

## College Council: Policy and Procedure Review

5-12-2022

[AP 3225 Institutional Effectiveness](#) – CCLC 38 Update added *optional* language to highlight diversity, equity, and inclusion issues.

[AP 4020 Program Curriculum and Course Development](#) – CCLC 38 Update added *optional* language to highlight diversity, equity, and inclusion issues.

[AP 4106 Nursing Programs](#) – CCLC 38 Update added *optional* language to highlight diversity, equity, and inclusion issues.

[AP 5011 Admission of High School and Other Young Students](#) – CCLC 36 Update is legally Required and the update incorporated changes in the law pertaining to College and Career Access Pathways (CCAP) partnerships between community college districts and school districts. Formatting and revisions. Academic Senate is currently working on reformatting this procedure for clarity.

[AP 5020 Non-Resident Tuition](#) – CCLC 38 updated this procedure to reorganize (inserting a numbering sequence versus bullets in three sections of the template) to clarify that there are multiple factors that must be satisfied to qualify for the corresponding exemption. However, our procedure is well organized and formatted in a way that the District clearly requires multiple factors. Compared to model procedure and retained COM's format.

[AP 5030 Fees](#) – CCLC 38 is a legally required update to this procedure to remove a citation to Section 54801 of Title 5, which was repealed.

[AP 5035 Withholding of Student Records](#) – CCLC 38 updated this procedure to reflect changes to Title 5 Regulations that prohibit withholding grades or transcripts in an effort to collect a debt.

[AP 5040 Student Records Directory Information Privacy](#) – CCLC Updates 34 (4/19), 36 (4/20) and immigration updates that are legally required are included in this revision. CCLC 40 updated this procedure to add legal citations and language concerning a student's ability to request name and gender changes in the student's records.

[AP 5050 Student Success Support Program](#) – CCLC 34 updated the procedure to add a note as a reminder that districts are required to comply with Student Success and Support Program requirements even though the California Community Colleges Chancellor's Office has implemented its integrated plan.

[AP 5055 Enrollment Priorities](#) – CCLC 36 Update includes updated references and added language suggested as good practice. Revised and reformatted as part of review.

[AP 6370 Contracts - Personal - Other Services](#) – CCLC 36 Update is legally required. This procedure was updated to reflect the "ABC" test for determining independent contractor status that was codified as part of AB 5.

[AP 7120 Employment Recruitment](#) – CCLC 38 Update recommends referring to BP/AP 3420 as an incorporation by reference and inclusion of some optional language.

[BP 3550 Drug and Alcohol-Free Environment and Drug and Alcohol Abuse Program](#) – CCLC Update 38 is legally required and adds reference updates as well as clarifying language to specify that the District shall be free from all unlawful drugs.

[BP 4020 Program and Curriculum Development](#) – CCLC 38 updated this policy to add optional language to highlight diversity, equity, and inclusion issues.

[BP 4106 Nursing Programs](#) – The Service updated this policy to add optional language to highlight diversity, equity, and inclusion issues.

[BP 5030 Fees](#) – Reviewed to align with review cycle of AP 5030 Fees (Update 38) as part of regular review cycle.

[BP 5035 Withholding of Student Records](#) – CCLC 38 updated this policy to reflect changes to Title 5 Regulations that prohibit withholding grades or transcripts in an effort to collect a debt.

[BP 5050 Student Success and Support Program](#) – The Service updated this policy (CCLC 38) to add optional language to highlight diversity, equity, and inclusion issues.

[BP 6800 Industrial Safety](#) – This policy is due for review as part of the regular review cycle. No legal updates from CCLC. Formatting updates added.

[BP 7100 Commitment to Diversity](#) – CCLC 38 updated this policy to add optional language to highlight diversity, equity, and inclusion issues.

[BP 7130 Compensation](#) – CCLC 38 updated this policy to add optional language to highlight diversity, equity, and inclusion issues.

[BP 7160 Professional Development](#) – CCLC 38 updated this policy to add optional language to highlight diversity, equity, and inclusion issues.

[BP 7236 Substitute and Short-Term Employees](#) – This policy is due for review as part of the regular review cycle, in conjunction with AP 7236 updates.

[BP 7250 Educational Administrators](#) – This CCLC 38 Update is legally required to add clarifying language regarding the term “vacancy” as used in this policy.

[BP 7345 Catastrophic Leave Program](#) – CCLC 38 updated this policy to add optional language to highlight diversity, equity, and inclusion issues.

[BP 7600 District Police](#) – CCLC 38 adds optional use of force and reporting language to highlight diversity, equity, and inclusion issues. CCLC 40 adds a new legal requirements that law enforcement agencies establish a board policy before purchasing, raising funds for, or acquiring military equipment.

For current Board Policies and Administrative Procedures that are posted online please see [Policies & Procedures](#).

## **Status Update – Policies and Procedures Currently Under Review**

### ***Administrative – Under Review***

BP 2340 Agendas

AP 3420 Equal Employment Opportunity

AP 3435 Discrimination and Harassment Investigations

AP 3725 Information and Communications Technology and Accessibility Acceptable Use

BP 4250 Academic Probation Dismissal and Readmission

AP 5210 Communicable Diseases

AP 5530 Student Grievances

AP 5020 Non-Resident Tuition

BP/AP 6340 Bids and Contracts

AP 6540 Insurance

### ***Academic Senate – Under Review***

Completed review for Spring 2022

### **Upcoming – Fall 2022:**

- CCLC 39 and 40 updates to 10+1
- Chapter 4 and 5 review of BP/APs as part of the regular review cycle

**General Institution**

**CCLC 38 Update** added *optional* language to highlight diversity, equity, and inclusion issues.

Mici 2-1-2022

Approved without revisions. Student Learning and Success. 3-23-2022

ASC/AS approved 4-14-2022

**AP 3225            INSTITUTIONAL EFFECTIVENESS**

References:

Education Code Sections 78210 et seq. and 84754.6;  
ACCJC Accreditation Standards I.B.5 - 9

The District shall develop, adopt, and public~~ly~~<sup>ally</sup> post goals that address the following:

- 1) Accreditation Status
- 2) Fiscal Viability
- 3) Student Performance and outcomes; and
- 4) Programmatic compliance with state and federal guidelines.

The goals should be challenging and quantifiable, address achievement gaps for underrepresented populations, and align the educational attainment of California's adult population to the workforce and economic needs of the state.

Institutional effectiveness includes the assessment of goals and objectives with respect to the District's commitment to equity and inclusion.

Offices of Primary Responsibility: Office of the President; Student Learning and Success

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Date Adopted: May 14, 2019

**Reviewed/Revised:**

## Academic Affairs

**CCLC 38** updated this procedure to add *optional* language to highlight diversity, equity, and inclusion issues. Mici 2-3-2022

ASC 2-24-2022

**AP 4020          PROGRAM AND CURRICULUM DEVELOPMENT****References:**

Title 5 Sections 51021, 55000 et seq., and 55100 et seq.;  
34 Code of Federal Regulations Part 600.2;  
ACCJC Accreditation Standard II.A;  
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended.

Instructional programs will be systematically assessed in order to assure currency, improve teaching and learning strategies, and achieve stated student learning outcomes. Curriculum shall be evaluated to determine whether courses and program should be established, expanded, modified, or deleted on a periodic basis.

The District shall develop and offer programs and curricula in ethnic studies, programs and curricula that infuse a global perspective into the curricular offerings, and programs and curricula that include instruction on the perspectives of persons with low socioeconomic status in the topic.

In order to create and maintain a viable curriculum compatible with the Educational Master Plan, the Superintendent/President or designee shall be responsible for:

1. Recommending to the Board for approval the establishment or discontinuance of educational programs, degrees, certificates, and courses, in accordance with the Education Code.
2. Approving editorial and technical changes, teaching unit modifications, and related developments of minor significance within Board-approved programs and courses. The Board shall be advised of all such changes.
3. Ongoing development of the curriculum, including:
  - a. Periodic determination of the educational needs of the area;
  - b. Utilization of citizen advisory committees where appropriate;
  - c. Academic Senate participation in curriculum development;
  - d. Preparation and maintenance of current course outlines, degrees and certificates including student learning outcomes and objectives for all approved programs.

Faculty members shall, at a minimum, follow the course outline of record as the framework for the course. Within this framework, each instructor shall use the outline in a manner best designed to meet the needs and capabilities of students and to best suit the instructional methods of the faculty member. This flexibility in use of the outline shall be limited by the instructor's ability to deliver the course content and meet stated objectives and outcomes as determined by the approved evaluative criteria.

The Curriculum Committee is a standing committee of the Academic Senate, as established through mutual agreement between the District and the Academic Senate. The purpose of the Curriculum

Committee is to maintain the quality and the integrity of the educational program. Courses and programs are evaluated for their educational content and their appropriateness and value to the students served.

The functions and operating guidelines of the Curriculum Committee are determined by the Academic Senate.

1. Functions:

The functions of the College Curriculum Committee are as follows:

- a. Recommend all credit and non-credit courses for approval by the Board of Trustees. To be recommended, credit courses must meet the standards set forth by the Education Code, the mission of the College and demonstrate educational need.
- b. The Curriculum Committee does not approve Community Education courses. However, the Community Education Program will send all new course outlines to the Curriculum Committee at least two weeks prior to submission to the Board of Trustees to ensure there is no conflict with credit or non-credit courses. If the Curriculum Committee identifies a potential conflict, Community Education and the Department Chair will work together to find a resolution and inform the Curriculum Committee Chair in writing.
- c. Recommend all new credit and noncredit programs for approval by the Board of Trustees.
- d. Recommend program changes, course revisions, additions, deactivations, or deletions for approval by the Board of Trustees, making sure such changes meet the standards set forth by the Education Code.
- e. Review the Master Schedule and recommend modifications as necessary.
- f. Recommend requirements for skills certificates and certificates of achievement.
- g. Recommend graduation requirements and general education requirements for the A.A., A.S., A.A.-T and A.S.-T degrees for approval by the Board of Trustees.
- h. Recommend for approval by the Board of Trustees, baccalaureate level courses for submission to the California State University system for inclusion on the transfer list of courses which satisfy the state universities' general education requirements.
- i. Support development of new curricula and dissemination of curricular material.

2. Membership:

Membership of the College Curriculum Committee are for two-year terms and consist of the following:

- a. Voting Members: One faculty member elected from each Department and Community Education; one classified member who is directly related to Student Learning selected by the official classified staff appointing body, and one student selected by the Student Senate.
- b. Non-voting Staff Resource: The Evaluation Analyst from Enrollment Services.
- c. Department Chairs serve as ex-officio members of the Committee and all Department Chairs are welcome to attend at all times. Particular Department Chairs will be invited to attend Curriculum Committee meetings when there are proposals originating from their department; further, Department Chairs shall be invited when proposals are presented from other departments that will affect their courses and/or programs.

3. Operating Guidelines:

- a. According to the UPM/MCCD Collective Bargaining Agreement Article 8.12.2, Department Chair Responsibilities, Department Chairs shall: in conjunction with the department's faculty, develop and/or modify curriculum, subject to departmental and District approval as recommended by the College Curriculum Committee; and assist faculty in up-dating course outlines, degrees and certificates and communicate these updates in writing

within the department and to the appropriate instructional office(s) through recommendations of the College Curriculum Committee.

- b. The Curriculum Committee Chair is elected by voting members of the Committee.
- c. Additional support is provided by the Office of Instructional Management.
- d. Curriculum Committee agendas, approved minutes and updated Curriculum Committee approval schedules are posted on the Curriculum Committee website.

For purposes of federal financial aid eligibility, a “credit hour” shall be not less than:

- One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work for the length of the semester for one semester or the equivalent amount of work over a different amount of time; or
- At least an equivalent amount of work as required in the paragraph above, of this definition for other academic activities as established by the institution including laboratory work, internships, practicums, studio work, and other academic work leading to the award of credit hours.

*See also* BP and AP 4021 Program Revitalization and Discontinuance and AP 4022 Program Revitalization

Office of Primary Responsibility: Student Learning and Success

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Date Approved: June 22, 2010 (*Replaced College of Marin Policy 2.0001 and Procedure 2.0001 DP.1*)

Revised: August 21, 2012; May 16, 2017; October 12, 2021

**Reviewed/Revised:**

**Academic Affairs**

**CCLC 38** updated this procedure to add *optional* language to highlight diversity, equity, and inclusion issues. Mici 2-3-2022

ASC 2-24-2022

**AP 4106 NURSING PROGRAMS****References:**

Education Code Sections 66055.8, 66055.9, 70101-70106, 78260, 78261, 78261.3, 78261.5, 87482, 89267, 89267.3, and 92645;

Title 5 Sections 55060 et seq. and 55521; and

Health and Safety Code Section 128050

The District is prohibited from requiring a student who has already earned a baccalaureate degree or higher from a regionally accredited institution of higher education to complete any general education requirements.

The District will recruit students from low socioeconomic populations to enroll in the District's nursing program.

Students applying to the Registered Nursing Program must submit completed application materials by the application deadlines. It is the applicant's responsibility to provide complete and accurate materials by the closing date. A description of what constitutes a complete application is listed in the catalog and on the Nursing program website. Students must submit official transcripts with the degree posted directly to the Nursing Department. Students who provide documentation through the official transcript that they possess a bachelor's degree or higher from a regionally accredited institution of higher education in the United States will have the general education requirements waived. The student must complete all of the coursework necessary for licensure as a registered nurse. This includes all of the prerequisites to the program, co-requisites, nursing program course work, all required application materials, assessment testing, and/or required remediation and the degree requirements for nursing.

The District is authorized to require any prospective student to complete a background and drug screening process. Prospective nursing students must provide a criminal record clearance prior to enrollment in the Program. Prospective students must sign and submit a release form and pay the current fee to the background check company. Additional county searches may require additional fees by the student.

