



District Assembly Meeting

February 4, 2020

3:00 – 4:00 p.m.

SBCCD Boardroom Extension

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

AGENDA

Revised

1/29/20

-
1. **CALL TO ORDER** Jeremiah Gilbert

 2. **CHANCELLOR'S REPORT** Jose Torres

 3. **APPROVAL OF MINUTES**
 - A. December 3, 2019 minutes (p3)

 4. **OLD BUSINESS**
 - A. Approval of APs & BPs for 2nd Reading & Approval
 - a. AP/BP 3900 Speech: Time, Place, and Manner (p6,12)
 - b. AP/BP 4320 Off Campus Speakers (p13,15)
 - c. AP/BP 4400 Community Services Programs (p16,18)
 - d. AP/BP 4500 Student News Media (p19,22)
 - e. AP 5203 Lactation Accommodations (p23)
 - f. AP/BP 6540 Insurance (p24,26)
 - g. AP/BP 7210 Academic Employees (p27,45)
 - h. AP/BP 7270 Student Workers (p46,53)
 - i. AP 7348 Accommodations (p54)
 - B. DA Constitution and Membership for 2nd Reading & Approval (p58)

 5. **NEW BUSINESS**
 - A. APs & BPs for 1st Reading
 - a. AP/BP 3505 Emergency Response Plan (Rodriguez/Jackson) (p71,96)
 - b. AP/BP 3710 Securing Copyright (p97,103)
 - c. AP/BP 3715 Intellectual Property (p104,110)
 - d. AP/BP 3725 Information & Communications Technology (p111,113)
 - e. AP 3750 Use of Copyrighted Material (p114)
 - f. AP/BP 5015 Residence Determination (p118,123)
 - g. AP 5017 Responding to Inquiries of Immigration Status (p124)
 - B. Districtwide Institutional Effectiveness Committee Membership Update (p126)

 6. **UPDATES & REPORTS**
 - A. Campus Emergency Response Update – Thomas
 - B. Black Faculty & Staff Association Update – Buffong
 - C. Latino Faculty & Staff Association Update – Padilla

7. **PUBLIC COMMENTS**

Any member of the public who wishes to address the Committee on any matter is limited to five minutes. The total time for members of the public to speak on the same or a similar issue shall be limited to 20 minutes. Anyone who requires a disability-related modification or accommodation in order to participate in the public meeting should contact the Chancellor's Office at (909) 388-6902 as far in advance of the meeting as possible.

8. **ADJOURN**

Next Meeting: March 3, 2020



District Assembly Meeting

December 3, 2019

3:00 – 4:00 p.m.

SBCCD Boardroom

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

MINUTES

-
1. **CALL TO ORDER** Jeremiah Gilbert
J. Gilbert called the meeting to order at 3:02pm.
 2. **CHANCELLOR'S REPORT** Bruce Baron
None.
 3. **APPROVAL OF MINUTES**
A. November 5, 2019 minutes (p3)
K. Wurtz moved approval. TL Brink seconded the motion to approve the minutes of November 5, 2019. Unanimous approval.
 4. **OLD BUSINESS**
A. Approval of APs & BPs for 2nd Reading & Approval
 - a. AP/BP 3540 Sexual Assaults on Campus (p7, p11)
 - b. AP/BP 6530 District Vehicles (p12, p14)
 - c. AP/BP 6750 Parking (p16, p19)
 - d. AP/BP 6751 Parking Citation Payment Plan (p20, p22)
 - e. AP/BP 7210 Academic Employees (p23, p41)
 - f. AP 7215 Academic Employees: Probationary Contract Faculty (p42)Item 4.A.e was pulled and will be agendaized in January for 1st reading and February for 2nd reading.
K. Wurtz moved approval. J. Torres seconded the motion to approve items 4.A.a-d and f. and to distribute the academic handbook. Unanimous approval.
 5. **NEW BUSINESS**
 - A. CCLC Legal Update #35
 - a. CCLC Legal Update #35 Actions Overview Memo (p44)
Update #35 will be added to the AP/BP review cycle in March.
 - b. AP 7346 Employees Called to Military Duty (p47)
This procedure was updated to state that employees on military leave for longer than 30 days may elect to continue health coverage for up to 24 months: "Employees on leave for longer than 30 days may elect to continue health care coverage for themselves and their eligible dependents for a maximum period of ~~18~~ 24 months." (No BP)
 - B. 2017-2022 District Support Services Strategic Plan: Addendum (p49)
J. Gilbert will send item 5.B to K. Wurtz and C. Thomas for campus committee review. It will move forward to the Board for 1st and 2nd reading.
 - C. DA Constitution and membership – 1st Reading & Approval (p62, p71)
C. Luke moved approval. J. Torres seconded the motion to open the constitution. It should be noted the chancellor is a non-voting member. The Constitution will be presented for approval in February. There was discussion of the inequity of the the constituent group representation and vote counts. C. Huston opposed. All others approved.
 - D. Emergency Management Committee – Paul Walker
J. Gilbert provided background from an email in April. After discussion regarding the function and members of CHC and SBVC Safety Committees and the Districtwide Safety Committee, it was determined the Districtwide Safety Committee will be the body to make recommendations to DA. Emergency Management policies would be reviewed by this committee and there was no reason to create another committee.
Approval of APs & BPs for 1st Reading
 - a. AP/BP 3505 Emergency Response Plan (Rodriguez/Jackson) (p73, p95)
 - b. AP/BP 3900 Speech: Time, Place, and Manner (p96, p103)

- c. AP/BP 4320 Off Campus Speakers (p104, p106)
- d. AP/BP 4400 Community Services Programs (p107, p109)
- e. AP/BP 4500 Student News Media (p110, p113)
- f. AP 5203 Lactation Accommodations (p114)
- g. AP/BP 6540 Insurance (p115, p117)
- h. AP/BP 7270 Student Workers (p118, p126)
- i. AP 7348 Accommodations (p127)

K. Horan pulled AP/BP 3505 and recommended it be presented in February as a first read. There was discussion and consensus that the Campus Safety Committees review and forward changes to the Districtwide Safety Committee. The DSC will send its recommendation to DA. Crafton Safety Committee will review in December and send changes to SBVC Safety Committee.

6. UPDATES & REPORTS

- A. TESS Quarterly Update (handout at the meeting)
- B. District Support Services Update (oral update) handout distributed at the meeting.

7. PUBLIC COMMENTS

Chancellor recognized Dr. Craig Luke for 3-time Applause winner overall. 2000 promise applications. Working on innovative ways to fund students.

8. ADJOURN

Next Meeting: February 4, 2020
Update on CHC power outage.
Updates to follow from Black Faculty and Latino Faculty & Staff.
J. Gilbert adjourned the meeting at 3:52pm.

2019-2020 DA Committee
Meeting Attendance Roster

| First Name | Last Name | Term Ends (May) | Sept | Oct | Nov | Dec | Feb | Mar | Apr | May |
|------------|---------------------|--------------------|------|-----|-----|-----|-----|-----|-----|-----|
| Jeremiah | Gilbert (President) | 2020 | x | x | | x | | | | |
| Mark | McConnell (VP) | 2020 | x | x | x | x | | | | |
| Stacey | Nikac (Recorder) | 2020 | x | x | x | x | | | | |
| Bruce | Baron | 2020 | x | x | | x | | | | |
| Leen | Alkaddumi | 2020 | | | | | | | | |
| T.L. | Brink | 2020 | x | x | x | x | | | | |
| Sean | Brown | 2020 | | | | | | | | |
| Keynasia | Buffong | 2020 | | | | x | | | | |
| Jeff | Cervantez | 2020 | x | | x | | | | | |
| Stacey | Esparza | 2020 | | | | | | | | |
| Ginny | Evans-Perry | 2020 | x | x | | | | | | |
| Laurie | Green | 2022 | x | | x | | | | | |
| Kevin | Horan | 2020 | x | x | x | x | | | | |
| Celia | Huston | 2020 | | x | x | x | | | | |
| Rhiannon | Lares | 2020 | x | x | x | | | | | |
| Stephanie | Lewis | 2020 | x | | x | | | | | |
| Craig | Luke | 2022 | x | | | x | | | | |
| Brandi | Mello | 2020 | | | | | | | | |
| Gabby | Padilla | 2020 | | | | | | | | |
| Kevin | Palkki | 2020 | x | | x | x | | | | |
| Adrian | Rios | 2020 | | | | | | | | |
| Diana | Rodriguez | 2020 | | | | | | | | |
| Judy | Rodriguez | 2020 | x | | x | | | | | |
| Cyndie | St. Jean | 2020 | x | x | x | x | | | | |
| Bethany | Tasaka | 2020 | x | x | x | | | | | |
| Cassandra | Thomas | 2022 | | x | x | x | | | | |
| Jose | Torres | 2020 | x | x | x | x | | | | |
| Keith | Wurtz | 2022 | x | x | x | x | | | | |
| Ruby | Zuniga | 2020 | x | | | | | | | |



| | |
|----------------|-------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | Angel Rodriguez |
| Policy Area: | Chapter 3 General Institution |
| References: | Legally Advised |

AP 3900 Speech: Time, Place, Manner

(Replaces current SBCCD AP 5550)

~~The students and employees of the District and members of the public shall be permitted to exercise their rights of free expression subject to the time, place, and manner policies and procedures contained in Board Policy 3900 and these procedures.~~ The students and employees of the District and members of the public shall be permitted to exercise their rights of free expression subject to the time, place, and manner policies and procedures contained in Board Policy 3900 and these procedures.

~~Note: The following text offers the option of limiting expressive activities to certain areas of campus and is not legally required. If the District wishes to designate such areas, we encourage districts to consult with counsel for any recent development on the law governing the ability of California community colleges to do so.~~

Option 1:

~~The college(s) of the District [is/are] non-public forums, except for the following areas, which are reserved for expressive activities which do not violate District policy and which are lawful; [include a list of areas]. These areas are chosen so as to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but also so as not to disrupt educational and other activities of the District on behalf of students.~~ The colleges of the District are non-public forums, except for the following areas, which are reserved for expressive activities which do not violate District policy and which are lawful; those areas generally available to students and the community, defined as grassy areas, walkways, and other similar common areas. These areas are chosen so as to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but also so as not to disrupt educational and other activities of the District on behalf of students:

~~These areas are designated public forums. The District reserves the right to revoke that designation and apply a non-public forum designation.~~ These areas are designated public forums. The District reserves the right to revoke that designation and apply a non-public forum designation.

~~The District reserves the right to designate areas as non-public forums as necessary to prevent the substantial disruption of the orderly operation of the college. Areas of the college that are non-public forums specifically include campus offices, classrooms, warehouses, maintenance yards, or locker rooms, and any other area not specified above.~~ The District reserves the right to designate areas as non-public forums as necessary to prevent the substantial disruption of the orderly operation of the college. Areas of the college that are non-public forums specifically include campus offices, classrooms, warehouses,

maintenance yards, or locker rooms, and any other area not specified above.

Option 2:

~~Note: If the District does not wish to limit expressive activities by students and non-students to particular areas as described above, it can use the following language in place of the "list of areas" specified above: "those areas generally available to students and the community, defined as grassy areas, walkways, and other similar common areas." Given the developing nature of this area of the law, we recommend consulting local counsel on the choice of language.~~

~~Note: The language is legally advised. Districts should consult with local counsel to ensure the District complies with federal and state law regarding speech and expressive activities.~~

~~The use of these areas reserved and open for expressive activities is subject to the following:~~ The use of these areas reserved and open for expressive activities is subject to the following:

~~No person using the areas shall touch, strike or physically impede the progress of passersby, except for incidental or accidental contact or contact initiated by a passerby.~~ No person using the areas shall touch, strike or physically impede the progress of passersby, except for incidental or accidental contact or contact initiated by a passerby.

~~Persons using areas shall not use any means of amplification that creates a noise or diversion that disturbs the orderly conduct of the campus or classes taking place at that time.~~ Persons using areas shall not use any means of amplification that creates a noise or diversion that disturbs the orderly conduct of the campus or classes taking place at that time.

~~Persons using the areas reserved for expressive activities shall not disrupt the orderly operation of the college.~~ Persons using the areas reserved for expressive activities shall not disrupt the orderly operation of the college.

~~Note: The following is legally advised. Local practice may be inserted.~~

~~Non-student, community groups wishing to engage in speech or expressive activities on campus, in the areas designated as public forums, must check in with the District to [the CEO's designee] prior to engaging in the activities. This does not involve an advance approval process. No illegal activities will be permitted, no activities that violate District or campus rules, including rules and laws on illegal harassment and discrimination, and none that will substantially interfere with or disrupt activities already scheduled for that day and time in the designated areas, as described below. In the event the area sought to be used for expressive activities has already been reserved for another activity so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the District will offer alternative available areas or if none are available offer alternative dates. Students, outside organizations, and others are encouraged to make reservations in advance to use the areas for their expressive activities through the use of optional reservation forms.~~

~~Note: If the District opts to require advance notice for outside groups, it is advisable not to require notice more than three (3) business days in advance, so as to avoid challenge. It is also advisable to check with legal counsel concerning any current developments that affect advance notice requirements.~~

~~All persons using the areas that are designated public forums shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within~~

~~those areas. Those persons distributing printed material must, prior to their departure from the areas that day, make reasonable efforts to retrieve, remove or properly discard material that is discarded or dropped in or around the areas other than in an appropriate receptacle.~~

Posting

~~Bulletin boards shall be provided for use in posting materials at campus locations convenient for use by students, staff, and members of the public. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the [designated authority]. Materials displayed shall be removed after the passage of [insert number; at least ten] days.~~

- ~~From current SBCCD AP 5550 titled Speech: Time, Place, and Manner~~

I. ~~GENERAL PROVISIONS~~ GENERAL PROVISIONS

A. ~~Definitions:~~ Definitions:

1. President: Refers to chief administrative officer and the designees of the President.
2. Chancellor: Refers to the Chancellor of the District and the designees of the Chancellor
3. Day: Unless otherwise provided, a day shall mean any day on which the Campus administrative offices are open for business during normal working hours.
4. DPF: Designated Public Forum.
5. Reservations: Reservations to use the DPF Areas, as defined herein, are optional. Any person or group intending to use the DPF area may reserve the DPF Areas in accordance with Section II. ~~C.B.~~ 1-3 of this procedure.
6. Campus Communication: communications from the administration of any college or location; any official staff organization; and any official student group, including student government or student clubs. Any campus communication shall identify the entity or group responsible for it.

B. ~~Disclaimer and Defense~~ Disclaimer and Defense

The District disclaims any liability for any damages for any defamation alleged to be committed by any student or member of the public using District facilities, and further disclaims any liability for damages for any violation of copyright, trademark, or service mark laws alleged to be committed because of any posting or distribution of material on campus. Nothing in these rules permitting speech and/or distribution of materials on its college campuses and property, shall be construed as requiring the District to provide any defense or payment of damages for defamatory statements made by any student, faculty or staff member, or member of the public, nor shall these rules be construed as requiring the District to provide any defense or payment of damages for violations of copyright, trademark or service mark laws.

C. ~~Obscenity~~ Obscenity

For purposes of the board policy and this regulation, the term "obscene" shall be determined in accordance with the current legal standards.

D. ~~Consequences for Violation~~ Consequences for Violation

1. The right of members of the general public to utilize District facilities may be revoked if they

violate the provisions of board policy and administrative procedures while utilizing District facilities.

2. The disciplinary penalties and procedures set forth in the Student Code of Conduct are applicable to students for violations of the board policy and the procedure and are incorporated herein. (See Administrative Procedure 5500)

E. ~~Financial Responsibility~~ Financial Responsibility

All persons who use District property shall pay for:

- a. expenses incurred above the ordinary campus maintenance, and operating costs such as "supplies, utilities, janitorial services, services of any other District employees" necessitated by the organization's use of District facilities and property; and
- b. the direct costs of security incurred above ordinary security

II. ~~USE OF FACILITIES~~ USE OF FACILITIES

~~DPF Areas~~

1. ~~Crafton Hills College~~

~~The following exterior property at Crafton Hills College may be used for speech and advocacy to the extent permitted herein:~~

- ~~a. the grassy area in the northeast section of the Library (LR) quad and the adjacent north/south sidewalk~~
- ~~b. the east/west sidewalk and the grassy area immediately south of the Classroom Building (CL) and west of the Library (LR)~~
- ~~c. the east/west walkway between the Occupational Education 1 (OE1) building and the Chemistry and Health Science (CHS) building~~
- ~~d. additional areas may be designated by the President~~

2. ~~San Bernardino Valley College~~

~~The following exterior property at San Bernardino Valley College may be used for speech and advocacy to the extent permitted herein:~~

- ~~a. the posted area north of the Campus Center (CC) building. Activities (setup, tables, etc.) must stay within the designated area and a minimum of 25 feet from all doorways~~
- ~~b. the adjacent lawn area and walkways south of the Auditorium building. The area south of the Auditorium shall be referred to collectively as the "Auditorium Quad"~~
- ~~c. the posted sidewalk and lawn area south of the tennis courts. Activities (setup, tables, etc) must stay within the designated area and a minimum of 25 feet from all gates~~
- ~~d. the lawn area and walkway east of Health and Life Sciences (HLS) building bordered by the temporary staff lot~~
- ~~e. additional areas may be designated by the President~~

A. ~~Non-Blockage of Areas~~ Non Blockage of Areas

Tables and chairs may be placed within the DPF area provided that walkways and entrances are not

blocked.

B. ~~No Reservations Needed to Use DPF Areas~~ No Reservations Needed to Use DPF Areas

1. Any person or group desiring to use one of the areas may do so provided it is not in use.
2. Any person or group intending to use these areas shall notify the Office of Student Life at least one hour before use.
3. A user may be denied use of the area by the appropriate College office given any of the conditions below:
 - a. there is an existing user and no agreement has been reached as to sharing the areas
 - b. the area is undergoing general maintenance
 - c. the person or group has, on prior occasions, made intentional material misrepresentations regarding the nature or scope of an event or activity previously permitted, or has violated the terms of prior use
 - d. the person or group has on prior occasions damaged District property and has not paid in full for such damage
 - e. the use or activity would conflict with previously planned programs organized and conducted by the District and previously scheduled for the same time and place
 - f. the use or activity intended by the person or group would present a danger to the health or safety of the person or group, or other students, community members, faculty, or staff of the District
 - g. the use or activity is prohibited by law
4. Use of the designated area(s) will not be construed as the use of a "facility" or "service" of the District and/or College pursuant to the Civic Center Act policies and procedures. Therefore, a student or member of the community that wishes to speak and/or distribute written materials in the designated area does not have to apply for or receive a permit prior to using the designated area.

Students and members of the community who wish to reserve space in a College facility and/or use the services of a College department (such as food, equipment, janitorial, power, or audio/visual) must follow the procedures set forth in Board Policy 6700 and Administrative Procedure 6700 and the other applicable policies and procedures of the District regarding its use of facilities.

C. ~~Amplification~~ Amplification

The following requirements and restrictions are in place to respect the integrity of the educational process and prevent disruption of the learning environment and operations of the colleges. The following apply to amplification equipment/ systems:

1. Amplification is not permitted during finals week of each semester.
2. Levels of amplification:

~~San Bernardino Valley College~~ San Bernardino Valley College

No amplification

~~Crafton Hills College~~ Crafton Hills College

Not to exceed 60 decibels (as measured in any classroom or office)

Users of the areas must bring their own amplification system or unit. Crafton Hills College has no responsibility to supply or provide extension cords or amplifiers to those users supplying their own amplification.

III. ~~POSTING OF MATERIAL~~ POSTING OF MATERIAL

Material may be posted in and on the permitted locations. Please refer to campus posting policy. All postings, except campus communications relating to college events which have not concluded, will be removed periodically. Postings will also be removed if they:

1. Are obscene.
2. Create a clear and present danger of the commission of unlawful acts on District property, or of violence, or the substantial disruption of the orderly operation of the District.

IV. ~~DISTRIBUTION OF HANDBILLS, CIRCULARS, OR ADVERTISEMENTS~~ DISTRIBUTION OF HANDBILLS, CIRCULARS, OR ADVERTISEMENTS

- A. Handbills, circulars, or advertisements may only be distributed in the DPF areas.
- B. Distributors are required to remove material immediately following the use of the DPF area. The failure to remove litter may result in a charge to the distributor for costs incurred in litter removal and/or denial of future use of the areas.

V. ~~OBSCENE, DEFAMATORY, OR INCITEFUL MATERIALS~~ OBSCENE, DEFAMATORY, OR INCITEFUL MATERIALS

Nothing in this section shall be deemed to permit the distribution of material that is obscene, defamatory, or incites students as to create a clear and present danger of the commission of unlawful acts on community college premises, or the violation of lawful community college regulations or the substantial disruption of the orderly operation of the community college.

VI. ~~ADVERTISEMENT OF UNLAWFUL SUBSTANCES~~ ADVERTISEMENT OF UNLAWFUL SUBSTANCES

All advertisements which advertise illegal substances as identified by the laws of the United States and/or the State of California are prohibited. The following are prohibited:

- A. Illegal substances as identified by the Federal Government, and/or by the State of California.
- B. Explosive material of any kind.

References:

References:

Education Code Sections 76120 and 66301

Attachments:

AP 3900 Speech: Time, Place, Manner - Comments

AP 3900 Speech: Time, Place, Manner - Legal Citations

AP3900-OLD.pdf

Legal Update 33 Overview Rev. 10-25-18.docx



| | |
|----------------|-------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | Angel Rodriguez |
| Policy Area: | Chapter 3 General Institution |
| References: | Legally Required |

BP 3900 Speech: Time, Place, and Manner

(Replaces current SBCCD BP 5550)

• ~~From current SBCCD BP 5550 titled Speech: Time, Place, and Manner~~

~~Students, employees, and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.~~ Students, employees, and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.

The colleges of the District are non-public forums, except for those areas designated ~~public forums available for the exercise of expression by students, employees, and members of the public as Free Speech Areas, which are limited public forums~~ public forums available for the exercise of expression by students, employees, and members of the public as Free Speech Areas, which are limited public forums. The Chancellor shall enact such administrative ~~procedures regulations~~ procedures regulations as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the ~~designated public forums limited public forums~~ designated public forums limited public forums.

The administrative procedures promulgated by the Chancellor shall not prohibit the right of ~~students any person~~ students any person to exercise free expression, including but not limited to the ~~use of bulletin boards, use of bulletin boards~~ use of bulletin boards, distribution of printed materials or petitions ~~in those parts of the college designated as Free Speech areas~~ in those parts of the college designated as Free Speech areas, and the wearing of buttons, badges, or other insignia.

~~Students, District employees and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.~~ Students, District employees and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.

Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on ~~District~~ District property or the violation of ~~District~~ District policies or procedures, or the substantial disruption of the orderly operation of the District.

Nothing in this policy shall prohibit the regulation of hate violence ~~directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301(e))~~ directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301(e)), so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, intimidation, or ~~hate violence intimidation~~ hate violence intimidation unless such speech is constitutionally protected.



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|----------------|-----------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | Academic Senates Academic Senates |
| Policy Area: | Chapter 4 Academic Affairs |
| References: | Legally Required |

AP 4320 Off-Campus Speakers

(Replaces current SBCCD AP 4320)

~~• From current SBCCD AP 4320 titled Off-Campus Speakers~~

~~A. Invitation to Speak~~

~~Individuals from off campus may be invited to speak on campus by a member of the faculty, faculty organizations, a department or division, the administration, or by a recognized student group that has a charter filed with the student activities office.~~

~~B. Disclaimer~~

~~At the time of the speech, the host must announce that the speaker's views are his/her own and do not reflect the views of the college.~~

~~C. Classroom Speakers~~

~~Speakers invited to individual classes as part of routine classroom instruction shall be exempted from the requirements listed here, except that the Vice President of Instruction must be notified in advance in writing to visiting classroom speakers.~~

~~D. Notification~~

~~The college president shall be notified at least two weeks prior to the date of the event.~~

~~E. Scheduling~~

~~The host is responsible for all special arrangements to include room reservations and any special equipment necessary for the presentation.~~

~~F. Publicity~~

~~The host is responsible for all publicity. Announcements, brochures, etc., must be cleared through the Public Information Office.~~

~~G. Fees~~

~~Any fee and/or other costs of the event shall be the responsibility of the host.~~

~~H. Objections:~~

- ~~1. In the event that a member of the academic community or the community at large deems the appearance of a particular speaker inappropriate, he/she may lodge a written objection with the college president no later than three school days before the scheduled appearance.~~
- ~~2. The president shall convene the appropriate college committee to determine the validity of the complaint.~~

Invitation to Speak

Individuals from off campus may be invited to speak on campus by a member of the faculty, faculty organizations, a department or division, the administration, or by a recognized student group that has a charter filed with the student activities office.

Disclaimer

At the time of the speech, the host must announce that the speaker's views are his/her own and do not reflect the views of the college.

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The president shall convene the appropriate college committee to determine the validity of the complaint.

Reference:

No specific references

Attachments:

AP 4320 Off-Campus Speakers - Comments
AP 4320 Off-Campus Speakers - Legal
Citations



Origination: N/A
 Last Approved: N/A
 Last Revised: N/A
 Next Review: N/A
 Owner: *Academic Senates Academic Senates*
 Policy Area: *Chapter 4 Academic Affairs*
 References: *Legally Required*

BP 4320 Off-Campus Speakers

(Replaces current SBCCD BP 4320)

- ~~From current SBCCD BP 4320 titled Off-Campus Speakers~~

Individuals from off campus may be invited to speak on campus by a member of the faculty, faculty organizations, a department or division, the administration, or by a recognized student group that has a charter filed with the student activities office, subject to administrative guidelines established by the Chancellor.

Reference:

~~No specific references~~ [No specific references](#)

Attachments:

[BP 4320 Off-Campus Speakers - Comments](#)
[BP 4320 Off-Campus Speakers - Legal Citations](#)
[BP4320 -OLD.pdf](#)



| | |
|----------------|-----------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | Academic Senates Academic Senates |
| Policy Area: | Chapter 4 Academic Affairs |
| References: | Good Practice/Optional |

AP 4400 Community Services Programs

(Replaces current SBCCD AP 4400)

~~**NOTE:** This procedure is optional, but is legally advised if the District maintains community services offerings. Local practice may be inserted, but they must comply with the following:~~

~~**Offerings are established and maintained in civic, vocational, literacy, health, homemaking, technical and general education, including, but not limited to, classes in the fields of music, drama, art, handicraft, science, literature, nature study, nature contacting, aquatic sports and athletics.**~~ Offerings are established and maintained in civic, vocational, literacy, health, homemaking, technical and general education, including, but not limited to, classes in the fields of music, drama, art, handicraft, science, literature, nature study, nature contacting, aquatic sports and athletics.

~~**Offerings are designed to provide instruction and to contribute to the physical, mental, moral, economic, or civic development of the individuals or groups enrolled in them.**~~ Offerings are designed to provide instruction and to contribute to the physical, mental, moral, economic, or civic development of the individuals or groups enrolled in them.

~~**Offerings are open for the admission of adults and of those minors as in the judgment of the governing board may profit.**~~ Offerings are open for the admission of adults and of those minors as in the judgment of the governing board may profit.

~~**General fund moneys are not expended to establish and maintain community service offerings.**~~ General fund moneys are not expended to establish and maintain community service offerings.

