq.

Public Contract s Code Sections 20650 , et seq. ;

Government Code Section 53060;

[ACCJC Accreditation Standard III.D.16-3](#); and

2 Code of Federal Regulations Part 200.318

[Title 5 Sections 59130 et seq.](#)

End Recommendation

Board Policy | 6340 Bids and Contracts

Administrative Procedure

6340 Bids and Contracts

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to remove the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

- 08/12/2024 PPAC Approves Review Level
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- 09/12/2024 BOT First Reading
- 10/10/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 6340 Bids and Contracts

GENERAL CONTRACT PROCEDURES

General contract procedures (parts A through G) are applicable to all types of contracts and agreements – including contracts for goods and non-professional services, professional services, and construction and public works projects.

- A. Authority to Contract
The authority to sign and execute contracts on behalf of the District is vested in the Board of Trustees. The Board delegates authority to sign and execute contracts less than the formal bid limits set in Public Contract Code, to the named agents on the authorized signature list. The authority to contract includes the amendments, extensions or addendums. Contracts and/or agreements signed by any individual other than those authorized by the Board are not valid or binding on SBCCD. All contracts are between the San Bernardino Community College District and the contracting agency. Individual colleges, programs or departments may not directly enter into a contract or agreement.
- B. Board Approval
The following contracts require approval by the Board of Trustees to constitute an enforceable agreement:
 - Any contract to procure goods or services (excluding construction and public works) which meets or exceeds the formal bid limit set annually by the Board of Governors. The formal bid limit for the current year is published on the Business Services webpage.
 - Any contract for construction or public works project which is over the formal bid limit for public works projects. Contracts under the formal bid limits require approval by one of the authorized district officers, and does not require approval by the Board to be legally enforceable.
- C. Contract Review
All contracts are reviewed and processed by Business Services. All contracts are subject to the requirements of federal and state codes and regulations. Contracts may require additional legal review. Review procedures must be completed

Administrative Procedure

6340 Bids and Contracts

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



before any contract is executed by an authorized signatory.

Any unauthorized individual who signs a contract or agreement will be personally responsible for the value of the contract.

D. Supporting Documentation

Contracts submitted for consideration should be accompanied by a purchase requisition if appropriate. Contracts for construction, transportation, or large scale maintenance may require a certificate of liability insurance, certificate of Workers' Compensation coverage, permits, licenses, or bonds.

E. Contract Format/Negotiations

Business Services can provide assistance in developing a contract. Contracts must be prepared with great care and protect SBCCD in its dealings. Some contracts require negotiations as to the terms and conditions of the contract between SBCCD and the contracting agency. Many vendors use their own contract format that is always subject to review and/or modification by either party prior to execution.

F. Subsequent Changes to Contracts

Any change or alteration of a contract will be done in writing and the cost agreed upon between SBCCD and the contractor. SBCCD may authorize the contractor to proceed with performance of the change or alteration without the formality of securing bids, if the cost so agreed upon does not exceed the greater of the amount specified in Public Contract Code Section 20651 or 20655, whichever is applicable to the original contract, or ten percent (10%) of the original contract price.

G. Duration of Continuing Contracts for Services and Supplies

Continuing contracts for work or services furnished to SBCCD are not to exceed five (5) years. Contracts for materials and supplies are not to exceed three (3) years.

BID REQUIREMENTS – GOODS & NON-PROFESSIONAL SERVICES

I. Applicable Contracts

The bidding requirements in Section I to IX of this Administrative Procedure are only applicable to contracts for goods and non-professional services. This includes:

- (i.) Equipment, materials, or supplies to be furnished, sold, or leased to SBCCD;
- (ii.) Services (excluding construction services, professional services, insurance services, and work done by day labor or by force account pursuant to PCC Section 20655); and
- (iii.) Repairs, including maintenance as defined in PCC Section 20656, that are not public projects as defined in PCC Section 22002(c).

II. Bid Limits

If a contemplated expenditure is less than the formal bid limit set annually by the Board of Governors, please refer the purchasing procedures in AP 6330 titled *Purchasing*.

If a contemplated expenditure meets or exceeds the formal bid limit set annually by the Board of Governors, a formal bid, request for proposal, or other formal solicitation process must be utilized.

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

III. Bid Specifications

Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified.

IV. Notice Calling for Formal Advertised Bids

Pursuant to PCC Section 20112, SBCCD shall publish at least once a week for two weeks in a newspaper of general circulation published within SBCCD or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post on SBCCD's web site or through an electronic portal, a notice calling for bids or proposals, stating the work to be done or materials or supplies to be furnished and the time and place when bids will be opened.

Whether or not bids are opened exactly at the time fixed in the public notice for opening bids, a bid shall not be received after that time. SBCCD may accept a bid that was submitted either electronically or on paper.

Administrative Procedure

6340 Bids and Contracts

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Bid and contract forms shall be prepared and maintained by Business Services. All applicable statutory provisions and board policies shall be observed in preparation of the forms.

Business Services shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

All bid notices for work to be done shall contain an affirmative statement requiring compliance with Labor Code Sections 1775 and 1776 governing payment of prevailing wages and Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance with these California Labor Code Sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.

When required or determined to be appropriate, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of SBCCD, any certified or cashier's check received shall be returned to the respective bidder.

Business Services shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and material personnel may examine the specifications and drawings.

Business Services shall provide an electronic copy of the plans and specifications and other contract documents to a contractor plan room service at no charge upon request from that contractor plan room.

When permitted, a deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

V. Awarding of Bids and Contracts

The awarding of bids and contracts shall be subject to the following conditions:

- Any and all bids and contract proposals may be rejected by SBCCD.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
- Solicitations using a Request for Proposal (RFP), Request for Qualifications (RFQ), and Request for Information (RFI) are based on best value and not based solely on lowest priced proposal.
- When formal bidding is required, the award of bid shall be presented to the Board along with a tabulation of the bids received in reasonable detail.
- Bid and contract awards shall be made to the lowest responsible bidder substantially meeting the requirements of the specifications. SBCCD reserves the right to make its selection of materials or services purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.
- For the purposes of bid evaluation and selection when the District determines that it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may provide for the selection of the lowest responsible bidder on the basis of best value pursuant to policies and procedures adopted by the governing board in accordance with this section.
- "Best value" means the most advantageous balance of price, quality, service, performance, and other elements, as defined by the Board of Trustees, achieved through methods in accordance with this section and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.
- Conflict of Interest. Board members and employees of SBCCD are prohibited from participating in the bid evaluation and selection process if he or she has a relationship with or financial interest in any of the bidders. When a Bid Evaluation & Selection Committee is established, all members of the committee will be required to complete a disclosure form prior to participation in the bid evaluation and selection process. The Business Manager will collect and review all disclosure forms for potential conflicts of interest.