Current and prospective nursing students must at all times meet applicable hospital security standards for placement in mandatory clinical rotations at selected hospitals. Every student offered a space in the program will be required to submit to a background screening prior to beginning clinical rotations as part of their clinical requirements for admission. A history of felony conviction(s) or any bar, exclusion or other ineligibility for federal program participation could render a student ineligible for clinical placement, as determined by the clinical agencies. Screening also includes a national sex offender search, social security number trace, Office of Inspector General (OIG) list search for excluded individuals/entities, General Services Administration (GSA) list search for excluded individuals/entities and drug screening.



If a student cannot obtain background clearance from the clinical agencies, it will not be possible to place the student in the clinical area, which is a required component of the program. In the event that a student cannot obtain a background clearance prior to the commencement of classes, the space will be forfeited.

Clinical agency contracts require screening at the beginning of each academic year.

Students who are ineligible for clinical placement after admission to the nursing program shall be subject to dismissal from the program, as they will be unable to complete mandatory clinical rotations.

The student is sent a copy of the screening report by the background check company and has the right to dispute the accuracy of the report.

[Also see BP 4106 Nursing Programs](#)

Office of Primary Responsibility: Student Learning [and Success](#)

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Date Approved: March 16, 2010

Reviewed/Revised: December 5, 2017

**Reviewed/Revised:**

## Student Services

**CCLC 36 Update - Legally Required** and updated to incorporate changes in the law pertaining to College and Career Access Pathways (CCAP) partnerships between community college districts and school districts. Formatting and revisions. Mici 3-15-2021  
ASC 3-15-2022

**AP 5011 ADMISSION AND CONCURRENT ENROLLMENT OF HIGH SCHOOL AND OTHER YOUNG STUDENTS****References:**

Education Code Sections 48800, 48800.5, 76001, and 76002; Title 5 Section 55530, and  
Board Policy 5010.

The District authorizes the admission of special part-time and full-time minor students, who will benefit from advanced scholastic or vocational work and to help ensure a smoother transition from high school to college for students by providing them with greater exposure to the collegiate atmosphere.

The District retains the authority to restrict admission or enrollment of special part-time or full-time students in any session based on age, grade-level completion, current academic performance, or assessment and placement procedures in compliance with matriculation policies and procedures.

**I. Definitions**

- **Special Part-Time Student:** Any minor student (any elementary school, middle school, high school, or home-schooled student) who takes 11 or less community college course units during the Fall or Spring semesters and/or Summer Session(s) and meets certain eligibility standards.
- **Special Full-Time Student:** Any minor student (any elementary school, middle school, high school, or home-schooled student) who takes 12 or more community college course units during the Fall or Spring semesters and/or Summer Session(s) and meets certain eligibility standards.
- **Dual Enrollment or Concurrent Enrollment Student:** For purposes of this administrative procedure, the terms dual enrollment student and concurrent enrollment student are used interchangeably and defined as a student concurrently receiving both high school and college credit for the same course. Dual enrollment and concurrent enrollment students are a subset of special part-time or full-time students.

**II. Special Part-Time Students**

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

**Admission Procedures**

Admission is subject to seat availability. The student must submit to the Dean of Enrollment Services:

- College admissions application;
- College Credit Program (CCP) Form which includes:
  - a) Written and signed parental or guardian consent;
  - b) Written and signed approval of the high school principal (NOTE: A parent or guardian of a student who is not enrolled in a public or private school may petition directly without the signature of a principal);
  - c) Signature of a College of Marin counselor;

- Demonstration that the student is capable of profiting from instruction. The Dean of Enrollment Services or his/her designee has the authority to make the final decision whether a student can benefit from instruction-; and
- Depending on the requested courses, students may be required to complete the appropriate College matriculation process prior to registration.

#### **Academic Eligibility**

- Students must meet the stated prerequisite and/or co-requisite requirements for the desired course.
- Students with a disability (verification to be provided by the school of attendance) may be referred to Disabled Student Programs and Services for accommodation.

#### **Limitations on Enrollment**

- For the first semester, students with a cumulative high school grade point average (GPA) lower than 3.0 may be allowed to enroll in one course. Students wanting to enroll in two courses must have earned a cumulative GPA of 3.0 or better.
- A special part-time student may enroll in up to, and including, 11 units per semester.
- Students may not initially enroll in any course numbered below 100.

### **III. Special Full-Time Students**

To be considered for admission as a special full-time student, the student must meet the eligibility standards as established in Education Code Section 48800.05.

#### **Admission Procedures**

Admission is subject to seat availability. The student must submit to the Dean of Enrollment Services:

- A completed College admissions application-;
- A completed College Credit Program (CCP) Form which includes:
  - a) Signature of the parent or guardian-;
  - b) Signature of the high school principal. (Note: A student who is not enrolled in a public or private school does not need to provide written acknowledgment from his/her school principal)-;
  - c) Signature of a College of Marin counselor-;
- Written approval of the governing board of the school district of attendance-;
- Demonstration that the student is capable of profiting from instruction. The Dean of Enrollment Services or his/her designee has the authority to make the final decision whether a student can benefit from instruction-; and
- Depending on the requested courses, students may be required to complete the appropriate College matriculation process prior to registration.

#### **Academic Eligibility**

- For all courses attempted students must meet the stated pre-requisite and/or co-requisite for the desired course.
- Students with a disability (verification to be provided by the school of attendance) may be referred to Disabled Student Programs and Services for accommodation.

#### **Limitations on Enrollment**

- Students are limited to 12 units for their first semester. For additional units, students must meet with a College of Marin counselor to complete the Petition to Carry Extra Units. A counselor's signature must be on the Petition to be accepted by the Office of Admissions and Records.
- Students may not initially enroll in any course numbered below 100.

### **IV. Summer Session Students**

To be considered for admission as a special summer session student, the student must meet the eligible standards as established in Education Code sections 48800 and 76001. Students

will not be admitted unless they have availed themselves of all opportunities to enroll in equivalent courses at their schools of attendance.

The student must submit to the Dean of Enrollment Services:

- Written and signed parental or guardian consent;
- Signature of a College of Marin counselor; and
- Written and signed approval of his/her principal that the student has availed himself/herself of all opportunities to enroll in an equivalent course at his/her school of attendance; and Demonstration that the student has adequate preparation in the disciplines to be studied.

All required documents shall be sent to the Dean of Enrollment Services.

#### **V. High School Students**

For students attending high school, the Dean of Enrollment Services will review the materials, and will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the Dean of Enrollment Services shall be final. This determination may be done by evaluating the following criteria:

- A review of the materials submitted by the student;
- Meeting with the student and his/her parent or guardian;
- Consultation with appropriate college staff;
- Consideration of the welfare and safety of the student and others; ~~and/or~~
- Consideration of local, state, ~~and/or~~ federal laws.

#### **VI. Middle and Lower School Students**

For students attending middle and lower schools, the determination shall be made by the Dean of Enrollment Services in conjunction with faculty. The school of attendance must provide transcripts and a letter signed by the principal indicating how in his/her their opinion the student can benefit from instruction. The Dean of Enrollment Services and faculty will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college, and that the student's safety and that of others will not be affected.

The decision of the Dean of Enrollment Services and faculty to admit or deny admissions will be final. Once a decision has been made, the student, parent or guardian and school principal shall be informed of the decision. This determination may be made by evaluating the following criteria:

- A review of the materials submitted by the student;
- Meeting with the student and his or her parent or guardian;
- Consultation with a College of Marin counselor for matriculation;
- Consideration of the welfare and safety of the student and others;
- Consideration of local, state, ~~and/or~~ federal laws;
- Review of the content of the class in terms of sensitivity and possible effects on the minor;
- Requirements for supervision of the minor;
- Times the class(es) meet and the effect on the safety of the minor; ~~and/or~~
- Instructor's recommendations.

#### **VII. Home Schooled Students**

In addition to meeting all the requirements as established in the above described procedures, home schooled students are required to provide an affidavit from the County Board of Education indicating they are legally home schooled or chartered.

#### **VIII. Course Rigor**

Courses in which high school and other young students are permitted to enroll will be open to the entire college population, and will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline. Once enrolled, students must meet all standards for academic performance at the college level and conform to expectations of student conduct. The school of attendance retains the right to apply course credit.

**IX. Physical Education**

If the class is a physical education class, no more than 10 percent of the enrollment of the class may consist of special part-time or full-time students.

**X. Courses Open to the Public**

All classes must be open to the general public, and there may be limitations on the number of students who may enroll in a particular course. If the class is offered on a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the school board.

**XI. Appeals**

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

**XII. College and Career Access Pathways (CCAP)**

The Board of Trustees has adopted all the legal requirements of Education Code Section 76004 in order to participate in the College and Career Access Pathways (CCAP) partnership with the governing board of a school district for the purpose of offering or expanding dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school, including continuation high school, to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school students achieve college and career readiness.

The District may enter into a CCAP partnership with a school district partner that is governed by a CCAP partnership agreement approved by the governing boards of both districts. As a condition of ~~and before~~ adopting a CCAP partnership agreement, the governing board of each district, ~~at an open public meeting of that board, shall present the dual enrollment partnership agreement as an informational item. The governing board of each district, at a subsequent open public meeting of that board, shall take comments from the public and approve or disapprove the proposed agreement. shall do both of the following:~~

- For career technical education pathways to be provided under the partnership, consult with and consider the input of the appropriate local workforce development board to determine the extent to which the pathways are aligned with regional and statewide employment needs. The governing board of each district shall have final decision-making authority regarding the career technical education pathways to be provided under the partnership; and
- Present, take comments from the public on, and approve or disapprove the dual enrollment partnership agreement at an open public meeting of the governing board of the district.

The CCAP partnership agreement shall be filed with the ~~office of the Chancellor of the~~ California Community Colleges Chancellor's Office and with the department before the start of the CCAP partnership, and shall:

- outline the terms of the CCAP partnership and shall include, but not necessarily be limited to, the total number of high school ~~students~~ pupils to be served and the total number of full-time equivalent students projected to be claimed by the community college district for those ~~students~~ pupils; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of students to benefit from those courses.
- establish protocols for information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school students to enroll in community college courses. The protocols shall only require a high school pupil participating in a CCAP partnership to submit one parental consent form and principal recommendation for the duration of the pupil's participations in the CCAP partnership.
- identify a point of contact for the participating community college district and school district partner.
- certify that any community college instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in Education Code Section 87010 or any controlled substance offense as defined in Education Code Section 87011.
- certify that any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus.
- certify that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering community college campus.
- include a certification plan by the participating community college district to ensure ~~of~~ all of the following:
  - A community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering community college campus;
  - A community college course that is oversubscribed or has a waiting list shall not be offered in the CCAP partnership; and
  - Participation in a CCAP partnership is consistent with the core mission of the community colleges pursuant to Education Code Section 66010.4, and that students participating in a CCAP partnership will not lead to enrollment displacement of otherwise eligible adults in the community college.
- certify that both the school district and community college district partners comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching a CCAP partnership course offered for high school credit.
- specify both of the following:
  - Which participating district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education; and
  - Which participating district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.
- certify that any remedial course taught by community college faculty at a partnering high school campus shall be offered only to high school ~~students~~ pupils who do not

meet their grade level standard in math, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering school district, and shall involve a collaborative effort between high school and community college faculty to deliver an innovative remediation course as an intervention in the ~~pupil~~~~student~~'s junior or senior year to ensure the ~~student-pupil~~ is prepared for college-level work upon graduation.

A community college district participating in a CCAP partnership shall not provide physical education course opportunities to high school students or any other course opportunities that do not assist in the attainment of at least one of the following goals:

- developing seamless pathways from high school to community college for career technical education or preparation for transfer;
- improving high school graduation rates; or
- helping high school students achieve college and career readiness.

The District will not enter into a CCAP partnership with a school district within the service area of another community college district, except where an agreement exists, or is established, between those community college districts authorizing that CCAP partnership.

A high school student enrolled in a course offered through a CCAP partnership shall not be assessed any fee that is prohibited by Education Code Section 49011.

The District may assign priority for enrollment and course registration to a student seeking to enroll in a community college course that is required for the student's CCAP partnership program that is equivalent to the priority assigned to a student attending a middle college high school as described in Education Code Section 11300 and consistent with middle college high school provisions in Education Code Section 76001. Units completed by a pupil pursuant to a CCAP agreement may count towards determining a pupil's registration priority for enrollment and course registration at a community college.

The District may limit enrollment in a community college course solely to eligible high school students if the course is offered at a high school campus, either in person or using an online platform, during the regular school day and the community college course is offered pursuant to a CCAP partnership agreement.

The District may allow a special part-time student participating in a CCAP partnership agreement established pursuant to this article to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied:

- The units constitute no more than four community college courses per term;
- The units are part of an academic program that is part of a CCAP partnership agreement established pursuant to this article; and
- The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

The governing board of the District exempts special part-time students from the following fee requirements:

- Student representation fee (Education Code Section 76060.5);
- Nonresident tuition fee and corresponding permissible capital outlay fee ~~and/or~~ processing fee (Education Code Section 76140);
- Transcript fees (Education Code Section 76223);
- Course enrollment fees (Education Code Section 76300);
- Apprenticeship course fees (Education Code Section 76350); and

The District shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment.

The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to this section is authorized attendance for which the community

college shall be credited or reimbursed pursuant to Education Code Section 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity. For purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least 80 percent (80%) of the instructional time offered by a charter school pursuant to an authorized CCAP partnership agreement shall be at the school site, and the charter school shall require the attendance of a pupil for a minimum of 50 percent (50%) of the minimum instructional time required to be offered pursuant to paragraph (1) of subdivision (a) of Education Code Section 47612.5, if the pupil is also a special part-time student enrolled in a community college pursuant to this section and the pupil will receive academic credit upon satisfactory completion of enrolled courses.