~~**Students enrolled in community service offerings may be charged a fee not to exceed the cost of maintaining community service classes, or classes may be provided for remuneration by contract, or with contributions or donations of individuals or groups.**~~ Students enrolled in community service offerings may be charged a fee not to exceed the cost of maintaining community service classes, or classes may be provided for remuneration by contract, or with contributions or donations of individuals or groups.

- ~~**From current SBCCD AP 4400 titled Community Services**~~

Terms and Conditions Governing Community Services Programs

1. Programs shall be ~~non~~not-for-credit.
2. Programs shall be provided on a self-supporting basis.
3. An advisory committee shall be used for planning and recommending programs.
4. Programs shall not duplicate or otherwise negatively affect the credit instructional program, except with

approval of the college curriculum committee and college president.

~~Each college shall propose its own offerings to assure that the needs of the respective communities are met.~~

5. Each college shall propose its own offerings to assure that the needs of the respective communities are met.
6. Programs shall have access to college facilities and use of equipment, except that such access and use shall not be in conflict with or detrimental to credit instructional programs.
7. Facilitators are independent contractors and shall sign an agreement delineating all aspects of the activity prior to the commencement of the activity. The Board ~~of Trustees~~of Trustees shall set rates of compensation for facilitators and shall approve all programs/activities prior to the commencement of such program/activity.
8. Income and expenditures related to Community Services programs, as well as the number and type of programs offered and the student enrollment therein, shall be reported annually to the Board.

References:

References:

~~Education Code Section 78300;~~

~~Title 5 Sections 55002 and 55160(b)~~Education Code Section 78300; Title 5 Sections 55002 and 55160(b)

Attachments:

AP 4400 Community Service Programs -
Comments

AP 4400 Community Service Programs - Legal
Citations

AP4400 -OLD.pdf



| | |
|----------------|-----------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | Academic Senates Academic Senates |
| Policy Area: | Chapter 4 Academic Affairs |
| References: | Legally Required |

BP 4400 Community Services Programs

(Replaces current SBCCD BP 4400)

~~NOTE: The language in current SBCCD BP 4400 reflects the information.~~

• ~~From current SBCCD BP 4400 titled Community Services Programs~~

The District shall maintain community services programs defined as those activities provided to meet the needs and interests of the community not met by the college credit program.

The community services program shall be designed to contribute to the physical, mental, personal, economic or civic development of the individuals or groups enrolled in it. The Education Code defines community services classes in civic, vocational, literacy, health, homemaking, technical and general education, including but not limited to classes in the fields of music, drama, art, handicraft, science, literature, nature study, nature contacting, aquatic sports and athletics.

Community services courses shall be open for admission of adults and of minors who can benefit from the programs.

No General Fund monies may be expended to establish or maintain community services courses. Students involved in community services courses shall be charged a fee not to exceed the cost of maintaining the courses. Courses may also be offered for remuneration by contract or with contributions or donations of individuals or groups.

The Chancellor shall provide additional administrative procedures for the community services program.

Reference:

Reference:

Education Code Section 78300

Attachments:

- [BP 4400 Community Services Programs - Comments](#)
- [BP 4400 Community Services Programs - Legal Citations](#)
- [BP4400 -OLD.pdf](#)



| | |
|----------------|-----------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | Academic Senates Academic Senates |
| Policy Area: | Chapter 4 Academic Affairs |
| References: | Legally Advised |

AP 4500 Student News Media

(Replaces current SBCCD AP 4310)

NOTE: ~~The following procedure applies if the college has student news media programs. These procedures are legally advised. The District should adapt the language to accurately describe its programs.~~

Philosophy

Philosophy

~~College news media are any news/feature publications issued under the name of the college, funded by the District, and produced by students as an integral part of instruction in [College news media are any news/feature publications issued under the name of the college, funded by the District, and produced by students as an integral part of instruction in [insert name of relevant discipline or program]insert name of relevant discipline or program]. It may include, but is not limited to, student newspaper reporting, broadcast news journalism and internet news journalism. The term "editorial" refers to all content other than advertising.].~~ It may include, but is not limited to, student newspaper reporting, broadcast news journalism and internet news journalism. The term "editorial" refers to all content other than advertising.

~~College news media, as laboratory publications of the [College news media, as laboratory publications of the [insert name of relevant discipline or program]insert name of relevant discipline or program] curriculum, shall provide vehicles to train students for careers in mass communication. College news media shall also serve the entire college community by reporting the news, including college events and activities, providing a forum for comment and criticism, and encouraging free expression as guaranteed in the First Amendment to the Constitution of the United States.]~~ curriculum, shall provide vehicles to train students for careers in mass communication. College news media shall also serve the entire college community by reporting the news, including college events and activities, providing a forum for comment and criticism, and encouraging free expression as guaranteed in the First Amendment to the Constitution of the United States.

~~College news media are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion. College news media shall exercise editorial freedom in order to maintain their integrity as vehicles for free inquiry and free expression in the college community. At the same time, the editorial freedom of the college news media shall entail corollary responsibilities.~~ College news media are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion. College news media shall exercise editorial freedom in order to maintain their integrity as vehicles for free inquiry and free expression in the college community. At the same time, the editorial freedom of the college

news media shall entail corollary responsibilities.

~~Each college newspaper or other news medium is published as a learning experience, offered under the [insert name of relevant discipline or program]. The editorial and advertising materials published in each news medium, including any opinions expressed, are the responsibility of the student staff. An editorial board should be formed for the news media involved. Under appropriate state and federal court decisions, these materials are free from prior restraint by virtue of the First Amendment to the United States Constitution. These procedures are adopted so as to encourage a responsible exercise of such freedom.~~
Each college newspaper or other news medium is published as a learning experience, offered under the [insert name of relevant discipline or program]. The editorial and advertising materials published in each news medium, including any opinions expressed, are the responsibility of the student staff. An editorial board should be formed for the news media involved. Under appropriate state and federal court decisions, these materials are free from prior restraint by virtue of the First Amendment to the United States Constitution. These procedures are adopted so as to encourage a responsible exercise of such freedom.

• ~~From current SBCCD AP 4310 titled College Newspaper~~

~~A. Publication~~

~~The newspaper shall endeavor to publish timely editorials, opinion columns, and letters to the editor concerning events and issues of interest to its readers in keeping with recognized principles of editorial and academic freedom and responsibility.~~

~~B. Protest~~

~~In the event that any member or segment of the college community—employee, or student—believes that the newspaper breaches commonly accepted journalistic standards of fairness, good taste, or judgment in administrative or editorial policy, and when less formal means do not provide a satisfactory solution, the established grievance procedures for students and staff may be called upon to provide redress or correction.~~

~~C. Committee Hearing~~

~~If a dispute cannot be resolved within a reasonable time in order to meet a publication deadline, an ad hoc committee consisting of one member of the Academic Senate (appointed by the President of the Senate), one member of the Associated Students (appointed by the President of the Associated Students), and one member of the college management group (appointed by the college president) shall be convened to adjudicate.~~

~~D. Formation of Committee~~

~~A request for formation of the above ad hoc committee shall be made through the English Department Head.~~

~~**NOTE:** Colleges are legally advised to establish grievance procedures that provide an avenue for complaints about news media content. They should include or address:~~

~~Journalism Grievance Procedures~~

Publication

The newspaper shall endeavor to publish timely editorials, opinion columns, and letters to the editor

concerning events and issues of interest to its readers in keeping with recognized principles of editorial and academic freedom and responsibility.

Protest

In the event that any member or segment of the college community--employee, or student--believes that the newspaper breaches commonly accepted journalistic standards of fairness, good taste, or judgment in administrative or editorial policy, and when less formal means do not provide a satisfactory solution, the established grievance procedures for students and staff may be called upon to provide redress or correction.

Committee Hearing

If a dispute cannot be resolved within a reasonable time in order to meet a publication deadline, an ad hoc committee consisting of one member of the Academic Senate (appointed by the President of the Senate), one member of the Associated Students (appointed by the President of the Associated Students), and one member of the college management group (appointed by the college president) shall be convened to adjudicate.

Formation of Committee

A request for formation of the above ad hoc committee shall be made through the English Department Head.

Journalism Grievance Procedures

~~Definition of a Grievance – A grievance is a complaint that alleges facts which, if true, would demonstrate a violation of the grievant's right to free inquiry, free speech, or fair treatment; contains allegations that appear to be substantially credible; and is not frivolous.~~
Definition of a Grievance – A grievance is a complaint that alleges facts which, if true, would demonstrate a violation of the grievant's right to free inquiry, free speech, or fair treatment; contains allegations that appear to be substantially credible; and is not frivolous.

~~Informal Grievance Proceedings – Describe a procedure that includes a written complaint to those with direct responsibility for the program and their responsibilities to respond in a timely manner.~~
Informal Grievance Proceedings – Describe a procedure that includes a written complaint to those with direct responsibility for the program and their responsibilities to respond in a timely manner.

~~Formal Grievance Proceedings – More formal grievance procedures may include a grievance hearing committee and appeal to the Chancellor or designee in a timely fashion. The procedures should include how grievance hearings should be conducted, access to and maintenance of related records, and the responsibility of the authorities to respond to the grievance in a timely fashion.~~
Formal Grievance Proceedings – More formal grievance procedures may include a grievance hearing committee and appeal to the Chancellor or designee in a timely fashion. The procedures should include how grievance hearings should be conducted, access to and maintenance of related records, and the responsibility of the authorities to respond to the grievance in a timely fashion.

Reference:

Reference:

~~No specific references~~No specific references

Attachments:

AP 4500 Student News Media - Comments
AP 4500 Student News Media - Legal Citations
AP4500-OLD.pdf



Origination: N/A
 Last Approved: N/A
 Last Revised: N/A
 Next Review: N/A
 Owner: *Academic Senates Academic Senates*
 Policy Area: *Chapter 4 Academic Affairs*
 References: *Legally Required*

BP 4500 Student News Media

(Replaces current SBCCD BP 4310)

- ~~From current SBCCD BP 4310 titled College Newspaper~~

The primary function of the college newspaper shall be to serve as a teaching platform for Journalism courses dealing in all aspects of newspaper publication. The newspaper shall strive to inform its readers of significant campus activities, events, and issues and also report and comment on off-campus news relevant to its readership.

The Chancellor is responsible for establishing administrative regulations to handle any protests about the college newspapers.

Reference:

Reference:

No specific references

Attachments:

[BP 4500 Student News Media - Comments](#)
[BP 4500 Student News Media - Legal Citations](#)
[BP4500- OLD.pdf](#)



| | |
|----------------|-----------------------------------|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>Policy Stat</i> |
| Policy Area: | <i>Chapter 5 Student Services</i> |
| References: | <i>Good Practice/Optional</i> |

AP 5203 Lactation Accommodation

The District shall provide reasonable accommodations on its respective campuses for a lactating student to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding whenever a student is required to be present on campus. Reasonable accommodations include, but are not limited to, all of the following:

- A. Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child. The room shall have a comfortable place to sit and have a table or shelf to place equipment described in paragraph (3).
- B. Permission to bring onto a college or university campus a breast pump and any other equipment used to express breast milk.
- C. Access to a power source for a breast pump or any other equipment used to express breast milk.

Lactating students shall be provided a reasonable amount of time to accommodate their need to express breast milk or breast-feed an infant child.

Students shall not incur an academic penalty as a result of their use of the reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use.

Reference:

Education Code Section 66271.9

Attachments:



| | |
|----------------|--|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | Business & Fiscal Services Business & Fiscal Services |
| Policy Area: | Chapter 6 General Institution |
| References: | Legally Required |

AP 6540 Insurance

~~NOTE:~~ ~~An administrative procedure on insurance is legally required. Local practice may be inserted, but must provide for the forms of insurance listed below. The requirement to provide for insurance coverage may be met by the District joining in a joint powers agreement pursuant to Education Code Section 81603. If it does so, the regulations required by the JPA would be adopted.~~

- ~~• Liability insurance for damages for death, injury to person, or damage or loss of property~~
- ~~• Liability insurance for the personal liability of the members of the Board and of the officers and employees of the District for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer, or employee when acting within the scope of his/her office or employment.~~
- ~~• Fire insurance~~
- ~~• Real property damage~~
- ~~• Personal property loss or damage~~
- ~~• Insurance for District vehicles~~
- ~~• Insurance against "other perils" (Education Code Section 81601)~~
- ~~• Workers compensation insurance~~
- ~~• Actuarial evaluation of the future annual costs of health and welfare benefits~~

~~NOTE:~~ ~~Education Code Section 81602 specifically authorizes the District to contract for investigative, administrative and claims adjustment services. The contract may provide that the contracting firm may reject, settle, compromise and approve claims within limits and for amounts specified by the Board, including execution and issuing of checks in payment of such claims. The contract may also provide that the contracting firm may employ counsel.~~

~~Sample 1 from another district:~~

~~The District will minimize the District's liability for Workers' Compensation claims by restricting authorization of the attendance of employees at special activities and/or professional conferences when they are off duty or otherwise not in a paid status.~~

- ~~• Employees who attend special activities and/or professional conferences at the request and expense of the District, while not in a paid status, will be covered by Workers' Compensation insurance.~~
- ~~• Employees not in paid status, who attend special activities and/or professional conferences at the request of the District but at their own expense, will be covered by Workers' Compensation insurance.~~
- ~~• Employees who attend special activities and/or professional conferences at their own expense, not at the request of the District and while not in paid status, will not be covered by Workers' Compensation~~

~~insurance.~~

- ~~• Employees who attend special activities and/or professional conferences at District expense will be covered by Workers' Compensation insurance only for the portion of the trip involving the professional activity, and not for any portion involving personal travel or activities.~~

~~Sample 2 from another district:~~

Pursuant to Education Code Section 81603, the District shall be a member of one or more Joint Partnership Agreements (JPA) for the purpose of providing the following coverage:

- Liability insurance protecting the District, its employees, Board of Trustee members, Foundation Board directors, and Citizens' Bond Oversight Committee members, against liability for negligence while acting within the scope of their duties.
- Property insurance protecting the District's Real Property, and Personal Property except automobiles, against loss suffered from fire, power failure, vandalism, and other sources, excepting damage caused by "acts of God" such as earthquake, flood, wear and tear, and similar causes as defined by the JPA.
- District vehicle insurance shall be provided under a General Comprehensive Liability Policy, with additional coverage as available through the JPA.
- Workers' Compensation Insurance meeting all requirements of the State of California, for all district employees.

Student health insurance shall be available to cover student injuries incurred in the course of participation in district-sponsored activities including athletics.

Independent contractors must obtain their own insurance coverage; no insurance of any kind will be provided to independent contractors by the District.

~~Sample 3 from another district:~~

~~NOTE: The District belongs to the Joint Powers Authority (JPA) pursuant to Education Code Section 81603 for Property and Liability coverage and PIPS for Workers' Compensation coverage. Regulations required by the JPA have been adopted.~~

~~The District shall maintain insurance including but not limited to the following:~~

- ~~• Liability insurance for damages for death, injury to person, or damage or loss of property,~~
- ~~• Liability insurance for the personal liability of the members of the Board and of the officers and employees of the District for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer, or employee when acting within the scope of his/her office or employment.~~
- ~~• Fire insurance~~
- ~~• Real property damage~~
- ~~• Personal property loss or damage~~
- ~~• Insurance for District vehicles~~
- ~~• Insurance against "other perils" [Education Code Section 816014~~
- ~~• Workers compensation insurance~~
- ~~• Actuarial evaluation of the future annual costs of health and welfare benefits~~

~~The requirement to provide for insurance coverage has been met by the District joining in a joint powers agreement.~~



| | |
|----------------|--|
| Origination: | N/A |
| Last Approved: | N/A |
| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | <i>Business & Fiscal Services</i> <i>Business & Fiscal Services</i> |
| Policy Area: | <i>Chapter 6 General Institution</i> |
| References: | <i>Legally Required</i> |

BP 6540 Insurance

(Replaces current SBCCD BP 6540)

~~**NOTE:** The language in current SBCCD BP 6540 parallels the language recommended by the Policy and Procedure Service.~~

• ~~**From current SBCCD BP 6540 titled Insurance**~~

The Chancellor shall be responsible to secure insurance for the District as required by law, which shall include but is not limited to the liabilities described in Education Code Section 72506 as follows:

- Liability for damages for death, injury to persons, or damage or loss of property;
- Personal liability of the members of the Board ~~of Trustees~~ **of Trustees** and the officers and employees of the District for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer, or employee when acting within the scope of his/ or her office or employment. The Chancellor may authorize coverage for persons who perform volunteer services for the District.
- Worker's compensation insurance.

Insurance also shall include fire insurance and insurance against other perils.

The District may join in a joint powers agreement pursuant to Education Code Section 81603 for the purposes described in this policy.

References:

Education Code Sections 70902, 72502, 72506, ~~and~~ **and** 81601, et seq.

Attachments:

- [BP 6540 Insurance - Comments](#)
- [BP 6540 Insurance - Legal Citations](#)
- [BP6540-OLD.pdf](#)



Origination: 01/1990
 Last Approved: N/A
 Last Revised: 11/2019
 Next Review: 10 years after approval
 Owner: Human Resources Human Resources
 Policy Area: Chapter 7 Human Resources
 References: Good Practice/Optional

AP 7210 Academic Employees

(Replaces current SBCCD AP 7210 and from current AP 7240 titled Academic Employees, Non-Management AP 7210)

- ~~From current SBCCD AP 7240 titled Academic Employees, Non-Management~~

~~HIRING OF FULL-TIME FACULTY~~ HIRING OF FULL-TIME FACULTY

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

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

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

~~HIRING QUALIFICATIONS~~ HIRING QUALIFICATIONS

~~Minimum Qualifications~~ Minimum Qualifications

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

- ~~1. Demonstrated sensitivity to, understanding of and respect for the diverse academic, socioeconomic, cultural, religious, sexual orientation, disability, and ethnic backgrounds of community college students.~~ Demonstrated sensitivity to, understanding of and respect for the diverse academic, socioeconomic, cultural, religious, sexual orientation, disability, and ethnic backgrounds of community college students.
- ~~2. The Minimum Qualifications adopted by the Board of Governors for California Community Colleges or possession of a valid and appropriate California Community College Credential as provided in Education Code 87355.~~ The Minimum Qualifications adopted by the Board of Governors for California Community Colleges or possession of a valid and appropriate California Community College Credential as provided in Education Code 87355.
- ~~3. All applicants will be provided the opportunity to have equivalent qualifications reviewed and considered for meeting minimum qualifications.~~ All applicants will be provided the opportunity to have equivalent qualifications reviewed and considered for meeting minimum qualifications.

~~Application Procedure~~ Application Procedure

- ~~1. The Human Resources Office will determine which applicants meet minimum qualifications as set forth in the job announcement based on information provided on the official application for employment and verified by copies of transcripts provided by the applicant. Applicants not having minimum qualifications but requesting consideration of equivalent qualifications will be separated from those determined to meet minimum qualifications. If there is any discrepancy between the established minimum qualifications and the qualifications presented by an applicant as meeting minimum qualifications, that applicant's file will be grouped with the applications requesting consideration of equivalent qualifications. Applicant groups for equivalency review will have their qualifications evaluated by the Equivalency Committee, in accordance with the Equivalency Policy and Procedures.~~ The Human Resources Office will determine which applicants meet minimum qualifications as set forth in the job announcement based on information provided on the official application for employment and verified by copies of transcripts provided by the applicant. Human Resources may review applicant minimum qualifications when initiated by the area manager/Dean. Applicants not having minimum qualifications but requesting consideration of equivalent qualifications will be separated from those determined to meet minimum qualifications. If there is any discrepancy between the established minimum qualifications and the qualifications presented by an applicant as meeting minimum qualifications, that applicant's file will be grouped with the applications requesting consideration of equivalent qualifications. Applicant groups for equivalency review will have their qualifications evaluated by the Equivalency Committee, in accordance with the Equivalency Policy and Procedures.
- ~~2. The files of all applicants who meet minimum qualifications or who have had equivalent qualifications determined by the Equivalency Committee will be reviewed by the selection committee. The selection~~

~~committee will not review the file of any applicant who does not meet minimum qualifications or who has not been determined as possessing equivalent qualifications by the Equivalency Committee. Should the selection committee have any concern about the pool or process, the selection committee chair may confer with the Vice Chancellor of Human Resources & Employee Relations regarding these concerns.~~ The files of all applicants who meet minimum qualifications or who have had equivalent qualifications determined by the Equivalency Committee will be reviewed by the screening committee. The screening committee will not review the file of any applicant who does not meet minimum qualifications or who has not been determined as possessing equivalent qualifications by the Equivalency Committee. Should the screening committee have any concern about the pool or process, the screening committee chair may confer with the Vice Chancellor of Human Resources & Employee Relations regarding these concerns.

~~For disciplines for which the master's degree is not generally expected or available (as designated in Minimum Qualifications for Faculty & Administrators in California Community Colleges, adopted by the Board of Governors), a "year of professional experience" shall be considered the period of time which the District accepts as a regular work year on a full-time basis. One year of professional experience must have been completed within the three years prior to the closing date for applications for the position. The minimum qualifications listed on the job announcement should identify the specific types of professional experience required for the position.~~

~~For disciplines for which the master's degree is not generally expected or available (as designated in Minimum Qualifications for Faculty & Administrators in California Community Colleges, adopted by the Board of Governors), the appropriate, valid certification or license to practice shall be stipulated based on the instructional responsibilities of the position. If no certificate or license is appropriate to the position, no certificate or license will be listed as a minimum qualification.~~

~~Desirable Qualifications:~~ Desirable Qualifications:

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

~~Establishing Minimum and Desirable Qualifications (See AP 7211 titled Faculty Service Areas, Minimum Qualifications, and Equivalencies)~~ Establishing Minimum and Desirable Qualifications (See AP 7211 titled Faculty Service Areas, Minimum Qualifications, and Equivalencies)

- ~~1. The minimum and desirable qualifications will be identified by discipline faculty in consultation with the Division/Department Dean or other appropriate administrator and included in an initial draft. When no full-time faculty member currently teaches the discipline, at least two full-time faculty in a reasonably related discipline will draft the desirable qualifications in consultation with the Division/Department Dean or appropriate administrator.~~ The minimum and desirable qualifications will be identified by discipline faculty in consultation with the Division/Department Dean or other appropriate administrator and included in an initial draft. When no full-time faculty member currently teaches the discipline, at least two full-time faculty in a reasonably related discipline will draft the desirable qualifications in consultation with the Division/

Department Dean or appropriate administrator.

- ~~The Vice Chancellor of Human Resources and Employee Relations or her/his designee will monitor the minimum and desirable qualifications for adverse impact on groups that have been historically under-represented. If the Vice Chancellor of Human Resources and Employee Relations or designee believes the qualifications appear to be too restrictive, he/she will meet with the discipline faculty and the Division/ Department Dean or appropriate administrator to review the qualifications. If discriminatory intent or effect is identified, the Vice Chancellor of Human Resources and Employee Relations shall confer with the appropriate Vice President and the Academic Senate President to determine necessary remedies.~~
The Vice Chancellor of Human Resources and Employee Relations or her/his designee will monitor the minimum and desirable qualifications for adverse impact on groups that have been historically under-represented. If the Vice Chancellor of Human Resources and Employee Relations or designee believes the qualifications appear to be too restrictive, he/she will meet with the discipline faculty and the Division/ Department Dean or appropriate administrator to review the qualifications. If discriminatory intent or effect is identified, the Vice Chancellor of Human Resources and Employee Relations shall confer with the appropriate Vice President and the Academic Senate President to determine necessary remedies.

~~PROCEDURES~~ PROCEDURES

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

~~Establishing the Position~~ Establishing the Position

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

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

~~Position Announcement~~ Position Announcement

- ~~The Announcement of a Position will be drafted by the faculty of the discipline and the Division/ Department Dean or appropriate administrator who established the minimum and desirable qualifications for the position (See "Establishing Minimum and Desirable Qualifications") in consultation with the Vice Chancellor of Human Resources and Employee Relations or designee and the appropriate Vice President.~~

~~Job announcements shall clearly state job specifications setting forth the minimum and desired qualifications for the position. Job announcements including any "desired" qualifications beyond the~~

~~minimums shall be reviewed by Human Resources before the position is announced to ensure conformity with the guidelines of the Board of Governors for the California Community Colleges, the requirements of Title 5 and State and Federal non-discrimination laws.~~ The Announcement of a Position will be drafted by the faculty of the discipline and the Division/Department Dean or appropriate administrator who established the minimum and desirable qualifications for the position (See "Establishing Minimum and Desirable Qualifications") in consultation with the Vice Chancellor of Human Resources and Employee Relations or designee and the appropriate Vice President.

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

2. ~~Position announcements will include the following sections:~~ Position announcements will include the following sections:

~~Position Title~~ Position Title

~~Application Deadline~~

~~Introduction: A brief description of the position and the relationship of the position to college offerings and activities.~~

~~Minimum Qualifications:—A statement including the established minimum qualifications, the appropriate valid credential(s), the provision for equivalencies, and reference to "demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, ethnic background of community college students." (See Minimum Qualifications for Faculty and Administrators in California Community Colleges.)~~

~~Desirable Qualifications: Those job related qualifications that are desirable but not essential to perform the job.~~

~~Duties of the Position: A list of typical duties including the following:~~ Application Deadline

Introduction: A brief description of the position and the relationship of the position to college offerings and activities.

Minimum Qualifications:—A statement including the established minimum qualifications, the appropriate valid credential(s), the provision for equivalencies, and reference to "demonstrated sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, ethnic background of community college students." (See Minimum Qualifications for Faculty and Administrators in California Community Colleges.)

Desirable Qualifications: Those job related qualifications that are desirable but not essential to perform the job.

Duties of the Position: A list of typical duties including the following:

- ~~A brief description of the primary responsibilities (e.g. Faculty will teach to the outline of record for the specific assignment and maintain a current syllabus).~~ A brief description of the primary responsibilities (e.g. Faculty will teach to the outline of record for the specific assignment and maintain a current syllabus).
- ~~A description of any co-curricular responsibilities (e.g. coaching, directing).~~ A description of any co-curricular responsibilities (e.g. coaching, directing).
- ~~Reference to scheduling considerations (e.g. assignment to evening duties).~~ Reference to scheduling considerations (e.g. assignment to evening duties).
- ~~Leadership responsibilities related to the academic and/or co-curricular assignment (e.g. advisory committee, standing committees, curriculum development).~~ Leadership responsibilities related to the academic and/or co-curricular assignment (e.g. advisory committee, standing committees, curriculum development).
- ~~A description of institutional service responsibilities (e.g. five hours of institutional service, five office hours).~~ A description of institutional service responsibilities (e.g. five hours of institutional service, five office hours).
- ~~A description of any other duties unique to the position.~~ A description of any other duties unique to the position.
- ~~Closing date and address for submission of application materials.~~ Closing date and address for submission of application materials.

~~**Salary and Benefits:** A statement of the salary range and a brief narrative description of fringe benefits in effect at the time of the announcement.~~

~~**Application Process:** Instructions regarding the completion of the application process and a statement that incomplete applications will not be considered by the selection committee.~~

~~The application process will include the following:~~ **Salary and Benefits:** A statement of the salary range and a brief narrative description of fringe benefits in effect at the time of the announcement.

Application Process: Instructions regarding the completion of the application process and a statement that incomplete applications will not be considered by the screening committee.