VI. Purchase without Advertising for Bids

The Business Manager is authorized to make purchases from firms holding public agency contracts without calling for bids

Administrative Procedure

6340 Bids and Contracts

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



where it appears advantageous to do so. The Business Manager may, without advertising for bids, purchase or lease from other public agencies materials or services by authorization of contract or purchase order. The Business Manager may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services, California Multiple Award Schedule (CMAS), Western States Contracting Alliance (WSCA) with California endorsement, Foundation for California Community Colleges (FCCC) and other approved purchasing cooperatives, for goods and services as listed in the approved agreements.

- VII. Emergency Repair Contracts without Bid
When emergency repairs or alterations are necessary to continue existing classes or to avoid danger of life or property, the Business Manager may make a contract on behalf of SBCCD for labor, materials and supplies without advertising for or inviting bids, subject to ratification by the Board.
- VIII. Unlawful to Split Bids
Pursuant to PCC Section 20657, it shall be unlawful to split or separate into smaller work orders, purchase orders, contracts, or projects any work, project, service, or purchase for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.
- IX. Employees as Independent Contractors
An individual cannot be both an SBCCD employee and an independent contractor with SBCCD at the same time unless it can be clearly demonstrated that the work being performed as an independent contractor has no relationship to work being performed as an employee of SBCCD and such work cannot be construed as falling within the broad definition of the individual's job description or classification as an employee. Any SBCCD employee engaged as an independent contractor is considered an "employee" for payroll purposes and payment for services is subject to appropriate tax withholding.

References:

Education Code Sections 88003.1, 81641 et seq.;

Government Code Section 53060;

Public Contract Code Sections 20103.7, 20112, 20650 et seq., and 22000 et seq.;

Labor Code Sections 1770 et seq.

[ACCJC Accreditation Standard III.D.16-3](#)

Approved: 3/17/11	
Revised:	

End Recommendation

Administrative Procedure | 6340 Bids and Contracts

Board Policy

6400 Financial Audits-2

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

- 08/12/2024 PPAC Approves Review Level
- 08/13/2024 Level 1 to Constituents for Information Only
- 09/12/2024 BOT First Reading
- 10/10/2024 BOT Final Approval

Begin Recommendation

Board Policy | 6400 Financial Audits-2

There shall be an annual outside audit of all funds, books, and accounts of the District in accordance with the Title 5 regulations. The Chancellor shall assure that an annual outside audit is completed. The Chancellor shall recommend a certified public accountancy firm to the Board of Trustees with which to contract for the annual audit.

Reference:

- Education Code Section 84040(b)
- ACCJC Accreditation Standard [III.D.7.3](#)

End Recommendation

Board Policy | 6400 Financial Audits-2

Administrative Procedure

6400 Financial Audits-2

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

08/12/2024 PPAC Approves Review Level

08/13/2024 Level 1 to Constituents for Information Only

09/12/2024 BOT First Reading

10/10/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 6400 Financial Audits-2

On or before April 1 of the fiscal year, the Board of Trustees shall approve the selection of an auditor who shall be a certified public accountant licensed by the California State Board of Accountancy.

An auditing firm's contract shall be for no more than three years. The audit shall include all funds under the control or jurisdiction of the District. The audit shall identify all expenditures by source of funds and shall contain:

- A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Education Code Section 84040.5, and
- a summary of audit exceptions and management recommendations.

The District shall file an audit report with the California Community Colleges Chancellor's office and with other agencies specified in the Chancellor's Contracted District Audit Manual, for the preceding fiscal year no later than December 31, unless this date is extended by the California Community Colleges Chancellor's Office.

References:

Education Code Sections 84040(b), 84040.5, and 81644; Title 5 Section 59102; and
ACCJC Accreditation Standard [III.D.7.3](#)

End Recommendation

Administrative Procedure | 6400 Financial Audits-2

Board Policy

6535 Use of District Equipment

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> FYI Only - No Changes

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

06/10/2024 Estimated Receipt of Recommendation

- 08/12/2024 PPAC Approves Review Level
- 08/13/2024 Level 1 to Constituents for Information Only
- 09/12/2024 BOT First Reading
- 10/10/2024 BOT Final Approval

Begin Recommendation

Board Policy | 6535 Use of District Equipment

The Board of Trustees authorizes the Chancellor to develop administrative regulations allowing for limited off-campus use of District equipment.

District equipment shall not be loaned to private groups organized for profit or to any individual, except that equipment may be loaned to employees for District-related duties off-campus subject to the provisions outlined in the administrative procedures.

Reference:

Education Code Section 70902

End Recommendation

Board Policy | 6535 Use of District Equipment

Administrative Procedure

6535 Use of District Equipment

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

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 08/13/2024 Level 1 to Constituents for Information Only
 09/12/2024 BOT First Reading
 10/10/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 6535 Use of District Equipment

Each member of the District staff shall be responsible for equipment under ~~his/her~~their control. Loss of equipment and unauthorized removal of equipment should be reported immediately to the appropriate administrator.

Equipment that is lost or stolen may be replaced upon submission of a request through the appropriate administrative office. The request must include an explanation about the loss or theft of the equipment and a justification that replacement is essential to the activity served.

District equipment shall not be loaned to persons not employed by or enrolled in the District.

Equipment shall only be removed from campus with proper authorization(s).

A. Authorization

District-owned equipment shall not be removed from any District facility except with written permission of the college president, Chancellor, or designee. Authorization may be granted for the uses listed below through the "College Equipment Loan Agreement." No item of equipment shall be removed under any circumstance until the warehouse supervisor has inventoried it and assigned a property control number. Upon request or separation from the District, the person(s) must return all District issued property. If the property cannot be returned, the person(s) shall be responsible for the cost of replacement.

B. Permitted Uses

District-owned equipment may be removed from campus, with proper authorization, for the following uses.

1. Professional/Business Use

Staff members may borrow District-owned equipment for professional use directly related to District business. In the case of computer or other electronic equipment no installation support will be provided

Administrative Procedure

6535 Use of District Equipment

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



unless the District requires such use. Upon request or separation from the District, the employee must return all District issued property. If the property cannot be returned, the employee shall be responsible for the cost of replacement.

2. Student Instructional Use

District-owned equipment such as musical instruments or photography equipment may be loaned to students as they are required as part of the instructional program. Such loan shall be limited to the term in which the student is enrolled. Upon request from the District, the student must return all District issued property. If the property cannot be returned, the student shall be responsible for the cost of replacement.

3. Community Support Use

Under special circumstances District-owned equipment may be loaned on a short-term basis in support of a special community project. Under such use the equipment shall be loaned to a specific community agency that shall supply a certificate of insurance for the equipment while under its control. Upon request from the District, the agency must return all District issued property. If the property cannot be returned, the agency shall be responsible for the cost of replacement.