For each CCAP partnership agreement entered into pursuant to this section, the District shall report annually to the ~~office of the Chancellor of the~~ California Community Colleges Chancellor's Office, the Legislature, the Director of Finance, and the Superintendent all of the following information:

- The total number of high school students by school site enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.
- The total number of community college courses by course category and type and by school site enrolled in by CCAP partnership participants.
- The total number and percentage of successful course completions, by course category and type and by school site, of CCAP partnership participants.
- The total number of full-time equivalent students generated by CCAP partnership community college district participants.
- The total number of full-time equivalent students served online generated by CCAP partnership community college district participants.

**XIII. Location of Information**

Current information regarding the procedures for application, admission, and enrollment of high school students is available on the College of Marin website at <http://www.marin.edu>.

**Office of Primary Responsibility:** Vice President of Student ~~Services~~ Learning and Success

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Date Approved: June 22, 2010 (*Replaced part of College of Marin Procedure 4.0003 DP.1*)

Revised: August 21, 2012

Total Revision/Title Change: February 21, 2017

**Reviewed/Revised:**



## Student Services

**CCLC 38** updated this procedure to reorganize (inserting a numbering sequence versus bullets in three sections of the template) to clarify that there are multiple factors that must be satisfied to qualify for the corresponding exemption. However, our procedure is well organized and formatted in a way that the District clearly requires multiple factors. Please compare to model procedure. Mici

2-3-2022

ASC Reviewed & Approved 3-8-22

Approved without revision. Greg/Admin Svcs 3-30-2022

**AP 5020 NON-RESIDENT TUITION****References:**

Education Code Sections 68075.65, 68130.5 and 76140 et seq.;  
Title 5 Section 54045.5

Exemptions to the non-resident tuition fee requirements include any students, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:

- either high school attendance in California for three or more years **OR** attainment of credits earned in California from a California high school equivalent to three or more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or combination of those schools~~;~~
- graduation from a California high school or attainment of the equivalent thereof~~;~~
- registration or enrollment in a course offered for any term commencing on or after January 1, 2002~~;~~
- completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this non-resident tuition exemption~~;~~ and
- in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her/their immigration status, or will file an application as soon as he/she/they is eligible to do so~~;~~

Any students who meet the following requirements:

- 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/her/their first academic year as a matriculated student in California, and will file an affidavit with the District stating that he/she/they intend(s) to establish residency in California as soon as possible.

Any nonimmigrant aliens granted "T" or "U" visa status under title 8. U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)(U)(i) or (ii) respectively, who meet the following requirements:

- high school attendance in California for three or more years;
- graduation from a California high school or attainment of the equivalent thereof;
- registration or enrollment in a course offered for any term or commencing on or after January 1, 2002; and
- completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption.

A special part-time student, other than a non-immigrant alien under 8. U.S. Code Section 1101(15)(a), participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term.

Non-resident tuition fees will be approved by the Board of Trustees no later than March 1 of each year.

Education Code Section 76140 specifies seven options for a district to choose in setting its nonresident tuition fee.

Pursuant to Education Code Section 76141, a district may also charge a capital outlay fee to nonresident students, other than those with exemptions pursuant to Assembly Bill 540.

Full refunds of non-resident tuition fees will be granted through 14 calendar days of a full semester and ten percent of the length of the course for short-term classes and summer term classes.

The District shall post on its website a notice listing criteria for exemptions from paying nonresident tuition.

Office of Primary Responsibility: Administrative Services

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Date Approved: September 3, 2009

Revised: January 15, 2013; November 17, 2020

**Reviewed/Revised:**

**Student Services**

**CCLC 38** – Legally required and updated this procedure to remove a citation to Section 54801 of Title 5, which was repealed. Mici 2-3-2022

Jon H. approved 3-8-2022

ASC Reviewed and Approved 3-8-2022

Peggy I./Fiscal Services added updates. 3-30-2022

**AP 5030 FEES****References:**

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

Title 5 Sections 51012, 58520, 58629;

California Community Colleges Chancellor's Office (CCCCO) Student Fee Handbook; and

ACCJC Accreditation Standard I.C.6

The payment of certain fees may be deferred upon selection of a payment plan.

**Required fees include:**

- **Enrollment Fees** (Education Code Section 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- **Baccalaureate degree pilot program fees** (Title 5 Section 58520)
- **Non-resident Tuition** with these permissive exemptions (Education Code Sections 76140 and 76140.5):
  - All non-resident students enrolling in six or fewer units; or
  - A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);
  - All students, other than nonimmigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:
    - high school attendance in California for three or more years;
    - graduation from a California high school or attainment of the equivalent thereof;
    - registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
    - completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
    - in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.
- **Student representation** (Education Code Section 76060.5; Title 5 Section ~~54801~~ and 54805)

**Fees authorized by law include:**

- Non-District physical education facilities (Education Code Section 76395)
- Non-credit courses (Education Code Section 76385)
- Community service courses (Education Code Section 78300)
- Auditing of courses (Education Code Section 76370)

- Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 5940059408)
- Athletic insurance (Education Code Section 70902(b)(9))
- Cross-Enrollment with CSU or UC (Education Code Section 66753)
- Health (Education Code Section 76355)
- Parking (Education Code Section 76360)
- Transportation (Education Code Sections 76361 and 82305.6)
- Student Center (Education Code Section 76375; Title 5 Section 58510)
- Copies of student records (Education Code Section 76223)
- Child care (Education Code Sections 79121 et seq. and 66060)
- Non-resident capital outlay (Education Code Section 76141)
- Non-resident application processing (Education Code Section 76142)
- Credit for Prior Learning (Education Code Section 76300; Title 5 Section 55753)
- Use of facilities financed by revenue bonds (Education Code Section 81901(b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone registration (Education Code Section 70902(a))
- Physical fitness test (Education Code Section 70902(b)(9))
- Instructional Tape Lease/Deposit (Education Code Section 70902(b)(9))
- Credit Card Use (Education Code Section 70902(b)(9))
- International Student Medical Insurance (Education Code Section 70902(b)(9))

Fees authorized by the California Community College Chancellor's Office (CCCCO) Student Fee Handbook:

- Optional student activities fee (CCCCO Student Fee Handbook)
- Technology Fee (CCCCO Student Fee Handbook)

**Prohibited fees include:**

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- Student Identification Cards (CCCCO Student Fee Handbook)
- Student Body Organization (CCCCO Student Fee Handbook)
- Non-resident application (CCCCO Student Fee Handbook)
- Field trip (Title 5 Sections 55450 and 55451)
- For dependents of certain veterans (Education Code Section 66025.3)
- For dependents of certain victims of the September 11, 2001 terrorist attacks. (CCCCO Student Fee Handbook)
- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (Education Code Section 66025.3)
- For surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in California (Education Code Section 68120)
- For students who have been exonerated of a crime through writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)
- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Rental of practice rooms (CCCCO Student Fee Handbook)

- Apprenticeship courses (Education Code Section 76350)
- Late payment fee (Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (Title 5 Section 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)
- Test proctoring (CCCCO Student Fee Handbook)

### **Collection of Fees (Credit Classes)**

Marin Community College District requires students to pay all fees at the time of enrollment; students will be dropped from classes for non-payment of fees. If students are unable to pay their fees, they should apply for federal financial aid, apply for the Board of Governors Fee Waiver, or enroll in an inexpensive payment plan offered through the District in order to prevent being dropped from classes. Designated groups of students may be exempted from a drop for non-payment, such as Foster Youth, certified Veterans and others through the College petition process.

Students will be dropped for non-payment on identified common drop dates as determined each term and published in the schedule of classes, on-line and in the catalog.

Optional fees (e.g. student activities fee) shall be assessed at the time of registration. Students may decline payment of optional fees by completing the Optional Fee Waiver Form (available on the District website and at the Cashier's Office) and submitting the form to the Cashier's Office within two weeks of the start of instruction.

### **Fees Collected in Error**

Fees collected in error will be credited to the student's account with the amount collected in error.

### **Refunds**

The District shall automatically credit the following fees to the student's account:

- **Enrollment Fees: (Title 5 Section 50508)**

Enrollment fees paid by a student for program changes made during the first two weeks of instruction for a primary term-length course or by the ten percent point of the length of a course for short-term a course.

The District is prohibited by law to authorize a refund of any enrollment fee paid by a student for program changes made after the first two weeks of instruction for a primary term-length course or after the ten percent point for the length of the course for a short-term course, unless the program change is a result of action by the District to cancel or reschedule a class or to drop a student pursuant to Title 5 Section 55202(g) where the student fails to meet a prerequisite.

In addition, enrollment fees shall be credited to the student's account for program changes as a result of action taken by the District to cancel or reschedule a class or to drop a student pursuant to Title 5 Section 55202(g) where a student fails to meet a prerequisite.

- **Instructional Materials Fees Refund:**

Materials fees paid by the student provided that no materials have been used for program changes made during the first two weeks of instruction for a primary term-length course or by the ten percent point of the length of a course for a short-term course and for action taken by the District to cancel or reschedule classes.

- **Non-resident and International Student Tuition:**

Non-resident or international student tuition paid by a student for program changes made during the first two weeks of instruction for a primary term-length course or by the ten percent point for the length of course for short-term courses shall be refunded.

- **District Cancelled Classes**

For district cancelled classes, the student will automatically receive a ~~check for any resulting~~ credit in their account balance after the third week of instruction.

- Fees refundable because of changes in law or regulation authorizing and establishing enrollment fees

The District shall refund the following fees upon the student filing a Refund Request Form ~~within the fiscal year (July 1 — June 30):~~

- **Community Services Fees:**

Community services fees paid by a student for classes dropped at least three business days prior to the class start date.

- **Health Fees:**

Health fees paid by the student only if the District took action to cancel or reschedule a class(es) for which the student was enrolled and the student has no other enrollment for the term.

- **Parking Fees:**

Parking fees paid by the student may be refunded under the following conditions:

- The District has taken action to cancel a course for which the student was enrolled and the student has no other enrollment for the term in credit, non-credit, community education, or emeritus college courses.
- The student has dropped all courses on or before the last day to qualify for an enrollment/tuition fee refund.
- The student has dropped all courses by the ten percent point of the length of a course for a short-term course.

**NOTE:** The parking permit sticker must be returned to the Cashier's Office when making the request for a refund.

- **Student Technology, Representation and Activities Fee:**

The student representation fee paid by the student shall be ~~refunded~~ credited to their account only if the District took action to cancel or reschedule a class(es) for which the student was enrolled and the student has no other enrollment in the term. Other fees paid by the student would also be credited to their account.

- **Refund Processing Fee (Title 5 Section 58508):**

A \$10 per semester refund processing fee and any outstanding balance due the District will be deducted from all refunds. No refund processing fee will be charged for action taken by the District to cancel or reschedule a class for which the student was enrolled. The refund processing fee applies to students who drop classes within the published deadline dates and who have not paid their fees.

## **Waiver of Fees**

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

**Exemption of Fees for CCAP agreement students (AB288)**

The District may exempt students from the payment of enrollment and enrollment-related fees when the student is enrolled in a class or classes, at their respective high school as part of an official CCAP agreement MOU with College of Marin.

*Also see* BP/AP 4040 ~~titled~~ Library and Other Instructional Support Services

Offices of Primary Responsibility: Office of Enrollment Services – Fees; Fiscal Services – Payments and Refunds

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Date Approved: October 19, 2010 ( *Replaced College of Marin Procedures 6.0011 DP.1 and 3.0045 DP.1*)

Revised: March 19, 2013; November 15, 2016; November 17, 2020

**Date Reviewed/Revised:**

**Student Services**

**CCLC 38** updated this procedure to reflect changes to Title 5 Regulations that prohibit withholding grades or transcripts in an effort to collect a debt. Mici 2-3-2022

Jon H. approved 3-8-2022

ASC Reviewed and Approved – 3-8-2022

Approved Student Learning and Success. 3-30-2022

**AP 5035 WITHHOLDING OF STUDENT RECORDS**

## Reference:

Title 5 Section 59410

The District may withhold ~~grades~~, diplomas, and registration privileges from any student or former student who fails to pay a proper financial obligation. The student shall be given written notification and the opportunity to explain if the financial obligation is in error.

The definition of proper financial obligation shall include, but is not limited to:

- student fees;
- non-resident tuition;
- international student tuition;
- obligations incurred through the use of facilities, equipment, or materials;
- library fines;
- unreturned library books;
- materials remaining improperly in the possession of the student; or
- any other unpaid obligation a student or former student owes to the District.

A proper financial obligation does not include any unpaid obligation to a student organization.

Students may access their account detail and financial obligations through the MyCOM portal.

*Office of Primary Responsibility:* Enrollment

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Date Approved: September 10, 2009

Reviewed/Revised: October 12, 2021

**Reviewed/Revised:**



**Student Services**

CCLC Updates 34 (4/19), 36 (4/20) and Immigration Updates

Legally Required. Mici Revised – 9/21/2020

Jon H. approved without changes 11/18/2020

CCLC Immigration Updates for Consistency – Mia/Mici 12/3/2020

To AS 9-21-21

ASC/AS approved 4-14-2022

**CCLC 40** updated this procedure to add legal citations and language concerning a student's ability to request name and gender changes in the student's records. Mici Revised 4-25-2022

To ASC 4-25-2022

**AP 5040****STUDENT RECORDS, DIRECTORY INFORMATION AND PRIVACY****References:**

Education Code Sections 66093.3, 66271.4, 76200 et seq.;  
Title 5 Section 54600 et seq.;  
20 U.S. Code Section 1232g (j) (U.S. Patriot Act);  
Civil Code Sections 1788.90 et seq. and 1798.85;  
~~34 Code of Federal Regulations, Part 99.31~~  
20 U.S. Code Section 1232g subdivision (j) (U.S. Patriot Act);  
ACCJC Accreditation Standard II.C.8

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

**Gathering and Handling Student Information****Collecting and Retaining Collection and Retention of Student Information**

The District shall treat all students equitably in the receipt of all school services, including, but not limited to, the gathering of student and family information for the institution's benefit programs.

The Dean of Enrollment Services shall maintain in writing, the District policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.