The application process will include the following:

- ~~An official district application form including a separate form for requests for equivalency along with a brief narrative description of the equivalency criteria appropriate to the minimum qualifications for the position Applicants will be instructed to provide a narrative description of their equivalent experience along with transcripts and other documentation to support their request for equivalency.~~ An official district application form including a separate form for requests for equivalency along with a brief narrative description of the equivalency criteria appropriate to the minimum qualifications for the position Applicants will be instructed to provide a narrative description of their equivalent experience along with transcripts and other documentation to support their request for equivalency.
- ~~A Letter of Application (A cover letter indicating explicitly how each of the minimum qualifications are met.)~~ A Letter of Application (A cover letter indicating explicitly how each of the minimum qualifications are met.)

- ~~Official or unofficial transcripts for all college course work, including those generated from the Internet, to establish an applicant's file (An official transcript will be required before any offer of employment for the applied-for position).~~ Official or unofficial transcripts for all college course work, including those generated from the Internet, to establish an applicant's file (An official transcript will be required before any offer of employment for the applied-for position).
- ~~A curriculum vitae or resume.~~ A curriculum vitae or resume.
- ~~When appropriate, verification of credentials (community college instructor credential, vocational credential, and/or license).~~ When appropriate, verification of credentials (community college instructor credential, vocational credential, and/or license).
- ~~When appropriate, verification of "professional experience" as articulated in the minimum and desirable qualifications.~~

~~When appropriate, additional support materials may be requested. Such materials may include letters of recommendation, work samples (e.g. videotapes, portfolios, written materials) and other materials directly related to the criteria established in the minimum and desirable qualifications.~~ When appropriate, verification of "professional experience" as articulated in the minimum and desirable qualifications.

When appropriate, additional support materials may be requested. Such materials may include letters of recommendation, work samples (e.g. videotapes, portfolios, written materials) and other materials directly related to the criteria established in the minimum and desirable qualifications.

Selection Screening Process: ~~A brief description of the selection process including:~~ A brief description of the screening process including:

- ~~The review by a selection committee to select candidates for interviews.~~ The review by a screening committee to select candidates for interviews
- ~~An interview of candidates by the selection committee of faculty, administration, academic senate representatives and other appropriate district personnel.~~ An interview of candidates by the screening committee of faculty, administration, academic senate representatives and other appropriate district personnel
- ~~An interview of finalists by the President or designee.~~ An interview of finalists by the President or designee
- ~~Final recommendation to the Board of Trustees by the Chancellor of the District.~~ Final recommendation to the Board of Trustees by the Chancellor of the District
- ~~A description of any other selection activities that are anticipated at the time of the announcement (e.g. a sample teaching demonstration, role playing, sample assignments, a questionnaire).~~ A description of any other screening activities that are anticipated at the time of the announcement (e.g. a sample teaching demonstration, role playing, sample assignments, a questionnaire)
- ~~Notice to All Candidates:~~ Notice to All Candidates:
 - ~~The requirements of the Immigration Reform and Control Act of 1987.~~ The requirements of the Immigration Reform and Control Act of 1987
 - ~~Initial assignment information.~~ Initial assignment information
 - ~~Reasonable accommodation notice.~~ Reasonable accommodation notice:

- ~~If accommodations are needed for the application process in compliance with the Americans with Disabilities Act, please inform the Human Resources Office. The application/interview process may involve speaking, reading, writing, and answering questions or other test taking procedures. If you believe you may need reasonable accommodation to perform any of these tasks, need to inquire as to the specific nature of the tasks, or to assure physical access to the interview site, please contact the Office of Human Resources at (909) 382-4040 and ask for the individual responsible for the scheduling and monitoring of employment interviews.~~ If accommodations are needed for the application process in compliance with the Americans with Disabilities Act, please inform the Human Resources Office. The application/interview process may involve speaking, reading, writing, and answering questions or other test taking procedures. If you believe you may need reasonable accommodation to perform any of these tasks, need to inquire as to the specific nature of the tasks, or to assure physical access to the interview site, please contact the Office of Human Resources at (909) 382-4040 and ask for the individual responsible for the scheduling and monitoring of employment interviews.

~~Statement of Equal Employment Opportunity including reference to "encouraging applications from underrepresented minorities and the disabled."~~ Statement of Equal Employment Opportunity including reference to "encouraging applications from underrepresented minorities and the disabled."

3. ~~The Vice Chancellor of Human Resources & Employee Relations or designee will review the draft of the job announcement for the potential for adverse impact pursuant to provisions in #2 of "Establishing Minimum and Desirable Qualifications."~~ The Vice Chancellor of Human Resources & Employee Relations or designee will review the draft of the job announcement for the potential for adverse impact pursuant to provisions in #2 of "Establishing Minimum and Desirable Qualifications."
4. ~~The final draft of the job announcement will be reviewed by the discipline faculty and the Division Dean or appropriate administrator, and then returned to the Office of Human Resources.~~ The final draft of the job announcement will be reviewed by the discipline faculty and the Division Dean or appropriate administrator, and then returned to the Office of Human Resources.
5. ~~Upon the approval of the final draft of the announcement, the Division/Department Dean or appropriate administrator for the position will set a tentative timetable for the hiring process (e.g. Selection committee orientation/training, application review) in consultation with the discipline faculty, the Vice Chancellor of Human Resources & Employee Relations or designee and the appropriate Vice President.~~ Upon the approval of the final draft of the announcement, the Division/Department Dean or appropriate administrator for the position will set a tentative timetable for the hiring process (e.g. Screening committee orientation/training, application review) in consultation with the discipline faculty, the Vice Chancellor of Human Resources & Employee Relations or designee and the appropriate Vice President.

~~Applications~~ Applications

~~Human Resources accepts applications and supplemental materials until 4:30 pm on the closing date.~~ Human Resources accepts applications and supplemental materials until 4:30 pm on the closing date.

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

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

~~Recruitment and Advertising~~ Recruitment and Advertising

~~Faculty positions are advertised for a minimum of thirty (30) days.~~ Faculty positions are advertised for a minimum of thirty (30) days.

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

~~New faculty will be recruited by means of wide dissemination of job announcements, with special efforts to contact referral sources for underrepresented minorities, persons with disabilities, and women. This dissemination will be the responsibility of the Office of Human Resources.~~ New faculty will be recruited by means of wide dissemination of job announcements, with special efforts to contact referral sources for underrepresented minorities, persons with disabilities, and women. This dissemination will be the responsibility of the Office of Human Resources.

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

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

~~SELECTION COMMITTEE~~ SCREENING COMMITTEE

~~Membership~~ Membership

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

established and convened by the Division/Department Dean or other appropriate administrator or his/her designee.

- ~~The Division/Department Dean or appropriate administrator for the position will consult with the faculty in the discipline covered by the job announcement to formulate a preliminary list of candidates to serve as selection committee members. If no full-time faculty currently teaches in the discipline, the Division/Department Dean or appropriate administrator will consult with at least two full-time faculty in reasonably related disciplines.~~The Division/Department Dean or appropriate administrator for the position will consult with the faculty in the discipline covered by the job announcement to formulate a preliminary list of candidates to serve as screening committee members. If no full-time faculty currently teaches in the discipline, the Division/Department Dean or appropriate administrator will consult with at least two full-time faculty in reasonably related disciplines.
- ~~The President of the Academic Senate, after consultation with faculty in the discipline of the position and with the appropriate Division Dean, will appoint the faculty to serve on the selection committee.~~

~~Membership on all selection committees is confidential.~~The President of the Academic Senate, after consultation with faculty in the discipline of the position and with the appropriate Division Dean, will appoint the faculty to serve on the screening committee.

Membership on all screening committees is confidential.

- ~~An Equal Opportunity Representative from outside of the department/program shall be appointed to the Committee by the Vice Chancellor of Human Resources and Employee Relations or his/her designee. The Equal Opportunity Representative is a non-voting member.~~An Equal Opportunity Representative from outside of the department/program shall be appointed to the Committee by the Vice Chancellor of Human Resources and Employee Relations or his/her designee. The Equal Opportunity Representative is a non-voting member.
- ~~The Committee should also include representation from those employees or employee groups who are served by or otherwise interact with the position. If a classified employee is selected to serve on the committee, the President of CSEA will provide the names of individuals nominated to serve as the representative from the Senate. The hiring supervisor will select appropriate committee member(s) from those nominees.~~The Committee should also include representation from those employees or employee groups who are served by or otherwise interact with the position. The hiring manager will determine if classified representation is needed and select appropriately.
- ~~The Search Committee should normally have no fewer than five (5) and no more than nine (9) members.~~The Search Committee should normally have no fewer than five (5) and no more than nine (9) members.
- ~~A majority of the membership of the selection committee shall be faculty.~~A majority of the membership of the screening committee shall be faculty.
- ~~Every Selection Committee will include the Division/Department Dean or appropriate administrator or their designee.~~Every Screening Committee will include the Division/Department Dean or appropriate administrator or their designee.
- ~~The chair of the Committee will be chosen by a majority vote of the committee.~~The chair of the Committee will be chosen by a majority vote of the committee.
- ~~When possible, every effort will be made, within the limits allowed by federal and state law, to ensure selection/screening committees include a diverse membership, which will bring a variety of perspectives to the assessment of application qualifications. Selection/screening committees will be encouraged to include members from monitored groups.~~When possible, every effort will be made, within the limits

allowed by federal and state law, to ensure screening committees include a diverse membership, which will bring a variety of perspectives to the assessment of application qualifications. Screening committees will be encouraged to include members from monitored groups.

- ~~The supervising administrator on the Committee will provide clerical/technical support and coordination~~The supervising administrator on the Committee will provide clerical/technical support and coordination

~~If unusual circumstances prevent the formation of a Selection Committee as described herein, the Division/ Department Dean or appropriate administrator for the position will consult with the Vice Chancellor of Human Resources and Employee Relations or designee to determine a reasonable representation. However, the final composition of the Selection committee shall remain confidential.~~If unusual circumstances prevent the formation of a Screening Committee as described herein, the Division/Department Dean or appropriate administrator for the position will consult with the Vice Chancellor of Human Resources and Employee Relations or designee to determine a reasonable representation. However, the final composition of the Screening committee shall remain confidential.

~~The Selection committee membership list will be forwarded to the Vice Chancellor of Human Resources and Employee Relations or designee for review. If the Vice Chancellor of Human Resources and Employee Relations or designee has concerns about the membership list relative to the representation requirements set forth in this regulation, that officer will recommend changes to the Division/Department Dean or appropriate administrator. It will be the responsibility of the Division/Department Dean or appropriate administrator to communicate the resolution of any concerns to the individual(s) in question. The Human Resources Generalist will be copied on all membership lists.~~The Screening committee membership list will be forwarded to the Vice Chancellor of Human Resources and Employee Relations or designee for review. If the Vice Chancellor of Human Resources and Employee Relations or designee has concerns about the membership list relative to the representation requirements set forth in this regulation, that officer will recommend changes to the Division/ Department Dean or appropriate administrator. It will be the responsibility of the Division/Department Dean or appropriate administrator to communicate the resolution of any concerns to the individual(s) in question. The Human Resources Generalist will be copied on all membership lists.

Training

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

- ~~Discussion of District commitment to equal opportunity, diversity, and student success~~Discussion of District commitment to equal opportunity, diversity, and student success
- ~~The search and selection process~~The search and screening process
- ~~Role of the Selection Committee~~Role of the Screening Committee
- ~~Development of selection criteria~~Development of screening criteria
- ~~Writing effective interview questions~~Writing effective interview questions
- ~~Role of the Equal Opportunity Representative~~Role of the Equal Opportunity Representative
- ~~Confidentiality~~Confidentiality

~~Responsibilities of the Selection Committee~~ Responsibilities of the Screening Committee

~~Members of the Search Committee have the following responsibilities:~~ Members of the Search Committee have the following responsibilities:

- ~~1. Participate fully in all selection committee meetings.~~ Participate fully in all screening committee meetings.
- ~~2. Disclose personal relationships with or knowledge of or potential conflict of interest regarding any applicant.~~

~~The relative or spouse or registered domestic partner of an applicant will not serve on a selection committee for which a relative/spouse/registered domestic partner is a candidate. For the purpose of this regulation, a relative is the mother, father, grandfather, grandmother, grandchild, son, daughter, son-in-law, daughter-in-law, brother, brother-in-law, sister, sister-in-law, niece, or nephew of the committee member. It is the responsibility of the committee member to notify the committee if it is not immediately clear that a candidate is a relative.~~ Disclose personal relationships with or knowledge of or potential conflict of interest regarding any applicant.

The relative or spouse or registered domestic partner of an applicant will not serve on a screening committee for which a relative/spouse/registered domestic partner is a candidate. For the purpose of this regulation, a relative is the mother, father, grandfather, grandmother, grandchild, son, daughter, son-in-law, daughter-in-law, brother, brother-in-law, sister, sister-in-law, niece, or nephew of the committee member. It is the responsibility of the committee member to notify the committee if it is not immediately clear that a candidate is a relative.

- ~~3. Review the Administrative Regulations for hiring full-time faculty~~ Review the Administrative Regulations for hiring full-time faculty
- ~~4. Review the position announcement.~~ Review the position announcement.
- ~~5. Identify selection criteria based on the minimum and desired qualifications for the position. Selection criteria will include an evaluation of the extent to which applicants explicitly demonstrate sensitivity to and understanding of, the diverse academic, socioeconomic, cultural, disability, religious, sexual orientation, and ethnic backgrounds of community college students.~~ Identify screening criteria based on the minimum and desired qualifications for the position. Screening criteria will include an evaluation of the extent to which applicants explicitly demonstrate sensitivity to and understanding of, the diverse academic, socioeconomic, cultural, disability, religious, sexual orientation, and ethnic backgrounds of community college students.
- ~~6. Develop job related interview questions designed to distinguish candidates who will best meet the needs of the students, the department/division, the College, and the District as well as criteria by which to evaluate applicant responses. Interview questions will be forwarded from the chair of the committee to the Equal Opportunity Representative. In the interest of confidentiality, interview questions will not be forwarded to all committee members via e-mail. All interview questions will be returned to the Office of Human Resources.~~

~~All questions will be reviewed and approved by the Vice Chancellor of Human Resources and Employee Relations or designee. Interview questions are confidential and will not be shared outside of the committee.~~ Develop job related interview questions designed to distinguish candidates who will best meet

the needs of the students, the department/division, the College, and the District as well as criteria by which to evaluate applicant responses. Interview questions will be forwarded to the Equal Opportunity Representative. In the interest of confidentiality, interview questions will not be forwarded to all committee members via e-mail. All interview questions will be returned to the Office of Human Resources.

All questions will be reviewed and approved by the Vice Chancellor of Human Resources and Employee Relations or designee. Interview questions are confidential and will not be shared outside of the committee.

- ~~7. Determine whether to require candidates to perform a skills test or make a presentation in addition to responding to interview questions. When appropriate, such demonstrations should reflect the candidate's ability to work effectively in a diverse community college environment. Criteria for evaluating and weighting work examples, such as writing samples, role play, or teaching demonstrations, will be established by the selection committee prior to interviewing the candidates.~~
Determine whether to require candidates to perform a skills test or make a presentation in addition to responding to interview questions. When appropriate, such demonstrations should reflect the candidate's ability to work effectively in a diverse community college environment. Criteria for evaluating and weighting work examples, such as writing samples, role play, or teaching demonstrations, will be established by the screening committee prior to interviewing the candidates.
- ~~8. Screen all applications to select candidates for interview. Establish an interview schedule that accommodates all committee members' schedules including the Equal Opportunity Representative.~~
Screen all applications to select candidates for interview. Establish an interview schedule that accommodates all committee members' schedules including the Equal Opportunity Representative.
- ~~9. Interview all selected candidates using only the questions previously agreed upon by the committee members. Follow-up questions may be used if they are based directly on a candidate's response to a question, if they are not leading, if they do not seek information outside of the scope of the established hiring criteria, if they do not impinge on the candidate's interview time, and if they are not in violation of equal opportunity guidelines. Refer to Appendix D-II for guidelines on follow-up questions.~~
Interview all selected candidates using only the questions previously agreed upon by the committee members.
- ~~10. Recommend no more than three candidates for selection to the College President or his/her designee. (In the event that the Selection Committee is recommending candidates for more than one position in a particular discipline, the committee will recommend no more than three names for each position to the College President or his/her designee.)~~
Recommend no more than three candidates for selection to the College President or his/her designee. (In the event that the Screening Committee is recommending candidates for more than one position in a particular discipline, the committee will recommend no more than three names for each position to the College President or his/her designee.)
- ~~11. Fill out evaluation forms on all interviewees.~~
Fill out evaluation forms on all interviewees.
- ~~12. Maintain confidentiality of the interviews as well as evaluative comments made during the selection process. Such information may be shared only with members of the Search Committee and the College President or his/her designee. Confidentiality must be maintained permanently. Each member of the committee will receive and agree to abide by the statement of guiding principles as noted in Appendix A.~~

~~If a committee member is found to have violated confidentiality or engaged in any misconduct, that committee member may be prevented from serving on future selection committees. Depending on the level and seriousness of the misconduct, the committee member may also be subject to disciplinary action.~~
Maintain confidentiality of the interviews as well as evaluative comments made during the

screening process. Such information may be shared only with members of the Search Committee and the College President or his/her designee. Confidentiality must be maintained permanently. Each member of the committee will receive and agree to abide by the statement of guiding principles as noted in Appendix A.

If a committee member is found to have violated confidentiality or engaged in any misconduct, that committee member may be prevented from serving on future screening committees. Depending on the level and seriousness of the misconduct, the committee member may also be subject to disciplinary action.

~~Selection & Application Screening Criteria~~ Application Screening Criteria

~~Selection criteria and interview questions must be approved by the Equal Opportunity Representative before the Selection Committee can access the applications. Selection criteria must be job related and are developed from the position description and the qualifications and requirements listed in the position announcement. Selection criteria help members to review each application objectively. The selection criteria must be listed on an appropriate selection form that must be used by each member of the Committee. Each Committee member must participate in the selection process.~~ Screening criteria and interview questions must be approved by the Equal Opportunity Representative before the Screening Committee can access the applications. Screening criteria must be job related and are developed from the position description and the qualifications and requirements listed in the position announcement. Screening criteria help members to review each application objectively. The screening criteria must be listed on an appropriate screening form that must be used by each member of the Committee. Each Committee member must participate in the screening process.

~~After all applications have been reviewed by all committee members, the Selection Committee will determine which applicants shall be invited for an interview based on the established criteria.~~ After all applications have been reviewed by all committee members, the Screening Committee will determine which applicants shall be invited for an interview based on the established criteria.

~~The Committee selects applicants to interview who will best meet the needs of the students, the division, and the College. The committees will consider the special needs of the division/department/program and the student population to be served in the selection of candidates.~~ The Committee selects applicants to interview who will best meet the needs of the students, the division, and the College. The committees will consider the special needs of the division/department/program and the student population to be served in the selection of candidates.

~~The Committee will determine the number of candidates they wish to interview based on the pool of applicants and the apparent strengths and weaknesses of the candidates. Ideally, no fewer than (3) three candidates will be invited for interview. Each committee member will name by number the candidate or candidates he or she chooses. If more candidates are selected than the number determined for interview, the committee would discuss until consensus is reached on the highest three.~~ The Committee will determine the number of candidates they wish to interview based on the pool of applicants and the apparent strengths and weaknesses of the candidates. Ideally, no fewer than (3) three candidates will be invited for interview. Each committee member will name by number the candidate or candidates he or she chooses. If more candidates are selected than the number determined for interview, the committee would discuss until consensus is reached on the highest three.

~~The Equal Opportunity Representative reviews the pool selected for interview to ensure that no selection or~~

~~selection criteria has adversely affected any monitored group. The Equal Opportunity Representative may recommend that additional candidates be interviewed or that further recruitment be initiated before proceeding.~~ The Equal Opportunity Representative reviews the pool selected for interview to ensure that no screening criteria has adversely affected any monitored group. The Equal Opportunity Representative may recommend that additional candidates be interviewed or that further recruitment be initiated before proceeding.

~~Applications of those candidates who are not to be interviewed shall be filed in the Office of Human Resources.~~ Applications of those candidates who are not to be interviewed shall be filed in the Office of Human Resources.

~~Interviews~~ Interviews

~~Interviews are scheduled by the Human Resources Generalist—Each candidate must be provided the same interview information and offered a choice of interview times whenever possible.~~ Interviews are scheduled by the Human Resources Generalist—Each candidate must be provided the same interview information and offered a choice of interview times whenever possible.

~~Each member of the Search Committee must be present for all interviews. If a member misses an interview, that committee member is removed from the Search Committee.~~ Each member of the Search Committee must be present for all interviews. If a member misses an interview, that committee member is removed from the Search Committee.

~~Each member of the Committee documents the interview in a format agreed upon by the Committee.~~ Each member of the Committee documents the interview in a format agreed upon by the Committee.

~~The Selection Committee will interview all candidates using the list of questions formulated by the Committee. Appropriate job related "follow-up" questions that focus on the intent of the question or appropriate information in the initial response may be included in the interview so long as (1) they are based directly on the candidate's response to a question, (2) do not seek information outside of the scope of the established hiring criteria, (3) are not in violation of Equal Employment Opportunity guidelines and (A) do not exceed or truncate the time allotted for the interview. See Appendix D II for guidelines on follow-up questions.~~ The Screening Committee will interview all candidates using the list of questions formulated by the Committee. Appropriate job related "follow-up" questions that focus on the intent of the question or appropriate information in the initial response may be included in the interview so long as (1) they are based directly on the candidate's response to a question, (2) do not seek information outside of the scope of the established hiring criteria, (3) are not in violation of Equal Employment Opportunity guidelines and (A) do not exceed or truncate the time allotted for the interview. See Appendix D II for guidelines on follow-up questions.

~~Each candidate will be asked the same questions, in the same way, for a fair and consistent basis in decision-making.~~ Each candidate will be asked the same questions, in the same way, for a fair and consistent basis in decision-making.

~~After interviews are completed, members of the selection committee discuss and evaluate the qualifications of the candidates including how candidates will meet the needs of a diverse student population. Consensus will be achieved in the same way as during the individual assessment.~~ After interviews are completed, members of the screening committee discuss and evaluate the qualifications of the candidates including how candidates will meet the needs of a diverse student population. Consensus will be achieved in the same way as during the individual assessment.

~~No discussion will occur until all candidates have been interviewed. If consensus is not possible, the Chair may request a vote or a prioritization by each selection committee member. Each selection committee member will~~

~~have equal voting privileges. The committee chair will be responsible for documentation if less than three candidates are forwarded to the next level.~~ No discussion will occur until all candidates have been interviewed. If consensus is not possible, the Chair may request a vote or a prioritization by each screening committee member. Each screening committee member will have equal voting privileges. The committee chair will be responsible for documentation if less than three candidates are forwarded to the next level.

~~The Search Committee recommends no more than three (3) candidates, unranked, to the College President or his/her designee for second-level interview. Selection of the successful candidate will not be made by the committee.~~ The Search Committee recommends no more than three (3) candidates, unranked, to the College President or his/her designee for second-level interview. Selection of the successful candidate will not be made by the committee.

~~The Equal Opportunity Representative reviews the selected candidate(s) to determine whether any selection criteria or procedures used in the interview phase has had an adverse impact on any monitored group. If the Equal Opportunity Representative believes that adverse impact exists, he/she shall consult with the committee Chair, and the Vice Chancellor of Human Resources and Employee Relations or his/her designee to determine whether additional steps should be taken to ensure equal employment opportunity.~~ The Equal Opportunity Representative reviews the selected candidate(s) to determine whether any screening criteria or procedures used in the interview phase has had an adverse impact on any monitored group. If the Equal Opportunity Representative believes that adverse impact exists, he/she shall consult with the committee Chair, and the Vice Chancellor of Human Resources and Employee Relations or his/her designee to determine whether additional steps should be taken to ensure equal employment opportunity.

~~If, after the interviews, in consultation with the Vice Chancellor of Human Resources and Employee Relations or designee, the Search Committee is not satisfied with the interviewed candidates, the Committee may:~~ If, after the interviews, in consultation with the Vice Chancellor of Human Resources and Employee Relations or designee, the Search Committee is not satisfied with the interviewed candidates, the Committee may:

- ~~Review the applicant pool to ensure that qualified applicants have not been overlooked;~~ Review the applicant pool to ensure that qualified applicants have not been overlooked;
- ~~On those positions that are opened until filled, request to have any additional complete applications that have been submitted since the first review date forwarded for selection;~~ On those positions that are opened until filled, request to have any additional complete applications that have been submitted since the first review date forwarded for selection;
- ~~Request that Human Resources contact applicants with incomplete applications to request the missing application materials; or~~ Request that Human Resources contact applicants with incomplete applications to request the missing application materials; or-
- ~~Extend or re-open the search.~~ Extend or re-open the search.

~~Immediately following the interviews, the Committee Chair returns all the selection and interview forms and all other non-finalist application materials to Human Resources.~~ Immediately following the interviews, the Committee Chair returns all the screening and interview forms and all other non-finalist application materials to Human Resources.

Selection

~~The Committee Chair shall review with the College President or his or her designee the Committee's recommendation of candidates using a summary signed by each Committee member.~~ The Committee Chair shall review with the College President or his or her designee the Committee's recommendation of candidates using a summary signed by each Committee member.

~~Second-Level Interview Procedures~~ Second-Level Interview Procedures

~~Second level interviews will be conducted on all finalists by the College President or his/her designee with the academic senate president or his/her designee acting in an advisory capacity. In the case of the District office, second level interviews will be conducted by the appropriate administrator.~~ Second level interviews will be conducted on all finalists by the College President or his/her designee with the academic senate president or his/her designee acting in an advisory capacity. In the case of the District office, second level interviews will be conducted by the appropriate administrator.

~~Following second level interviews, the College President or appropriate administrator may elect one of the following~~ Following second level interviews, the College President or appropriate administrator may elect one of the following

- ~~1. Select one of the finalists.~~ Select one of the finalists.
- ~~2. Review the applicant pool to ensure that qualified applicants have not been overlooked;~~ Review the applicant pool to ensure that qualified applicants have not been overlooked;
- ~~3. Extend or reopen the search.~~ Extend or reopen the search.

~~Reference Checking~~ Reference Checking

~~Reference checks are made by the Office of Human Resources upon the recommendation of the selected candidates by the Committee, and must be completed before a recommendation of employment is made to the Board of Trustees.~~ Reference checks are made by the Office of Human Resources upon the recommendation of the selected candidates by the Committee, and must be completed before a recommendation of employment is made to the Board of Trustees.

~~Reference checks must be completed in accordance with the policies and principles of equal opportunity. Reference information must be held in strict confidence.~~ Reference checks must be completed in accordance with the policies and principles of equal opportunity. Reference information must be held in strict confidence.

~~Final Selection and Eligibility List~~ Final Selection and Eligibility List

~~The appropriate administrator will make the final decision on the candidates and notify the Human Resources Office to forward the selection to the Board of Trustees for approval. Those finalists not selected will be placed on an eligibility list that will be valid for 90 calendar days following the date a candidate is selected by the President or other appropriate district manager. In the event a vacancy occurs for the same position, the President or appropriate administrator will conduct second level interviews from those individuals on the eligibility list.~~ The appropriate administrator will make the final decision on the candidates and notify the Human Resources Office to forward the selection to the Board of Trustees for approval. Those finalists not selected will be placed on an eligibility list that will be valid for 90 calendar days following the date a candidate is selected by the President or other appropriate district manager. In the event a vacancy occurs for the same position, the President or appropriate administrator will conduct second level interviews from those individuals on the eligibility list.