C. Responsibility

Any individual who removes District-owned property assumes personal liability for repair or replacement of such equipment in the event of damage or theft.

D. Recall

Any loaned equipment is subject to recall by a college or District official at any time.

Reference:

Education Code Section 70902

ACCJC Accreditation Standards [III.B.3](#) and [III.C.4 3.8](#)

End Recommendation

Administrative Procedure | 6535 Use of District Equipment

Board Policy

4100 Graduation Requirements for Degrees and Certificates

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > Chapter Lead suggestions
- > Legal Update 44 - Updated to remove the requirement regarding publishing graduation requirements in the District's catalog pursuant to changes in the Title 5 regulations.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/18/2024 Recommendation Received

- 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

Begin Recommendation

Board Policy | 4100 Graduation Requirements for Degrees and Certificates

~~(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 and who have maintained a 2.0 grade point average in [degree-applicable courses/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 assure that graduation requirements are published in the college catalog(s) and included in other resources that are convenient for students.~~

Board Policy

4100 Graduation Requirements for Degrees and Certificates



San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024

References:

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

End Recommendation

Board Policy | 4100 Graduation Requirements for Degrees and Certificates

Administrative Procedure

4100 Graduation Requirements for Degrees and Certificates

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to revise associate degree requirements to align with changes in the Title 5 regulations.
- > 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 Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/18/2024 Recommendation Received

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

Begin Recommendation

Administrative Procedure | 4100 Graduation Requirements for Degrees and Certificates

~~(Replaces current SBCCD AP 4100)~~

Coursework for Associate Degrees

Requirements for graduating with a degree or certificate are developed through collegial consultation on each campus, approved by the Board of Trustees, and published in the respective college catalogs.

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

Administrative Procedure

4100 Graduation Requirements for Degrees and Certificates

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



The student must satisfactorily complete at least 60 semester units of ~~college work~~ degree-applicable lower division credit course, including courses that apply to the major area of emphasis in career technical fields and courses in composition, reading, and mathematics or quantitative reasoning not more than one level below transfer. Below transfer level course requirements must align with Education Code section 78213.

~~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~~ courses must include at least 18 semester units of focused study in a major or interdisciplinary area of emphasis.

A "major" is a focused program of study within a specific discipline, which may include some coursework outside the primary discipline. Programs designed to provide transfer preparation must be designed to meet specific lower-division requirements in comparable baccalaureate majors.

An "area of emphasis" is an interdisciplinary program of study encompassing a broad range of courses from multiple related academic disciplines, providing the student with an academic pathway broader than a specific major but more focused than general education

The courses must include at least 21 semester units of ~~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"~~. General education must include a minimum of work in (1) English Composition, Oral Communication, and Critical Thinking, (2) Mathematical Concepts and Quantitative Reasoning, (3) Arts and Humanities, (4) Social and Behavioral Sciences, (5) Natural Sciences, and (6) Ethnic Studies.

Other Conditions for Awarding Associate Degrees

The District will award an associate degree to students who fulfill the coursework requirements described above or completed the requirements for an approved intersegmental lower-division general education pattern used for transfer to the University of California or the California State University and who met the following conditions:

The student satisfactorily completed ~~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 onto alleviate~~ injustice or undue hardship ~~would result~~.

The student completed the requirements for the associate degree with a minimum cumulative grade point average of 2.0 in the degree-applicable courses. If a student accumulates units beyond those required for the degree that lower the student's cumulative grade point average below 2.0, the District may compute the grade point average based solely on those courses used to satisfy the degree requirements, provided that the coursework used to compute the grade point average fulfill all major or area of emphasis and general education requirements.

Courses that meet or exceed the standards of the California Community Colleges completed at other institutionally accredited institutions shall be counted toward associate degree unit requirements. A course may not be counted in more than one general education area, even if the course is approved in multiple general education areas. Students may use the same course to meet a local general education requirement and to satisfy a general education requirement at the California State University or the University of California if that segment accepts the course for this purpose.

Students may receive credit for knowledge or skills acquired through a district's procedures for awarding credit for prior learning.

Students who have been awarded a bachelor's degree from an institutionally accredited institution shall be deemed to have fulfilled the general education course requirements for the associate degree.

~~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.

Administrative Procedure

4100 Graduation Requirements for Degrees and Certificates



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Students who intend to transfer shall be advised of limitations transfer institutions may place on the transferability of credits, based on institutional accreditation, course modality, and any other relevant factors.

~~[The District must offer ethnic studies.](#)~~

~~[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.](#)~~

Certificates of Achievement and Other Credit Programs

For 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.

Shorter credit programs that lead to a certificate 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.

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.

~~[The District may obtain approval of a direct assessment competency-based program from the California Community College Chancellor's office.](#)~~

References:

~~[Education Code Section 70902\(b\)\(3\);](#)~~

~~Title 5, Sections [55070, 55800, et seq.](#) 55060 et seq. [and 55270 et seq.](#)~~

End Recommendation

Administrative Procedure | 4100 Graduation Requirements for Degrees and Certificates

Board Policy

5075 Course Adds, Drops, and Withdrawals

San Bernardino Community College District | P&P Chapter Lead Recommendation | 4/16/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason(s) for Review/Changes

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

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

- 03/18/2024 Recommendation Received
- 04/08/2024 PPAC Approves Review Level
- Keith made a motion which Lisa seconded to approve the Level 3. The motion was approved by a majority vote.*
- 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

Begin Recommendation

Board Policy | 5075 Course Adds, Drops, and Withdrawals

~~(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 Recommendation

Board Policy | 5075 Course Adds, Drops, and Withdrawals

Administrative Procedure

5075 Course Adds, Drops, and Withdrawals

San Bernardino Community College District | P&P Chapter Lead Recommendation | 4/16/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason(s) for Review/Changes> [Minor Clerical Edit](#)**Begin Recommendation**

Administrative Procedures | 5075 Course Adds, Drops, and Withdrawals

(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".

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

Administrative Procedure

5075 Course Adds, Drops, and Withdrawals

San Bernardino Community College District | P&P Chapter Lead Recommendation |
4/16/2024



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 Recommendation

Administrative Procedures | 5075 Course Adds, Drops, and Withdrawals

Board Policy

5500 Standards of Student Conduct

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- > Legal Update 42: The Service updated this policy to add legal citations.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/18/2024 Recommendation Received

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

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

Begin Recommendation

Board Policy | 5500 Standards of Student Conduct

~~(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.

Board Policy

5500 Standards of Student Conduct

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



References:

Education Code Sections 66300, [and](#) 66301, [and](#) 76120;
ACCJC Accreditation Standards [I.C.8 and 10 \(formerly II.A.7.b\) 2](#)

End Recommendation

Board Policy | 5500 Standards of Student Conduct

Administrative Procedure

5500 Standards of Student Conduct

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- > Chapter Lead Changes resulting from legal review of BP

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/18/2024 Recommendation Received

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

Begin Recommendation

Administrative Procedure | 5500 Standards of Student Conduct

(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;

Administrative Procedure

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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.