The District will provide students and families with annual notice, at the beginning of each school year, of institutional policies for student privacy and the abilities of parents or eligible students to inspect student information.

The District will provide students an opportunity to opt out of disclosure of directory information. Notices must describe the following:

- The kind of information that the school has identified as directory information;
- The eligible student's ability to refuse to let the school designate the information as directory information, which could be disclosed to outside entities;
- The period of time in which the eligible student has to notify the school in writing that he or she does not want the information designated as directory information; and

- That opting out by the noted deadline is the students' only way to prevent the release of directory information.

Any sensitive information, such as a student's, parent's, or guardian's SSN, any AB 540 determinations, or citizenship status information collected by the District or disclosed by the student, should be maintained only for as long as necessary.

If the District possesses information that could indicate immigration status or citizenship status, District shall not consider the acquired information in admissions decisions or access to educational courses or degree programs.

Students may elect not to provide immigration or citizenship status information to the institution, and this election shall not impede admissions or enrollment in educational programs.

The District shall not create a list of student names linked with immigration status.

The District police department shall not inquire into an individual's immigration status for immigration enforcement purposes.

The District police department shall not aid any effort to create a registry containing individuals' country of birth or based on any other protected characteristics of victims, witnesses, or suspects of crimes unless required by law for specified purposes.

### **Release of Student Records**

No instructor, official, employee, or Board member shall authorize access to student records to any person except under the following circumstances:

- Student records shall be released pursuant to a student's written consent by completing and submitting an Authorization for Release of Information Form to the Office of Enrollment Services.
- Directory information may be released in accordance with the definitions in BP 5040 ~~titled~~ Student Records, Directory Information and Privacy.
- Currently enrolled students may request that directory information be permanently kept confidential by filing a Request to Withhold Directory Information Form with the Office of Enrollment Services.
- Student records shall be released pursuant to a judicial order or a lawfully issued subpoena. Upon receipt of a judicial order or lawfully issued subpoena the Office of Enrollment Services will notify the student of the request. If there is no written objection from the student within two weeks of notification, the requested records will be released. (34 Code of Federal Regulations, Part 99.31)
- Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.
- Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record. Officials and employees of the District having a legitimate educational interest to inspect the records of a student must receive authorization from the Dean of Enrollment Services.
- Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, state education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a state or federally supported

educational program or pursuant to state or federal law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. A request to release student records to the agencies listed above must be made in writing to the Dean of Enrollment Services.

- Student records may be released to officials of other public or private schools or school systems, including local, county, or state correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Education Code Section 76225. A request to release student records to the agencies listed above must be made in writing to the Dean of Enrollment Services.
- Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. A request to release financial aid records to agencies and organizations must be made in writing to the Dean of Enrollment Services.
- Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies, or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. Requests of student records for the purposes as described above must be made in writing to the Dean of Enrollment Services and/or the Director of Planning, Research and Institutional Effectiveness.
- Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or state law. Student records may be released for the purposes as described above by making a verbal or written request to the Dean of Enrollment Services, Campus Police or other responsible District administrator.
- The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, e-mail addresses~~es~~, dates and places of birth, levels of education, degrees received, prior military experience, ~~and~~ or the most recent previous educational institutions enrolled in by the students. The District will not release student recruiting information to military recruiters for those students who request that directory information not be released.

#### Responding to Law Enforcement Requests for Access to Student Records for Immigration Enforcement Purposes

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

disclosure of the information, and must specify the records that may be disclosed, the purpose of the disclosure, and the party or class of parties to whom the disclosure may be made.

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

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

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

In addition to notifying the District's General Counsel [and Dean of Enrollment Services](#), personnel shall take the following action steps in response to an officer other than campus police requesting access to student records:

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

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

Unless District is served with a judicial subpoena or court order that by its terms prohibits disclosure to the student, the student must be notified of any judicial order or subpoena before the institution complies with the order in accordance with [the Family Educational Rights and Privacy Act \(FERPA\)](#).

### **Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information**

Unless required by federal or state law, 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, District shall not use that documentation or information for decisions related to admissions or enrollment in courses or degree programs.

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 District learns of a student's immigration status through its application process (including the students' personal statement or answers to personal insight questions), 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.

### **Charge for Transcripts or Verifications of Student Records**

A student/former student shall be entitled to two free copies of the transcript of his/her/their record or to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her/them, at the rate published in the most current Catalog and Schedule of Classes. The District will not refuse to provide a transcript for a current or former student on the grounds that the student owes a debt; condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript; charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a student owes a debt; or use transcript issuance as a tool for debt collection.

### **Electronic Transcripts**

The District may elect to implement a process for the receipt and transmission of electronic student transcripts contingent upon receipt of sufficient funding.

### **Use of Social Security Numbers**

The District shall not do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his/her/their social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his/her/their social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication devise; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
  - Application or enrollment purposes;
  - To establish, amend, or terminate an account, contract, or policy; or
  - To confirm the accuracy of the social security number.

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

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that he/she/they has the right to stop the use of his/her/their social security number in a manner otherwise prohibited;
- The District agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;

- No fee shall be charged for implementing this request; and the District shall not deny services to an individual for making such a request.

### **Name and Gender Changes to Former Student Records**

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

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

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

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

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

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

*Also see* BP/AP 3300 ~~title~~ Public Records; BP/AP 3415 District Response to Immigration Enforcement Action; BP/AP 3501 Campus Security and Access; and BP/AP 5015 Residence Determination; BP/AP 5040 Student Records, Directory Information and Privacy.

Office of Primary Responsibility: Office of Enrollment Services

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Date Approved: November 18, 2011 *(Replaced Procedure 4.0021 DP.1 and portions of 4.0003 DP.1)*

Revised: January 15, 2013; May 15, 2018

**Reviewed/Revised:**

## Student Services

**CCLC Update #34** - updated to add a note as a reminder that districts are required to comply with Student Success and Support Program requirements even though the California Community Colleges Chancellor's Office has implemented its integrated plan. Mici 2/04/2021

Tonya H. Revisions 2/06/2021

To JE for Review 9-21-21

To AS for Review 9-24-21

ASC/AS approved 4-14-2022

**AP 5050 STUDENT SUCCESS AND SUPPORT PROGRAM****References:**

Education Code Sections 78210 et seq.;

Title 5 Section 55500;

ACCJC Accreditation Standard II.C.2-

The Student Success and Support Program enhances student access to the District, promotes and sustains the efforts of students to be successful in their educational endeavors, and brings the student and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements. The agreement is implemented by means of the Student Educational Plan.

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

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

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

- Orientation on a timely basis, which shall include, but not be limited to, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters;
- Assessment and counseling before or upon enrollment, which may include, but not be limited to, all of the following:
  - Administration of assessment instruments to determine student competency in computational and language skills;
  - Assistance to students in the identification of aptitudes, interests, and educational objectives, including, but not limited to, associate of arts/science degrees, associate degrees for transfer; transfer for baccalaureate degrees, career/technical certificates and licenses, and lifelong learning;
  - Evaluation of student study and learning skills;

- Referral to specialized support services as needed, including, but not limited to, local, state, and federal financial assistance; health services; mental health services; employment placement services; Extended Opportunity Programs and Services; campus child care services, programs that teach English as a second language; and services for students with disabilities;
- Counseling concerning course selection; and/or
- Follow-up services and required advisement or counseling for students who:
  - are enrolled in basic skills courses,
  - have not declared an educational objective as required, or
  - are on academic and/or progress probation.

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

The District shall do all of the following:

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

~~Although all credit students are given the opportunity to participate, the District has elected to exempt certain students from assessment in order to earn priority enrollment (Section 55532(a)). Exempted students are identified and informed through the matriculation process. Exemption criteria are outlined in the Student Success and Support Programs plan for the District as well as in the Catalog and Schedule of Classes.~~

Assessment Recency and Frequency

Recency

~~Assessments in English, Math, or credit and noncredit English as a Second Language (ESL) completed at College of Marin (or equivalent assessments from other colleges whose instruments have been approved by the content area department at COM) are valid for purposes of placement for up to one year (two years for English) from date of last assessment.~~

Frequency

~~Assessments in English, Math, or credit and noncredit English as a Second Language (ESL) completed at College of Marin (or equivalent assessments from other colleges whose instruments have been approved by the content area department) may be retaken once no sooner than two (2) weeks after the first assessment, allowing time for the student to further prepare. A third retake may be done within a year to reflect course work or independent study the student may have completed. After one year has elapsed since last assessment, a student is eligible to reassess.~~

~~Individual exceptions to either of these policies would be reviewed on a case by case basis and must be approved by either the content area department chair or Dean of Student Success.~~



*Office of Primary Responsibility: Office of Student Learning and Student Services*

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Date Approved: May 18, 2010 (*Replaced a portion of College of Marin Procedure 4.0003 DP.1*)

Revised: November 17, 2015; May 17, 2016

**Reviewed/Revised:**

## STUDENT SERVICES

**CCLC 36 Update** – References updated and added language suggested as good practice. Revised and formatted. Mici 3-15-2021

To Jon H. 9-21-21

ASC/AS 2-24-2022

## AP 5055 ENROLLMENT PRIORITIES

## References:

Education Code Sections 66025.8, ~~and~~ 66025.9, and 66025.92;

Title 5 Sections ~~55031, 55032, 55521, 56232~~, 58106, and 58108 ~~and AB 194~~

Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites. (See BP and AP 4260 ~~titled~~ Prerequisites, ~~and~~ Co-requisites, and Advisories)

Enrollment may be limited due to the following:

- health and safety considerations;
- facility limitations;
- faculty workload;
- availability of qualified instructors;
- funding limitations;
- regional planning;
- legal requirements; and
- contractual requirements.

The District will provide priority registration for students who enroll in a community college for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement.

Students will have the highest and equal priority for enrollment ~~following registration priority, in the order of priority listed below:~~

- ~~Students who have completed orientation, assessment, and developed student education plans and are eligible as a member of the armed forces or a veteran pursuant to Education Code section 66025.8 or as a foster youth or former foster youth pursuant to Education Code section 66025.9; and students who have completed orientation, assessment, and developed student education plans and are eligible and receiving services through Disabled Student Programs and Services or Extended Opportunity Programs and Services;~~
- A member of the armed forces or a veteran pursuant to Education Code Section 66025.8;
- A foster youth, former foster youth, or homeless youth, or former homeless youth pursuant to Education Code Section 66025.9;
- A student who has been determined to be eligible for Disabled Student Programs and Services or Extended Opportunity Programs and Services; and
- A student who is receiving services through CalWORKs.
- A student who is a Tribal TANF recipient.

The following students will have priority for enrollment:

- First time students who have completed orientation, assessment, and developed student education plans.
- Continuing students, who are not on academic or progress probation for two consecutive terms and have not lost registration priority, as defined in these policies and procedures.
- ~~Students who are continuing students, not on academic or progress probation for two consecutive terms as defined in these policies and procedures, and first-time students who have completed orientation, assessment, and developed student education plans.~~
- All other student categories listed in the table immediately below.

~~Specifically, registration priorities are as follows:~~

Priority	Description of Registration Priorities
1	Students who have completed the Matriculation* process, meet the eligibility criteria and are participating in the following programs: <ul style="list-style-type: none"> <li>• Eligible as a member of the armed forces or a veteran,</li> <li>• A Foster Youth or former Foster Youth,</li> <li>• Receiving services through the Disabled Student Programs &amp; Services,</li> <li>• Receiving services through the Extended Opportunity Programs and Services,</li> <li>• CalworksWORKS' students</li> </ul>
2	New students who have completed the Matriculation* process and are not one of the identified groups in Priority 1. <ul style="list-style-type: none"> <li>• Student athletes</li> </ul>
3	Continuing COM students (in good standing) who have completed the Matriculation* process and have a current Ed Plan***
4	Continuing students (in good standing) with 30 - 74.5 completed and in-progress units
5	Continuing students (in good standing) with 1 - 29.5 completed and in-progress units**
6	Continuing students (in good standing) with 75 - 99.5 completed and in-progress units**
7	Concurrently enrolled high school students
8	All other categories, including (but not limited to): <ul style="list-style-type: none"> <li>• New Applicants who have applied for admissions but not completed the Matriculation* process</li> <li>• Readmitted students</li> <li>• Students with 100+ completed degree-applicable units at COM</li> <li>• Students not in good standing</li> </ul>

\* Matriculation: ~~Required matriculation steps are defined as:~~ requires the following steps:

1) Orientation; 2) Assessment; 3) Counseling, Advising and Other Education Planning Services; and 4) Student Education Plans.

\*\* Upgrade Priority Option: ~~is available to~~ Ccontinuing COM students in good standing, who have completed the Matriculation\* process before the priority determination deadline for the next registration cycle, ~~will~~ to be upgraded to Priority 3.

\*\*\* ~~Current Ed Plan~~ ~~A is a~~ provisional or long-term Education Plan for the upcoming semester(s) that a counselor certifies for the student for each semester. If the student fails to update their Education Plan with a counselor as indicated they will fall back to a lower priority.

These registration priorities apply to courses offered during summer or intersessions.

Registration priority specified above shall be lost at the first registration opportunity after a student:

- Is placed on academic or progress probation or any combination thereof as defined in these Board Policy and Administrative Procedure 4250 Probation for two consecutive terms; or
- Has completed one hundred (100) or more degree-applicable semester or quarter equivalent units at the district.

For purposes of this section a unit is completed when a student receives a grade of A, B, C, D or P as defined in Board Policy and Administrative Procedure 4230 Grading and Academic Record Symbols. This 100-unit limit does not include units for:

- non-degree applicable English as a Second Language classes
- basic skills courses as defined by the Chief Instructional Officer, or
- high unit majors or programs as designated by the Chief Instructional Officer.