~~The Human Resources Generalist will contact the successful candidate to make a provisional offer of employment, contingent upon passing reference checks and Board approval.~~ The Human Resources

Generalist will contact the successful candidate to make a provisional offer of employment, contingent upon passing reference checks and Board approval.

~~The Human Resources Generalist will conduct all reference checks.~~The Human Resources Generalist will conduct all reference checks.

~~Once the successful candidate has been hired and Board-approved, the unsuccessful candidates will be notified by letter that they were not selected.~~Once the successful candidate has been hired and Board-approved, the unsuccessful candidates will be notified by letter that they were not selected.

~~During the lifetime of the selection committee, all applications for positions will be kept on file at a secure location at the hiring site and will be available to members of the committee for study.~~During the lifetime of the screening committee, all applications for positions will be kept on file at a secure location at the hiring site and will be available to members of the committee for study.

~~NOTE: See the additional 23 pages of appendices in current AP 7210~~NOTE: See the additional 23 pages of appendices in current AP 7210

~~Also see BP/AP 7120 titled Recruitment and Hiring as well as AP 7211 titled Faculty Service Areas, Minimum Qualifications, and Equivalencies~~Also see BP/AP 7120 titled Recruitment and Hiring as well as AP 7211 titled Faculty Service Areas, Minimum Qualifications, and Equivalencies

~~References:~~ References:

~~Education Code Sections 87400 et seq., 87600 et seq., and 87482.8; Title 5 Section 51025~~Education Code Sections 87400 et seq., 87600 et seq., and 87482.8; Title 5 Section 51025

Attachments:



Origination: N/A
 Last Approved: N/A
 Last Revised: N/A
 Next Review: N/A
 Owner: *Human Resources Human Resources*
 Policy Area: *Chapter 7 Human Resources*
 References:

BP 7210 Academic Employees

(Replaces current SBCCD BP 7210)

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

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

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

Decisions regarding tenure of faculty shall be made in accordance with the evaluation procedures established for the evaluation of probationary faculty and in accordance with the requirements of the Education Code. The Board of Trustees reserves the right to determine whether a faculty member shall be granted tenure.

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

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

~~References:~~

References:

Education Code Sections 87400 et seq; 87419.1; 87482.8, and 87600 et seq;
Title 5, Section 51025

Attachments:

[BP 7210 Academic Employees- Comments](#)
[BP 7210 Academic Employees- Legal Citations](#)
[BP7210 -OLD.pdf](#)



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

AP 7270 Student Workers

(Replaces current SBCCD AP 7240)

~~NOTE: A procedure addressing the following elements is suggested as good practice. Local practice may be inserted.~~

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

~~Sample from another district~~

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

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

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

~~Sample from another district~~

~~A student employed by the college on a part-time basis and meeting the relevant enrollment criteria below is defined as a student worker. Student workers shall not be part of the classified service and do not earn benefits; however, student workers are covered by Worker's Compensation for injuries or death incurred while performing services for the District. Student workers are limited to work a maximum of 195 days per fiscal year. Student workers must be at least 18 years of age to be employed by the District.~~ A student employed by the college on a part-time basis and meeting the relevant enrollment criteria below is defined as a student worker. Student workers shall not be part of the classified service and do not earn benefits; however, student workers are covered by Worker's Compensation for injuries or death incurred while performing services for the District. Student workers must meet all human resources employment criteria prior to beginning employment as a student worker.

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

~~In order to be employed as a student worker during the fall and/or spring semester(s), a student must be enrolled at least half time (six units). Enrolled student workers may work up to 19.5 hours per week in all combined assignments, except as outlined below.~~ In order to be employed as a student worker during the fall and/or spring semester(s), a student must be enrolled at least half time (six units). Enrolled student workers may work up to 20 hours per week except as outlined below.

A. ~~Intersession Employment~~

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

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

- ~~1. Between spring semester and summer session, if enrolled at least half time during the spring semester and for the summer session. (Note: To be considered half time for a nonstandard term, such as summer session, generally requires an enrollment period of at least six weeks and at least two units.)~~ Between spring semester and summer session, if enrolled at least half time during the spring semester and for the summer session. (Note: To be considered half time for a nonstandard term, such as summer session, generally requires an enrollment period of at least six weeks and at least two units.)
- ~~2. Between summer session and fall semester, if enrolled at least half time during the spring semester or the summer session and enrolled at least half time for the fall semester.~~ Between summer session and fall semester, if enrolled at least half time during the spring semester or the summer session and enrolled at least half time for the fall semester.
- ~~3. Between fall and spring semesters, if enrolled at least half time during both the fall and spring semesters.~~ Between fall and spring semesters, if enrolled at least half time during both the fall and spring semesters.
- ~~4. During spring break, if enrolled at least half time during the spring semester.~~ During spring break, if enrolled at least half time during the spring semester.

B. ~~Summer Employment~~

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

Summer Employment

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

~~A student employed by the college on a part-time basis and meeting the relevant enrollment criteria below is defined as a student worker. Student workers shall not be part of the classified service and do not earn benefits; however, student workers are covered by Worker's Compensation for injuries or death incurred while performing services for the District. Student workers are limited to work a maximum of 195 days per fiscal year. Student workers must be at least 18 years of age to be employed by the District.~~

A student employed by the college on a part-time basis and meeting the relevant enrollment criteria below is defined as a student worker. Student workers shall not be part of the classified service and do not earn benefits; however, student workers are covered by Worker's Compensation for injuries or death incurred while performing services for the District. Student workers are limited to work a maximum of 195 days per fiscal year. Student workers must be at least 18 years of age to be employed by the District.

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

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

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

A. ~~Intersession Employment~~

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

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

- ~~1. Between spring semester and summer session, if enrolled at least half time during the spring semester and for the summer session. (Note: To be considered half time for a nonstandard term, such as summer session, generally requires an enrollment period of at least six weeks and at least two units.)~~ Between spring semester and summer session, if enrolled at least half time during the spring semester and for the summer session. (Note: To be considered half time for a nonstandard term, such as summer session, generally requires an enrollment period of at least six weeks and at least two units.)
- ~~2. Between summer session and fall semester, if enrolled at least half time during the spring semester or the summer session and enrolled at least half time for the fall semester.~~ Between summer session and fall semester, if enrolled at least half time during the spring semester or the summer session and enrolled at least half time for the fall semester.

3. ~~Between fall and spring semesters, if enrolled at least half time during both the fall and spring semester.~~ Between fall and spring semesters, if enrolled at least half time during both the fall and spring semester.
4. ~~During spring break, if enrolled at least half time during the spring semester.~~ During spring break, if enrolled at least half time during the spring semester.
5. If adequate funding is available to cover the student salary, student workers may continue employment in the summer if they have been enrolled at least half time for the spring semester and have an enrollment record for at least half time for the summer session or fall semester, whichever occurs next on the calendar. Depending on the funding source, some student workers not enrolled for summer classes may be permitted to work up to 40 hours per week.

B. ~~Summer Employment~~

~~District-funded student workers may continue employment in the summer if they have been enrolled at least half time for the spring semester and have an enrollment record for at least half time for the summer session or fall semester, whichever occurs next on the calendar. Depending on the funding source, some student workers not enrolled for summer classes may be permitted to work up to 40 hours per week; however, federal work-study students must be enrolled at least half time during summer session and may begin summer employment no earlier than July 1. Additional policies and regulations apply and should be obtained from the appropriate office (financial aid, CalWORKs, Institute for International Perspectives, veterans, etc.)~~ Summer Employment

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

C. ~~New Students~~

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

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

D. ~~Pre-hire Requirements~~

~~In order for student workers to be paid, they must complete hire forms in the Career Center before beginning their work assignment. If the student worker is to be paid by the District, the supervisor must forward a completed personnel requisition to Human Resources before the student worker begins the work assignment.~~ Pre-hire Requirements

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

E. ~~Breaks~~

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

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

F. ~~Time Cards~~

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

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

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

~~Sample from another district~~

~~Education Code Section 88003 allows part-time employment of students outside the classified service.~~

~~1. The Student Employment Categories are:~~

- ~~a. Student Employees~~
- ~~b. Federal College Work-Study Program Student Employees~~
- ~~c. EOPS Work-Study Program Student Employees~~
- ~~d. Disabled Student Employees~~
- ~~e. Student Education Program Employees~~

~~2. A student enrolled in 6 or more units per semester may work part-time as a student employee for no more than 25 hours per week and no more than 194 working days in an academic year.~~

~~3. Students may work up to 37.5 hours per week or 7.5 hours per day when District classes are not in session or during a summer break, but they remain student employees and may not be employed as short-term employees.~~

~~4. In no case will a student perform services which supplant work being accomplished by any member of the classified service or which impair an existing contract for service. Student jobs must be reviewed by Human Resources to assure that they do not duplicate classified jobs and that the duties involve closer supervision than do duties performed by classified employees.~~

~~5. Any student dropping below the required units per semester shall be disqualified from student employment for the remainder of the semester~~

~~6. No student may be allowed to begin work prior to the completion and approval of the Personnel Action Form, and completion of the employee's pre-employment processing~~

~~7. Hourly pay rates for student employees shall be determined by the Human Resources Office.~~

1. In no case will a student perform services which supplant work being accomplished by any district permanent employee.

2. Students dropping below the required units per semester shall be disqualified from student employment for the remainder of the semester (additional policies and regulations apply and should be obtained from the appropriate office (CaWORKS, veterans, international students)).

~~Federal Work-Study Program~~ Federal Work-Study Program

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

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

~~EMPLOYMENT OPPORTUNITIES~~

~~The District provides employment opportunities for its students through various federal, state, and locally funded programs (i.e., College Work Study, EOPS, Disabled Students).~~

EMPLOYMENT OPPORTUNITIES

~~Definition~~

~~Students may be hired as Student Employees or as Short-Term Employees. Student Employees and Short-Term Employees work under different authorization, different working requirements and limitations, and different budget allocations. Students shall not be shifted from one category of employment to the other without authorization.~~

A. ~~Enrollment~~

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

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

~~Authorization~~

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

~~Limits~~

~~A student employed under this policy is limited to a maximum of fifteen (15) hours of employment per week in the District exclusive of recesses when classes are not in session. A student may work for only one department at a time.~~

B. ~~Benefits~~

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

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

~~Rates of Pay~~

~~The Human Resources Office shall maintain a list of Board approved positions and rates of pay.~~

~~CALWORKS STUDENTS~~

CALWORKS STUDENTS

A. **Definition**

~~CalWORKs students are required, by the county, to participate in a combination of school and work related activities totaling up to thirty-two (32) hours per week.~~ Definition

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

B. **Authorization**

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

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

C. **Limits**

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

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

~~Benefits~~

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

~~Rates of Pay~~

~~The Human Resources Office shall maintain a list of Board approved positions and rates of pay.~~

D. **Rates of Pay**

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

~~References:~~

References:

~~Education Code Sections 69960(f) and 88003~~ Education Code Sections 69960(f) and 88003

Attachments:



Origination: N/A
 Last Approved: N/A
 Last Revised: N/A
 Next Review: N/A
 Owner: *Human Resources Human Resources*
 Policy Area: *Chapter 7 Human Resources*
 References: *Legally Required*

BP 7270 Student Workers

(Replaces current SBCCD BP 7240)

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

Reference:

Reference:

~~Education Code Sections 69960(f) and 88003~~ Education Code Sections 69960(f) and 88003

Attachments:

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



| | |
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| Last Revised: | N/A |
| Next Review: | N/A |
| Owner: | Human Resources Human Resources |
| Policy Area: | Chapter 7 Human Resources |
| References: | |

AP 7348 Accommodations

References:

~~29 U.S. Code Section 207(r);
42 U.S. Code Sections 12101 et seq.;
42 U.S. Code Sections 2000e et seq.;
29 Code of Federal Regulations Parts 1605.1 et seq.;
Government Code Sections 12926, 12940, and 12945;
Labor Code Sections 230 and 1030 et seq.;
Title 2 Sections 11040 et seq., 11050, et seq., and 11060 et seq.~~

~~**NOTE:** A procedure on the District's obligation to accommodate employees and applicants is **suggested as good practice**. Insert local practice. The following is suggested language.~~

Absent undue hardship or direct threats to the health and safety of employee(s), the District provides employment-related reasonable accommodations to:

- qualified individuals with disabilities, both applicants and employees, to enable them to perform essential job functions;
- employees with conditions related to pregnancy, childbirth, or a related medical condition, if she so requests, and with the advice of her health care provider;
- employee victims of domestic violence, sexual assault, or stalking to promote the safety of the employee victim while at work; and
- employees who request reasonable accommodation to address a conflict between religious belief or observance and any employment requirement.

~~For Disabilities:~~**For Disabilities:**

~~The District has an affirmative duty to provide reasonable accommodations to applicants or employees with disabilities unless the timely, good faith interactive process reveals that there is no reasonable accommodation that will allow the applicant or employee to perform essential job functions without causing the agency undue hardship or without presenting a direct threat to the health and safety of himself/herself or others.~~ **The District has an affirmative duty to provide reasonable accommodations to applicants or employees with disabilities unless the timely, good faith interactive process reveals that there is no reasonable accommodation that will allow the applicant or employee to perform essential job functions without causing the agency undue hardship or without presenting a direct threat to the health and safety of himself/herself or others.**

~~For Pregnancy and Related Medical Conditions:~~

~~The District must provide an interactive process to assess reasonable accommodations, in addition to leave~~

~~rights, to employees disabled by pregnancy and related medical conditions.~~ **For Pregnancy and Related Medical Conditions:**

The District must provide an interactive process to assess reasonable accommodations, in addition to leave rights, to employees disabled by pregnancy and related medical conditions.

~~**For Victims of Domestic Violence, Sexual Assault, or Stalking:**~~

~~Effective January 1, 2014, the District also has an affirmative duty to provide reasonable accommodations to employee victims of domestic violence, sexual assault, or stalking, that would protect the safety of the employee victim while at work. As is the case with disability-related accommodations, the law requires a timely, good faith interactive process. The goal is to identify safety-related accommodations that do not cause undue hardship and that do not compromise the safety and health of all employees. Like the interactive process for disabilities, the agency has the duty to restart the interactive process if the employee requests new accommodation(s) due to changed circumstances.~~ **For Victims of Domestic Violence, Sexual Assault, or**

~~**Stalking:**~~

Effective January 1, 2014, the District also has an affirmative duty to provide reasonable accommodations to employee victims of domestic violence, sexual assault, or stalking, that would protect the safety of the employee victim while at work. As is the case with disability-related accommodations, the law requires a timely, good faith interactive process. The goal is to identify safety-related accommodations that do not cause undue hardship and that do not compromise the safety and health of all employees. Like the interactive process for disabilities, the agency has the duty to restart the interactive process if the employee requests new accommodation(s) due to changed circumstances.

~~**For Religious Belief or Observance:**~~

~~Unlike the other categories identified above, there is no legal requirement that the employer must use an interactive process to analyze potential reasonable accommodations of an employee's religious beliefs or observance, including religious dress or grooming practices. Accommodation for religious belief is included here because the law does require an employer to provide a reasonable accommodation unless the agency can prove an undue hardship. In addition, the employer is required to prove that it has explored any available reasonable alternative means of accommodating the religious belief or observance. Though an interactive process is not legally mandated for religious accommodation, an interactive process meeting **suggested as good practice** and is an effective way for an employer to prove that it explored any available reasonable alternative means of accommodating the religious belief or observance.~~ **For Religious Belief or Observance:**

Unlike the other categories identified above, there is no legal requirement that the employer must use an interactive process to analyze potential reasonable accommodations of an employee's religious beliefs or observance, including religious dress or grooming practices. Accommodation for religious belief is included here because the law does require an employer to provide a reasonable accommodation unless the agency can prove an undue hardship. In addition, the employer is required to prove that it has explored any available reasonable alternative means of accommodating the religious belief or observance. Though an interactive process is not legally mandated for religious accommodation, an interactive process meeting suggested as good practice and is an effective way for an employer to prove that it explored any available reasonable alternative means of accommodating the religious belief or observance.

~~**Local practice may be inserted below and should address:**~~ Local practice may be inserted below and should address:

- ~~*Potential Accommodations for Religious Creed, Religious Dress Practice, or Religious Grooming Practice*~~ Potential Accommodations for Religious Creed, Religious Dress Practice, or Religious Grooming Practice

~~NOTE: "Religious creed," "religion," "religious observance," "religious belief," and "creed" include all aspects of religious belief, observance, and practice, including religious dress and grooming practices. "Religious dress practice" is construed broadly to include the wearing or carrying of religious clothing, head or face coverings, jewelry, artifacts, and any other item that is part of the observance by an individual of his or her religious creed. "Religious grooming practice" is construed broadly to include all forms of head, facial, and body hair that are part of the observance by an individual of his/her religious creed.~~

"Religious creed," "religion," "religious observance," "religious belief," and "creed" include all aspects of religious belief, observance, and practice, including religious dress and grooming practices. "Religious dress practice" is construed broadly to include the wearing or carrying of religious clothing, head or face coverings, jewelry, artifacts, and any other item that is part of the observance by an individual of his or her religious creed. "Religious grooming practice" is construed broadly to include all forms of head, facial, and body hair that are part of the observance by an individual of his/her religious creed.

- ~~Disability Accommodation~~Disability Accommodation
- ~~Supporting Documentation or Certification~~Supporting Documentation or Certification
- ~~Reasonable Medical Documentation of Disability~~Reasonable Medical Documentation of Disability

~~NOTE: The District is entitled to request reasonable documentation confirming the existence of a disability, the need for a reasonable accommodation, and the functional limitations or work restrictions that apply to the employee's ability to perform the essential functions of the job. If an employee or applicant provides documentation that does not confirm the existence of a disability, the need for a reasonable accommodation, or his/her functional limitations in performing essential job functions, then the District should explain why the documentation is insufficient and allow the applicant or employee to provide a timely supplement.~~

The District is entitled to request reasonable documentation confirming the existence of a disability, the need for a reasonable accommodation, and the functional limitations or work restrictions that apply to the employee's ability to perform the essential functions of the job. If an employee or applicant provides documentation that does not confirm the existence of a disability, the need for a reasonable accommodation, or his/her functional limitations in performing essential job functions, then the District should explain why the documentation is insufficient and allow the applicant or employee to provide a timely supplement.

- ~~Interactive Communication or Interactive Process~~Interactive Communication or Interactive Process

~~NOTE: Employers must also be able to prove they acted with good faith during the interactive process. The District should create and maintain written documentation of its interactive process communications, including: letters to medical providers; letters to the employee to recap interactive process meetings; and notes to file regarding any analyses or consultations with experts as to potential accommodations. The documentation should be detailed and include: that the employee had the option to be represented and whether the representative attended the meetings; that the employer was flexible in scheduling the time and location of the meetings; whether the meeting was recorded; the accommodations that were suggested by the employer and the employee; the responses each party had to the suggested accommodations; and whether the interactive process meeting resulted in any agreements.~~

Employers must also be able to prove they acted with good faith during the interactive process. The District should create and maintain written documentation of its interactive process communications, including: letters to medical providers; letters to the employee to recap interactive process meetings; and notes to file regarding any analyses or consultations with experts as to potential accommodations. The documentation should be detailed and include: that the employee had the option to be represented and

whether the representative attended the meetings; that the employer was flexible in scheduling the time and location of the meetings; whether the meeting was recorded; the accommodations that were suggested by the employer and the employee; the responses each party had to the suggested accommodations; and whether the interactive process meeting resulted in any agreements.

- ~~Potential Accommodations for Applicants or Employees with Disabilities~~Potential Accommodations for Applicants or Employees with Disabilities
- ~~Potential Accommodations for Employees Affected by Pregnancy and Related Medical Conditions~~Potential Accommodations for Employees Affected by Pregnancy and Related Medical Conditions
- ~~Determination Regarding Accommodation~~Determination Regarding Accommodation
- ~~Certification of Victim Status~~Certification of Victim Status

~~**NOTE:** The District may require a victim of domestic violence, sexual assault, or stalking and who requests an accommodation to provide for his/her safety at work, to provide a written statement regarding the need for the accommodation, and a certification of his/her status as a victim of domestic violence, sexual assault, or stalking. In addition, the District may request recertification of the documentation every six months. If circumstances change and the employee needs a new accommodation, the employer must restart the certification and interactive process.~~
The District may require a victim of domestic violence, sexual assault, or stalking and who requests an accommodation to provide for his/her safety at work, to provide a written statement regarding the need for the accommodation, and a certification of his/her status as a victim of domestic violence, sexual assault, or stalking. In addition, the District may request recertification of the documentation every six months. If circumstances change and the employee needs a new accommodation, the employer must restart the certification and interactive process.

~~Lactation Accommodation~~

~~**NOTE:** Federal law requires employers of 50 or more to provide lactation accommodation to overtime-eligible employees.~~

Lactation Accommodation

An overtime-eligible employee who wishes to express breast milk for her infant child during her scheduled work hours will receive additional unpaid time beyond the 15-minute compensated rest period. Employees desiring to take a lactation break must notify a supervisor prior to taking such a break. Breaks may be reasonably delayed if they would seriously disrupt operations. Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

The District will make reasonable efforts to accommodate employees by providing an appropriate location to express milk in private. The District will attempt to find a location in close proximity to the employee's work area, and the location will be other than a toilet stall. Employees occupying such private areas shall either secure the door or otherwise make it clear to others through signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break under this section, except to announce an emergency or other urgent circumstance.

~~**NOTE:** The following is suggested as good practice.~~

Any employee storing expressed milk in any authorized refrigerated area within the work area shall clearly label it as such. No expressed milk shall be stored at the work area beyond the employee's workday.



District Assembly Constitution

ARTICLE 1: NAME

This organization shall be known as the District Assembly of the San Bernardino Community College District and shall be referred to as the Assembly in these Articles.

ARTICLE 2: PURPOSE

District Assembly is the primary district-wide body ensuring that each appropriate constituent group participates in the decision-making process. Members of the Assembly advise and make recommendations to the Chancellor regarding district-wide governance, institutional planning, budgeting, and policies and procedures that promote the educational mission and goals of the San Bernardino Community College District. ~~The Assembly shall be subject to the Ralph M. Brown Act, Sections 54950 et. seq. of the Government Code.~~

ARTICLE 3: MEMBERSHIP

- ~~The Assembly shall be the sole judge of the qualifications of its members.~~
- There will be 3 types of Members in the Assembly:

SECTION 1: GENERAL MEMBERSHIP

The General Membership shall be elected from the recognized constituent groups as defined below. ~~The Classified Staff and the Management Staff are further defined as being primarily employed at the District Support Services site, Crafton Hills College, or San Bernardino Valley College. If a Staff member divides his/her time between two or more of the identified areas, the Staff member must select one area for the purpose of representation in the election for the General Membership of the Assembly.~~

- a. The Faculty of Crafton Hills College will elect 2 members of the Assembly.
- b. The Faculty of San Bernardino Valley College will elect 3 members of the Assembly.
- c. The Classified Staff¹ of the District (as defined by the Board of Governors of the California Community Colleges Minimum Standards for Staff Participation in Governance, dated January 10, 1991) will elect 3 members of the Assembly¹. Representation of the Classified Staff from the 3 District areas will be as follows:
 - i. From the ~~Central~~ District Support Services Staff: 1 member
 - ii. From Crafton Hills College Staff: 1 member
 - iii. From San Bernardino Valley College Staff: 1 member



District Assembly Constitution

¹ To satisfy Education Code section 70901.2, two Classified representatives from the General Membership (as defined in Article 3, Section 3 c) are to be appointed by CSEA.

- d. The Management Staff of the District (as defined by the Board of Governors of the California Community Colleges Minimum Standards for Staff Participation in Governance, dated January 10, 1991) will elect 3 members of the Assembly. Representation of the Management Staff from the 3 District areas will be as follows:
 - i. From District Staff: 1 member
 - ii. From Crafton Hills College Staff: 1 member
 - iii. From San Bernardino Valley College Staff: 1 member
- e. The Student Senate at each college will each elect one primary member of the Assembly and one alternate member, who will serve when the primary member is unable to attend. The names will be forwarded to the Assembly recorder.

SECTION 2: ~~STANDING-EX-OFFICIO~~ MEMBERSHIP

The Ex-Officio Membership is made up of those individuals whose position in the collegiate structure of the District makes their presence in the Assembly essential to the successful completion of its goals. The Standing Membership will consist of:

- a. The Chancellor of the District (non-voting)
- b. The President of Crafton Hills College
- c. The President of San Bernardino Valley College
- d. The President of the CHC Academic Senate
- e. The President of the SBVC Academic Senate
- f. The President of the CHC Classified Senate
- g. The President of the SBVC Classified Senate
- h. The President of the CHC Student Body Assoc.
- i. The President of the SBVC Student Body Assoc.
- j. The Executive Director of Research, Planning, and Institutional Effectiveness

SECTION 3: VESTED MEMBERSHIP

The Vested Membership filled by election is made up of representatives from the identified Advocacy Groups that have petitioned the Assembly for representation. Each recognized Advocacy Group will elect a single representative from a slate of candidates nominated from that Advocacy Group.



District Assembly Constitution

- a. Collective Bargaining Agencies
The President/Designee of each recognized Collective Bargaining Agency (CSEA and CTA) will be a Vested Member of the Assembly and will represent its members in the Assembly.
- b. Advocacy Groups
Identified Advocacy Groups shall consist of recognized memberships that share common goals and ideals. Moreover, their membership must make up a part of the employee pool in the District. Each identified Advocacy Group shall be represented by one Vested Member elected from a slate of candidates nominated from the membership of that Advocacy Group.

Any Advocacy Group made up of employees of the District may apply to be recognized.

At the end of each academic year, the Assembly President will notify the District Advocacy Groups of the opportunity to be recognized for the subsequent year.

As long as the Advocacy Group remains active in the District, it may retain its position on the Assembly by annually re-electing its representative. The Vested Membership will consist of:

- i. Black Faculty & Staff Association
- ii. Latino Faculty & Staff Association
- iii. CTA President
- iv. CSEA President
- v. Confidential Group
- ~~v.~~vi. Management Association

SECTION 4: QUALIFICATIONS OF MEMBERSHIP

~~The Assembly shall be the sole judge of the qualifications of its members.~~

SECTION 5: FILLING VACANCIES

~~In the event of a vacancy in the General Membership (as defined in Article 3, Section 1), a replacement Member will be selected by a caucus of the remaining members of the recognized constituent group. The replacement members will serve until the next regular election.~~

~~In the event of a vacancy in one of the represented Advocacy Groups in the Vested Membership (as defined in Article 3, Section 3 b) a replacement member will be selected by a special election conducted by that Advocacy Group. The replacement will serve until the next regular election.~~



District Assembly Constitution

ARTICLE 4: ELECTIONS

SECTION 1: DATE OF ELECTION

Elections will be held April of each year. Service in the Assembly will commence on the first Tuesday in September.