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. 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.

Administrative Procedure

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- 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 or 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,

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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.

Administrative Procedure

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- 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

Administrative Procedure

5500 Standards of Student Conduct

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



motivated communications, photos or other means of communication.

44.15. 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 ~~1.C.8 and 10~~ 2

End Recommendation

Administrative Procedure | 5500 Standards of Student Conduct

Board Policy 4225 Course Repetition

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

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

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

- 03/05/2024 Recommendation Received
-
- 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

Begin Recommendation

Board Policy | 4225 Course Repetition

~~(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 Recommendation

Board Policy | 4225 Course Repetition

Administrative Procedure

4225 Course Repetition

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

> 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.

Begin Recommendation

Administrative Procedure | 4225 Course Repetition

(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 due to extenuating circumstances.

When a student repeats a course designated as repeatable to alleviate substandard academic work (a "D," "F," "FW," or "NP₁" 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

Administrative Procedure

4225 Course Repetition

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



control. ~~o Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.~~

o Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.

o Prior grade will be disregarded in computing the student's GPA.

• In a cooperative work experience (Occupational 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 No more than 8 units of cooperative work experience in a given field may be taken during 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 All previous grades and credits must be factored in computing the student's GPA.

• In a course that is required by statute or regulation as a condition of an individual student's paid or volunteer employment as determined by the Scholastic Standards Committee. Verification that the course is required by statute or regulation must be documented. ~~o All previous grades and credits must be factored in computing the student's GPA.~~

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. ~~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.

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 "NP₁" ~~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".
 - o The student may enroll one additional time and may be recommended to use available San Bernardino Valley College resources to pass the course.
 - o 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.
 - o A student may only enroll in the same course a fourth time if authorized by another provision of this policy.
 - o A student may not receive a fourth Withdrawal in a course.
 - o 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.
 - o 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

Administrative Procedure

4225 Course Repetition

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



control. ~~o Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.~~

- o Students must have received a passing or substandard grade on the prior enrollment, but not a withdrawal.
- o Prior grade will be disregarded in computing the student's GPA.

- In a cooperative work experience course, if the course is not offered as a variable unit open-entry/open-exit course. ~~o Students may earn up to a total of 16 units in all types of cooperative work experience education.~~

- o Students may earn up to a total of 16 units in all types of cooperative work experience education.
- o No more than 8 units of cooperative work experience in a given field may be taken during the one term.
- o A student may repeat a cooperative work experience course any number of times so long as the student does not exceed the limits on the number of units of cooperative work experience education.
- o All previous grades and credits must be factored in computing the student's GPA.

- In classes designated as "special classes" as a disability-related accommodation for a reason specified in Title 5 Section 56029.

o Prior grades will be disregarded in computing the student's GPA.

- In a course that is required by statute or regulation as a condition of an individual student's paid or volunteer employment as determined by the Scholastics Standards Committee Verification that the course is required by statute or regulation must be documented. ~~o All previous grades and credits must be factored in computing the student's GPA.~~

o All previous grades and credits must be factored in computing the student's GPA.

- In cases of significant change in industry or licensure standards such that repetition of the course is necessary for the student's employment or licensure as determined by the Scholastics Standards Committee. Verification that the course is required for employment or licensure must be documented.
- All previous grades and credits must be factored in computing the student's GPA.

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

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

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

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

Administrative Procedure

4225 Course Repetition

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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 Recommendation

Administrative Procedure | 4225 Course Repetition

Administrative Procedure

4232 Pass/No Pass

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > 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 Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/05/2024 Recommendation Received

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

Begin Recommendation

Administrative Procedure | 4232 Pass/No Pass

[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.](#)

Administrative Procedure

4232 Pass/No Pass

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



[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 Recommendation

Administrative Procedure | 4232 Pass/No Pass

Board Policy

4235 Credit for Prior Learning

San Bernardino Community College District | P&P Chapter Lead Recommendation | 4/16/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

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)

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

03/05/2024 Recommendation Received

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

PPAC members reviewed the recommendation. There was no feedback. Nohemy Ornelas commented that this P&P aligns with the State's Vision 2030 and some of the efforts that have been going along with ensuring that students are given credit for any prior experience or learning they have had.

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

Begin Recommendation

Board Policy | 4235 Credit for Prior Learning

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 Recommendation**

Board Policy | 4235 Credit for Prior Learning

Administrative Procedure

4235 Credit for Prior LearningSan Bernardino Community College District | P&P Chapter Lead Recommendation |
4/16/2024

Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

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)

Begin Recommendation

Administrative Procedure | 4235 Credit for Prior Learning

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

- Achievement of a score of 3 or higher on an Advanced Placement Examination administered by the College Entrance Examination Board.
- Achievement of a score that qualifies for credit by [examination in the](#) College Level Examination Program (CLEP) [examination](#).
- [Achievement of a score that qualifies for credit by International Baccalaureate examination](#).
- Evaluation of joint service transcript (JST) that considers the credit recommendations of the American Council on Education pursuant to Education Code 66025.71.
- Evaluation of industry-recognized credential documentation.
- Evaluation of student-created portfolios.
- Credit by satisfactory completion of an examination administered by the college in lieu of completion of a course listed in the college catalog.
- Achievement of an examination administered by other agencies approved by the college.
- Assessment approved or conducted by proper authorities of the college.

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

Determination of Eligibility for Credit for Prior Learning:

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

Administrative Procedure

4235 Credit for Prior Learning

San Bernardino Community College District | P&P Chapter Lead Recommendation |
4/16/2024



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 Recommendation

Administrative Procedure | 4235 Credit for Prior Learning

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

04/28/24



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:
Level 3	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.

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



04/28/24

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

SBVC Academic Senate recommends changing "seemed" to "deemed"

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~~ deemed 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

Board Policy

5015 Residence Determination

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

- > 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 Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

02/21/2024 Recommendation Received

02/26/2024 PPAC Approves Review Level

04/03/2024 Level 3 First Anticipated AS Review

04/08/2024 Level 3 PPAC Reviews Constituent & Initial AS Feedback

PPAC members reviewed the recommendation. The schedule for this recommendation reflected the March PPAC feedback that

neither Academic Senate had reviewed it, so the Academic Senate first read was moved from March 6 to April 5. Davena Burns-

Peters indicated that this item had received final approval at the SBVC Academic Senate meeting on April 5. There was no further 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

Begin Recommendation

Board Policy | 5015 Residence Determination

(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.](#)

Board Policy

5015 Residence Determination

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



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 Recommendation

Board Policy | 5015 Residence Determination

Administrative Procedure

5015 Residence Determination

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

> 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)

Begin Recommendation

Administrative Procedure | 5015 Residence Determination

(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.