Beginning in the spring 2013 the District shall notify students who are placed on academic or progress probation, of the potential for loss of enrollment priority. The district shall notify the student that a second consecutive term on academic or progress probation will result in the loss of priority registration as long as the student remains on probation. Beginning in spring 2013, the District shall notify students who have completed 75 percent or more of the unit limit, that enrollment priority will be lost when the student reaches the unit limit.

#### **Appeal of Loss of Enrollment Priority**

Students may appeal the loss of enrollment priority when the loss is due to extenuating circumstances. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student, or when a student with a disability applied for, but did not receive a reasonable accommodation in a timely manner. The Chief Student Services Officer or his/her their designee will determine the appeal in his/her their sole discretion.

These enrollment priorities ~~will be~~ have been in effective since fall, 2014. The District will ensure that these procedures are reflected in course catalogs and that all students have appropriate and timely notice of the requirements of this procedure.

Registration dates and times are posted on the MyCom/student portal.

#### **Maximum Unit Load**

- Students may enroll in a maximum of 18 units in the fall or spring semesters and 7 units in the summer session. Students who wish more units must submit a Petition to Carry Extra Units not later than Friday of the second week of the semester.
- Students on academic and/or progress probation may enroll in a maximum of 13 units in the fall or spring semester and 4 units for the summer session.

**Office of Primary Responsibility:** Office of ~~Admissions and Records~~ Enrollment Services

Revised: January 17, 2012; April 16, 2013; February 18, 2014

**Reviewed/Revised:**

**Business and Fiscal Affairs**

**CCLC 36 Update – Legally required.** This procedure was updated to reflect the “ABC” test for determining independent contractor status that was codified as part of AB 5.

Mici Rev. 3-4-2021

To Fiscal 4/19/2021

To Administrative Services 4/19/2021; follow up 9/21/21

To Greg N. 10-7-2021, 3-23-2022

**AP 6370      CONTRACTS – PERSONAL/OTHER SERVICES****References:**

Education Code Section 88003.1;  
Government Code Section 53060;  
Labor Code Sections [2750.3](#) and 3353;  
Public Contract Code Section 10335.5

The District may enter into service contracts to achieve cost savings when each of the following conditions are met:

- It can be clearly demonstrated that the proposed contract will result in actual overall cost savings to the District;
- The contractor’s wages are at the industry's level and do not undercut District pay rates;
- The contract does not cause the displacement of District employees;
- The savings are large enough to ensure that employees will not be eliminated by private sector and District cost fluctuations that could normally be expected during the contracting period;
- The amount of savings clearly justifies the size and duration of the contracting agreement;
- The contract is awarded through a publicized, competitive bidding process if required;
- The contract includes specific provisions pertaining to the qualifications of the staff that will perform the work under the contract as well as assurance that the contractor's hiring practices meet applicable nondiscrimination standards;
- The potential for future economic risk to the District from potential contractor rate increases is minimal;
- The contract is with a legal entity; and
- The potential economic advantage of contracting is not outweighed by the public's interest in having a particular function performed directly by the District.

Service contracts are also permissible when any one of the following conditions is met:

- The contract is for new functions mandated or authorized by the Legislature to be performed by independent contractors;
- The services are not available within the District or cannot be satisfactorily performed by District employees;
- The services are incidental to a purchase or lease contract;
- The policy, administrative, or legal goals and purposes of the District cannot be accomplished through the regular or ordinary hiring process;
- The work meets the criteria for emergency appointment;
- Equipment, materials, facilities, or support services could not feasibly be provided by the District; or
- The services are of an urgent, temporary, or occasional nature.

**Professional Experts** – Contracts for the services of persons who qualify as professional experts may be let without competitive bidding. Professional experts are persons specially qualified to provide services and advise in financial, economic, accounting, engineering, legal, or administrative matters. They must be specially trained, experienced, and competent to perform the services required. Compensation for special services and advice from professional experts may be paid from available funds in the amounts deemed proper for the services rendered.

**Independent Contractors** – To be an independent contractor, substantial conformance with all the following conditions must exist:

- The contractor is free from the control and direction of the District in connection with the performance of the work, both under the contract for the performance of the work and in fact;
- The contractor performs work that is outside the usual course of the District's business; and
- The contractor is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed.
- ~~• The contractor controls the way in which work is performed.~~
- ~~• The contractor sets his or her own hours.~~
- ~~• The contractor is not restricted from taking jobs from other businesses at the same time that they are doing work for the District.~~
- ~~• No District employees have duties similar to the independent contractor.~~
- ~~• The District does not provide assistants to the contractor.~~
- ~~• The duration of employment is for a specific job, not for a specified period of time.~~
- ~~• The District does not furnish tools, training, or equipment to the contractor. Contractors should be able to perform their services without the District's facilities (e.g., equipment, office furniture, machinery).~~
- ~~• The contractor's investment in his or her trade must be real, essential, and adequate.~~
- ~~• The contractor has employer identification numbers with the Internal Revenue Service and the California Employment Development Department for reporting employer payroll taxes and employee wages.~~
- ~~• The individual is not presently employed by the District to do the same type of work.~~
- ~~• Contractors are hired to provide a result and usually have the right to hire others to do the actual work.~~
- ~~• Contractors are hired for the final result, and therefore should not be asked for progress or interim reports.~~
- ~~• Contractors are generally responsible for their incidental expenses.~~
- ~~• Contractors should be able to make a profit or a loss. Five circumstances show that a profit or loss is possible:~~
  - ~~○ If the contractor hires and pays assistants~~
  - ~~○ If the contractor has his own office, equipment, materials, or facilities~~
  - ~~○ If the contractor has continuing and reoccurring liabilities~~
  - ~~○ If the contractor has agreed to perform specific jobs for prices agreed upon in advance~~
  - ~~○ If the contractor's services affect his own business reputation~~

Contractors cannot be fired as long as they produce a result that meets the contract specifications. Termination of a contractor must abide by the law and be in accordance with the specifications in the contract or agreement for services. The District shall use a District contract or Agreement for Services and not rely on the contractor's contract.

Contractors are responsible for the satisfactory completion of a job or they may be legally obligated to compensate the ~~hiring firm~~ District for failure to complete.

**Consultants** – Consulting services contracts refer to all services that:

- Are of an advisory nature,
- Provide a recommended course of action or personal expertise,
- Have an end product which is basically a transmittal of information either written or verbal, and
- Are obtained by awarding a procurement-type contract, a grant, or any other payment of funds for services of the above type.

The product may include anything from answers to specific questions to design of a system or plan, and includes workshops, seminars, retreats, and conferences for which paid expertise is retained by contract.

Office of Primary Responsibility: ~~College Operations~~ Administrative Services

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Date Approved: April 21, 2009 (*Replaced College of Marin Procedure 5.0011 DP.1*)

Reviewed/Revised: June 20, 2017

**Reviewed/Revised:**



## Human Resources

**CCLC 38 Update** recommends referring to BP/AP 3420 as an incorporation by reference and inclusion of some optional language. **Mici 1-28-2022**  
**HR Reviewed/Revised 4-13-2022 K. Gisle/Nikki**

**AP 7120 EMPLOYMENT RECRUITMENT****References:**

Education Code Sections 87100 et seq., 87360, 87400, 87408-87408.6, 88003, and 88021;  
Title 5 Code Sections 53021-53024;  
ACCJC Accreditation Standard III.A.1. *(formerly III.A.)*

**I. General Provisions**

The District's recruitment and hiring procedures shall demonstrate a commitment to diversity, equity, and inclusion in order to achieve the District's mission and support students in achieving their educational goals. The District's recruitment and hiring procedures allow the District to engage in diversity hiring that increases the representation of underrepresented communities in the District's workforce. Diversity hiring includes mitigating unconscious bias and eliminating irrational barriers to employment to allow the District to hire the best candidate regardless of the candidate's protected classes. Underrepresented communities consist of individuals holding identities broadly underrepresented in the District's workforce in comparison to their representation in the field or job category within the state of California or nationally in higher education.

**A. Equal Employment Opportunity (EEO)**

Commitment to Diversity: In all phases of recruitment and hiring, equal opportunity shall be afforded to all employees and applicants for employment without discrimination on the basis of national origin, immigration status, religion, age, family and medical care leave, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), military and veteran status or because he/she/they is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The District's EEO plan will document the multiple measures that capture the broad array of strategies and actions the District uses or will use to ensure equal employment opportunity. The ~~Executive Director of Human Resources~~ Superintendent/President shall provide the ~~State Chancellor's Office~~ Board of Trustees with an annual report regarding the District's EEO Plan.

Equal employment opportunity issues are further addressed in BP/AP 3420 ~~titled~~ Equal Employment Opportunity and the District's EEO Plan.

## **B. Permanent Academic, Management, and Classified Employees**

Human Resources will have primary responsibility for implementing Administrative Procedures for the employment of permanent academic and classified employees. Such procedures for employment include provisions for assuring adequate candidate screening by a screening committee, including faculty, administration, and staff participation as appropriate; equal employment opportunity review; and necessary forms and guidelines. [Applicants for all positions must demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students in a manner specific to the position.](#)

## **II. Recruitment Methods for Management and Classified Positions**

### **A. Position Authorization**

Recommendations for the creation and/or filling of positions shall be made in accordance with District governance or administrative processes. Approval for the filling of an authorized position that is vacant will be made by the Superintendent/President.

### **B. Screening Committee Structure**

1. The Superintendent/President or designee may appoint the manager(s) for the committee and committee members. Classified employees will be appointed by the Classified Senate through the Classified Professionals Liaison Committee. Academic employees will be appointed by the Academic Senate.
2. [Every effort will be made to ensure the diversity of screening committees. If the Executive Director of Human Resources, or designee, does not approve of the Academic and Classified Senate appointments to screening committee due to lack of diversity, they will take necessary steps to remedy the representation.](#)
3. [The Superintendent/President's Standards of Decorum shall be read and distributed at each convening, which reminds committee members of the shared governance model under which we operate, highlights current needs in response to legislation and social issues, delineates processes for complaints and concerns, and creates an atmosphere of collegiality and collaboration so that members feel free to participate in the process and offer up opinions for debate.](#)
4. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, [diversity](#) and the search/screening process.
5. The committee will have District-wide representation, [including a combination of administrators, faculty and classified staff](#), for the purpose of screening, interviewing, and recommending candidates to the Superintendent/President or designee (See Human Resources Screening Committee Composition Guidelines). [Every effort will be made to fulfill the composition guidelines.](#)
6. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.
7. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited

from releasing any information which relates to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

**C. Position Announcement**

1. The position announcement will describe the duties and responsibilities of the position based upon the approved job description. The announcement shall be reviewed by the appropriate administrator.
2. [The advertising/announcement phase shall be long enough to allow for a comprehensive search, typically four \(4\) weeks for management positions and three \(3\) weeks for classified positions, and shall be in conformance with the District's EEO Plan and state and federal regulations.](#)
3. [The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include, as appropriate, regional and national outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.](#)
4. [Recruitment for all open positions shall include, but not be limited to, placement of job vacancy announcements in diversity websites and publications.](#)

**D. Minimum Requirements**

Applications and applicable materials shall be submitted using the District's website. Human Resources will conduct the initial review of the applications to ensure minimum requirements for the position are met.

**E. Screening Process**

1. Screening criteria may be formulated by the committee for the purpose of identifying the best qualified applicants.
2. Screening criteria must include equity-minded, job-related qualifications that enhance equity, diversity, inclusion and reinforce the Knowledge, Skills and Abilities (KSAs) needed for the position. [At least one screening criterion must be diversity/equity/inclusion related.](#)
3. Applicant Screening: Human Resources will provide the screening committee with access to view the application and applicable materials for all candidates who meet the minimum requirements for the position. Committee members shall individually review each qualified applicant's application materials using the previously agreed upon screening criteria. Following the screening, the committee shall develop consensus regarding the pool of applicants to be invited to interview. Every effort should be made [to screen in and](#) ~~three (3) or more as many~~ [interview as possible](#) candidates for each position.
4. The hiring administrator/designee or Human Resources will schedule the selected candidates' interviews and make necessary arrangements.
5. Interview Process: The screening committee will formulate questions to be used during the interview process and may, at its discretion, require pre-screening activities and/or assessments of the candidate's effectiveness as appropriate to the position. Interviews will be conducted using the previously agreed upon interview questions. All interview questions should be equity-minded (per the adopted definition), and at least two diversity/equity/inclusion questions must be included when developing

interview questions. Screening committee members shall individually evaluate each candidate based on their responses to the questions, the demonstration/presentation, and/or other type of performance indicator exercise(s), if applicable. Following the last interview, the screening committee will deliberate the candidates' strengths and areas for growth and while consensus on finalist recommendations is desired, the purpose of a diverse screening committee is to bring different perspectives to the hiring process. As such, when consensus cannot be found, the screening committee may forward a summary of why consensus was not obtained to the next level interviewer(s) for consideration. The screening committee will prepare written documentation of these conclusions to Human Resources. If the committee cannot reach a consensus on a finalist(s), the position may be reposted and the screening process restarted. At the conclusion of the interview process, all application and interview materials used and completed by the screening committee shall be returned to and retained by Human Resources.