SECTION ~~1~~2: ELECTIONS COMMITTEE

Elections for membership in the Assembly will be conducted by the Elections Committee chaired by the Vice President of the Assembly.

The following rules and procedures will be in effect:

—The Vice President of the Assembly will email the Notice of Election and Nomination form to all constituent and advocacy groups no later than March 10.

- a. Upon close of nominations (no later than March 31), a Doodle poll will be emailed to each member of the constituent and/or advocacy group to break any ties.
- b. All contract members (50% or more) of the Constituent or Advocacy Group are eligible to vote only for their respective group at their respective site.
- c. Results of the election will be posted at each site and an email announcement will be sent district-wide no later than April 15. An invitation to attend the May Assembly meeting shall be sent to all elected members who will serve as members of the Assembly for the upcoming academic year.

SECTION 2: GENERAL MEMBERSHIP

~~The General Membership is made up of elected and appointed representatives from the constituent groups that are identified and defined under Article 3, Section 1: General Membership.~~

~~The Classified Staff and the Management Staff are further defined as being primarily employed at the Central Services site, Crafton Hills College, or San Bernardino Valley College. If a Staff member divides his/her time between two or more of the identified areas, the Staff member must select one area for the purpose of representation in the election for the General Membership of the Assembly.~~

SECTION 3: VESTED MEMBERSHIP



District Assembly Constitution

~~The Vested Membership filled by election is made up of representatives from the identified Advocacy Groups that have petitioned the Assembly for representation. Each recognized Advocacy Group will elect a single representative from a slate of candidates nominated from that Advocacy Group.~~

SECTION 43: NOMINATIONS

- a. Any full-time (50% or more) employee of the District can be nominated for General Membership by the written application of three peers.
- b. Each nominated candidate must agree to serve before being placed on the ballot for election.
- c. Notice of Election and Nomination form will be emailed to all constituent and advocacy groups no later than March 10.
- d. Nominations must be received by the Chair of the Election Committee no later than March 31.

SECTION 54: TERM OF OFFICE

The term of office for the elected members shall be two (2) years. For the sake of continuity in the membership of the Assembly, terms will be staggered, with half of the members elected each year.

SECTION 6: DATE OF ELECTION

~~Elections will be held April of each year. Service in the Assembly will commence on the first Tuesday in September.~~

SECTION 7: ELECTIONS COMMITTEE – RULES AND PROCEDURES

~~The following rules and procedures will be in effect:~~

- ~~a. The Vice President of the Assembly will email the Notice of Election and Nomination form to all constituent and advocacy groups no later than March 10.~~
- ~~b.a. Upon close of nominations (no later than March 31), a Doodle poll will be emailed to each member of the constituent and/or advocacy group to break any ties.~~
- ~~c.a. All contract members (50% or more) of the Constituent or Advocacy Group are eligible to vote only for their respective group at their respective site.~~
- ~~d.a. Results of the election will be posted at each site and an email announcement will be sent district wide no later than April 15. An invitation to attend the May Assembly meeting shall be sent to all elected members who will serve as members of the Assembly for the upcoming academic year.~~



District Assembly Constitution

SECTION 5: FILLING VACANCIES

In the event of a vacancy in the General Membership (as defined in Article 3, Section 1), a replacement Member will be selected by a caucus of the remaining members of the recognized constituent group. The replacement members will serve until the next regular election.

In the event of a vacancy in one of the represented Advocacy Groups in the Vested Membership (as defined in Article 3, Section 3 b) a replacement member will be selected by a special election conducted by that Advocacy Group. The replacement will serve until the next regular election.

ARTICLE 5: OFFICERS

SECTION 1: DUTIES

Officers of the Assembly shall be President, Vice President, and Recorder. The President and Vice President shall be elected from the Membership. The Recorder's position shall be filled by the Administrative Officer ~~to the Chancellor~~. All members, with the exception of the Chancellor and the College Presidents, are eligible to hold office. Duties of the elected officers shall be:

- a. President of the Assembly
The President will preside at all meetings and will, in consultation with the Executive Committee, set the agenda for the meetings. The President will represent the Assembly whenever it becomes necessary for the views of the Assembly to be presented orally to the Board of Trustees or any other body. The following responsibilities are representative of the Assembly needs and may be amended by the Assembly as needed:
 - i. Work with the Chancellor, respective senates, College Councils, and other District representative bodies to identify key issues to be dealt with by the Assembly.
 - ii. Participate as an active member of the District Budget Committee.
 - iii. Work with the Assembly ad hoc committees to ensure assigned tasks are completed in a timely manner.
 - iv. Participate in shared governance activities at each campus as invited.
 - v. Participate in governance activities at the District, including but not limited to participating on management evaluation committees.
 - vi. Co-chair the Calendar Committee (or designate a co-chair from the Assembly).
 - vii. At the end of each academic year, the Assembly President will notify the District Advocacy Groups of the opportunity to be recognized for the subsequent year.



District Assembly Constitution

b. Vice President of the Assembly

The Vice President will serve in the capacity of President in the absence of the President and will chair the Elections Committee. The following additional responsibilities are representative of the Assembly needs and may be amended by the Assembly as needed:

- i. Meet with the Assembly Executive Committee to assist in setting the agenda.
- ii. Participate as an active member of the District Training Committee.
- iii. Work with the Assembly ad hoc committees to ensure assigned tasks are completed in a timely manner.
- iv. Participate in shared governance activities at each campus as invited.
- v. Participate on campus committees that require input from the Assembly.
- vi. Participate in governance activities at the district, including but not limited to participating on management evaluation committees.

c. Recorder

The recorder shall be responsible for records and minutes of the meetings and for the distribution of the minutes to the membership in a timely manner. The minutes shall record all formal action taken by the Assembly and shall reflect the essence of the discussion concerning issues brought before the Assembly.

SECTION 2: ELECTION OF OFFICERS

Officers will be elected from the Membership in May. Elected Officers will assume the duties of office on the first Tuesday in September. Voting membership will consist of those members, excluding the chancellor, who will serve as members of the Assembly for the upcoming academic year.

SECTION 3: TERM OF OFFICE

Officers will serve a term of one (1) year. Officers may succeed themselves in office.

SECTION 4: VACANCIES IN OFFICE

In the event that the Office of President becomes vacant, the Vice President shall assume the duties of President for the remainder of the term and a new Vice President will be elected. In the event of a vacancy in the Office of Vice President the vacant office will be filled by an election at the first regular meeting following the notice of vacancy. A vacancy in the Recorder's position will be filled by the Chancellor, or designee.

SECTION 5: REMOVAL FROM OFFICE



District Assembly Constitution

Any motion to suspend the term of any Officer of the Assembly shall become the first item of business at the next regularly scheduled meeting. A special quorum of two-thirds of the membership is required before the motion may be brought to a vote. A two-thirds majority of those members present and voting and constituting at least 51% of the total membership is required for passage of the motion to suspend the term of office.

ARTICLE 6: EXECUTIVE COMMITTEE

SECTION 1: MEMBERSHIP

The Executive Committee of the Assembly shall consist of the Chancellor, the two College Presidents, the two Academic Senate Presidents, the two Classified Senate Presidents, one student representative and the Officers of the Assembly. Meetings of the Executive Committee will be chaired by the President of the Assembly.

SECTION 2: MEETINGS

The Executive Committee shall meet as often as necessary but at least once before each regular Assembly meeting and shall set the agenda for the regular meetings. More frequent meetings may be scheduled by the President of the Assembly if deemed necessary.

SECTION 3: AGENDA

Agenda items may be submitted to the Executive Committee by any member of the Assembly or any employee of the SBCCD. Agenda items must be submitted in writing. Those items that require Assembly action must include a written summary and supporting documents.

ARTICLE 7: MEETINGS

SECTION 1: REGULAR AGENDA MEETINGS

Meetings will be held on the first Tuesday of each month, except in January, June, July, and August which are dark. Regular Assembly meetings will be held at the District Office. Unless otherwise specified, meetings will commence at 3:00 pm. If an issue to be addressed by the Assembly is of particular importance to either campus, the meeting will be held on that campus or on each campus in two consecutive months. Announcements of Assembly meetings on the campus will be made at least two weeks prior to the meeting, if possible.

SECTION 2: SPECIAL AGENDA MEETINGS

“Special meetings” may be called by the President of the Assembly. Members of the Assembly must be notified of “special meetings” in a timely manner. The meeting notice must identify



District Assembly Constitution

the reasons for the “special meeting” and only the specific issue identified may be discussed and/or acted on at this meeting. No other business will be conducted.

SECTION 3: QUORUM

- a. At Regular Agenda Meetings a Quorum shall consist of the members present 10 minutes following the time the regular meeting is scheduled to start.
- b. At Special Agenda Meetings a Quorum shall consist of at least two (2) members from each recognized constituent group (as defined in Article 3, section 1).
- c. Once a Quorum has been established, the meeting shall be terminated only by a successful motion to adjourn the meeting.

SECTION 4: OPEN MEETINGS

All meetings of the Assembly are open. An opportunity for public comment will be a consistent item on the agenda.

SECTION 5: CONDUCT OF BUSINESS

All business shall be conducted in a manner consistent with the spirit of Shared Governance. Decisions will be reached by consensus whenever possible. When consensus cannot be reached, issues of a general concern will be decided by a simple majority vote. Voting shall be by voice or show of hands when appropriate. Each member, excluding the chancellor, shall have one vote.

SECTION 6: DISPOSITION OF ISSUES

In the spirit of Shared Governance, the Chancellor will normally accept the recommendations of the Assembly in matters of District policy and procedures; and, when appropriate, forward these recommendations to the Board of Trustees. If the Chancellor does not agree with the Assembly recommendations, both views will be forwarded to the Board of Trustees in writing, and copies of the written recommendations will be presented to the members of the Assembly.

SECTION 7: REGULAR ATTENDANCE

Regular attendance by the Membership of the Assembly is essential to the success of the Assembly. If a member misses three (3) consecutive meetings, that member shall be terminated as a member and a new election to replace that person shall be called (see Article 4, section 5 for filling vacancies). Attendance is defined as physical presence at the meeting.

The Assembly may establish rules and procedures to encourage prompt and regular attendance.



District Assembly Constitution

SECTION 8: PARLIAMENTARY PROCEDURE

Roberts Rules of Order (revised) shall govern the parliamentary proceedings at all meetings unless otherwise provided for herein.

ARTICLE 8: COMMITTEES

The Assembly shall have the right to establish committees in order to conduct the business of the Assembly. Committee membership will be appointed by the Executive Committee of the Assembly and will be ratified by the Assembly as a whole.

ARTICLE 9: DISTRICT RESPONSIBILITIES

SECTION 1: FACULTY AND STAFF PARTICIPATION

The success of the mission of the Assembly depends on the effective participation of all of the constituent groups. To provide the time necessary for the Assembly to do its work, the District allocates to the Assembly reassigned time equivalent to .9 FTE, to be used as follows:

- a. President of the Assembly 0.4 FTE
- b. Vice President of the Assembly 0.1 FTE*
*The remaining 0.4 reassigned time is to be used at the discretion of the Executive Committee and can be granted to members who take on special tasks.
- c. Classified staff who are elected to these offices and for whom reassigned time is impractical will be compensated with an appropriate stipend, to be determined by the Executive Committee. Faculty who are elected to these offices can elect either the stipend described above or the reassigned time.

SECTION 2: SUPPORT PERSONNEL

The success of the mission of the Assembly depends on the effective communication of the Assembly with the various constituencies represented by Assembly membership. In order to accomplish this goal of effective communication, the District will provide clerical assistance and appropriate office space as necessary.

ARTICLE 10: AMENDMENTS

Any Assembly member may propose an amendment. Amendments to the Constitution must be submitted in writing to the Executive Committee for review prior to its presentation to the whole Assembly. The first presentation to the full Assembly shall constitute the First Reading where the proposed amendment can be debated. No vote may be taken on a proposed amendment until the next regular meeting following the First Reading. The provision for First Reading may be waived by the unanimous approval of the whole Assembly. Amendments to the Constitution of the District Assembly



District Assembly Constitution

will require a two-thirds majority vote of the members present and voting for approval. The approving vote must constitute at least 51% of the total membership of the Assembly.



**District Assembly Membership
Two-Year Terms Ending Spring 2020 and Spring 2022**

President: Jeremiah Gilbert (2020)
Vice President: Mark McConnell (2020)

Recorder: Stacey Nikac

FACULTY

Crafton Hills College (2)

T.L. Brink (2020)
Laurie Green (2022)

San Bernardino Valley College (3)

Craig Luke (2022)
Bethany Tasaka (2020)
Ginny Evans-Perry (2020)

CLASSIFIED STAFF¹

¹To satisfy Education Code section 70901.2, two classified representatives from the General Membership is to be appointed by CSEA.

District (1)

Rhiannon Lares (2020)

Crafton Hills College (1)

Ruby Zuniga (2020)

San Bernardino Valley College (1)

Cassandra Thomas¹ (2022)

MANAGEMENT STAFF

District (1)

Jose Torres (2020)

Crafton Hills College (1)

Keith Wurtz (2022)

San Bernardino Valley College (1)

Stephanie Lewis (2020)

STUDENTS

Crafton Hills College (2)

Leen Alkaddumi (2020)
Sean Brown (alternate) (2020)

San Bernardino Valley College (2)

Adrian Rios (2020)
Stacey Esparza(alternate) (2020)



District Assembly Membership
Two-Year Terms Ending Spring 2020 and Spring 2022

EX-OFFICIO

- | | |
|---|------------------|
| 1. Chancellor of the District | Bruce Baron |
| 2. President of Crafton Hills College | Kevin Horan |
| 3. President of San Bernardino Valley College | Diana Rodriguez |
| 4. President of the CHC Academic Senate | Mark McConnell |
| 5. President of the SBVC Academic Senate | Celia Huston |
| 6. President of the CHC Classified Senate | Brandi Mello |
| 7. President of the SBVC Classified Senate | Judy Rodriguez |
| 8. President of the CHC Student Body Association | Tyrone Ross |
| 9. President of the SBVC Student Body Association | Adrian Rios |
| 10. Executive Director of Research, Planning, & Institutional Effectiveness | Jeremiah Gilbert |

VESTED

- | | |
|--------------------------------------|-----------------------|
| Black Faculty and Staff Association | Keynasia Buffong |
| Latino Faculty and Staff Association | Gabby Padilla |
| CTA President (or designee) | Jeff Cervantez |
| CSEA President (or designee) | Kevin Palkki |
| Confidential Group | Cyndie St. Jean |
| <u>Management Association</u> | <u>Colleen Gamboa</u> |



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

AP 3505 Emergency Response Procedures

(Replaces current SBCCD AP 3740)

EMERGENCY ~~RESPONSE AND EVACUATION~~ COMMUNICATION PROCEDURES

~~General information about the emergency response and evacuation procedures for the District are publicized each year as part of the District's Clery Act compliance efforts and that information is available www.sbccd.org/District_Police/Clery_Act.~~

All members of the campus community are notified on an annual basis that they are required to notify the San Bernardino Community College District Police Department (SBCCD PD) of any incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and employees ~~on~~ in the District. The SBCCD PD has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, SBCCD PD has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a threat to the campus. ~~The SBCCD PD has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the SBCCD PD personnel have responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the~~ community. If so, federal law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

Upon confirmation or verification by the SBCCD PD that a legitimate emergency or dangerous situation involving an immediate threat to the health or safety of students or employees is occurring in the District or on campus, the SBCCD PD will, without delay, take into account the safety of the community, initiate emergency procedures, determine the content of any notifications, and deploy the ~~District will, without delay, take into account the safety of the community and determine the content of notifications and initiate the District's~~ Emergency Notification System (ENS) unless issuing a notification will, in the judgment of the first responders (including, but not limited to SBCCD PD ~~personnel~~), compromise the efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency. ~~District, SBCCD PD and Campus Personnel will determine the content of messaging and will use some or all of the systems described below to communicate the threat to the campus community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.~~

~~In the event of a serious incident that poses an immediate threat to members of the campus community, the District ENS has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include network e-mails, emergency text messages that can be sent to a~~

~~mobile phone or other digital device (individuals can sign up for this service on the District website), the public address system, phone calling trees, the district website and scrolling emergency messages on District connected computers. The SBCCD PD will post updates during a critical incident on the District website at www.sbccd.org. Individuals can call the District's recorded information telephone line at (909) 382-4002 for updates.~~

~~The District's ENS has the ability to send text messages to the personal mobile phones of faculty, staff and students who opt in to the system via our website.~~

When reasonable, a consultation group will be responsible for initiating emergency procedures and/or issuing an ENS message. The consultation group consists of some or all of the following: the Chief of Police or designee, the Chancellor or designee, the involved campus President or designee, the involved Campus and/or District Public Information Officer, and other stakeholders when needed. They shall work in consultation to initiate emergency procedures and/or issue an ENS message if reasonable and possible. While efforts are made to confer with the consultation group prior to initiating emergency procedures and/or issuing an ENS message, the Chief of Police or designee or the involved Campus President or designee has authority to initiate emergency procedures and/or issue an ENS message without consultation when necessary to ensure the safety of the campus community.

The District ENS is comprised of several components designed for rapidly communicating information to the entire District, a particular campus, or particular segments of the campus community.

In the event a serious incident poses an immediate threat to members of the campus community or segment of the campus community, the SBCCD PD will use some or all of the ENS components described below to communicate that threat to the campus community or to the appropriate segment of the community. These ENS communication components include:

- : Network e-mail
- : SMS text messages sent to mobile phones or other digital devices (requires individuals to "opt in" to receiving SMS messaging via WebAdvisor)
- : Live voice broadcasts through on-campus speakerphones
- : Public address systems
- : Posted information on District and/or College websites
- : Social media sites and applications
- : Scrolling emergency messages on District connected computers
- : Hand-held radios
- : Recorded voice messages: (909) 382-4002
- : Phone calling trees

During a critical incident, the SBCCD PD will ensure updated information is provided at established regular intervals using any or all of the ENS components.

General information about the emergency response and evacuation procedures for the District are publicized each year as part of the District's Clery Act compliance efforts and that information is available at www.sbccd.org/District_Police/Clery_Act.

The involved campus and/or District's Director of Marketing, Public Information Officer will be responsible for the dissemination of emergency information to the larger community (including external community members and stakeholders) through press conferences, Public Affairs & Governmental Relations will be responsible for the dissemination of emergency information to the larger community through news releases, social media outlets, cell phone alerts, website announcements, radio, and TV alerts.

The following is a list of situations where one might expect an ENS message:

- Active Shooter/Armed Intruder
- Earthquake
- Wildfire
- Utility interruption
- Terrorist incident
- Bomb threat
- Civil unrest or rioting
- Explosion
- Approaching extreme weather
- Campus closure
- Emergency preparedness drills
- Other incident or situation requiring rapid communication of life safety information

The recipients of ENS messages are responsible for providing and updating their personal emergency contact information with the District. All members of the District community are encouraged to include their cellular phone number and "opt in" to receive ENS messages via text, which is the quickest form of communication.

TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

~~An evacuation drill is coordinated by the College Lead Safety Officers and the SBCCD PD two (2) times per year for all facilities on campus. During exercises, students, faculty and staff learn the locations of the emergency exits in campus building and are provided guidance about the direction they should travel when exiting each facility for a short term building evacuation.~~

A minimum of two (2) evacuation drills for all facilities at each District site are scheduled annually and coordinated by the Site Safety Officers and the SBCCD PD to test emergency response and evacuation procedures, as well as to assess and evaluate emergency evacuation plans and capabilities. During these exercises, students, faculty, and staff are provided guidance by trained staff members and learn the location of building emergency exits, building exit pathways, and exterior building evacuation locations.

Evacuation drills are monitored by the ~~College Lead~~Site Safety Officers and ~~the~~ SBCCD PD to evaluate egress and behavioral patterns. Exercise performance information is collected and After Action Reports (AAR) are prepared by participating departments which in order to assess and evaluate emergency plans and capabilities, provide recommendations for improvement as well as, and to identify deficient equipment so that repairs can be made immediately.

~~The District conducts announced and unannounced drills and exercises For each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. The SBCCD PD and College Lead Safety Officers coordinate announced evacuation drills two times per year, as described above, to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. For each test conducted, the Site Safety Officer and/or the SBCCD PD will document a description of the exercise, the date, time, and whether it was announced or unannounced. The District will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.~~

PURPOSE

The ~~Emergency Procedures~~emergency procedures are the District's planned responses to all hazards on or ~~affecting the~~effecting each campus ~~or, District facilities, or the~~ surrounding community. The ~~Emergency~~

~~Procedures~~emergency procedures will be activated by the ~~Chancellor (or their designated representative) or the SBCCD PD~~Chief of Police or designee, or Campus President or designee after consultation with the members of the consultation group as appropriate. The ~~Emergency Procedures~~emergency procedures detail actions and responsibilities for all employees of the District.

RESPONSIBILITY

Government Code Sections 3100-3101 state that all employees of the District are declared civil defense workers during emergencies, subject to such defense activities as may be assigned to them. Federal and state regulations ~~further state~~require that all employees of the District must be trained and qualified in specified Federal Emergency Management Agency (FEMA) courses depending on an employee's emergency response responsibilities.

EMERGENCY COMMAND POSTS (CIVILIAN AND LAW ENFORCEMENT)

~~The~~ Emergency Command Posts will be activated during emergency situations. ~~The~~After consultation with the members of the consultation group, the Chief of Police, Campus President, and/or the Chancellor, or their respective designee(ors), will activate their ~~designated representative) and the SBCCD PD Chief of Police (or their designated representative) will activate their respective~~local Emergency Command Posts and maintain effective communications between the ~~two~~ Command Posts. The Emergency Command Post staffs will direct the District's response to the emergency situation, coordination with each other, coordination with outside agencies, and requests for outside support. The Emergency Command Post staffs will be aided in their duties by District, college and SBCCD PD personnel.

The Command Posts shall jointly:

- ~~Declare a major emergency in the event of earthquake, explosion, flood, etc.~~
Declare a major emergency in the event of earthquake, explosion, flood, etc.
- ~~Assess the overall disaster based on reports from area managers.~~
Assess the overall disaster based on reports from area managers.
- ~~Initiate the emergency notification chain (call back of employees) if necessary.~~
Initiate the emergency notification chain (call back of employees) if necessary.
- ~~Mobilize any additional staff to heavily damaged areas.~~
Mobilize any additional staff to heavily damaged areas.
- ~~Determine the —"All-Clear" when the disaster is over.~~
Determine the —"All-Clear" when the disaster is over.

All press releases will be prepared by the ~~Director of~~involved campus and/or District Public ~~and Governmental Relations~~Information Officer. In the absence of this person, the ~~key~~lead administrator will designate an individual responsible for this function.

PREPAREDNESS

The District's preparedness is based on pre-staged supplies, training and awareness, and emergency drills. All employees of the District will receive training in responding to and managing emergency situations according to federal and state laws and regulations. The best response to emergency situations is preparedness.

EMERGENCY TELEPHONE LIST

Please see the Confidential Administrative Staff Directory (i.e., confidential telephone list) with administrative personnel (including Executive and Senior Administrative Assistants) home phone numbers, cell phone numbers, and office phone numbers. This list is in the possession of all ~~Administrative Staff~~administrative personnel and is not published in a public document.

~~EMERGENCY NUMBERS~~

- ~~• POLICE/FIRE/MEDICAL EMERGENCY:----- 911~~
- ~~• SBCCD POLICE:----- (909) 384-4491~~
- ~~• EMERGENCY MANAGEMENT OFFICE:----- (909) 382-4005~~
- ~~• FACILITIES / MAINTENANCE - SBVC:----- (909) 384-8906~~
- ~~• FACILITIES / MAINTENANCE - CHC:----- (909) 389-3384~~
- ~~• SAN BERNARDINO POLICE DEPARTMENT:----- (909) 383-5311~~
- ~~• SAN BERNARDINO CO. SHERIFF'S DEPT.----- (909) 918-2305~~
- ~~• AMERICAN RED CROSS:----- (909) 888-1484~~
- ~~• THE GAS COMPANY:----- (800) 427-2200~~
- ~~• POISON CONTROL CENTER:----- (800) 222-1222~~
- ~~• THE ELECTRIC COMPANY:----- (800) 611-1914~~

EMERGENCY ASSEMBLY AREAS

Emergency ~~Designated~~-Assembly areas have been determined and designated on each campus and at each District facility location, and are shownindicated on the Arealocation specific Evacuation ~~Map~~Maps. Assembly areas will be subject to change during ~~the~~-construction period~~periods~~.

LEGAL RESPONSIBILITIES & DUTY ASSIGNMENTS

Legal responsibilities and duty assignments are listed in the District's Emergency Operations Plan (EOP).

EMERGENCY NUMBERS

- POLICE/FIRE/MEDICAL
EMERGENCY:----- 911
- SBCCD POLICE
DEPARTMENT:----- (909)
384-4491
- SBCCD OFFICE OF EMERGENCY SERVICES:
----- (909) 382-4005
- FACILITIES/MAINTENANCE - SBVC:
----- (909) 384-8965/8958
- FACILITIES/MAINTENANCE - CHC: -----
(909) 389-3384/3217/3211
- SAN BERNARDINO POLICE DEPARTMENT (24/7 Non-Emergency Dispatch):
----- (909) 383-5311
- YUCAIPA POLICE DEPARTMENT:
----- (909) 918-2305
- SAN BERNARDINO CO. SHERIFF'S DEPT.(24/7 Non-Emergency Dispatch):
----- (909) 790-3100
- AMERICAN RED CROSS - SAN BERNARDINO:

----- (909) 888-1481

- SOUTHERN CALIFORNIA EDISON:

----- (800) 611-1911

- SOUTHERN CALIFORNIA GAS COMPANY:

----- (800) 427-2200

- CALIFORNIA POISON CONTROL CENTER:

----- (800) 222-1222

ADDITIONAL RESOURCES

There are a number of additional resources that are available regarding crisis response. These include, but are not limited to, the following:

www.dhs.gov Department of Homeland Security

www.fema.gov Federal Emergency Management Agency

www.redcross.org American Red Cross

KVCR 91.9 FM San Bernardino, CA

KFRG 95.1 FM San Bernardino, CA

KOLA 99.9 FM San Bernardino, CA

KEZY 1240 AM San Bernardino, CA

KKDD 1290 AM San Bernardino, CA

KCAL 96.7 FM Redlands, CA

KLRD 90.1 FM Yucaipa, CA

KLYY 97.5 FM Riverside, CA

KGGI 99.1 FM Riverside, CA

KSPA 1510 AM Ontario, CA

KVFG 103.1 FM Victorville, CA

~~EMERGENCY PROCEDURES~~ **EMERGENCY PROCEDURES**

AIRPLANE or VEHICLE CRASH

- ~~Call or have someone else call 911 immediately.~~

Call or have someone else call 911 immediately.

- ~~Move staff, faculty, students and visitors away from immediate vicinity of the crash.~~

Move staff, faculty, students and visitors away from immediate vicinity of the crash.

- ~~If necessary, evacuate staff, faculty, students and visitors to a safe evacuation area away from the crash scene.~~

If necessary, evacuate staff, faculty, students and visitors to a safe evacuation area away from the crash scene.

- ~~Check to ensure that all staff, faculty, students and visitors have evacuated.~~

Check to ensure that all staff, faculty, students and visitors have evacuated.