Administrative Procedure

5015 Residence Determination

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



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.
- 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

Administrative Procedure

5015 Residence Determination

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



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.
 - 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/she~~they 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/she~~they remains continuously enrolled in the District.

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- 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 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/she/they 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/she/they 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

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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.

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.

Administrative Procedure

5015 Residence Determination

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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/horthem to live permanently in the United States and she or he meets the California residency requirements, the student can be classified as a resident.

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

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

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

References:

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

Reviewed:

End Recommendation

Administrative Procedure | 5015 Residence Determination

Board Policy

6200 Budget Preparation

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	No	J Torres	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- > Legal Update 43 review of AP and minor clerical changes.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/06/2024 Recommendation Received

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

Begin Recommendation

Board Policy | 6200 Budget Preparation

~~(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:

Board Policy

6200 Budget Preparation

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Education Code Section 70902 subdivision (b)(5);
Title 5 Sections 58300 et seq.;
ACCJC Accreditation Standard 4.D.3

End Recommendation

Board Policy | 6200 Budget Preparation

Administrative Procedure

6200 Budget Preparation

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	No	J Torres	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.
- > Legal Update 43: The Service updated this procedure to align with Title 5 regulations.
- > Chapter Lead Updates

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/06/2024 Recommendation Received

- 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

- 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

Begin Recommendation

Administrative Procedure | 6200 Budget Preparation

~~(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.

Administrative Procedure

6200 Budget Preparation

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



- 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 ~~h~~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~~ 3

End Recommendation

Administrative Procedure | 6200 Budget Preparation

Board Policy 3226 Awards

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	J Torres	<i>No matching AP exists</i>

Reason for Review

> Review requested by BPPAC Committee

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/08/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation Board Policy | 3226 Awards

BP 3226 Awards

AWARDS FOR STUDENTS AND EMPLOYEES

The Board of Trustees authorizes the granting of awards to students or staff for outstanding achievement or superior accomplishments. The Chancellor or designee may approve such awards up to the statutory limit of \$200 per award, per individual. Any award that exceeds that limit requires Board approval prior to the purchase of the Award.

Events and the use of funds associated with awards and recognition must serve a public purpose and support the District's mission.

(Replaces current SBCCD-BP-3225)

~~Awards to employees for exceptional contributions and to students for excellence, are authorized by statute [EC §44015]. Such awards shall not exceed \$200 unless a larger award is expressly approved. Awards to community members are not authorized by statute [EC §44015]. Pursuant to the statute, an employee can be recognized for superior accomplishments, within specified guidelines. Life transition events like birthdays, weddings, and the like, occur to everyone so cannot be considered superior accomplishments. Awards are permitted within the statutory monetary limits and subject to IRS reporting requirements. Awards may be given to recognize years of service at the time of retirement, but the statutory authority to make awards does not authorize paying for a "retirement party".~~

Board Policy

3226 Awards

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



A. Authorization

The Board of Trustees authorizes the granting of awards to students or staff for outstanding achievement.

B. Recognition

Recognition may be given in the form of certificates, plaques, ribbons, badges, books, pens, trophies, rings, medals, bumper stickers, shirts, jackets, comestible items, and such other appropriate symbols of appreciation.

C. Approval

The Chancellor or designee may approve such awards up to the limit \$200 per award, per individual. Any award that exceeds that limit requires Board approval prior to the purchase of the Award.

D. CERTIFICATES & NON-MONETARY AWARDS FOR STUDENTS, EMPLOYEES, AND THE COMMUNITY ISSUED BY THE BOARD OF TRUSTEES

In cases of exemplary service or accomplishment, the Board of Trustees may present a certificate ~~of Congratulations~~ to a student, an employee of the District, or to a member of the community, or a community organization. The determination for the awarding of such certificates will be made on behalf of the full Board by the Board Executive Committee and included as an informational item on the next Board agenda. Advisory Committee of the Board and the Chancellor. Certificates issued by the Board of Trustees will be signed by the Board Chair and Chancellor and may be presented by the requesting Board member.

Reference:

California Constitution, Article XVI, § 6;

EC §44015

Education Code Sections 78210 et seq., and 84754.6;

ACCJC Accreditation Standard I.B.5—9

End Recommendation

Board Policy | 3226 Awards

Board Policy

3430 Prohibition of Harassment

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> FYI Only - No Changes

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

- 05/13/2024 PPAC Approves Review Level
- 05/14/2024 Level 1 to Constituents for Information Only
- 06/13/2024 BOT First Reading
- 07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 3430 Prohibition of Harassment

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

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

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of discrimination or harassment or for participating in a related investigation. Such conduct is illegal and constitutes a violation of this policy. The District will investigate all allegations of retaliation swiftly and thoroughly. If the District

Board Policy

3430 Prohibition of Harassment

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



determines that someone has retaliated, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

The District recognizes that sex discrimination, including sexual harassment and violence, harms all students, undermines students' physical safety, impedes students' ability to learn, and can reinforce social inequality throughout a student's lifetime. The District has a responsibility to make reasonable efforts to respond effectively when sexual harassment is reported to, or observed by, District employees.

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

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

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

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

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

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

References:

Education Code Sections 212.5, 44100, 66252, 66281.5, and 66262.5;

Government Code Sections 12923, 12940 and 12950.1;

Civil Code Section 51.9;

Title 2 Sections 10500 et seq.;

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

Age Discrimination in Employment Act of 1967 (ADEA);

Americans with Disabilities Act of 1990 (ADA)

End Recommendation

Board Policy | 3430 Prohibition of Harassment

Administrative Procedure

3430 Prohibition of Harassment

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Chapter Lead review; language added to address fraternization and close relationships.

Begin Recommendation

Administrative Procedure | 3430 Prohibition of Harassment

Procedures for handling complaints of unlawful discrimination under title 5 sections 59300 et seq.

Introduction and Scope

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

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal. This procedure, and the related policy, protects students and employees in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

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

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

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

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

Administrative Procedure

3430 Prohibition of Harassment

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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

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

Responsible District Officer

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

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

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

Informal/Formal Complaint Procedure

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

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

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

If the complaint is employment-related, the complainant should also be advised that he or she may file a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) where such a complaint is within that agency's jurisdiction.

Efforts at informal resolution need not include any investigation unless the responsible District officer determines that an investigation is warranted by the seriousness of the charges. Selecting an informal resolution does not extend the

Administrative Procedure

3430 Prohibition of Harassment

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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

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

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

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

Filing of Formal Written Complaint

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

<https://www.cccco.edu/About-Us/Chancellors-Office/Divisions/General-Counsel/Programs/College-District-Discrimination->

Appeals

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

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

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

Threshold Requirements Prior to Investigation of a Formal Written Complaint

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

- The complaint must be filed on a form prescribed by the State Chancellor's Office.
- The complaint must allege unlawful discrimination prohibited under title 5, section 59300.