6. Notification of Candidates: Human Resources will notify applicants who will not moved forward to interview or will not moved forward as finalists of their status.
7. Recommendations and Finalization of Selection
  - a. Management Positions
    - i. Finalists will be recommended to the Superintendent/President or designee. The committee may send comments or a statement of reservation about the candidates along with their recommendation.
    - ii. At the discretion of the Superintendent/President or designee, the finalists will be invited for an interview with the Superintendent/President and/or designees.
    - iii. If the Superintendent/President or designee does not agree with the committee's recommendations, they will request that the search be extended or suspended.
    - iv. The name(s) of the finalist(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
    - iv. ~~The Superintendent/President or designee will extend an offer of employment.~~ The Superintendent/President or designee will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment and employment agreement.
    - v. If there is not an acceptable candidate, the Superintendent/President or designee may request that the search be extended or suspended.
    - vi. Upon written acceptance of the offer of employment and employment agreement, the finalist's name will be submitted to the Board of Trustees for approval. If for any reason the selected finalist refuses the offer, the matter may be referred back to the screening committee by Human Resources.
    - vii. Notification of Candidates: The Superintendent/President or designee or Human Resources will notify the finalists not selected for the position of their status.
  - b. Classified Positions

- i. The screening committee will recommend a finalist(s). Second interviews are appropriate in the event the supervisor or manager is unable to participate in the initial interview.
  - ii. The names of the finalists will be forwarded to the appropriate administrator or Human Resources for reference checking.
  - iii. The appropriate administrator or Human Resources will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment.
  - iv. If there is not an acceptable candidate, the supervisor or manager ~~will~~may request that the search be extended or suspended.
  - v. Upon written acceptance of the offer of employment, the finalist's name will be submitted to the Board of Trustees for approval. If for any reason the selected finalist refuses the offer, the matter may be referred back to the screening committee by Human Resources.
8. The action of the Board of Trustees will be communicated to the candidates. ~~If for any reason the person approved refuses the offer, the matter may be referred back to the screening committee by Human Resources.~~

#### **F. Reference Checks**

1. Reference checks must be conducted prior to an offer's being made on all finalists, including internal and external candidates, for all recruited and interim positions.
2. Before contacting the references, permission should be obtained from the candidate so they may properly inform current employers/managers as indicated on the application.
3. At least one (1) diversity/equity/inclusion question must be included when checking references (template provided by Human Resources).
4. Every effort should be made to complete reference checks with at least three (3) of the candidate's provided references.

#### G. Pre-employment Health Examinations

1. Certificated employees who have not previously been employed in an academic position in California will be required upon hire to provide a medical certificate from a licensed physician showing that the candidate is free from any communicable disease unfitting the candidate to instruct or associate with students. The medical exam shall have been conducted not more than six months before submission of the certificate and shall be at the expense of the candidate.
2. For positions for which a pre-employment medical examination has been deemed appropriate (e.g., Police Officer), said examinations may only be required after a conditional job offer has been made, and no candidate shall be required to participate in such an examination solely on the basis of the candidate's age or disability. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.
3. District procedures for pre-employment examinations may require any employee to undergo a physical or mental examination where such a fitness for duty exam is job related and consistent with business necessity. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.

### III. Recruitment Methods for Full-Time Faculty Positions

**A. Vacancy:** Recruitment for a permanent faculty position will be conducted whenever the District determines that a permanent faculty position will meet the need of the District or the mandates of the State Chancellor's Office, or to comply with the MCCD-UPM/AFT Collective Bargaining Agreement.

**B. Screening Committees Structure:** ~~A screening committee will be formed.~~

1. The Superintendent/President or designee may appoint the manager(s) for the committee and committee members. Classified employees will be appointed by the Classified Senate through the Classified Professionals Liaison Committee. Academic employees will be appointed by the Academic Senate.
2. Every effort will be made to ensure the diversity of screening committees. If the Executive Director of Human Resources, or designee, does not approve of the Academic and Classified Senate appointments to screening committee due to lack of diversity, they will take necessary steps to remedy the representation.
3. The ~~Superintendent/President~~Superintendent's Standards of Decorum shall ~~prepare a letter each semester, to~~ be read and distributed at each convening, ~~that~~ which reminds committee members of the shared governance model under which we operate, highlights current needs in response to legislation and social issues, delineates processes for complaints and concerns, and creates an atmosphere of collegiality and collaboration so that members feel free to participate in the process and offer up opinions for debate.
4. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, diversity, and the search/screening process.
5. To ensure all screening committee members' voices and opinions are heard during the deliberation process, a faculty member may volunteer to co-facilitate along with the hiring manager. The co-facilitator may ask specific questions to the screening committee members related to additional input they may have during the committee's discussions during the recruitment process. For the sake of uniformity across screening committees, the questions the co-facilitator will ask will be enumerated in the committee materials and documents.
6. The committee will have District-wide representation, including a combination of administrators, faculty, and classified staff, for the purpose of screening, interviewing, and recommending candidates to the Superintendent/President (see Human Resources Screening Committee Composition Guidelines). Every effort will be made to fulfill the composition guidelines.
7. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.
8. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited from releasing any information which relates, to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

**C. Position Announcement:**

1. In collaboration with the appropriate administrator and department chair, Human Resources will develop the position announcement to include:

- a. a description of the teaching/counseling/librarian/nursing, or other non-teaching responsibilities;
- b. representative courses to be taught, if applicable;
- c. minimum qualifications that:
  - i. conform to the California Community College Chancellor's Office's Minimum Qualifications for Faculty and Administrators in California Community Colleges;
  - ii. include "Demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds and learning styles of community college students and staff;
  - iii. include desirable "Knowledge, Skills and Abilities" which shall serve as the basis for the screening criteria, in conjunction with other required application materials.
2. ~~The recruiting efforts will include, as appropriate, regional and national advertising, as well as outreach efforts in accordance with the District's EEO Plan.~~
2. The advertising/announcement phase shall be long enough to allow for a comprehensive search, typically four (4) weeks for management positions and three (3) weeks for classified positions, and shall be in conformance with the District's EEO Plan and state and federal regulations.
3. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include, as appropriate, regional and national outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
4. Recruitment for all open positions shall include, but not be limited to, placement of job vacancy announcements in diversity websites and publications.

**D. Minimum Qualifications:**

Applications and applicable materials shall be submitted using the District's website.

Human Resources will conduct the initial review of the applications to ensure minimum qualifications for the position are met. If the applicant has applied for a minimum qualification equivalency or Human Resources is unable to determine if a candidate meets the minimum qualifications for a position, the application materials will be sent to the Academic Senate's designee(s). An Equivalence Committee, made up of the Academic Senate president or designee(s) and one or two discipline faculty, will review applications to determine equivalency. (~~s~~See AP 7211 ~~titled~~ Faculty Service Areas, Minimum Qualifications, and Equivalencies)

**E. Screening Process:**

1. Screening criteria may be formulated by the committee for the purpose of identifying the best qualified applicants.
2. Screening criteria must include equity-minded, job-related qualifications that enhance equity, diversity, inclusion and reinforce the Knowledge, Skills and Abilities (KSAs) needed for the position. At least one screening criterion must be diversity/equity/inclusion related.
3. Applicant Screening: Human Resources will provide the screening committee with access to view the application and applicable materials for all candidates who meet the minimum requirements for the position. Committee members



shall individually review each qualified applicant's application materials using the previously agreed upon screening criteria. Following the screening, the committee shall develop consensus regarding the pool of applicants to be invited to interview. Every effort should be made to screen in and interview ~~three (3) or more~~ as many candidates as possible for each position.

4. The hiring administrator/designee or Human Resources will schedule the selected candidates' interviews and make necessary arrangements.
5. Interview Process: The screening committee will formulate questions to be used during the interview process and may, at its discretion, require pre-screening activities and/or assessments of the candidate's effectiveness as appropriate to the position, such as teaching demonstrations and presentations. Interviews will be conducted using the previously agreed upon interview questions. All interview questions should be equity minded (per the adopted definition), and at least two diversity/equity/inclusion questions must be included when developing interview questions. Screening committee members shall individually evaluate each candidate based on their responses to the questions, the demonstration/presentation, and/or other type of performance indicator exercise(s), if applicable. Following the last interview, the screening committee will deliberate the candidates' strengths and areas for growth. The screening committee will prepare written documentation of these conclusions to Human Resources. If the committee cannot reach a consensus on a finalist(s), the position may be reposted and the screening process restarted. At the conclusion of the interview process, all application and interview materials used and completed by the screening committee shall be returned to and retained by Human Resources.
6. Notification of Candidates: Human Resources will notify applicants not moved forward to interview or not moved forward as finalists of their status.
7. Recommendations and Finalization of Selection:
  - a. Finalists will be recommended to the Superintendent/President or designee ~~as per the College of Marin Participatory Governance System Plan~~. The committee may send comments or a statement of reservation about the candidates along with their recommendation.
  - b. At the discretion of the Superintendent/President or designee, the finalists will be invited for an interview with the Superintendent/President or designees.
  - c. If the Superintendent/President or designee does not agree with the committee's recommendations, ~~he/she/they~~ will request that the search be extended or suspended.
  - d. The name(s) of the successful ~~candidates~~ finalist(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
  - e. The Superintendent/President or designee will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment.
  - f. If there is not an acceptable candidate, the Superintendent/President or designee may request that the search be extended or suspended.
  - g. Upon written acceptance of the offer of employment the ~~candidate~~ finalist's name will be submitted to the Board of Trustees for official approval. If for any reason the selected finalist declines the offer, the matter may be referred back to the screening committee by Human Resources.



- h. Notification of Candidates: The Superintendent/President or designee or Human Resources or designee will notify the finalists not selected for the position of their status.
- 8. The action of the Board of Trustees will be communicated to the candidates.

**F. Reference Checks:**

1. Reference checks must be conducted prior to an offer's being made on all finalists, including internal and external candidates, for all recruited and interim positions.
2. Before contacting the references, permission should be obtained from the candidate so they may properly inform current employers/managers as indicated on the application.
3. At least one (1) diversity/equity/inclusion question must be included when checking references (template provided by Human Resources).
4. Every effort should be made to complete reference checks on at least three (3) of the candidate's provided references.

**G. Pre-employment Health Examinations**

1. Certificated employees who have not previously been employed in an academic position in California will be required upon hire to provide a medical certificate from a licensed physician showing that the candidate is free from any communicable disease unfitting the candidate to instruct or associate with students. The medical exam shall have been conducted not more than six months before submission of the certificate and shall be at the expense of the candidate.
2. For positions for which a pre-employment medical examination has been deemed appropriate (e.g., Police Officer), said examinations may only be required after a conditional job offer has been made, and no candidate shall be required to participate in such an examination solely on the basis of the candidate's age or disability. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.
3. District procedures for pre-employment examinations may require any employee to undergo a physical or mental examination where such a fitness for duty exam is job related and consistent with business necessity. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.

**IV. Methods to Address Any Underrepresentation**

To demonstrate its commitment to Equal Employment Opportunity and create a diverse workforce, the District will employ the following additional methods to identify and address underrepresentation in the recruitment process:

- A. For any job category where continuing under-representation exists, the District will apply the recruitment procedures set forth in Title 5, section 53021 to conduct full and open recruitment for all vacancies and will not invoke the provisions for in-house interim appointments or the exception under 53021 (c) (7) for engaging an administrator through a professional services contract without first notifying the Superintendent/President in writing of the compelling reasons to do so. If the Superintendent/President determines that an exception to a full and open recruitment is warranted, the EEO Advisory Council will be notified.
- B. Screening committee members must adhere to the Superintendent/President's *Standards of Decorum* (SOD) for screening committees. The purpose of the SOD is to ensure screening committee

- members are participating equally and actively throughout the recruitment process. Members are also asked to provide equitable consideration and treatment of all candidates throughout the process, uphold EEO law and Marin Community College District (MCCD) Board policies, and recognize and disclose potential biases or conflicts of interest to the committee chair.
- C. All screening criteria and materials must be approved by Human Resources for compliance with equal employment opportunity.
  - D. Monitoring by Human Resources for adverse impact will occur throughout the recruitment process.
  - E. The Superintendent/President shall make all hiring decisions based upon careful review of the candidate(s) recommended by the screening committee. This includes the right to reject all candidates and to order further review or to reopen the position where necessary to achieve the objectives of the EEO Plan or to ensure equal employment opportunity.
  - F. The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not meet the objectives of the EEO Plan, the District will request the EEO Advisory Council to recommend new recruitment methods to meet the EEO Plan objectives, or if necessary, to modify the EEO Plan to ensure equal employment opportunity.

For Temp Pools recruitment methods see AP 7212 ~~titled~~ Temporary Faculty

Also see AP 7126 ~~titled~~ Applicant Background Checks, ~~and~~ AP 7210 ~~titled~~ Academic Employees, ~~and~~ AP 7230 ~~titled~~ Classified Employees, ~~and~~ [AP 7330 Communicable Disease](#), [BP 7335 Health Examinations](#), and the [Equal Employment Opportunity Plan 2020-2023](#).

Office of Primary Responsibility: Human Resources

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Date Approved: June 28, 2011 (*Replaced College of Marin Policy 5.0013 and Procedures 5.0005 DP.1 and 5.0006.1 DP.2*)

Reviewed/Revised: May 16, 2017; October 20, 2020

**Reviewed/Revised:**

## General Institution

CCLC Update 38 – Legally required. Reviewed/Revised Mici 2-1-2022

Approved without revisions. Nikki/HR 2-25-2022

**BP 3550      DRUG AND ALCOHOL-FREE ENVIRONMENT AND DRUG AND ALCOHOL ABUSE  
PREVENTION PROGRAM (DAAPP)****References:**20 U.S. Code Section ~~1145g~~ 1011i (Drug Free Schools and Communities Act);41 U.S. Code Section ~~702~~ 8103 (Drug Free Workplace Act of 1988);

34 Code of Federal Regulations Sections 86.1 et seq.;

~~Business and Professions Code Section 25608~~

The District shall be free from the unlawful possession, use, or distribution of illicit drugs, prescription drugs, and alcohol by students and employees.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the District.

Any student or employee who violates this policy will be subject to disciplinary action consistent with local, state, or federal law, which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion, or dismissal.

Alcohol is a central nervous system depressant. Aside from the health risks of alcohol, drugs (legal or illegal) carry their own risks.

- Since everyone's brain and body chemistry is different and tolerance for drugs is different, it cannot be predicted how any individual may be affected, especially if it is a first time use and even if it is a small amount or dose.
- Using drugs or alcohol can lead to abuse, addiction, serious health problems, and even death.
- Drugs that are legal - prescription and over-the counter (OTC Medications) can be just as dangerous as illegal drugs.