- ~~• Maintain control of staff, faculty, students and visitors to ensure a safe distance from the crash site.~~

Maintain control of staff, faculty, students and visitors to ensure a safe distance from the crash site.

- ~~• Document and report the names of individuals who are unaccounted for or absent.~~

Document and report the names of individuals who are unaccounted for or absent.

- ~~• If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

- ~~• Remain in the evacuation area until further instructions are provided by SBCCD administration, district police, or other official emergency responders.~~

Remain in the evacuation area and wait for further instructions, contact from SBCCD PD, official emergency responders, SBCCD administration, or an "ALL CLEAR" message distributed via the ENS.

ASSAULT/FIGHTING

- ~~• Call or have someone else call 911 immediately.~~

Call or have someone else call 911 immediately.

- ~~• Approach in a calm manner and direct combatants to stop fighting.~~

If safe to do so, verbally direct combatants to stop fighting.

- ~~• DO NOT attempt to separate combatants during a physical altercation.~~

DO NOT attempt to separate combatants during a physical altercation.

- ~~• Try to keep combatants isolated from others, if possible, until Police arrive.~~

Try to keep combatants isolated from others, if possible, until SBCCD PD arrive.

- ~~• If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

CHEMICAL OR HAZ MAT SPILL

In the event of ANY spillage of a dangerous chemical or hazardous material:

- ~~• Call or have someone call 911 immediately.~~

Call or have someone call 911 immediately.

- ~~• Evacuate the affected area at once, and if it is safe to do so, seal it off to prevent further contamination of other areas; stay upwind of any contamination.~~

Evacuate the affected area at once, and if it is safe to do so, seal it off to prevent further contamination of other areas; stay upwind of any contamination.

Anyone who may become contaminated as a result of being in the immediate area affected by the spill should:

- ~~Avoid physical contact with others as much as possible.~~
Avoid physical contact with others as much as possible.
- ~~Remain in the vicinity, and provide their names to first responders.~~
Remain in the vicinity, and provide their names to first responders.
- ~~To the best of your ability and without re-entering the affected area, assist first responders in determining that everyone has been evacuated safely.~~
To the best of your ability and without re-entering the affected area, assist first responders in determining that everyone has been evacuated safely.
- ~~DO NOT return to any affected area unless it has been declared safe to do so by SBCCD administration, district police, or other official emergency responders.~~
DO NOT return to any affected area unless it has been declared safe by SBCCD PD, official emergency responders, SBCCD administration, or an "ALL CLEAR" message distributed via the ENS.
- ~~Required first aid and clean-up by specialized authorities should begin as soon as possible.~~
Required first aid and clean-up by specialized authorities should begin as soon as possible.

FIRE

Upon discovery of an actual fire:

- ~~Pull a fire alarm if one is nearby.~~
- ~~Call or have someone else call 911 immediately and describe the location and size of the fire.~~

~~Evacuate the area if you are unable to put the fire out.~~

- Pull a fire alarm if one is nearby.
- Call or have someone else call 911 immediately and describe the location and size of the fire.
- Evacuate the area if you are unable to put the fire out.
- ~~Close all doors and windows to confine the fire and reduce oxygen—but DO NOT LOCK THEM.~~
Close all doors and windows to confine the fire and reduce oxygen—but DO NOT LOCK THEM.
- ~~EVACUATE when the sound of the fire alarm is heard.~~
EVACUATE when the sound of the fire alarm is heard.
- ~~DO NOT attempt to save possessions or collections at the risk of personal injury.~~
DO NOT attempt to save possessions or collections at the risk of personal injury.
- ~~DO NOT USE ELEVATORS to evacuate a building.~~
DO NOT USE ELEVATORS to evacuate a building.
- ~~Never allow the fire to come between you and the exit.~~
Never allow the fire to come between you and the exit.

- ~~Report to an evacuation site away from the fire.~~

Report to an evacuation site away from the fire.

- ~~Document and report the names of individuals who are unaccounted for or absent.~~

Document and report the names of individuals who are unaccounted for or absent.

- ~~If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

- ~~DO NOT return to any affected area, building or facility unless it has been declared safe to do so by SBCCD administration, district police, or other official emergency responders.~~

DO NOT return to any affected area, building or facility and wait for further instructions, contact from SBCCD PD, official emergency responders, SBCCD administration, or an "ALL CLEAR" message distributed via the ENS.

BOMB THREAT

If you receive a direct bomb threat via phone:

- ~~Ask someone else to call 911 immediately and discreetly relay any information you obtain from the caller to the 911 operator.~~

Ask someone else to call 911 immediately and discreetly relay any information you obtain from the caller to the 911 operator.

- ~~Keep the caller on the phone as long as possible and ask the following questions:~~

Keep the caller on the phone as long as possible and ask the following questions:

- ~~When and where is the bomb right now?~~

When and where is the bomb right now?

- ~~When is the bomb going to explode?~~

When is the bomb going to explode?

- ~~What kind of bomb is it?~~

What kind of bomb is it?

- ~~What does it look like?~~

What does it look like?

- ~~Why did you place the bomb?~~

Why did you place the bomb?

If a bomb threat alert is issued:

- ~~Check your immediate area for any suspicious devices, abandoned backpacks, boxes, etc. that do not belong to anyone or seem to be out of place.~~

Check your immediate area for any suspicious devices, abandoned backpacks, boxes, etc. that do not belong to anyone or seem to be out of place.

- ~~• Limit usage of cell phones, radios or fire alarm system due to risk of activating a device.~~

Limit usage of cell phones, radios or fire alarm system due to risk of activating a device.

- ~~• If a suspicious device or package is found ... DO NOT TOUCH.~~

If a suspicious device or package is found ... DO NOT TOUCH.

- ~~• Clear the immediate area and call 911 immediately from a safe distance.~~

Clear the immediate area and call 911 immediately from a safe distance.

- ~~• If directed by SBCCD administration, district police, or other official emergency responders, evacuate a safe distance away from buildings.~~

If directed by SBCCD PD, official emergency responders, SBCCD administration, or an ENS message, evacuate a safe distance away from buildings.

- ~~• Document and report the names of individuals who are unaccounted for or absent.~~

Document and report the names of individuals who are unaccounted for or absent.

- ~~• If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

EXPLOSION

- ~~• Take cover under tables, desk, and similar places that will give protection against flying glass and debris.~~

Take cover under tables, desk, and similar places that will give protection against flying glass and debris.

- ~~• Call or have someone else call 911 immediately.~~

Call or have someone else call 911 immediately.

- ~~• If directed to do so by SBCCD administration, district police, or other official emergency responders, activate the fire alarm system and Evacuate from the building to a safe evacuation area.~~

If directed to do so by SBCCD PD, official emergency responders, SBCCD administration, or an ENS message, activate the fire alarm system and evacuate from the building to a safe evacuation area.

- ~~• Beware of falling debris and electrical wires as you evacuate.~~

Beware of falling debris and electrical wires as you evacuate.

- ~~• Document and report the names of individuals who are unaccounted for or absent.~~

Document and report the names of individuals who are unaccounted for or absent.

- ~~• If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

- ~~DO NOT return to any affected area, building or facility unless it has been declared safe to do so by SBCCD administration, district police, or other official emergency responders.~~

DO NOT return to any affected area, building or facility unless it declared safe by SBCCD PD, official emergency responders, SBCCD administration, or an “ALL CLEAR” message distributed via the ENS.

ACTIVE SHOOTER / ARMED INTRUDER

IF AN ACTIVE SHOOTER, ARMED INTRUDER, OR WEAPONS ARE OBSERVED:

- ~~Immediately call or direct someone to call 911~~

Immediately call or direct someone to call 911

- ~~Take note of the assailant(s) description/behavior/weapons and report the details to the 911 operator~~

Take note of the assailant(s) description/behavior/weapons and report the details to the 911 operator

- ~~To increase everyone’s safety obey the verbal commands of any law enforcement personnel (i.e., freeze, halt, stop, raise your hands, etc.)~~

To increase everyone’s safety obey the verbal commands of any law enforcement personnel (i.e., freeze, halt, stop, raise your hands, etc.)

There are three basic actions one should take in such a violent situation: Run, Hide, or Fight.

~~A. **Run**—Escape the area whenever possible and then notify authorities *only when it’s safe to do so.*~~

~~B. **Hide**—Get to a securable location where you can hide away from the assailants(s). Turn off any lights, stay quiet, and notify authorities *only if it’s safe to do so.*~~

~~Note: If possible, you should remain in the secured location until law enforcement personnel have cleared the area and the police or SBCCD administration have given an all clear command to EVACUATE to a designated evacuation zone.~~

~~A. **Fight**—This is the option of last resort. If you’re unable to secure your hiding location, prepare to fight or use force against the shooter.~~

1. **Run** – Escape the area whenever possible and then notify authorities *only when it’s safe to do so.*

2. **Hide** – Get to a securable location where you can hide away from the assailants(s). Turn off any lights, stay quiet, and notify authorities *only if it’s safe to do so.*

◦ Note: If possible, you should remain in the classroom, or secured area, and wait for further instructions, contact from SBCCD PD, official emergency responders, SBCCD administration, or an “ALL CLEAR” message distributed via the ENS.

3. **Fight** – This is the option of last resort. If you’re unable to secure your hiding location, prepare to fight or use force against the shooter.

To report a crime, suspicious person, suspicious situation, or for non-emergency inquiries call the SBCCD ~~Police Department~~PD at (909) ~~382-4491~~384-4491.

LOCKDOWN

LOCKDOWN is a security measure used to prevent an armed violent ~~intruders~~intruder from entering occupied ~~areas of~~ areas of buildings and facilities, and to isolate students, faculty, staff, ~~faculty, students~~ and visitors from danger while on campus or at any ~~district~~District facility.

~~The order to LOCKDOWN will be communicated via the SBCCD emergency notification system, announcements made by instructors or workplace supervisors, or announcements made by Building Captains.~~

The order to LOCKDOWN shall be communicated via the SBCCD Emergency Notification System (ENS) to ensure wide and rapid distribution of the order. The LOCKDOWN order may be further announced or communicated by faculty, staff, students, and District or campus administrators.

~~Building Captains are designated individuals who are tasked with helping to respond appropriately to emergency situations.~~ In the event of an emergency, ~~Building Captains~~ any District employee trained in emergency procedures will assist building occupants to respond ~~correctly~~ appropriately to LOCKDOWN procedures.

~~If~~ When a LOCKDOWN order is given, you should:

- ~~Immediately close and lock doors (if possible).~~

Immediately close and lock all doors (if possible and safe to do so).

- ~~Close window shades or blinds if it appears safe to do so.~~

Close all windows and lower/close all window shades or blinds (if possible and safe to do so).

- ~~Turn off the lights.~~

Turn off the lights.

- ~~Block any hallway windows (in doors) if it appears safe to do so.~~

Block any hallway in-door windows (if possible and safe to do so).

- ~~Move away from doors and windows, and get down on the floor to avoid discovery.~~

Move away from doors and windows, and get down on the floor to avoid discovery.

- ~~Silence all mobile devices (phones, tablets, laptops, etc.).~~

- ~~Assist those needing any special assistance.~~

Assist those needing any special assistance.

- ~~Document and report the names of individuals who are unaccounted for or absent.~~

Document and report the names of individuals who are unaccounted for or absent.

- ~~If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If the scene is safe, and you are trained to do so, initiate first aid for any injured staff, faculty, students and visitors.

- ~~Remain in the classroom, or secured area, and wait for further instructions from SBCCD administration, district police, or other official emergency responders.~~

Remain in the classroom, or secured area, and wait for further instructions, contact from SBCCD PD, official emergency responders, SBCCD administration, or an "ALL CLEAR" message distributed via the ENS.

SHELTER-IN-PLACE

SHELTER-IN-PLACE is a short-term measure implemented when there is a need to isolate staff, faculty, students and visitors from ~~the any outdoor environment to prevent exposure to hazard (extreme weather, airborne contaminants or chemical release, and temporary hazards incident)~~. This procedure includes closing all doors, windows, and vents to outside air.

~~This procedure includes closing all doors, windows and vents to outside air.~~

~~The order to SHELTER-IN-PLACE will be communicated via the SBCCD emergency notification system, announcements made by instructors or workplace supervisors, or announcements made by Building Captains.~~

The order to SHELTER-IN-PLACE shall be communicated via the District's ENS to ensure wide and rapid distribution of the order. In addition, the SHELTER-IN-PLACE order may be further announced or communicated by faculty, staff, students, and District or campus administrators.

~~Building Captains are designated individuals who are tasked with helping to respond appropriately to emergency situations.~~ In the event of an emergency, ~~Building Captains~~ any District employee trained in emergency procedures will assist building occupants to respond ~~correctly~~ appropriately to SHELTER-IN-PLACE procedures.

~~When~~ When a SHELTER-IN-PLACE order is given, you should:

- ~~Help to clear everyone from hallways.~~

Help to clear everyone from hallways.

~~Keep everyone in classrooms or offices until further instructions are received.~~

- Immediately close and lock all doors.
- Close and secure all windows.
- Move away from doors and windows.
- ~~Assist those needing any special assistance.~~

Assist those needing any special assistance.

~~Secure classrooms and offices by closing and locking doors and windows.~~

- Document and report the names of individuals who are unaccounted for or absent.
- If the scene is safe, and you are trained to do so, initiate first aid for any injured staff, faculty, students and visitors.
- ~~Remain in the classroom, or secured area, and wait for further instructions from SBCCD administration, district police, or other official emergency responders.~~

Remain in the classroom, or secured area, and wait for further instructions, contact from SBCCD PD, official emergency responders, SBCCD administration, or an "ALL CLEAR" message distributed via the ENS.

POWER OUTAGE

Although our electrical power delivery system is considered reliable, occasionally system failures that impact our campus community do occur. These impacts come with unpredictable variables: when and why they happen, what they impact, the duration of the impact, and more. The campus community must be aware of this possibility and know what to do should a power outage occurs. When a power outage occurs, information regarding the power outage (up to and including the possibility of campus closure) will be communicated via

the Emergency Notification System (ENS).

The objective of this procedure is to plan for potential power interruptions and to mitigate loss of class time, college and/or District services. Faculty members and supervisors shall establish and announce a plan as to where to go (i.e., evacuation sites, parking lots, etc.) should a power outage occur. In the event of a power outage, please follow the guidelines listed below:

Daylight Power Outage

Faculty:

- If safe to do so, wait 15 minutes to see if power is restored (for laboratories, refer to Laboratory section below).
- If power is not restored in 15 minutes, exit the building (if not already done so) to a safe location and await further instructions.
- Follow the instructions of administration throughout the outage.
- If there is no natural lighting in the classroom, proceed to a naturally lit area. If sufficient class time remains when the power is restored, return to the classroom when the event has ended and resume class.
- If less than 60 minutes of class time remains when the power is restored, the instructor has the option to continue or suspend the remainder of the class time.
- Should a power outage occur before a class session begins, students should wait outside the building until power is restored.
- Once the power outage has ended, faculty and students can enter the building and the class session can begin (for laboratories, refer to Laboratory section below).

Staff:

- If there is insufficient light in the work area, proceed to a naturally lit area.
- Staff should follow the instructions of their supervisor throughout the outage.
- If less than 60 minutes remain in the workday, supervisors have the option to release staff for the remainder of the workday at the direction of the President or designee.
- Consideration shall be given to equipment requiring backup power. Supervisors and staff shall collaborate on such equipment and appropriate personnel shall remain on-site in a safe location until the alternative power needs are established.
- Multi-day power outage: Staff are required to follow directions received through emergency notifications.

After Dark Power Outage

Faculty/Staff:

- If safe to do so, please wait 15 minutes to see if power is restored (for laboratories, refer to Laboratory section below). If power is not restored, follow the evacuation procedures as described below.

In Laboratory Settings (Daylight or After Dark):

- Stop or stabilize all experiments immediately.

- Secure all chemicals that are being used.
- Turn off all heat sources (gas or electric burners) to prevent fires.
- If you are using a fume hood, and fumes are present, shut the fume hood sashes to prevent fumes from escaping.
- If an evacuation notice has been given, if power is out, or if ventilation is down, calmly leave the building.
- Consideration shall be given to equipment requiring backup power. Supervisors and staff shall collaborate on such equipment and appropriate personnel shall remain on-site in a safe location until the alternative power needs are established.

When power is restored:

- Follow contingency plans regarding restarting the laboratory.
- Check for unusual odors. Could be the sign of a leak or spill.
- Check the temperatures in cold storage units. Reset alarms if needed.
- Reset or plug in all the equipment as needed and check to make sure they are functioning properly.
- Check fume hoods for proper flow before using.

Faculty/Staff Evacuation Guidelines

- REMAIN CALM
- Gather your personal belongings.
- Prior to leaving, turn off all light switches, computers, and electrical devices if safe to do so.
- Proceed to the nearest exit.
- If on the 2nd floor or above DO NOT USE ELEVATORS (in the case of earthquake), even if they appear to be functioning.
- If on the 2nd floor or above, proceed to the nearest stairwell and exit to the ground level then proceed to the designated evacuation site for your building.
- If on the 2nd floor or above, Individuals in wheelchairs should proceed to the nearest stairwell and wait for assistance to be evacuated.
- Faculty and staff should assist with building evacuation and assist individuals with disabilities.
- If directed to leave campus, drive in an orderly and safe manner and follow the directions of public and/or campus safety personnel.

MEDICAL EMERGENCY & FIRST AID

Is it an Emergency?

- ~~Respirations — difficulty or no breathing?~~
Respirations – difficulty or no breathing?
- ~~Pulse — weak or no heart rate?~~
Pulse – weak or no heart rate?

- ~~Responsive — not awake /not alert?~~

Responsive – not awake /not alert?

EMERGENCIES INCLUDE: Uncontrolled bleeding, head injury, broken bones, poisoning, overdose, seizure, allergic reaction, persistent chest pain or pressure, numbness or paralysis of arms or legs, sudden slurred speech, major burns, intense pain.

Calmly communicate the following information to the 911 operator:

- ~~What is the emergency situation?~~

What is the emergency situation?

- ~~What is the background of the emergency?~~

What is the background of the emergency?

- ~~What's your assessment?~~

What's your assessment?

- ~~What response do you expect?~~

What response do you expect?

- ~~Where is the location of the emergency? — SBVC or CHC, Building Name, Room Number, Phone Number~~

Where is the location of the emergency? – SBVC or CHC, building name, room number, phone number, etc.

Before help arrives, if you are trained and the scene is safe:

- ~~Bleeding — apply pressure.~~

Bleeding – apply pressure.

- ~~Fracture — don't move the person unless they must be moved to avoid further injury.~~

Fracture – don't move the person unless they must be moved to avoid further injury.

- ~~No Breathing or Pulse — begin CPR and send someone for AED.~~

No Breathing or Pulse – begin CPR and send someone for AED.

- ~~Seizure — help to the floor, protect head; do not try to restrain.~~

Seizure – help to the floor, protect head; do not try to restrain.

- ~~Choking — Back blows and abdominal thrusts.~~

Choking – Back blows and abdominal thrusts.

- ~~Emotional Upsets/Suicidal — stay with person until help arrives.~~

Emotional Upsets/Suicidal – stay with person until help arrives.

- ~~Impaled Object — don't remove the object, just support the object with bandages.~~

Impaled Object – don't remove the object, just support the object with bandages.

- ~~Vomiting—move person onto their side.~~
Vomiting – move person onto their side.
- ~~Stay with the victim providing reassurance that help is on the way and keep them comfortable.~~
Stay with the victim providing reassurance that help is on the way and keep them comfortable.
- ~~Stay at the scene until help arrives and clear “on-lookers” from the scene~~
Stay at the scene until help arrives and clear “on-lookers” from the scene

FOR MINOR INJURY OR ILLNESS:

- ~~Provide first aid using available campus medical supplies.~~
Provide first aid using available campus medical supplies.
- ~~After initial treatment, students should be referred to the Student Health Center.~~
After initial treatment, students should be referred to the Student Health Center.
- ~~Staff should contact their supervisor immediately for appropriate treatment (Workers Comp Program).~~
Staff should contact their supervisor immediately for appropriate treatment (Workers Comp Program).

EMERGENCY EVACUATION PROCEDURES

Building Captains will be called upon to be leaders in any evacuation scenario. Building Captain’s will be used not only in operational leadership roles, but their technical expertise will be invaluable in roles where that expertise is needed.

- ~~Each Building Captain is responsible for the direct supervision of ANY individual located in their assigned building and will do the following:~~

Each Building Captain is responsible for the direct evacuation in their assigned building and will do the following:

- ~~Direct the evacuation of employees, students or visitors to designated Evacuation Sites (see Evacuation Site Map).~~
Direct the evacuation of employees, students or visitors to designated Evacuation Sites (see Evacuation Site map).
- ~~Immediately shut down all hazardous operations (equipment in use, etc.).~~
If safe to do so, immediately shut down all potentially hazardous operations (equipment in use, etc.).
- ~~Take personal items you can safely carry with you (Building Captain Response Kit, phone, purse, briefcase).~~
If safe to do so, take personal items you can safely carry with you. If the emergency is potentially life-threatening.
- ~~Shut all doors behind you as you go to slow the spread of fire, smoke, and water.~~
Shut all doors behind you to slow the spread of fire, smoke, and water.
- ~~Proceed as quickly as possible, but in an orderly manner.~~

Proceed as quickly as possible, but in an orderly manner.

- ~~Accompany and assist handicapped personnel, students and visitors who appear in need of direction or assistance.~~

Accompany and assist handicapped personnel, students and visitors who appear in need of direction or assistance.

- ~~Once outside, move away from the structures and go to the designated Evacuation Site. Keep roadways free for emergency vehicles.~~

Once outside, move everyone away from the structures and go to the designated Evacuation Site. Keep roadways free for emergency vehicles.

- ~~Document and report the names of individuals who are unaccounted for or absent.~~

Document and report the names of any known individuals who are unaccounted for or absent.

- ~~If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If trained, and the scene is safe, be prepared to initiate first aid.

Evacuation of Persons with Disabilities

- ~~Building Captains help individuals with disabilities evacuate by quickly assigning a “buddy” to lead them to the closest safe evacuation area.~~

Building Captains help individuals with disabilities evacuate by quickly assigning a “buddy” to lead them to the closest safe evacuation area.

- ~~Building Captains should be familiar with emergency alarms and signs showing the emergency exit routes. If an elevator is not available, or if it is unsafe to use, direct wheelchair users to the top of the nearest staircase where an Evac-Chair is located or the nearest designated area of rescue assistance.~~

Building Captains should be familiar with emergency alarms and signs showing the emergency exit routes. If an elevator is not available, or if it is unsafe to use, direct wheelchair users to the top of the nearest staircase where an Evac-Chair is located or the nearest designated area of rescue assistance.

- ~~Only individuals trained in the use of an Evac-Chair should attempt to transport someone using the chair.~~

Only individuals trained in the use of an Evac-Chair should attempt to transport someone using the chair.

- ~~If an individual is unable to be transported via an Evac-Chair, or if an Evac-Chair is not available, immediately notify a member of the Emergency Response Team of the individual's location.~~

If an individual is unable to be transported via an Evac-Chair, or if an Evac-Chair is not available, immediately notify a member of the Emergency Response Team of the individual's location.

EARTHQUAKE

If indoors:

- ~~When the earth begins shaking DROP, COVER and HOLD.~~

When the earth begins shaking DROP, COVER and HOLD ON. If in a Lab, move away from the lab bench, unsecured equipment, or exposed chemicals and DROP, COVER and HOLD ON.

- If in a lab, when shaking stops and when safe to do so, turn off all heat sources (gas or electric burners)

to prevent fires.

- ~~DO NOT evacuate immediately during the earthquake.~~

DO NOT evacuate immediately during the earthquake.

- ~~Keep away from overhead fixtures, glass windows, filing cabinets, shelves and bookcases.~~

Keep away from overhead fixtures, glass windows, filing cabinets, shelves and bookcases.

- ~~Protect yourself at all times and be prepared for aftershocks.~~

Protect yourself at all times and be prepared for aftershocks.

- ~~Check for any injured, and if trained, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

Check for any injured, and if trained, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

- ~~Assist any individuals with physical disabilities and find a safe place for them.~~

Assist any individuals with physical disabilities and find a safe place for them.

- ~~Call or have someone else call 911 immediately.~~

Call or have someone else call 911 immediately.

- ~~If the classroom, building or facility is heavily damaged, initiate immediate evacuation.~~

If the classroom, building or facility is heavily damaged, initiate immediate evacuation.

- ~~Proceed to the designated evacuation site.~~

Proceed to the designated evacuation site.

- ~~Document and report the names of individuals who are unaccounted for or absent.~~

Document and report the names of individuals who are unaccounted for or absent.

- ~~If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

If outdoors:

- ~~When the earth begins shaking DROP, COVER and HOLD.~~

When the earth begins shaking DROP, COVER and HOLD.

- ~~Move quickly away from buildings, utility poles, and other structures.~~

Move quickly away from buildings, utility poles, and other structures.

- ~~Be alert for gas leaks, live wires, flooding, etc.~~

Be alert for gas leaks, live wires, flooding, etc.

- ~~Protect yourself at all times and be prepared for aftershocks.~~

Protect yourself at all times and be prepared for aftershocks.

- ~~Check for any injured, and if trained, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

Check for any injured, and if trained, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

- ~~Assist any individuals with physical disabilities and find a safe place for them.~~

Assist any individuals with physical disabilities and find a safe place for them.

- ~~Call or have someone else call 911 immediately.~~

Call or have someone else call 911 immediately.

- ~~Proceed to the designated evacuation site.~~

Proceed to the designated evacuation site.

- ~~Document and report the names of individuals who are unaccounted for or absent.~~

Document and report the names of individuals who are unaccounted for or absent.

- ~~If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~

If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.

- ~~DO NOT return to any affected area, building or facility unless it has been declared safe to do so by SBCCD administration, district police, or other official emergency responders.~~

DO NOT return to any affected area, building or facility unless it has been declared safe by SBCCD PD, official emergency responders, SBCCD administration, or an "ALL CLEAR" message distributed via the ENS.

DISASTER MANAGEMENT

Should an emergency or other major disaster strike a SBCCD particular campus or the entire District, the need for a coordinated response will be necessary. The SBCCD plan for a major disaster is contained in the District's emergency response Emergency Operations Plan. The plan for a major disaster is contained in the Emergency Operations Plan that is aligned with the State of California "Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS).

In an emergency, designated managers and supervisors will gather to implement the appropriate response.

These individuals will provide leadership, policy guidance, gather intelligence on the emergency and development specific plans of action to best address the emergency. ~~Our Campus Emergency Response Team (CERT) will act on the behalf of the College, providing necessary resources and support, timely situation analysis and needs assessments. The CERT will report to a pre-determined Emergency Operations Center (EOC), which is properly equipped with communication capabilities to support emergency response operations and provide coordination with outside agencies.~~

~~SBCCD administration will provide for the staff and students in an emergency. Through the coordination of the EOC, the members of the college community will provide a skilled pool of professionals to deal with the myriad of technical, medical, logistical and human relations challenges that are certain to arise in a major disaster. It is~~

~~to this end that these general emergency instructions are targeted.~~

FLOODING

If indoors:

- ~~• If notified that flooding is possible take preventative measures to minimize flood damage. Move objects off the ground and take small or light objects out of the affected area. SBCCD administrators will identify temporary shelters to house materials.~~

If notified that flooding is possible take preventative measures to minimize flood damage. Move objects off the ground and take small or light objects out of the affected area. SBCCD administrators will identify temporary shelters to house materials.