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

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

Defective Complaint

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

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

Administrative Determination

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

- the determination of the chief executive officer or ~~his/her~~ **their** designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
- a description of actions taken, if any, to prevent similar problems from occurring in the future;
- the proposed resolution of the complaint; and
- the complainant's right to appeal to the District governing board and to file a complaint with the Department of Fair Employment and Housing.

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

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

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

Complainant's Appeal Rights

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

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follows:

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

Complainants must submit all appeals in writing. Authority: Cal. Code Regs., tit. 5, §§ 59338 and 59339.

Extensions

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

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

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

Definitions

Definitions applicable to nondiscrimination policies are as follows:

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

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

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

Days means calendar days.

District means the San Bernardino Community College District or any District program or activity that is funded directly by

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the state or receives financial assistance from the state. This includes the District Personnel Commission and any other organization associated with the District or its college(s) that receives state funding or financial assistance through the District.

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

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

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

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

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

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

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

Visual or Written: The display or circulation of visual or written material that degrades an individual or group

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based on gender, race, nationality, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

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

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

- Having any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities, that limits a major life activity. For purposes of this section:
 - Limits shall be determined without regard to mitigating measures, such as medications, assistive devices, or reasonable accommodations, unless the mitigating measure itself limits a major life activity.
 - A mental or psychological disorder or condition limits a major life activity if it makes the achievement of the major life activity difficult.
 - Major life activities shall be broadly construed and shall include physical, mental, and social activities and working.
- Any other mental or psychological disorder or condition not described in paragraph (1) that requires specialized supportive services.
- Having a record or history of a mental or psychological disorder or condition described in paragraph (1) or (2), which is known to the District.
- Being regarded or treated by the District as having, or having had, any mental condition that makes achievement of a major life activity difficult.
- Being regarded or treated by the District as having, or having had, a mental or psychological disorder or condition that has no present disabling effect, but that may become a mental disability as described in paragraph 1 or 2.

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

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

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

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

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

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

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

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

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

Sexual orientation means heterosexuality, homosexuality, or bisexuality.

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

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

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Consensual Relationships

A “consensual relationship” is defined as one in which two individuals are involved by mutual consent in a romantic, physically intimate, and/or sexual relationship. This definition includes domestic partners and spouses.

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

Ban on Certain Consensual Relationships with College Students

For purposes of this policy, “District/College employee” does not include student employees.

A consensual relationship that might be appropriate in other circumstances is prohibited when a District/College employee has responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of a student.

- Exception: There may be instances where a District/College employee is the only employee in the College that can provide a course or service to a person with whom they have a preexisting consensual relationship. Prior to supervising, directing, overseeing, evaluating, advising or influencing the employment or educational status of a student with whom they have a pre-existing consensual relationship, the College/District employee shall disclose this relationship to the appropriate College Vice President, or the appropriate Vice Chancellor (for employees that do not work at a College) and obtain their written approval. Additional controls, such as periodic review or providing additional oversight, shall be undertaken to prevent or detect problems.

Confidentiality of the Process

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

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

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

It is also important that complainants and witnesses understand the possibility that they may be charged with allegations of defamation if they circulate the charges outside of the District’s process. In general, persons who are

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participating in a District investigative or disciplinary process that is related to a charge of discrimination are protected from tort claims such as defamation. However, persons who make allegations outside of these processes or who discuss their claims with persons outside of the process may expose themselves to tort charges. Complainants, witnesses, and those accused of discrimination will all be asked to sign a confidentiality acknowledgement statement.

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

Disciplinary actions taken against employees are generally considered confidential.

Authority: Cal. Const. Art. I, § 1; Civil Code § 47; Ed. Code, §§ 76234 and 87740; *Silberg v. Anderson* (1990) 50 Cal.3d. 205; Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, Office for Civil Rights, January 19, 2001.

Notice, Training, and Education for Students and Employees

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

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

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

Academic Freedom

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

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

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

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

Record Retention

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

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

Retaliation

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

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

Complaint Procedure Checklist

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

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

References:

Education Code Sections 212.5; 44100; 66281.5; and 66281.8

Government Code Sections 12940 and 12923; Civil Code

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Section 51.9;

Title 2 Sections 10500 et seq.;

Title 5 Sections 59320 et seq.;

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

End Recommendation

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Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> FYI Only

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/12/2024 Recommendation Received

05/13/2024 PPAC Approves Review Level

05/14/2024 Level 1 to Constituents for Information Only

06/13/2024 BOT First Reading

07/11/2024 BOT Final Approval

Begin Recommendation

Board Policy | 3433 Prohibition of Sexual Harassment under Title IX

The District recognizes that sex discrimination, including sexual harassment and violence, harms all students, undermines students' physical safety, impedes students' ability to learn, and can reinforce social inequality throughout a student's lifetime.

All forms of sexual harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit sexual harassment and the District will not tolerate sexual harassment. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. The District has a responsibility to make reasonable efforts to respond effectively when sexual harassment is reported to, or observed by, District employees.

The District seeks to foster an environment in which all employees, students, applicants for employment, and applicants for admission feel free to report incidents of sexual harassment in violation of this policy and Title IX, without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of sexual harassment in violation of this policy and Title IX or for participating, or refusing to participate, in a sexual harassment investigation. The District will investigate all allegations of Title IX retaliation swiftly and thoroughly. If the District determines that someone has retaliated, it

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will take reasonable steps within its power to stop such conduct. Individuals who engage in Title IX retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

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

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

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

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

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

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

References:

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

End Recommendation

Board Policy | 3433 Prohibition of Sexual Harassment under Title IX

Administrative Procedure

3433 Prohibition of Sexual Harassment under Title IX

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Legal Update 42: The Service updated this procedure to remove a historically offensive term found in federal law.

Begin Recommendation

Administrative Procedure | 3433 Prohibition of Sexual Harassment under Title IX

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

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

Definitions

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

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

Administrative Procedure

3433 Prohibition of Sexual Harassment under Title IX

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- instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
- **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
 - **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
 - **Incest.** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape – Non-Forcible.** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
 - **Dating violence.** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - **Domestic Violence.** Violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
 - **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

References:

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

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

End Recommendation

Administrative Procedure | 3433 Prohibition of Sexual Harassment under Title IX

Board Policy 7310 Nepotism

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Chapter Lead review to expand and include having financial and/or employment influence between members of the same household extending beyond the familial definitions in our existing language.