More information on the health risks associated with alcohol, drugs, and/or the mixing of alcohol and drugs may be found on the College's website by searching [Drug and Alcohol Prevention Program \(DAAPP\)](#).

~~California voters~~ On Tuesday, November 8, 2016 ~~California voters~~ passed Proposition 64 legalizing the use of recreational marijuana ~~among~~ by people over the age of 21. The change in law does not permit any person to possess or use recreational or medical marijuana on a community college campus. Using and possessing marijuana is still illegal under federal law. The federal Drug Free Schools and Communities Act and the Drug Free Workplace Act require that the District, which receives federal funding, have policies and procedures that prohibit marijuana use, possession and distribution on campus and in the workplace.

The District prohibits the use, possession and sale of marijuana, in any form, on all college property, including college owned and leased buildings, and parking lots. Marijuana is also not permitted at District sponsored events or while conducting college business.

The Superintendent/President shall ensure that the District distributes annually to each student and employee the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

*See* BP/AP 3560 ~~titled~~ Alcohol on Campus

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Date Adopted: December 14, 2010 (*Replaced College of Marin Policy 5.0035*)

Reviewed/Revised: April 18, 2017

**Reviewed/Revised:**

## Academic Affairs

**CCLC 38 – Legally required.** The portion of this policy regarding credit hour definition is legally required in an effort to show good faith compliance with the applicable federal regulations. Mici 2-

1-2022

Jonathan E./Admin reviewed and revised 2-25-2022

To ASC/AS 4-21-2022

**BP 4020 PROGRAM, CURRICULUM, AND COURSE DEVELOPMENT****References:**

Education Code Sections 70901(b), 70902(b), 78016, ~~78300~~;  
Title 5 Sections 51000, 51022, 55002.5, 51956, 55000-55225;  
Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended;  
34 Code of Federal Regulations Parts 600.2, 602.24, 603.24, and 668.8;  
ACCJC Accreditation Standards II.A. and II.A.9.

The District shall offer credit, noncredit, and community services classes in conformance with definitions and a classification system consistent with state law.

The programs and curricula of the District shall be of high quality, relevant to community and student needs, and evaluated regularly to ensure quality and currency. The Superintendent/President shall establish procedures for the development and review of all curricular offerings, including their establishment, modification, or discontinuance.

Furthermore, these procedures shall include:

- appropriate involvement of the faculty and Academic Senate in all processes;
- regular review and justification of programs and course descriptions;
- opportunities for training for persons involved in aspects of curriculum development; and
- consideration of job market and other related information for career and technical education programs.

All new programs and program discontinuances shall be approved by the Board of Trustees.

All new credit and noncredit courses, programs, certificates, and degrees must satisfy the conditions authorized by Title 5 regulations, shall be approved by the Board of Trustees, and shall be submitted to the California Community College Chancellor's Office for approval as required. In addition, all course and program deletions shall be approved by the Board of Trustees.

Individual degree-applicable credit courses offered as part of a permitted educational program shall be approved by the Board. Non-degree-applicable credit and degree-applicable courses that are not part of an existing approved program must satisfy the conditions authorized by Title 5 regulations and shall be approved by the Board.

**Credit Hour**

Consistent with federal regulations applicable to federal financial aid eligibility, the District shall assess and designate each of its programs as either a "credit hour" program or a "clock hour" program.

The Superintendent/President shall establish procedures which prescribe the definition of “credit hour” consistent with applicable Title 5 and federal regulations, as they apply to community college districts.

The Superintendent/President shall establish procedures to assure that curriculum at the District complies with the definition of “credit hour” or “clock hour,” where applicable.

The Superintendent/President shall also establish procedures for using a clock-to-credit hour conversion formula to determine whether a credit hour program is eligible for federal financial aid. The conversion formula is used to determine whether such a credit-hour program has an appropriate minimum number of clock hours of instruction for each credit hour it claims.

The total educational program of the District shall be reviewed continuously with respect to its value to the students enrolled and ~~in~~ to meeting the needs of the community.

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Date Adopted: July 27, 2010 (*Replaced College of Marin Policies 2.0013 and 2.0017*)

Reviewed/Revised: March 14, 2017

**Reviewed/Revised:**

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**Academic Affairs**

**CCLC 38 – Optional updates** to this policy to add optional language to highlight diversity, equity, and inclusion issues. Mici 2-1-2022

Approved without revisions. Jonathan E. 2-25-2022

Meg approved 3-23-2022

To ASC 3-23-2022

**BP 4106          NURSING PROGRAMS****References:**

Education Code Sections 66055.8, 66055.9, [70101-70107](#), 78260, 78261, 78261.3, 78261.5, 87482, 89267, 89267.3, and 92645;  
Title 5 Sections 55060 et seq. and 55521; and  
Health and Safety Code Section 128050

Nursing students who have already earned a baccalaureate or higher degree from a regionally accredited institution of higher learning are not required to complete any general education requirements that may be required for an associate degree. Instead, these students only need to complete the coursework necessary for licensing as a registered nurse.

Admission to the nursing program shall be determined using a multi-criteria screening process.

The District will recruit students from low socioeconomic populations to enroll in the District's nursing program.

The District shall consider all of the following when screening nursing students:

- Academic degrees or diplomas, or relevant certificates, held by the applicant;
- Grade point average in relevant coursework;
- Life experiences or special circumstances of an applicant;
- Any relevant work or volunteer experience; and
- Proficiency or advanced level coursework in languages other than English.

Loan assumption agreements may be awarded to individuals who at a minimum possess a baccalaureate degree in nursing or a field related to nursing who have agreed to teach nursing on a full-time or part-time basis commencing not more than 12 months after receiving a loan assumption award. The loan assumption program is referred to as the State Nursing Assumption Program of Loans for Education (SNAPLE). The loan assumption agreement will be considered no longer effective and deemed terminated, if a program participant fails to complete a minimum of three academic years of teaching on a full-time basis or the equivalent on a part-time basis.

Loan assumption payments will not be made on behalf of the participant until the participant has completed one academic year, or the equivalent of full-time teaching nursing studies at one or more regionally accredited, eligible Districts. The commission can assume liability for loans incurred by the participant to pay for the participant's undergraduate and graduate degrees.

The terms of the loan agreement program can be extended for one academic year, unless extended by the commission on a case-by-case basis, for the following reasons:

- Pregnancy;
- Serious Illness;
- Natural causes; or
- Being called to military active duty status.

In addition, when an interruption of instruction because of a natural disaster prohibits a loan program participant from completing one of the required years of teaching service, the term of the loan assumption agreement shall be extended for a period of time equal to the period of interruption of instruction.

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Date Adopted: April 20, 2010 ( Replaced *College of Marin Policies 2.0022 and 2.0014*)

Reviewed/Revised: January 16, 2018

**Reviewed/Revised:**



## Student Services

Reviewed to align with review cycle of AP 5030 Fees (Update 38). Mici 3-8-2022

Minor fee revision. Jon H./Enrollment/ASC 3-23-2022

Peggy I./Fiscal 3-30-2022

**BP 5030 FEES****References:**

Education Code Sections 76300 et seq.  
Title 5 Section 58520;  
ACCJC Accreditation Standard I.C.6

The Board of Trustees authorizes the following fees. The Superintendent/President shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law. The procedures shall also ensure those who are exempt from or for whom the fee is waived are properly enrolled and accounted for. Fee amounts shall be published in the catalog and schedules of classes.

**The Board of Trustees authorizes the deferral of payment of certain fees.****Baccalaureate Degree Pilot Program Fees** (Title 5 Section 58520)

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

**Community Service Fee** (Education Code Section 78300): The District shall charge each student enrolled in community service classes a fee not to exceed the cost of maintaining community service classes.

**Course Auditing Fees** (Education Code Section 76370): Persons auditing a course shall be charged a fee of not more than fifteen dollars (\$15.00) per unit per semester. The fee amount shall be adjusted proportionally based upon the term length. Students enrolled in classes to receive credit for ten (10) or more semester credit units shall not be charged this fee to audit three or fewer units per semester.

**Credit by Examination Fee** (Title 5 Section 55753): The District shall charge a reasonable fee for credit by examination which shall be the per unit enrollment fee established by Education Code Section 76300.

**Enrollment Fee** (Education Code Section 76300): Each student shall be charged a fee for enrolling in credit courses as required by law.

**Fee Refunds** (Title 5 Section 58509, Education Code Section 66700): The refunding of various fees shall be in accordance with the law and AP 5030 titled Fees.

**General Education Diploma (GED) Administrative Testing/Retesting Fee:** The District shall charge a GED Testing/Retesting Fee not to exceed the cost of administering the GED Exam.

**Health Fee** (Education Code Section 76355): All students shall be charged the health fee equally, including full and part-time students, provided for in law and as approved by the Board of Trustees.

Students who depend exclusively upon prayer for healing in accordance with the teachings of bona fide religious sect shall be considered for an exemption of this fee.

**International Student Application Processing Fee** (Education Code Section 76142): The District may charge students who are both citizens and residents of a foreign country a fee to process their application for admissions. This processing fee and regulations for determining economic hardship may be established by the Superintendent/President. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the U.S. government; or 2) one hundred dollars (\$100), which may be deducted from the tuition fee at the time of enrollment.

**Instructional Materials Fee** (Education Code Section 76365; Title 5 Sections 59400 et seq.): Students may be required to pay a fee for instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District.

**Non-Resident Capital Outlay Fee** (Education Code Section 76141): The District may charge non-resident students a capital outlay fee. The amount of the non-resident capital outlay fee must be the lesser of:

- the amount that was expended by the District for capital outlay in the preceding fiscal year divided by the total full-time equivalent students of the District in the preceding fiscal year; or
- Fifty percent (~~50% fifty~~) of the preceding year non-resident tuition fee adopted pursuant to Education Code Section 76140.

**Parking Fee** (Education Code Section 76360): Each student purchasing a parking permit shall be charged a Board approved fee. At the Board's discretion, parking fees for non-students parking on District property may be assessed.

**Physical Education Facilities** (Education Code Section 76395): Where the District incurs additional expenses because a physical education course requires the use of non-District facilities, students enrolled in the course shall be charged a fee for participating in the course. Such fee shall not exceed the student's calculated share of the additional expenses incurred by the District.

**Refund Processing Fee** (Title 5 Section 58508): The District shall retain the maximum amount as prescribed in Title 5 Section 58508 for the processing of refunds.

**Returned Check and/or Declined Credit Card Fee:** The District shall charge a fee not to exceed the cost for processing and administering a returned check and/or declined credit card.

**Student Representation Fee** (Education Code Section 76060.5): Students will be charged a two one ~~dollars~~ (~~\$42~~) fee per semester to be used to provide support for student government affairs representation. Students may refuse to pay the fee for religious, political, financial, or moral reasons.

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

Students may pay an optional student activities fee to support campus clubs, organizations, and intercollegiate athletics and to sponsor educational and social events for the campus community. Waivers must be submitted to the Office of Enrollment Services upon registration.

**Student Transportation Fee** Students shall be charged a fee for the purpose of recovering transportation costs incurred by the District for services provided by common carriers to students. These fees *were approved by students* in accordance with Education Code.

**Transcript Fee/Verification of Enrollment** (Education Code Section 76223): The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The Superintendent/President is authorized to establish the fee, which shall not exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two transcripts of student records or for two verifications of various records. There shall be no charge for searching for or retrieving any student record.

*Also see* BP 4070 ~~titled~~ Auditing, BP 5020 ~~titled~~ Non-resident Tuition, and BP 4400 ~~titled~~ Community Service Programs

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Date Adopted: April 20, 2010 (*Replaced College of Marin Policies 6.0011, 3.0041, and 3.0045*)

Reviewed/Revised: November 16, 2010; April 16, 2013; December 6, 2016

**Reviewed/Revised:**

**Student Services**

**CCLC 38 – Legally advised.** Effective January 1, 2020, the Educational Debt Collection Practices Act prohibits Districts from withholding a transcript on the grounds that the student owes a debt. The Service updated this policy to reflect changes to Title 5 Regulations that prohibit withholding grades or transcripts in an effort to collect a debt. Mici 2-1-2022  
To ASC 2-9-2022  
Student Learning and Success approved on 3-30-2022

**BP 5035      WITHHOLDING OF STUDENT RECORDS****Reference:**

Title 5 Section 59410

Students or former students who have been provided with written notice that they have failed to pay a proper financial obligation shall have ~~grades,~~ diplomas, ~~and~~ registration privileges, and other services withheld.

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Date Adopted: October 13, 2009

Reviewed/Revised: November 9, 2021

**Reviewed/Revised:**

## Student Services

**CCLC 38 Legally required update.** The Service updated this policy to add optional language to highlight diversity, equity, and inclusion issues. Mici 2-1-2022

Title revised. Student Learning and Success. 3-22-2022

To ASC 3-23-2022

**BP 5050 STUDENT ~~SUCCESS AND SUPPORT~~ EQUITY AND ACHIEVEMENT PROGRAM****References:**

Education Code Sections 78210 et seq.;

Title 5 Section s55500 et. seq.;

ACCJC Accreditation Standard II.C.2.

The District shall provide Student ~~Success and Support~~ Equity and Achievement Program services to students ~~for the purpose of to~~ furthering equality of educational opportunity and academic success. ~~The Board expects the Student Success and Support Equity and Achievement (SEA) Programs to specifically identify and close opportunity gaps that impact student success and improve the District's commitment to diversity, equity, and inclusion to better support student success.~~ The purpose of SEA Student Success and Support Equity and Achievement Program services is to enhance student access to the District, to promote and sustain the efforts of students to be successful in their educational endeavors, and to bring the student and the District into agreement regarding the student's educational goal through the District's established programs, policies, and requirements.

The Superintendent/President shall establish procedures to ensure implementation of Student ~~Success and Support~~ Equity and Achievement Program services that comply with the Title 5 regulations.