- ~~• Be prepared to move your vehicle if certain parking areas are at risk of being flooded.~~

Be prepared to move your vehicle if certain parking areas are at risk of being flooded.

- ~~• Be prepared to evacuate your location at a moment's notice if your building or facility lies in a known flood zone. If there is any possible danger or if given the order to do so, EVACUATE the building.~~

Be prepared to evacuate your location at a moment's notice if your building or facility lies in a known flood zone. If there is any possible danger or if given the order to do so, EVACUATE the building.

- ~~• If evacuation is directed, if safe, unplug all electrical equipment. If there are electrical appliances or electrical outlets in any flooded area do not proceed; there is an extreme danger of electrical shock. Do not touch any electrical equipment if you are wet or standing in water. Secure vital records and take personal belongings with you.~~

Unplug all electrical equipment. If there are electrical appliances or electrical outlets in any flooded area do not proceed; there is an extreme danger of electrical shock. Do not touch any electrical equipment if you are wet or standing in water. Secure vital records and take personal belongings with you.

- ~~• Report to an evacuation site away from the flooding. Document and report the names of individuals who are unaccounted for or absent.~~

Report to an evacuation site away from the flooding. Document and report the names of individuals who are unaccounted for or absent.

- ~~• DO NOT return to any affected area, building or facility unless it has been declared safe to do so by SBCCD administration, district police, or other official emergency responders.~~

DO NOT return to any affected area, building or facility unless it has been declared safe by SBCCD PD, official emergency responders, SBCCD administration, or an "ALL CLEAR" message distributed via the ENS.

If outdoors:

- ~~• Do not try to walk or drive through flooded areas; stay away from moving water. The sheer force of just six inches of swiftly moving water can knock people off their feet. Cars are easily swept away in just two feet of water.~~

Do not try to walk or drive through flooded areas; stay away from moving water. The sheer force of just six inches of swiftly moving water can knock people off their feet. Cars are easily swept away in just two feet of water.

- ~~Stay away from flooded areas unless authorities ask for volunteers.~~
Stay away from flooded areas unless authorities ask for volunteers.
- ~~Stay away from downed power lines.~~
Stay away from downed power lines.
- ~~Be aware of areas where flood waters may have receded and may have weakened road surfaces.~~
Be aware of areas where flood waters may have receded and may have weakened road surfaces.
- ~~Wash your hands frequently with soap and water if you come in contact with flood waters.~~
Wash your hands frequently with soap and water if you come in contact with flood waters.

After the flood:

- ~~Only authorized district or campus personnel are allowed access to flood-damaged buildings and areas. Avoid flooded areas. Flood waters often undermine foundations, causing sinking; floors can crack or break, buildings can collapse, and roads can crumble.~~
Only authorized district or campus personnel are allowed access to flood-damaged buildings and areas. Avoid flooded areas. Flood waters often undermine foundations, causing sinking; floors can crack or break, buildings can collapse, and roads can crumble.
- ~~Report broken utility lines to the appropriate authorities.~~
Report broken utility lines to the appropriate authorities.
- ~~Document and report the names of individuals who are unaccounted for or absent.~~
Document and report the names of individuals who are unaccounted for or absent.
- ~~If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.~~
If trained, and the scene is safe, be prepared to initiate first aid for any injured staff, faculty, students and visitors.
- ~~DO NOT return to any affected area, building or facility unless it has been declared safe to do so by SBCCD administration, district police, or other official emergency responders.~~
DO NOT return to any affected area, building or facility unless it has been declared safe by SBCCD PD, official emergency responders, SBCCD administration, or an "ALL CLEAR" message distributed via the ENS.
- ~~Do not throw away any flood-damaged items until an official inventory has been taken.~~
Do not throw away any flood-damaged items until an official inventory has been taken.

LEGAL RESPONSIBILITIES & DUTY ASSIGNMENTS

Legal Responsibilities of Public Employees During an Emergency

The Government Code of the State of California (Title 1, Division 4, Chapter 8, Section 3101) has defined the term "public employees" to include all persons employed by the state or any county, city, city and county, state agency or public district, excluding aliens legally employed. It also defines the term "disaster service worker" to

include all public employees.

State of California, Government Code Title 1, Division 4, Chapter 8, Section 3100:

It is hereby declared that the protection of the health and safety and preservation of the lives and property of the people of the state from the effects of natural, man-made, or war-caused emergencies which result in conditions of disaster or in extreme peril of life, property, and resources is of paramount state importance requiring the responsible efforts of public and private agencies and individual citizens. In furtherance of the exercise of the police power of the state in protection of its citizens and resources, all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by superiors or by law.

CIVILIAN EMERGENCY COMMAND POST

The Civilian Emergency Command Post, from which the Chancellor ~~(or their designated representative)~~ or designee will direct operations, will be ~~dictated~~ activated by the Chancellor or designee, taking into account the safety considerations of the District, and necessitated by campus community, and the emergency situation.

LAW ENFORCEMENT COMMAND POST

The Law Enforcement Command Post, from which the Chief of Police or designee, SBCCD PD ~~Chief of Police (or their designated representative)~~, will direct public safety operations, will be ~~dictated by SBCCD PD~~ activated by the Chief of Police or designee, taking into account the safety considerations of the District, and necessitated by campus community, and the emergency situation.

ASSIGNMENT OF DUTIES

Every staff member has a responsibility for performing certain duties in times of emergency. Specific assignments are outlined and additional assignments may be given via the chain of command.

The Chancellor or designee is responsible for the control and welfare of ~~its~~ all students. The Chancellor ~~(or designee directs the college staff in the implementation of emergency procedures and the assignment of duties as outlined. The Chancellor, Campus President, or their designated representative) directs the college staff in the implementation of EMERGENCY PROCEDURES and the assignment of duties as outlined. The Chancellor (or~~ respective designee is the overall commander of any and all operations on the campus during normal and emergency operations. After the people present on campus have been evacuated to an appropriate evacuation assembly area and their designated representative) safety is the overall commander of any and all operations secured, the Chancellor or designee may instruct Campus Presidents or designee, Chief of Police or designee, and the involved campus and/or District Public Information Officer to meet at the Civilian Command Post where they will be briefed ~~on the campus during normal and emergency operations. After the people present~~ findings from personnel after which they will give direction for further activities. The Chancellor or designee will brief the Board of Trustees as necessary and to the extent possible on campus have been evacuated to an appropriate evacuation assembly area and their safety is secured, the Chancellor may instruct College Presidents, Chief of Police, and Director of Marketing, Public Affairs & Governmental Relations (Public Information Officer) to meet at the Civilian Command Post where they will be briefed by them on their findings from their personnel after which they will give them direction for further activities. They Chancellor will brief the Board of Trustees as necessary and to the extent possible on the state of affairs as the situation permits.

The administrator on duty will direct the college staff in the implementation of Emergency Procedures ~~emergency procedures~~ and the assignment of duties as outlined until their respective ~~president (or their designated representative)~~ Campus President or designee assumes control of the emergency situation. The administrator on duty will be contacted immediately and apprised of the emergency situation by SBCCD

PD and will, in turn, report this information directly to the respective Campus President (or their designated representative) and to the Director of Marketing, or designee and the involved campus and/or District Public Affairs & Governmental Relations (Public Information Officer).

~~Presidents and~~The respective Campus Lead President or designee and Site Safety Officers Officer will proceed to the evacuation assembly areas designated for their personnel and confer with them to determine who may need rescue and the last known location(s) of the missing. The ~~Presidents and~~respective Campus Lead President or dsignee and Site Safety Officers Officer will assign their personnel further activities, which may include providing assistance to the injured, relocating groups of people, or responding to the Civilian Emergency Command Post to assist as necessary.

Faculty members, managers, and supervisors will escort their guide students, personnel, and visitors to designated evacuation assembly areas and attempt to determine who did not arrive as well as seek medical attention for the injured and note any conditions/hazards in their designated evacuation assembly areas and determine who did not arrive as well as seek area that would require facilities medical attention for the injured and note, or other response. They will report this information and the last known location of any additional people who may be present in missing to their evacuation assembly area respective Campus President or designee and Site Safety Officer. ~~They will report this information and the last known location of the missing to their Presidents and Campus Lead Safety Officers. They will also report to their Presidents and Campus Lead Safety Officers other information they deem important such as hazards noted in their areas during their egress.~~

Facilities ~~Department~~department personnel will be responsible for the use of emergency equipment, the handling of emergency supplies, and the safe use of available utilities. They will:

- ~~A. Survey the campus and report damage through their chain of command.~~
 - ~~B. Assist in rescue operations as directed (i.e., operate lifting equipment, cutting torches to free victims, etc.).~~
 - ~~C. Assist in disaster fire suppression activities if trained and directed to do so.~~
 - ~~D. Assist in controlling main shut-off valves for gas, water, and electricity.~~
 - ~~E. Disburse emergency equipment as needed.~~
1. Survey the campus and report damage through their chain of command.
 2. Assist in rescue operations as directed.
 3. Assist in disaster fire suppression activities if trained and directed to do so.
 4. Assist in controlling main shut-off valves for gas, water, and electricity.
 5. Disburse emergency equipment as needed.

Clerical staff will help provide for the safety of essential ~~school~~ records and documents, operate telephones, and act as messengers and couriers when directed.

Cafeteria staff will make food stock and water available to campus emergency service providers whenever feeding becomes necessary during a disaster.

REPORTING EMERGENCIES NOT PREVIOUSLY COVERED:

- ~~The quickest and easiest way to obtain professional help for any type of emergency not specifically covered by these procedures is to phone SBCCD PD for assistance. Dial extension 4491 from on-campus phones or dial (909) 384-4491 from a mobile phone or when off campus.~~

The quickest and easiest way to obtain professional help for any type of emergency not specifically covered by these procedures is to phone 911 or the SBCCD PD for assistance. Dial extension 4491 from on-campus phones or dial (909) 384-4491 from a mobile phone or when off campus.

- ~~When calling stay calm, and carefully explain the problem and location to the Dispatcher.~~

When calling stay calm, and carefully explain the problem and location to the Dispatcher.

~~Quickly notify your instructor or immediate supervisor of the emergency and begin to take the appropriate action warranted by the situation.~~

Quickly notify your instructor or immediate supervisor of the emergency and begin to take the appropriate action warranted by the situation.

References:

Education Code Sections 32280 et seq. and 71095; Government Code Sections 3100 and 8607(a); Homeland Security Act of 2002; National Fire Protection Association 1600; Homeland Security Presidential Directive-5; Executive Order S-2-05; California Code of Regulations Title 19, Sections 2400-2450; 34 Code of Federal Regulations, Section 668.46(b)(13) and (g)

Attachments:

[AP 3505 Emergency Response Plan -](#)

[Comments](#)

[AP 3505 Emergency Response Plan - Legal](#)

[Citations](#)



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

BP 3505 Emergency Response Procedures

(Replaces current SBCCD BP 3740)

The District shall have emergency response and evacuation and notifications procedures for communicating to the campus community in the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, staff and visitors occurring at District Facilities and/or College Campuses.

The **Chancellor** shall establish procedures that ensure that the District implements a plan to be activated in the event of an emergency or the occurrence of a natural disaster or hazardous condition. This plan must comply with the California's Standardized Emergency Management System (SEMS), the National Incident Management System (NIMS), and shall incorporate the functions and principles of the Incident Management System (ICS), the Master Mutual Aid Agreement (MMAA) and any other relevant programs. The plan must incorporate NIMS and SEMS to facilitate the coordination between and among various responding and assisting agencies in the event of an emergency or natural disaster. Additionally, the District must be compliant with NIMS and SEMS standards in order to receive federal or state funding.

Compliance with NIMS and SEMS mandates include but are not limited to:

- Establishing disaster preparedness procedures and an Emergency Operations Plan (EOP); And
- The completion of training by college personnel in compliance with NIMS and SEMS guidelines
- Training requirements vary based on job titles or assigned roles within the emergency plan

District and College personnel must be informed that as public employees, they are also disaster service workers during national, state and local emergencies. The District must ensure that its employees are in compliance with the disaster service worker oath requirements.

The **Chancellor** should ensure that a team is created to carry out compliance with NIMS and SEMS mandates. The responses to emergencies or natural disasters are organized by SEMS into five categories: field response, local government, operational areas, regions, and State.

The EOP shall contain information regarding response protocols, emergency operations activation procedures and chain of command responsibilities. Compliance with NIMS mandates requires addressing all phases of emergency management; Mitigation, Planning, Preparedness, Response, and Recovery. The District must ensure that its plan is updated regularly.



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

AP 3710 Securing of Copyright

~~Sample 1 from another district:~~

~~Material subject to copyright in the form of books, musical or dramatic compositions, architectural designs, paintings, sculptures, or other works of comparable type developed by employees shall be the property of the author unless the material is prepared by means of a District grant or an externally-funded grant or contract to the District. Prior to securing a copyright for the materials, the employee shall reimburse the District for all direct costs. Provisions of any external funding agency regarding copyright shall be followed. Materials produced during sabbatical leave do not constitute an exception and shall be the property of the author unless special funding provisions described above are applicable.~~

~~Performance Rights~~

~~The District shall pay a licensing fee to the appropriate performing rights agency as required. Public performances that require a license from a performing rights agency will follow the guidelines established by the Performing Arts Department at the colleges.~~

~~A recording of a copyrighted work performed by at the District may be made for classroom instructional use. Any public performance of this recording requires written authorization by the performing rights agency.~~

~~The District shall comply with all current federal and state laws and regulations regarding the use of copyrighted material.~~

~~Sample 2 from another district:~~

~~The Chancellor or designee, through legal counsel, shall initiate the process for securing copyright for any materials the District is entitled to ownership and for which the District wishes to obtain copyright protection to safeguard its rights of using, selling, giving or exchanging and licensing of these materials. Through legal counsel, the Chancellor shall initiate action to protect the District's copyrights against infringement.~~

~~The District abides by all relevant sections of the Education Code and United States copyright law. This procedure establishes guidelines for acceptable use of copyrighted materials by employees and students. It also outlines ownership determination of intellectual property created by employees and describes the intent to protect the District's intellectual property from copyright infringement.~~

Principles

- I. ~~An intellectual environment that encourages creation, innovation, and collaboration is in the best interest of the District, its employees, and students.~~
- II. ~~The District needs to balance the interests of the individual creators of intellectual property with the educational objectives of the District.~~
- III. ~~The District has a responsibility to protect the rights of its intellectual property from unauthorized use.~~
- IV. ~~Individual circumstances and the uniqueness of each situation may require a variety of approaches to intellectual property questions.~~

Elements

- I. ~~Employees and students of the District may not duplicate or distribute copyrighted property using District technology or equipment without written permission from the copyright owner, except as allowed under the principles of "fair use".~~
- II. ~~Works in the public domain are generally excepted from copyright provisions. Generally speaking, exceptions of copyrighted intellectual property include works of the federal and state governments unless they are commissioned works unrelated to the official duties of the governments. In addition, works published more than seventy-five years ago, which are not subsequently updated, are not protected by the Copyright Act. Furthermore, facts and ideas are not copyrightable (but the manner in which the author expresses a fact or idea is copyrighted).~~
- III. ~~Employees who willfully violate the copyright law do so at their own risk and if legal action is commenced by the holder of the copyright, the employee will not be defended or indemnified by the District. In addition, the employee will be required to remunerate the District in the event of a loss resulting from litigation. Willful infringement of copyrights will result in disciplinary action.~~
- IV. ~~In the absence of a specific contract or agreement, intellectual property created for the purpose of teaching courses within the employee's contracted teaching area(s) belongs to the employee and will be used for such purposes without additional compensation to the employee by the District.~~
- V. ~~Intellectual property created by an employee within the confines of his/her contract with the District, and making use of "extraordinary resources" of the District (i.e. beyond the use of office space, routine computer resources, library resources, etc. that are provided to all employees), is considered District property unless relinquished by a prior written agreement. Materials created specifically to conduct the support services of the District (internal documents, web pages, etc.) are considered to be property of the District.~~
- VI. ~~If there is a reasonable determination that a particular work created by an employee may be sold or traded commercially, the District and the employee may draw up a contract specifying the terms of ownership of the work.~~
- VII. ~~If the receipt of grant funds restricts or specifies ownership of employee-created work, the District will abide by the requirements of the grant agreement.~~
- VIII. ~~If the District and employee wish for any other reason to change or share ownership of a work, they may jointly draw up a contract specifying terms of this ownership.~~
- IX. ~~The District will ensure the protection of copyrighted materials owned solely or partially by the~~

District.

References:

~~Education Code Sections 72207 and 81459;~~
~~17 United States Code 201~~

The following securing of copyright procedure shall be interpreted consistent with other District policies, including, but not limited to, the District's policy on academic freedom and federal and state statutes and regulations. This procedure shall also be interpreted consistent with all collective bargaining agreements.

Definitions

For the purposes of this procedure, the following definitions apply to the following words or phrases:

"Administrative Activity" means the execution of the District's management or administrative functions such as preparing budgets, policies, contracts, personnel management, printing course materials and catalogs, maintenance of computer data, long range planning, and keeping inventories of equipment. Teaching and academic endeavors are not administrative activities.

"Author" or "Creator" means an individual who alone or as part of a group of other creators, invent, author, discover, or otherwise create intellectual property.

"District Resources" means all tangible resources including buildings, equipment, facilities, computers, software, personnel, and funding.

"Course Materials" Materials prepared for use in teaching, fixed or unfixed, in any form, including, but not limited to, digital, print, audio, visual, or any combination thereof. Course materials include, but are not limited to, lectures, lecture notes, materials, syllabus, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, web-ready content, and educational software.

"Course Syllabus" means a document that includes information about the outline, standards for student evaluation, and additional information which reflects the academic work of the faculty member.

"Digital Encoded Work" means a work (on a bit-sequence) that can be stored on computer-readable media, manipulated by computers, and transmitted through data networks.

"District facilities" include buildings, equipment, and other facilities under the control of the District, that are designated by the appropriate administrative officer as requiring an advance agreement, from non-District personnel and District personnel acting outside the scope of their employment, concerning the disposition of any copyrighted works that are originated with the use of these facilities. Such facilities normally include campus computer centers and normally do not include District libraries.

"District funds," regardless of source, are administered under the control, and responsibility, or authority of the District.

"Employee" means an individual employed by the District, and shall include full-time and part-time faculty, classified staff, student employees, appointed personnel, persons with "no salary" appointments, and academic professionals, who develop intellectual property using District resources, unless there is an agreement providing otherwise.

"Intellectual Property" means works, products, processes, tangible research property, copyrightable subject matter, works of art, trade secrets, know how, inventions and other creations the ownership which are

recognized and protected from unauthorized exploitation by law. Examples of intellectual property include scholarly, artistic, and instructional materials.

"Student" means an individual who was or is enrolled in a class or program at the District at the time the intellectual property was created.

"Student Employee" means a student who is paid by the District, and may include students participating in a work study program or who receive stipends while they are acting within the scope of their employment at the District at the time the intellectual property was created.

A. "Use of District Resources" means use of District resources beyond the normal professional, technology, and technical support generally provided by the District and extended to an individual or individuals for development of a product, project, or program. The use of District resources must be important and instrumental to the creation of the intellectual property. The following do not constitute substantial use of the District's resources: (1) incidental use of District resources and/or (2) extensive use of District resources commonly available to District employees. A substantial use of the District's resources may be implicated in situations where the creator spends such time and energy in the creation of a work that results in a great reduction of the creator's teaching activity.

"Work" means an "original work of authorship fixed in a tangible medium" as used in the Copyright Act.

Intellectual Property

Please reference AP 3715 Intellectual Property for information regarding intellectual property.

Securing of Copyright

The general provisions for ownership of intellectual property rights may be modified by the parties as follows:

Sabbatical Works

Intellectual property created by District employees during a sabbatical is defined as an academic work. However, where a work to be created as part of an approved sabbatical plan requires resources beyond those normally provided to other employees during a sabbatical (substantial use District resources), the parties may enter into an written agreement to define the District and employee's intellectual property rights in the sabbatical work.

Assignment of Rights

When the conditions outlined in the sections on employee intellectual property rights or student intellectual property are met, ownership will reside with the employee or student responsible for creating the intellectual property. In these circumstances, the creator may pursue intellectual property protection, marketing, and licensing activities without involving the District. If such a decision is made, the creator is entitled to all revenues received.

Any person may agree to assign some or all of his or her intellectual property rights to the District.

In the event the creator offers to share or assign intellectual property rights in the creation to the District, the District may support and finance application for intellectual property protection (trademark, patent, or copyright) or it may enter into an agreement for other exploitation of the work, including management, development and commercialization of the property under terms and conditions as may be agreeable to the parties. After evaluating the creator's offer, the District may or may not decide to become involved in a joint investment

agreement. A negative response from the District will be communicated in writing to the creator. An affirmative response from the District will be summarized as an offer to enter into a written contract. If the creator accepts the District's proposed contract, any revenues received from commercialization of the intellectual property will be distributed as defined in the contract.

Sponsorship Agreements

A sponsored work is a work first produced by or through the District in the performance of a written agreement between the District and a sponsor. Sponsored works generally include interim and final technical reports, software, and other works first created in the performance of a sponsored agreement. Sponsored works do not include journal articles, lectures, books or other copyrighted works created through independent academic effort and based on the findings of the sponsored project, unless the sponsored agreement states otherwise. Ownership of copyrights to sponsored works shall be with the District unless the sponsored agreement states otherwise. Where a sponsorship agreement does not define ownership of the intellectual property, ownership shall be determined under applicable law. Any sponsorship agreement that provides for ownership of the work by one other than the District generally shall provide the District with a nonexclusive, world-wide license to use and reproduce the copyrighted work for education and research purposes.

Collaboration/Partnership Agreements

The District may participate in projects with persons/organizations that result in the creation of intellectual property. Ownership rights of such intellectual property will be defined by the collaboration/partnership agreement, or shall be determined under applicable law.

Special Commissions

Intellectual property rights to a work specially ordered or commissioned by the District from a faculty member, professional staff member, other District employee, or other individual or entity, and identified by the District, as a specially commissioned work at the time the work was commissioned, shall belong to the District. The District, and the employee shall enter into a written agreement for creation of the specially commissioned work.

Use of Substantial District Resources

In the event the District provides substantial resources to an employee for creation of a work and the work was not created under an agreement (such as a sponsorship agreement, individual agreement, or special commission) the District and the creator shall own the intellectual property rights jointly in proportion to the respective contributions made.

Encoded Works/Software for Administrative Activities

The District may hire an individual or entity to develop software or other encoded works, to be used in the District's administrative activities. The District shall maintain ownership of the intellectual property rights in such encoded works. Similarly, the District shall have ownership of the intellectual property rights in encoded works created by an employee, even where the work was created out of the employee's own initiative, if the work is related to the employee's job responsibilities. For example, if an employee in the student records office creates a software program, on his own initiative, which will organize student records, such work is related to the employee's job duties and will belong to the District. Where an employee creates a program that does not relate to his or her job duties, and that program was created on the employee's own time, the work belongs to the employee.

Collective Bargaining Agreement

In the event the provisions of these procedures and the provisions of any operative collective bargaining agreement conflict, the collective bargaining agreement shall take precedence.

Jointly Created Works

Ownership of jointly created works shall be determined by separately assessing which of the above categories applies to each creator, respectively. Rights between joint owners of a copyright shall be determined pursuant to copyright law.

Work Acquired by Assignment or Will

The District may acquire copyrights by assignment or will pursuant to the terms of a written agreement or testament. The terms of such agreements should be consistent with District policies and these procedures.

Materials Implicating Third Party Rights

District employees and students must comply with District policies and state and federal laws, including copyright and privacy laws, in creating works. District employees and students must obtain all required licenses, consents, and releases necessary to avoid infringing the rights of third parties. District employees and students with questions or concerns regarding third party rights should direct all inquiries to the Chancellor or his/her designee.

Intellectual Property Coordinator

The Chancellor or his/her designee shall be the District's Intellectual Property Coordinator. The coordinator shall administer this procedure and will implement the District's Intellectual Property Policy. The Intellectual Property Coordinator will also monitor the development and use of the District's intellectual property. Any questions relating to the applicability of the District Intellectual Property or this procedure may be directed and answered by the Intellectual Property Coordinator.

References:

17 U.S Code Sections 101 et seq.;
35 U.S Code Sections 101 et seq.; and
37 Code of Federal Regulations Sections 1.1 et seq.

Attachments:

AP 3710 Securing of Copyright - Comments
AP 3710 Securing of Copyright - Legal
Citations



Origination: N/A
Last Approved: N/A
Last Revised: N/A
Next Review: N/A
Owner: [Angel Rodriguez](#)
Policy Area: [Chapter 3 General Institution](#)
References: [Legally Advised](#)

BP 3710 Securing of Copyright

(Replaces current SBCCD BP 3710)

The Chancellor shall develop appropriate administrative procedures to implement the provisions of the Education Code that authorize the securing of copyrights protection for works, including but not limited to registering copyrights and policing infringements, on behalf of the District in the name of the District to all copyrightable works developed by the District.

The procedures developed by the Chancellor shall assure that the District may use, sell, give, or exchange published materials and may license materials prepared by the District in connection with its curricular and special services.

In the development of these procedures, the Chancellor shall solicit the input of the proper representatives of the college community in accordance with the District's policies regarding shared local decision-making.

References:

Education Code Sections 72207, and 81459;
17 U.S. Code Section 201

Attachments:

[BP 3710 Security of Copyright - Comments](#)
[BP 3710 Security of Copyright - Legal Citations](#)
[BP3710 -OLD.pdf](#)



| | |
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| Owner: | <i>Chancellor's Cabinet</i> <i>Chancellor's Cabinet:</i> |
| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | |

AP 3715 Intellectual Property

(Replaces [the Intellectual Property portion of the current SBCCD AP 3710](#))

The following intellectual property procedure shall be interpreted consistent with other District policies, including, but not limited to, the District's policy on academic freedom and federal and state statutes and regulations. This procedure shall also be interpreted consistent with all collective bargaining agreements.

Definitions

For the purposes of this procedure, the following definitions apply to the following words or phrases:

"Administrative Activity" means the execution of the District's management or administrative functions such as preparing budgets, policies, contracts, personnel management, printing course materials and catalogs, maintenance of computer data, long range planning, and keeping inventories of equipment. Teaching and academic endeavors are not administrative activities.

"Author" or "Creator" means an individual who alone or as part of a group of other creators, invent, author, discover, or otherwise create intellectual property.

"District Resources" means all tangible resources including buildings, equipment, facilities, computers, software, personnel, and funding.

"Course Materials" Materials prepared for use in teaching, fixed or unfixed, in any form, including, but not limited to, digital, print, audio, visual, or any combination thereof. Course materials include, but are not limited to, lectures, lecture notes, materials, syllabus, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, web-ready content, and educational software.

"Course Syllabus" means a document that includes information about the outline, standards for student evaluation, and additional information which reflects the academic work of the faculty member.

"Digital Encoded Work" means a work (on a bit-sequence) that can be stored on computer-readable media, manipulated by computers, and transmitted through data networks.