Review Schedule & Notes (for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)

05/30/2024 Estimated Receipt of Recommendation

- 08/12/2024 PPAC Approves Review Level
- 08/13/2024 Levels 2 & 3 to Constituents for Feedback
- 09/09/2024 Level 2 PPAC Hears Constituent & AS Feedback
- 10/10/2024 BOT First Reading
- 11/14/2024 BOT Final Approval

Begin Recommendation
Board Policy | 7310 Nepotism

(Replaces current SBCCD BP 7310)

The District does not prohibit the employment of relatives or domestic partners as defined by Family Code Sections 297 et seq. in the same department or division, with the exception that they shall not be assigned to a regular position within the same department, division, or site that has an immediate family member who is in a position to recommend or influence personnel decisions.

Personnel decisions include appointment, retention, evaluation, tenure, work assignment, promotion, discipline, demotion, or salary of the relative or domestic partner as defined by Family Code Sections 297 et seq

Immediate family means spouse, domestic partner, parents, grandparents, siblings, children, stepchildren, grandchildren, and in-laws or any other relative living in the employee's home.

Relatives, with the exception of married employees, or registered domestic partners, are defined as persons who are related by blood or marriage, or whose relationship is similar to that of persons who are related by blood or marriage (i.e., adopted child or stepparent).

The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, or creating other potential conflicts of interest.

Notwithstanding the above, the District retains the right , where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest, to refuse to place spouses in the same

Board Policy 7310 Nepotism

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



department, division, or facility. The District retains the right to reassign or transfer any person to eliminate the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest.

References:

Government Code Sections 1090 et seq. and 12940 et seq.

End Recommendation

Board Policy | 7310 Nepotism

Administrative Procedure

7310 Nepotism

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 1	No	K Hannon	BP & AP exist

Reason for Review

> Chapter Lead review to expand and include having financial and/or employment influence between members of the same household extending beyond the familial definitions in our existing language.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

05/30/2024 Estimated Receipt of Recommendation

- 08/12/2024 PPAC Approves Review Level
- 08/13/2024 Levels 2 & 3 to Constituents for Feedback
- 09/09/2024 Level 2 PPAC Hears Constituent & AS Feedback
- 10/10/2024 BOT First Reading
- 11/14/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 7310 Nepotism

(Replaces current SBCCD AP 7310)

The employment of relatives in the same facility, department, division, office or line of supervisory authority can cause serious problems in the workplace which adversely affect productivity, morale, confidentiality, safety, security, and create conflicts of interest. The employment of relatives can also adversely impact the nature of the necessary working relationships between supervisors and employees and between co-employees. Additionally, these problems adversely affect the public trust and confidence in the fairness and efficiency of the employment policies and operations of the District.

~~These adverse effects are caused, in part, by real or perceived favoritism, scheduling conflicts, personal conflicts and hostility in the work place, claims of partiality in providing or awarding favorable working conditions, promotions, transfers or assignments, the compromise or suspected compromise of confidential or privileged information or records, alteration or destruction of records, or the suspected or actual loss or destruction of District property or financial assets. These problems frequently arise when relatives work together. To maintain an atmosphere conducive to the District's educational purpose, such relationships shall be avoided, except as otherwise provided herein.~~

- A. "Relatives," with the exception of married employees, or registered domestic partners, are defined as persons who are related by blood or marriage, or whose relationship is similar to that of persons who are related by blood or marriage (i.e., adopted child or stepparent).
- B. Relatives of currently employed District employees may be hired by the District as employees, promoted or transferred only if: (1) the individuals concerned will not work in a direct supervisory relationship with each other, or be in the same line of authority or supervision; (2) the individual hired, promoted or

Administrative Procedure

7310 Nepotism

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



transferred will not work in the same department, division, office or facility or under the authority of ~~one the same~~ supervisor; ~~(3) the employment, promotion or transfer will not cause any potential conflicts or disruption to District operations; and~~ (3) the employment, promotion or transfer will not pose any potential articulable problems or conflicts involving supervision, security, safety, confidentiality, performance or morale.

- C. Current District employees are strictly prohibited from participating in, or influencing or attempting to influence the selection process or the employment, promotion or transfer of any relative or their spouse.
- D. The District reserves the right to take prompt action to prevent the attempt of any relative or spouse to influence the selection or any other employment decision involving any relative or spouse.

The employment of spouses or registered domestic partners in the same department, division or facility involves potential conflicts of interests that are may be greater for married persons/partners than for other persons. Additionally, the placement of one spouse under the direct supervision of the other frequently leads to problems involving supervision, safety, security or morale. The employment of spouses or registered domestic partners shall be governed by the rules set forth in the following paragraph E.

- E. No employment decision, including but not limited to transfers or promotions, shall be based on whether an individual has a spouse or registered domestic partner presently employed by the District except in accordance with the following criteria:
 1. For articulable business reasons of supervision, safety, security or morale, the District may refuse to place one spouse under the direct supervision of the other spouse.
 2. For articulable business reasons of supervision, security or morale, the District may refuse to place both spouses in the same department, division or facility if the work involves potential conflicts of interest or other hazards greater for married couples than for other persons.
 3. For co-employees who marry, the District shall make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security or morale.
 4. Present employees of the District who marry or who become related by marriage must immediately notify their supervisors. If employees who marry or who become related by marriage do work in a direct supervisory relationship with one another or do cause an actual conflict or difficulty concerning supervision, security, safety, or morale, the District will attempt to reassign one of the employees to another position for which he or she is qualified, if such a position is available, and no other accommodation is reasonable or practicable.
 5. Any decision not to employ, promote or transfer the spouse of an employee shall be made on a case-by-case basis by the Vice Chancellor of Human Resources and Police Services, or designee, taking into account all of the actual facts and circumstances regarding the particular position and the duties and the relationship of the position and duties performed by the employed spouse. This decision shall involve an assessment of the actual work setting to determine whether that setting would pose, because of the mutual concerns married couples are assumed to share, a potential conflict of interest or other hazards greater for married couples than for other employees. If the potential conflict or hazard is determined to be greater, the District will regulate the employment of spouses to avoid the conflict or other hazard by reasonably matching the severity of its actions toward one or the other spouse to the degree of risk and significance of the potential harm involved.

References:

Administrative Procedure

7310 Nepotism

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Government Code Sections 1090 et seq. and 12940 et seq.

End Recommendation

Administrative Procedure | 7310 Nepotism

Board Policy

2510 Participation In Local Decision-Making

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	J Torres	BP & AP exist

Reason for Review

> Recommendation from VC Hannon

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standards pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

02/21/2024 Recommendation Received

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

Updated between BOT First Reading and Final Approval to update legal citations per CCLC Legal Update 44.

06/13/2024 BOT Final Approval

Begin Recommendation

Board Policy | 2510 Participation In Local Decision-Making

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:

Board Policy

2510 Participation In Local Decision-Making

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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

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

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

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

Board Policy

2510 Participation In Local Decision-Making

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



guaranteed under the Educational Employment Relations Act, Government Code Sections 3540 et seq.