~~See Administrative Procedures (AP 5050 Student Success and Support Equity and Achievement Program)~~

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Date Adopted: June 22, 2010

Revised: October 20, 2015

**Reviewed/Revised:**

**Business and Fiscal Affairs**

**Due for review** as part of the regular review cycle. No legal updates from CCLC. Formatting updates. Mici 1-31-2022

Greg N. approved without changes. 2-28-2022

**BP 6800 INDUSTRIAL SAFETY****References:**

49 Code of Federal Regulations, Part 40 and Part 655;  
29 Code of Federal Regulations Sections 1910.101 et seq.;  
Health and Safety Code Section 104420;  
Title 8 Section 3203

The Superintendent/President shall establish administrative procedures to ensure the safety of employees as part of their assigned work duties on District sites, including the following:

- Compliance with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991. Specifically, the District shall comply with the regulations of the Federal Highway Administration (FHWA) and, if applicable, the Federal Transit Administration (FTA). Compliance with these policies and procedures may be a condition of employment.
- Establishment of an Injury and Illness Prevention Program in compliance with applicable Occupational Safety and Health Administration (OSHA) regulations and state law. These procedures shall promote an active and aggressive program to reduce and/or control safety and health risks.
- Establishment of a Hazardous Material Communications Program, which shall include review of all chemicals or materials received by the District for hazardous properties, instruction for employees and students on the safe handling of such materials, and proper disposal methods for hazardous materials.
- Prohibition of smoking by all employees, students, and visitors at all times on District property EXCEPT in Designated Smoking Areas. District property refers to any and all buildings, parking lots, District ~~v~~vehicles, as well as property on the Kentfield Campus, the Indian Valley Campus, and the Bolinas Marine Lab.

Also see BP/AP 3500 ~~titled~~ Emergency Preparedness and BP 3570 ~~titled~~ Smoke-Free Learning and Working Environment

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Date Adopted: March 17, 2009 ~~(This is a new policy recommended by the CC League and the League's legal counsel)~~

Revised: March 8, 2016

**Reviewed/Revised:**

## Human Resources

**CCLC 38** Update to this policy to add *optional* language to highlight diversity, equity, and inclusion issues. Formatting. Mici 2-1-2022

Nikki/HR 3-22-2022

**BP 7100 COMMITMENT TO DIVERSITY****References:**

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

The Marin Community College District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success and committed to an inclusive, anti-racist campus culture. The Board of Trustees recognizes that diversity, equity, and inclusion in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students and employees. The Board is committed to hiring and staff development processes that support the goals of equal opportunity as well as diversity, equity, and inclusion and to providing equal consideration for all qualified candidates, and creating an anti-racist academic and employment environment.

See ~~BP/AP 3410 titled~~ Nondiscrimination and ~~BP/AP 3420 titled~~ Equal Employment Opportunity.

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Date Adopted: March 17, 2009

Date Reviewed: November 13, 2018

**Date Revised:**

## Human Resources

**CCLC 38 Update** to add *optional* language to highlight diversity, equity, and inclusion issues.

Mici 2-1-2022

**CCLC 39** updated this policy to clarify that the governing board may request a pay equity compensation study for employees and administrators. "compensation" changed to "pay equity report" Mici 4-25-2022

To Nikki H./HR 3-22-2022

To Nikki H./HR 4-25-2022

**BP 7130 COMPENSATION****References:**

Education Code Sections 70902(b)(4), 72411, 87801, and 88160;

Government Code Sections ~~3543.5 and~~ 53200;

34 Code of Federal Regulations Part 668 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended)

~~U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended.~~

Salary schedules, compensation, and benefits (including health and welfare benefits) for all classes of employees and each administrator employed pursuant to a contract under Education Code Section 72411 shall be established by the Board of Trustees.

The Superintendent/President shall be responsible for the administration of the salary schedules. For unrepresented employees, exceptions to salary schedules and conditions contained therein may be made upon the recommendation of the Superintendent/President and with the approval of the Board.

**Prohibition of Incentive Compensation**

Except as applicable to foreign students residing in foreign countries who are not eligible to receive federal student assistance, the District shall not provide any commission, bonus, or other incentive payment based, directly or indirectly, on the success in securing enrollments or financial aid, to any person or entity engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance. Employees covered by this ban shall be referred to as "covered employees" for purposes of this policy.

**Compensation Pay Equity Study**

The Superintendent/President shall provide the Board, when requested, with a ~~compensation pay equity report study~~ for all classes of employees and each administrator employed pursuant to a contract. This study must disaggregate employees by race, age, gender, religion, or any other characteristic identified by the Board.

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Date Adopted: March 17, 2009 (~~Replaces~~ College of Marin Policy 5.0015)

Dates Revised: September 18, 2012; May 17, 2016

**Date Reviewed/Revised:**



## Human Resources

**CCLC 38 Update** to add *optional* language to highlight diversity, equity, and inclusion issues.

Mici 2-1-2022

Nikki/Human Resources reviewed/revised to comport with EEO Plan. 4-14-2022

To ASC/AS 4-20-2022

**BP 7160 PROFESSIONAL DEVELOPMENT****References:**

ACCJC Accreditation Standard III.A.5;

Education Code Sections 87150 et seq.; 87767, 88220, and 88227

ACCJC Accreditation Standard III.A.14

The District will provide employees with appropriate opportunities for continued professional development consistent with the college mission, institutional plans and identified teaching and learning needs.

Work schedules may be adjusted to permit *employees* to pursue approved professional development activities provided the schedule adjustment can be made without undue inconvenience or other disadvantage to the District.

Professional activities including but not limited to writing for publication, research, attending conferences, leading seminars, exhibiting artistic works and the like are also recognized as contributing to an employee's professional development. Accordingly, the Superintendent/President may recommend to the Board of Trustees, where appropriate, stipends for research and development activities.

Additional information regarding professional development may be found in the appropriate collective bargaining agreement.

Professional development aims to enhance employee performance and service to students to improve institutional effectiveness with the ultimate goal of supporting student success. Professional development opportunities will align with the mission of the College by utilizing the equity-minded framework in the spirit of equity, diversity, and inclusion (DEI) in serving the College's student population.

~~Every employee will receive professional development opportunities in critical race theory, critical gender theory, and general sensitivity training.~~

*Also see AP 7341 titled Sabbaticals*

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Date Adopted: July 27, 2010 (*Replaces College of Marin Policies 5.0020 and 2.0007*)

**Reviewed/Revised:**

**Human Resources**

Due for review as part of regular review cycle, in conjunction with AP 7236 updates. Mici 3-8-2022

Reviewed and approved without changes. Nikki 3-8-2022

**BP 7236      SUBSTITUTE AND SHORT-TERM EMPLOYEES**

**References:**

Education Code Sections 88003, 87470, 87475-87482, and 88105

The Board of Trustees may retain the services of substitute and short-term employees as necessary for any purpose authorized by the Education Code. Such employees shall be compensated at a rate set in appropriate salary schedules or as determined by the Superintendent/President or designee.

*Also see BP/AP 7270 ~~titled~~ Student Workers and AP 7212 ~~titled~~ Temporary Faculty*

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Date Adopted: August 23, 2011 (*Replaced College of Marin Policy 5.0011*)

**Reviewed/Revised:**

## Human Resources

**CCLC 38 Update – legally required - to add clarifying language regarding the term “vacancy” as used in this policy. Mici 3-22-2022**

Nikki H./HR reviewed and approved. 4-13-2022

To ASC/AS 4-21-2022

**BP 7250 EDUCATIONAL ADMINISTRATORS****References:**

Education Code Sections 72411 et seq., 87002 subdivision (b), and 87457-87460~~7~~;

Government Code Sections 3540.1 subdivisions (g) and (m)

An administrator is a person employed by the Board in a supervisory or management position as defined in Government Code Sections 3540 et seq.

Educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.

**Retreat Rights**

An educational administrator employed pursuant to Education Code Sections 72411 or 72411.5 who has not previously acquired tenure as a faculty member in the District shall have the right to become a firstyear probationary faculty member in a faculty service area in which he/she/they meets minimum qualifications or equivalencies upon expiration or termination of his/her/their administrative assignment, if the following criteria are met:

- The educational administrator’s first date of paid service in the District as a faculty member or an administrator is on or after July 1, 1990.
- The requirements of Education Code Sections 87458(c) and (d), or any successor statute, are met with respect to minimum years of prior satisfactory service and termination for reasons other than cause. For purposes of this policy, the term “year” shall mean service of at least 75 percent of the number of days the regular schools of the District are maintained.
- Upon expiration or termination of the administrative assignment there is a vacant position in the educational administrator’s faculty service area(s) and no other individual has a preferred right to the position under applicable laws and regulations. For purposes of this policy, the term “vacant position” means a position in which the employee is qualified to serve and which is not filled by a regular or contract employee. It does not include a position which would be filled by a regular or contract employee except for the fact that such employee is on leave.
- The District has a vacancy for which the administrator meets minimum qualifications. A vacancy means that a position available within the District and the District has appropriately allocated, budgeted, and prioritized in accordance with District practice.

Unless otherwise specifically provided by written agreement, educational administrators shall be deemed employed pursuant to Education Code Section 72411.5 and shall serve at the pleasure of the Board of Trustees.

Educational administrators employed under contract with public or private agencies or other categorically funded projects of indeterminate duration shall serve at the pleasure of the Board of

Trustees and shall not be entitled to retreat rights except as specifically otherwise provided by written agreement or applicable law.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board of Trustees upon recommendation by the Superintendent/President. Educational Administrators shall further be entitled to health and welfare benefits made available by action of the Board upon recommendation by the Superintendent/President.

Educational administrators shall be entitled to vacation leave, sick leave, and other leaves as provided by law, these policies, and administrative procedures adopted by the Superintendent/President.

**Appointment to Interim Position(s)**

Service in an interim capacity shall not give the employee any special rights to the position when it is filled on a permanent basis. All interim appointments shall require Board approval.

*Also see* BP 7251 ~~titled~~ Educational Administrator Retreat Rights, BP 7260 ~~titled~~ Classified Supervisors and Managers, and AP 7211 ~~titled~~ Faculty Service Areas, Minimum Qualifications, and Equivalencies.

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Date Adopted: August 21, 2012 (*Replaced College of Marin Policy 5.0010*)

**Reviewed/Revised:**

Human Resources

**CCLC 38 Update** to add *optional* language to highlight diversity, equity, and inclusion issues.

Mici 2-1-2022

To Nikki H./HR reviewed and approved. 4-13-2022

**BP 7345      CATASTROPHIC LEAVE PROGRAM**

**Reference:**

Education Code Section 87045

The Board of Trustees authorizes implementation of a Catastrophic Leave Program to permit employees of the District to donate eligible leave credits to an employee when that employee or a member of his/her family suffers from a catastrophic illness or injury.

The Superintendent/President shall establish administrative procedures to administer the program that comply with the requirements established by the Education Code. The administrative procedures shall assure that the program is administered in a nondiscriminatory way.

**Catastrophic Leave Report**

The Superintendent/President shall provide the Board, when requested, with a report regarding catastrophic leave requests and responses. This report must disaggregate catastrophic leave requests and responses by race, age, gender, religion, or any other characteristic identified by the Board.

*See* collective bargaining agreements as applicable.

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Date Adopted: January 17, 2012

**Reviewed/Revised:**

## Human Resources

**CCLC 38 Update** added *optional* use of force and reporting language to highlight diversity, equity, and inclusion issues. Mici 2-1-2022

**CCLC 40 Update** added new legal requirements that law enforcement agencies establish a board policy before purchasing, raising funds for, or acquiring military equipment. Mici 4-25-2022

Human Resources has no revisions. Nikki H. 3-2-2022

Campus Police approved without revisions. Jeff M. 3-8-2022

Approved additions of CCLC 40. Jeff M. 4-25-2022

**BP 7600 DISTRICT POLICE****References:**

Education Code Sections 72330 et seq.;

Government Coded Sections 3300 et seq. and 7070 et seq.

The Board of Trustees has established a police department under the supervision of the Chief of Police, who shall report to the Superintendent/President. The purpose of the department is to enforce the law on or near the campuses and other grounds or properties owned, operated, controlled, or administered by the District or by the state acting on behalf of the District.

District police officers shall be employed as members of the classified service but shall, when duly sworn, be peace officers as defined by law. Prior to employment, they shall satisfy the training requirements set out in Penal Code Sections 830 et seq.

Minimum qualifications of employment for the Chief of Police shall be established including, but not limited to, prior employment as a peace officer or completion of a peace officer training course approved by the Commission on Peace Officers' Standards and Training.

Every member of the District Police Department first employed by the District before July 1, 1999 must satisfy the requirements of state law regarding qualifications for continued employment.

Every member of the District Police Department shall be issued a suitable identification card and badge bearing the words "College of Marin Police."

The Chief of Police, in cooperation with appropriate District officials, shall issue such other regulations as may be necessary for the administration of the District Police Department.

**Use of Military Equipment**

The Chief of Police shall obtain approval from the Board of Trustees to adopt a military equipment use policy prior to purchasing, raising funds for, or acquiring military equipment. The Chief of Police shall submit the proposed military equipment policy to the Board of Trustees and make those documents available on the police department website at least 30 days prior to any public hearing concerning the military equipment at issue. The Board of Trustees shall consider the proposed military equipment policy as an agenda item for an open session meeting in accordance with the Brown Act.

### **Use of Force**

The Board directs the Chief of Police to establish operational guidelines regarding reasonable use of force for District police officers. The Board expects every District police officer to carry out their duties, including the use of force, in a fair and unbiased manner and to use reasonable force in any situation and make decisions in a professional, impartial, and reasonable manner and to use of de-escalation techniques whenever possible.

### **Report Regarding Complaints**

The Chief of Police shall provide the Board, when requested, with a report regarding complaints against the police department and police officers. This report must disaggregate the complainants by race, gender, religion, or any other characteristic identified by the Board.

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Date Adopted: February 21, 2012 *(Replaced College of Marin Policy 8.0001)*

**Reviewed/Revised:**