"District facilities" include buildings, equipment, and other facilities under the control of the District, that are designated by the appropriate administrative officer as requiring an advance agreement, from non-District personnel and District personnel acting outside the scope of their employment, concerning the disposition of any copyrighted works that are originated with the use of these facilities. Such facilities normally include campus computer centers and normally do not include District libraries.

"District funds," regardless of source, are administered under the control, and responsibility, or authority of the

District.

"Employee" means an individual employed by the District, and shall include full-time and part-time faculty, classified staff, student employees, appointed personnel, persons with "no salary" appointments, and academic professionals, who develop intellectual property using District resources, unless there is an agreement providing otherwise.

"Intellectual Property" means works, products, processes, tangible research property, copyrightable subject matter, works of art, trade secrets, know how, inventions and other creations the ownership which are recognized and protected from unauthorized exploitation by law. Examples of intellectual property include scholarly, artistic, and instructional materials.

"Student" means an individual who was or is enrolled in a class or program at the District at the time the intellectual property was created.

"Student Employee" means a student who is paid by the District, and may include students participating in a work study program or who receive stipends while they are acting within the scope of their employment at the District at the time the intellectual property was created.

"Substantial Use of District Resources" means use of District resources beyond the normal professional, technology, and technical support generally provided by the District and extended to an individual or individuals for development of a product, project, or program. The use of District resources must be important and instrumental to the creation of the intellectual property. The following do not constitute substantial use of the District's resources: (1) incidental use of District resources and/or (2) extensive use of District resources commonly available to District employees. A substantial use of the District's resources may be implicated in situations where the creator spends such time and energy in the creation of a work that results in a great reduction of the creator's teaching activity.

"Work" means an "original work of authorship fixed in a tangible medium" as used in the Copyright Act.

Ownership of Intellectual Property

The ownership rights to a creation at the District shall be determined generally as set forth below, unless ownership is modified by an agreement.

Employee Intellectual Property Rights

A District employee who is the creator of a work owns the copyright of that work. Work includes textbooks, lecture notes and other course materials, literary work, artistic work, musical work, architectural work and software produced with no more than nominal or incidental use of the District's resources. Work described in this paragraph is owned by the employee even though such work may have been developed within the employee's scope of employment.

Intellectual property unrelated to an individual's employment responsibilities at the District, and that is developed on an individual's own time and without the District's support or use of District facilities is the exclusive property of the creator and the District has no interest in any such property and holds no claim to any profits resulting from such intellectual property.

District Intellectual Property Rights

Except for work done during a sabbatical, the District owns all other intellectual property, including but not limited to patentable inventions, such as computer software, created by its employees under the following

circumstances:

1. If intellectual property is created through the District's administrative activities by an employee working within his or her scope of employment; or
2. If intellectual property is created through the substantial use of District resources; or
3. If intellectual property is commissioned by the District pursuant to a signed contract; or
4. If intellectual property is produced within one of the nine categories of works considered works for hire under copyright law pursuant to a written contract, or
5. If intellectual property is produced from research specifically supported by state or federal funds or third party sponsorship. Grant funds obtained by faculty members for the creation of works shall be considered substantial support provided by the District only if the District is involved in the fiscal administration of the grant.

Where circumstances give rise to District intellectual property rights, as described above, the creator of the potential intellectual property will promptly disclose the intellectual property to the District. The District and the creator may enter into a written agreement whereby the creator executes documents assigning intellectual property rights to the District.

The Chancellor may waive the District's interests in its intellectual property by executing a written waiver.

Student Intellectual Property Rights

District students who created a work are owners of and have intellectual property rights in that work. District students own the intellectual property rights in the following works created while they are students at the District: (1) intellectual property created to meet course requirements using college or District resources, and (2) intellectual property created using resources available to the public. Intellectual property works created by students while acting as District employees shall be governed under provisions for employees.

~~Modification of Ownership Rights~~

~~The general provisions for ownership of intellectual property rights set forth in Section II may be modified by the parties as follows:~~

~~Sabbatical Works~~

~~Intellectual property created by District employees during a sabbatical is defined as an academic work. However, where a work to be created as part of an approved sabbatical plan requires resources beyond those normally provided to other employees during a sabbatical (substantial use District resources), the parties may enter into an written agreement to define the District and employee's intellectual property rights in the sabbatical work.~~

~~Assignment of Rights~~

~~When the conditions outlined in the sections on employee intellectual property rights or student intellectual property are met, ownership will reside with the employee or student responsible for creating the intellectual property. In these circumstances, the creator may pursue intellectual property protection, marketing, and licensing activities without involving the District. If such a decision is made, the creator is entitled to all revenues received.~~

~~Any person may agree to assign some or all of his or her intellectual property rights to the District.~~

~~In the event the creator offers to share or assign intellectual property rights in the creation to the District, the District may support and finance application for intellectual property protection (trademark, patent, or copyright) or it may enter into an agreement for other exploitation of the work, including management, development and commercialization of the property under terms and conditions as may be agreeable to the parties. After evaluating the creator's offer, the District may or may not decide to become involved in a joint investment agreement. A negative response from the District will be communicated in writing to the creator. An affirmative response from the District will be summarized as an offer to enter into a written contract. If the creator accepts the District's proposed contract, any revenues received from commercialization of the intellectual property will be distributed as defined in the contract.~~

~~**Sponsorship Agreements**~~

~~A sponsored work is a work first produced by or through the District in the performance of a written agreement between the District and a sponsor. Sponsored works generally include interim and final technical reports, software, and other works first created in the performance of a sponsored agreement. Sponsored works do not include journal articles, lectures, books or other copyrighted works created through independent academic effort and based on the findings of the sponsored project, unless the sponsored agreement states otherwise. Ownership of copyrights to sponsored works shall be with the District unless the sponsored agreement states otherwise. Where a sponsorship agreement does not define ownership of the intellectual property, ownership shall be determined under applicable law. Any sponsorship agreement that provides for ownership of the work by one other than the District generally shall provide the District with a nonexclusive, world-wide license to use and reproduce the copyrighted work for education and research purposes.~~

~~**Collaboration/Partnership Agreements**~~

~~The District may participate in projects with persons/organizations that result in the creation of intellectual property. Ownership rights of such intellectual property will be defined by the collaboration/partnership agreement, or shall be determined under applicable law.~~

~~**Special Commissions**~~

~~Intellectual property rights to a work specially ordered or commissioned by the District from a faculty member, professional staff member, other District employee, or other individual or entity, and identified by the District, as a specially commissioned work at the time the work was commissioned, shall belong to the District. The District, and the employee shall enter into a written agreement for creation of the specially commissioned work.~~

~~**Use of Substantial District Resources**~~

~~In the event the District provides substantial resources to an employee for creation of a work and the work was not created under an agreement (such as a sponsorship agreement, individual agreement, or special commission) the District and the creator shall own the intellectual property rights jointly in proportion to the respective contributions made.~~

~~**Encoded Works/Software for Administrative Activities**~~

~~The District may hire an individual or entity to develop software or other encoded works, to be used in the District's administrative activities. The District shall maintain ownership of the intellectual property rights in~~

~~such encoded works. Similarly, the District shall have ownership of the intellectual property rights in encoded works created by an employee, even where the work was created out of the employee's own initiative, if the work is related to the employee's job responsibilities. For example, if an employee in the student records office creates a software program, on his own initiative, which will organize student records, such work is related to the employee's job duties and will belong to the District. Where an employee creates a program that does not relate to his or her job duties, and that program was created on the employee's own time, the work belongs to the employee.~~

~~Collective Bargaining Agreement~~

~~In the event the provisions of these procedures and the provisions of any operative collective bargaining agreement conflict, the collective bargaining agreement shall take precedence.~~

~~Jointly Created Works~~

~~Ownership of jointly created works shall be determined by separately assessing which of the above categories applies to each creator, respectively. Rights between joint owners of a copyright shall be determined pursuant to copyright law.~~

~~Work Acquired by Assignment or Will~~

~~The District may acquire copyrights by assignment or will pursuant to the terms of a written agreement or testament. The terms of such agreements should be consistent with District policies and these procedures.~~

~~Materials Implicating Third Party Rights~~

~~District employees and students must comply with District policies and state and federal laws, including copyright and privacy laws, in creating works. District employees and students must obtain all required licenses, consents, and releases necessary to avoid infringing the rights of third parties. District employees and students with questions or concerns regarding third party rights should direct all inquiries to the Chancellor or his/her designee.~~

~~Intellectual Property Coordinator~~

~~The Chancellor or his/her designee shall be the District's Intellectual Property Coordinator. The coordinator shall administer this procedure and will implement the District's Intellectual Property Policy. The Intellectual Property Coordinator will also monitor the development and use of the District's intellectual property. Any questions relating to the applicability of the District Intellectual Property or this procedure may be directed and answered by the Intellectual Property Coordinator.~~

Securing of Copyright

[For information on securing of copyright, please see AP 3710 Securing of Copyright.](#)

Preservation of Intellectual Property Right

Protection of Rights

The District shall undertake such efforts, as it deems necessary to preserve its rights in original works for which the District is the sole or joint owner of intellectual property rights. The District may apply for a patent, for

trademark registration, for copyright registration, or for other protection available by law on any new work in which it maintains intellectual property rights.

Payment of Costs

The District may pay some or all costs required for obtaining a patent, trademark, copyright, or other classification on original works for which it exclusively owns intellectual property rights. If the District has intellectual property rights in a jointly owned work, the District may enter into an agreement with the joint owners concerning payment of such costs.

Commercialization of Intellectual Property

Right of Commercialization

The District may commercialize its Intellectual Property using its resources or it may enter into agreements with others to commercialize the work as authorized by law.

Distribution of Proceeds

An employee who creates a work and retains an intellectual property interest in such work in which the District maintains intellectual property rights is entitled to share in royalties, licenses, and any other payments from commercialization of the work in accordance with applicable agreements and applicable laws. All expenses incurred by the District in protecting and promoting the work including costs incurred in seeking patent or copyright protection and reasonable costs of marketing the work, shall be deducted and reimbursed to the District before the creator is entitled to share in the proceeds.

Intellectual Property Account

The District shall deposit all net proceeds from commercialization of intellectual property in its own general intellectual property account. The Chancellor or his/her designee may use the account to reimburse expenses related to creating or preserving the District's intellectual property rights or for any other purpose authorized by law and District policy including the development of intellectual property.

Notification

The Intellectual Property Coordinator shall provide a copy of these Intellectual Property Procedures to persons upon request. The District shall arrange training on a periodic basis for faculty, staff and/or other persons who are covered by this Intellectual Property Procedure.

References:

17 U.S Code Sections 101 et seq.;
35 U.S Code Sections 101 et seq.; and
37 Code of Federal Regulations Sections 1.1 et seq.

Attachments:

[AP 3715 Intellectual Property - Comments](#)
[AP 3715 Intellectual Property - Form A](#)
[AP 3715 Intellectual Property - Form B](#)
[AP 3715 Intellectual Property - Legal Citations](#)



Origination: N/A
Last Approved: N/A
Last Revised: N/A
Next Review: N/A
Owner: [Chancellor's Cabinet](#)
[Chancellor's Cabinet](#)
Policy Area: [Chapter 3 General Institution](#)
References:

BP 3715 Intellectual Property

The Chancellor shall develop procedures that define the rights, interests, protection, and transfer of intellectual property created by the District employees and students.

References:

- 17 U.S. Code Sections 101 et seq.;
- 35 U.S. Code Sections 101 et seq.;
- 37 Code of Federal Regulations Sections 1.1 et seq.

Attachments:

- [BP 3715 Intellectual Property - Comments](#)
- [BP 3715 Intellectual Property - Legal Citations](#)



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| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | <i>Good Practice/Optional</i> |

AP 3725 Information and Communications Technology Accessibility & Acceptable Use

Definitions

The following definitions apply to this procedure:

Accessible: An individual with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use.

Equally Effective: Alternative access for individuals with disabilities to instructional materials and information and communication technology that (1) is timely, (2) is accurate in translation, (3) is delivered in a manner and medium appropriate to the disability of the individual, and (4) affords the individual with a disability the opportunity to obtain the information as fully, equally and independently as a person without a disability with substantially equivalent ease of use. Note, such alternative(s) are not required to produce the identical result or level of achievement, but must afford individuals with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement in the most integrated setting appropriate to the person's needs.

Individual with a Disability: An individual who has one or more physical or mental impairments that substantially limit one or more major life activities.

Information and Communication Technology (ICT): Encompasses electronic and information technology covered by Section 508 of the Rehabilitation Act of 1973, as well as telecommunications products, interconnected Voice over Internet Protocol (VoIP) products, and Customer Premises Equipment (CPE) covered by Section 255. Examples of ICT include computers, information kiosks and transaction machines, telecommunications equipment, multifunction office machines, software, Web sites, and electronic documents.

Web Page Standards: The San Bernardino Community College District (District) is committed to providing information via the Internet and Web pages that is reasonably accessible to all students and interested parties regardless of physical ability. The District will establish and maintain Web Page Accessibility Standards. A Web Standards committee will be established and be responsible for establishing and documenting the Web Page Accessibility Standards for the district and the colleges. The approved Standards will be available electronically on the district and college web sites. The information will be available in alternative formats as needed. Web Page Accessibility Standards compliance is inclusive of all web pages for colleges, departments, and the District. It is encouraged, but not required, to have individual faculty, staff and student web pages comply with the accessibility standards. Mandatory compliance, however, is required for any faculty, staff or student web page that contains information necessary for students to complete required course work; these

pages must comply with the accessibility standards or be made available to students in an alternative format when requested, consistent with ADA regulations concerning reasonable accommodation.

Instructional Materials: Includes electronic instructional materials, such as, syllabi, textbooks, presentations and handouts delivered within CCC's learning management system, via email or via another electronic means for face-to-face classes as well as e-learning courses. It also includes electronic instructional activities such as instructional videos, online collaborative writing, Web conferencing, blogging, and any other instructional materials as technology evolves.

Timely: As it relates to equally effective alternative access to instructional materials and ICT, timely means that the individual with a disability receives access to the instructional materials or ICT at the same time as an individual without a disability.

ICT and Instructional Material Accessibility Standard Statement

The District is committed to ensuring equal access to instructional materials and ICT for all, and particularly for individuals with disabilities in a timely manner. In accordance with Government Code Sections 7405, 11135, and 11546.7, and best practices, the District will comply with the accessibility requirements of Section 508 of the Federal Rehabilitation Act of 1973 by:

- Developing, purchasing and/or acquiring, to the extent feasible, instructional materials and ICT products that are accessible to individuals with disabilities;
- Using and maintaining instructional materials and ICT that is consistent with this Standard; and
- Promoting awareness of this Standard to all relevant parties, particularly those in roles that are responsible for creating, selecting, or maintaining electronic content and applications.

Ensuring equal access to equally effective instructional materials and ICT is the responsibility of all District administrators, faculty, and staff.

References:

Government Code Sections 7405, 11135, and 11546.7; Section 504, Rehabilitation Act of 1973 (29 U.S. Code Section 701); Section 508, Rehabilitation Act of 1973 (Federal Electronic and Information Technology) (29 U.S. Code Section 794d); 36 Code of Federal Regulations Parts 1194.1 et seq.

Attachments:



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| Owner: | <i>Luke Bixler</i> |
| Policy Area: | <i>Chapter 3 General Institution</i> |
| References: | <i>Good Practice/Optional</i> |

BP 3725 Information and Communications Technology Accessibility & Acceptable Use

The governing board shall ensure equal access to instructional materials and information and communication technology (ICT) for all and particularly for individuals with disabilities, in a timely manner.

As it relates to equally effective alternative access to instructional materials and ICT, timely manner means that the individual with a disability receives access to the instructional materials or ICT at the same time as an individual without a disability.

The Chancellor shall establish administrative procedures to comply with the requirements specified in Section 508 of the Rehabilitation Act and its implementing regulations.

References:

Government Code Sections 7405, 11135, and 11546.7; Section 504, Rehabilitation Act of 1973 (29 U.S. Code Section 701); Section 508, Rehabilitation Act of 1973 (Federal Electronic and Information Technology) (29 U.S. Code Section 794d); 36 Code of Federal Regulations Parts 1194.1 et seq. Also see BP/AP 3410 Nondiscrimination, BP/AP 3720 Computer and Network Use, AP 3725 Accessibility and Acceptable Use, BP/AP 5140 Disabled Student Programs and Services, and AP 6365 Contracts – Accessibility of Information Technology.

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| Next Review: | N/A |
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| Policy Area: | Chapter 3 General Institution |
| References: | |

AP 3750 Use of Copyrighted Material

~~**NOTE:** A procedure on use of copyrighted materials is suggested as good practice. Insert local practice. The example highlights key criteria for the procedure(s), but is not exhaustive.~~

The following use of copyrighted material procedure shall be interpreted consistent with other District policies. This procedure shall also be interpreted consistent with all collective bargaining agreements.

A number of associations provide excellent resources related to use of copyrighted materials. Please see the following websites for information that expands on the general checklists in this procedure, which may be used to develop and refine local practice. The booklets, "Questions and Answers on Copyright for the Campus Community" and "Guidelines for Campus Copying" are available on the first three websites and are excellent resources.

1. The Association of American Publishers, www.publishers.org, click on "conferences and publications."
2. National Association of College Stores, www.nacs.org, click on "industry information" Software and Information Industry Association, www.sija.net, click on "bookstore"
3. Copyright Clearance Center, www.copyright.com
4. American Libraries Association, www.ala.org, click on "Washington Office" or "issues and advocacy"

Employees and students shall not reproduce copyrighted materials without prior permission of the copyright owner, except as allowed by the "fair use" doctrine.

Fair Use

Reference:

Copyright Act, Section 107

The "fair use" doctrine permits limited use of copyrighted materials in certain situations, including teaching and scholarship. In some instances, copyright may be required for works that fall within "fair use."

NOTE: The following is excerpted from the legislative history of the 1976 Copyright Act, which established congressionally endorsed guidelines related to classroom copying for educational use.

I. Single Copying for Teachers

A single copy may be made of any of the following by or for a teacher at his/her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

- A. A chapter from a book

- B. An article from a periodical or newspaper
- C. A short story, short essay or short poem, whether or not from a collective work
- D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

II. Multiple Copies for Classroom Use

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

- A. The copying meets the tests of brevity and spontaneity as defined below; and
- B. Meets the cumulative effect test as defined below; and
- C. Each copy includes a notice of copyright

Definitions:

Brevity:

- i. Poetry: (a) A complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.
- ii. Prose: (a) Either a complete article, story or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words. (Each of the numerical limits stated in "i" and "ii" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)
- iii. Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.
- iv. "Special" works: Certain works in poetry, prose, or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph "i" above notwithstanding such "special works" may not be reproduced in their entirety: however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof may be reproduced.

Spontaneity:

- i. The copying is at the instance and inspiration of the individual teacher: and
- ii. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect:

- i. The copying of the material is for only one course in the school in which the copies are made.
- ii. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
- iii. There shall not be more than nine instances of such multiple copying for one course during one class term. (The limitations stated in "ii" and "iii" above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.)

Prohibitions

Notwithstanding any of the above, the following shall be prohibited:

- A. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or are reproduced and used separately.
- B. There shall be no copying of or from works intended to be "consumable" in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.
- C. Copying shall not:
 1. substitute for the purchase of books, publisher's reprints or periodicals
 2. be directed by higher authority
 3. be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of the photocopying.

Compilations

References:

Basic Books, Inc, v. Kinko's Graphics Corp. (S.D.N.Y. 1991) 758 F.Supp. 1522: and Princeton University Press v. Michigan Document Services. Inc. (6th Cir. 1996) F.3d 1381

Permission from the copyright owner should be obtained when using excerpts of copyrighted work to create anthologies or "course packs," even if the excerpts fall under the definitions in the "fair use" doctrine.

Online Courses

References:

The TEACH (Technology, Education and Copyright Harmonization) Act;
U.S. Code 17. Copyright Act, Sections 110(2) and 112

The Teach Act provides instructors greater flexibility to use third party copyrighted works in online courses. An individual assessment will be required to determine whether a given use is protected under the Act. The following criteria are generally required:

- The online instruction is mediated by an instructor.
- The transmission of the material is limited to receipt by students enrolled in the course.
- Technical safeguards are used to prevent retention of the transmission for longer than the class session.
- The performance is either of a non-dramatic work or a "reasonable and limited portion" of any other work that is comparable to that displayed in a live classroom session.
- The work is not a textbook, course pack, or other material typically purchased or acquired by students for their independent use and retention, including commercial works that are sold or licensed for the purposes of digital distance education.
- The District does not know, or have reason to know, that the copy of the work was not lawfully made or

acquired.

- The District notifies students that the works may be subject to copyright protection and that they may not violate the legal rights of the copyright holder.

Obtaining Permission to Use Copyrighted Material

NOTE: Insert local procedures that describe the process faculty and others shall use to obtain permission to use copyrighted material.

References:

Education Code Sections 32360 and 67302;

U. S. Code Title 17. Copyright Act of 1976

Attachments:

[AP 3750 Use of Copyrighted Material.doc](#)



| | |
|----------------|-----------------------------------|
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| Last Approved: | N/A |
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| Owner: | Academic Senates Academic Senates |
| Policy Area: | Chapter 5 Student Services |
| References: | Legally Required |

AP 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 [session semester](#) during which the student proposes to attend.
- Residence classification is the responsibility of the Admissions [& Records](#) Office.

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

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

~~The District~~ [Each college](#) shall publish the residence determination date and summary of the rules and regulations governing residence determination and classification in the ~~District~~ [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 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 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 residence when both parents are deceased and a legal guardian has not been appointed.
- The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control.

Determination of Resident Status

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

- A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.
- A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/she 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 holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.
 - He/she holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.
 - He/she is 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 resident classification, so long as he/she remains continuously enrolled in the District.
- A student who is a member of the armed forces of the United States stationed in this state ~~on active duty~~, 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 resident classification, so long as he/she remains continuously enrolled in the District.
- A veteran who was discharged or released from at least 90 days of active service less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her 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 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 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 has sufficient income to have personal income tax liability shall be entitled to resident classification.
- A student who demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of that deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three or more years, and upon enrollment, will be in his or her first academic year as a matriculated student in

California public higher education, will be living in California, and will file an affidavit with the District stating that he or she intends to establish residency in California as soon as possible.

Right To Appeal

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

Appeal Procedure

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

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

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

Reclassification

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

Petitions are to be submitted to the Admissions Office.

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

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

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 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 parent during the calendar year the reclassification application is made.

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

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

Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.

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

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

Non-Citizens

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

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

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

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

- high school attendance in California for three or more years;
- graduation from a California high school or attainment of the equivalent thereof;
- registration or enrollment in a course offered by any college in the district for any term commencing on or after January 1, 2002,
- completion of a questionnaire form prescribed by the State Chancellor's Office and furnished by the district of enrollment, verifying eligibility for this nonresident tuition exemption; and
- in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she 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, ~~and 68075~~ [68074-68075.7](#), and [68068](#);

Title 5 Sections 54000 et seq.

38 U.S. Code Section 3679

Attachments:

[AP 5015 Residence Determination- Comments](#)
[AP 5015 Residence Determination- Legal Citations](#)



Origination: N/A
 Last Approved: N/A
 Last Revised: N/A
 Next Review: N/A
 Owner: *Academic Senates Academic Senates*
 Policy Area: *Chapter 5 Student Services*
 References: *Legally Required*

BP 5015 Residence Determination

(Replaces current SBCCD BP 5015)

~~Students~~ 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 a the semester ~~or summer session~~ for which the student applies to attend.

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, 68086, and 76140;
 Title 5 Sections 54000 et seq.

Attachments:

[BP 5015 Residence Determination - Comments](#)
[BP 5015 Residence Determination - Legal Citations](#)



| | |
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| Policy Area: | <i>Chapter 5 Student Services</i> |
| References: | <i>Legally Required</i> |

AP 5017 Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information

Unless required by federal or state law, the District shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of immigration status or citizenship status information to satisfy the requirements of a special program, the District shall not use that documentation or information for decisions related to admissions or enrollment in courses or degree programs.

The District is not permitted to use immigration status, citizenship status, or national origin information in personal statements outside the application process, other than for legitimate educational interests, including the provision of a service or benefit relating to the student, such as health care, counseling, job placement or financial aid.

If the District learns of a student's immigration status through its application process (including the students' personal statement or answers to personal insight questions), the District shall create policies and procedures to protect such personal identifiable information and retain the information only to the extent it is necessary or required by law. The District shall avoid the disclosure of information that might indicate a student or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or state law.

Where permitted by law, the Director of Admissions & Records of the District shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status or citizenship status, and that do not reveal information related to citizenship or immigration status.

Examples of documents that can be used as proof of residency include but are not limited to:

- Registering a motor vehicle operated in California;
- Obtaining a California driver's license or California identification card;
- Filing a resident or nonresident California state income tax return;
- Listing a California address on a federal income tax return;

- Listing a permanent military address or home of record in California;
- A professional or vocational license obtained from a California state licensing agency (e.g., nursing, teaching credentials);
- Maintaining active resident memberships in California based professional organizations (e.g., police union, teachers' union); and
- Maintaining an active bank account at a California bank.

Where a District is permitted by law to request a minor student's parent's residency information in order to determine tuition or aid, the educational institution shall only require documentation or information that is available to persons regardless of immigration status (as noted above).

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this administrative procedure, the District's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this administrative procedure.

Specifically, where the District must determine a student's residency for purposes of in-state tuition, the District shall not inquire about a parent/guardian's citizenship or immigration status, and shall enumerate alternative means of establishing a parent/guardian's residency. If the student is considered a minor dependent of a California resident, the college or university shall only require documents to determine whether the parent has resided in California for one year (e.g. vehicle registration, lease agreements, etc.)

References:

Education Code Sections 66093, 66093.3, and 68076; Title 5 Section 41905

Attachments:

Districtwide Institutional Effectiveness Committee
Proposed Membership Revision 1/23/2020

Charge

The charge of the Districtwide Institutional Effectiveness Committee (DIEC) is to:

- Support the colleges' Institutional Effectiveness processes
- Support the accreditation processes at the colleges and ensure that the related accreditation district entities (HR, Business Services, TESS, etc.) are meeting accreditation requirements
- Develop and monitor implementation of the Districtwide Support Services Strategic Plan.
- Prepare an annual progress report to describe progress in achieving the objectives in the Districtwide Support Services Strategic Plan.
- Facilitate communications and resource-sharing across District and Colleges in order to better meet institutional research and planning needs.
- Develop mechanisms to assess progress on major district plans and make recommendations to District Assembly
- Develop mechanisms to assess effectiveness of district-level committees and make recommendations to District Assembly

Membership

The DIEC is chaired by the Executive Director of Research, Planning, and Institutional Effectiveness. In addition, the membership consists of:

- ~~Chancellor~~
- Executive Vice Chancellor
- ~~Vice Chancellor of Workforce Development, Advancement, and Media Systems~~
- **Vice Chancellor, Human Resources**
- Chief Technology Officer
- ~~Presidents from both colleges~~
- Institutional Effectiveness, Research, and Planning ~~dean expert~~ from each college
- Academic Senate Presidents or designee(s)
- One Classified Senate representative from each college
- Two CSEA representatives
- One CTA representative
- One student representative from each college
- ~~Public Information Officer from each college and district~~
- Accreditation Liaison Officer from each college
- Accreditation Committee chair from each college