References:

Education Code Section 70902(b)(7);

[Title 5 Sections 53200 et seq. \(Academic Senate\), 51023.5 \(Staff\), and 51023.7 \(Students\);](#)

[ACCJC Accreditation Standards 4.2 and 4.3](#)

End Recommendation

Board Policy | 2510 Participation In Local Decision-Making

Administrative Procedure

2510 Participation In Local Decision-Making

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	J Torres	BP & AP exist

Reason for Review

> FYI Only

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standards pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Begin Recommendation

Administrative Procedure | 2510 Participation In Local Decision-Making

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.

Administrative Procedure 2510 Participation In Local Decision-Making

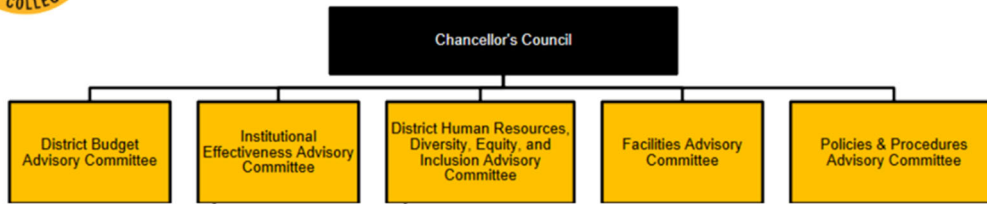
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To promote additional participation in local decision-making and efficacy, five advisory committees have been created which make recommendations to Chancellor's Council. Subcommittees/task force/workgroup's structure for each advisory committee (if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



Chancellor's Council
Advisory Committee Structure
As of October 2021



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) 4.2 and 4.3

End Recommendation

Administrative Procedure | 2510 Participation In Local Decision-Making

Administrative Procedure 2712 Conflict of Interest Code

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 2	No	K Hannon	<i>No matching BP exists</i>

Reason for Review

- > Chapter Lead: Remove Appendix A – Designated Postions from the AP to streamline the efficiency of updates through the FPPC
- > Legal Update 44 - Updated to add a citation to the Government Code.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

03/04/2024 Recommendation Received

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

Updated between BOT First Reading and Final Approval to update legal citationsper CCLC Legal Update 44.

06/13/2024 BOT Final Approval

Begin Recommendation

Administrative Procedure | 2712 Conflict of Interest Code

~~(Replaces current SBCCD AP 2260)~~

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

Administrative Procedure

2712 Conflict of Interest Code

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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
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 CC	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 shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure

Administrative Procedure

2712 Conflict of Interest Code

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



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 [subdivision](#) (e), [87200](#), 87300-87302, 89501, 89502, and 89503;
Title 2 Section 18730

End Recommendation

Administrative Procedure | 2712 Conflict of Interest Code

Board Policy

4105 Distance Education

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

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

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

02/22/2024 Recommendation Received

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

PPAC members reviewed the recommendation, including comments made at the March PPAC meeting. Christopher made a motion to approve it through the process, which Keith seconded. Davina commented that this item had been reviewed quite a bit and even though it may still have to come back at a later date regarding stronger language, she felt it was in a place where it could be moved forward. The motion was approved by a majority vote.

05/09/2024 BOT First Reading

AP Updated between BOT First Reading and Final Approval to update legal citations per CCLC Legal Update 44.

06/13/2024 BOT Final Approval I

Begin Recommendation

Board Policy | 4105 Distance Education

Board Policy

4105 Distance Education

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



~~(Replaces current SBCCD BP 4108)~~

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

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

References:

Title 5 Sections 55200 et seq.

End Recommendation

Board Policy | 4105 Distance Education

Administrative Procedure

4105 Distance Education

San Bernardino Community College District | P&P Chapter Lead Recommendation | 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	N Ornelas	BP & AP exist

Reason for Review

> Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

> 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.

Begin Recommendation

Administrative Procedure | 4105 Distance Education

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 identity. However, any district that does charge a fee, must notify the student in writing of the estimated amount of those fees in addition to a statement of the processes used to protect the student's privacy.

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

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

Administrative Procedure

4105 Distance Education

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~~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.
- **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.

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- **Duration of Approval:** Courses will be reviewed following the ~~6-year~~ curriculum review process. Outside of the 6-year review process, all ~~eD~~istance ~~eE~~ducation 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.1.2~~

End Recommendation

Administrative Procedure | 4105 Distance Education

Board Policy

7120 Recruitment and Hiring

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	K Hannon	BP & AP exist

Reason for Review

- > Legal Update 44 - Updated to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards and add an Education Code section to the references.
- > Legal Update 42: The Service updated this policy to align with updated Title 5 regulations.

Review Schedule & Notes *(for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)*

02/21/2024 Recommendation Received

-
- 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
 - PPAC members reviewed the recommendation. It was confirmed that the highlighted text indicates that the CCLC is recommending an organization name be inserted. Kristina Hannon recommended using the term "classified professionals." Ernest Guillen expressed support of this choice since it includes both the Classified Senate and CSEA. Lisa made a motion to move this item forward reflecting the addition of the phrase "classified professionals" to replace the highlighted text. Ernest seconded this motion which was approved by a majority vote.*
 - 05/09/2024 BOT First Reading
 - Updated between BOT First Reading and Final Approval to update legal citations per CCLC Legal Update 44.
 - 06/13/2024 BOT Final Approval

Begin Recommendation

Board Policy | 7120 Recruitment and Hiring

(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.

Board Policy

7120 Recruitment and Hiring

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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] classified professionals 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.4.3

End Recommendation

Board Policy | 7120 Recruitment and Hiring

Administrative Procedure 7120 Recruitment and Hiring

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



Review Level	10+1 Designation?	Chapter Lead	Matching BP or AP?
Level 3	10+1	K Hannon	BP & AP exist

Reason for Review

> Legal Update 44 - Updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

Review Schedule & Notes (for info on the AP 2410 process, visit <https://sbccd.edu/ap2410>)

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- 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

Begin Recommendation

Administrative Procedure | 7120 Recruitment and Hiring

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

Administrative Procedure

7120 Recruitment and Hiring

San Bernardino Community College District | P&P Chapter Lead Recommendation 5/13/2024



as the tool for job posting and application submittal. Initial screening is coordinated between Human Resources and screening committee members. Application materials may be submitted to the District Office during regular business hours.

Job Postings

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

Applying for a Job

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

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

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

Recruitment

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

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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.

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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

Administrative Procedure

7120 Recruitment and Hiring

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References:

Education Code Sections 87100 et seq., 87400, 87604.5 and 88003;
ACCJC Accreditation Standard III.A.1 (formerly III.A.) 3

End Recommendation

Administrative Procedure | 7120 Recruitment and Hiring