

## Policy and Procedure Review

2-6-2026

**BP 3850 Display of Flags** – The language in the existing policy was updated to reflect 4 U.S. Code § 7 , which outlines the position and manner of display of the U.S. flag, and under what circumstances.

**BP 4010 Academic Calendar Review** - The Service updated this policy to add a legal citation to the revised Title 5 regulations on Flexible Calendars and to reference the regulations in the policy. This is a 10+1.

**AP 4110 Honorary Degrees** – This procedure is due for review as part of the regular review cycle. This is a 10+1.

**BP 5030 Fees** - The policy was updated to add a legal citation to revised Title 5 regulations, revise permissible fees for upper-division baccalaureate coursework, and clarify the District’s policy on ensuring burden-free access to instructional materials.

**AP 5030 Fees** - The procedure was updated to add a legal citation to revised Title 5 regulations, revise permissible fees for upper-division baccalaureate coursework, and clarify the District’s policy on ensuring student access to instructional materials. This is a 10+1.

**AP 5040 Student Records and Directory Information** - The procedure was updated to include a new legal citation, clarify when districts may use a student’s gender or legal name as listed on government-issued identification, and specify which records must be updated to reflect an affirmed name and gender under recent Education Code changes. References were also updated to align with the 2024 ACCJC Accreditation Standards and to include an updated citation to the U.S. Department of Education Office for Civil Rights. This is a 10+1.

**AP 5110 Counseling** - The procedure was updated to reflect the 2024 revisions to the ACCJC Accreditation Standards. Language from the CCLC model regarding employment trends was added to replace an unclear standalone reference to “trends” in the existing procedure, as the original intent was uncertain. This is a 10+1.

**AP 5160 Open Educational Resources** – This procedure was reviewed as part of the regular review cycle; formatting was updated, but no substantive changes were made. This is included in the Council’s review material due to the last time this procedure was reviewed. This is a 10+1.

**BP 5420 Associated Students Organization Finance** - This procedure is due for review as the regular cycle of review. There are no recommended legal updates, but this is presented for the Council’s review material due to the last time this procedure was reviewed.

**BP 5450 ESCOM Emeritus Students College of Marin** – This policy is due for review as part of the regular review cycle. There is no CCLC model policy. The Dean of Instructional Management recommended removing specific language, and this recommendation was approved by the Academic Senate. This is a 10+1.

**AP 7120 Employment Recruitment** - This procedure was updated to add a legal citation and to require that a district’s local practices for recruiting and hiring academic employees include information regarding an applicant’s mandatory disclosure of sexual harassment, in alignment with recent changes to the Education Code. The Service also revised the procedure to update the reference to the ACCJC Accreditation Standard pursuant to the 2024 revisions. Please note that

some duplication remains in the procedure related to screening (“reference checks”), where identical language appears in two sections. Additional edits were incorporated by Human Resources.

**BP 7348 Outside Employment** - Added recommended language from and consistent with *AP 2710 Conflict of Interest*.

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

## General Institution

Mia/General Counsel 01/27/2026

To Eresa/VP Finance and Ops 1/27/2026

Copy to Klaus 1/27/2026

Copy to Raul/PD 1/28/2026

## BP 3850 DISPLAY OF FLAGS

## Reference:

Government Code Sections 431(d), 430 et seq.  
4 U.S. Code § 7

The American flag of the United States of America and the flag of the State of California shall be flown at full staff on all campuses maintained by the Marin Community College District and shall be flown during games and performances which take place in the District's stadium(s) and other open air athletic facilities.

The flags shall be flown at half-staff when so decreed required by national or state authority. Pursuant to 4 U.S. Code Section 7(m) with respect to the United States flag:

The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President [of the United States], the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the death of a member of the Armed Forces from any State, territory, or possession who dies while serving on active duty, or the death of a first responder working in any State, territory, or possession who dies while serving in the line of duty, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff... When the Governor of a State, territory, or possession... issues a proclamation under the preceding sentence... the National flag covered by that proclamation shall be flown at half-staff consistent with that proclamation. The flag shall be flown at half-staff 30 days from the death of the President or a former President; 10 days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the speaker of the House of Representatives; from the day of death until the internment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day.

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Date Adopted: March 17, 2009 (Replaced College of Marin Policy 7.0010)

Date Reviewed/Revised: January 16, 2018

**Date Revised:**

**Academic Affairs**

CCLC 47 - The Service updated this policy to add a legal citation to the revised Title 5 regulations on Flexible Calendars and to reference the regulations in the policy. This is a 10+1. Mici 10-29-2025  
Approved. Academic Senate 12-11-2025  
Copy Cari as an FYI. 10-29-2025

**BP 4010      ACADEMIC CALENDAR**

**References:**

Education Code Section 70902 subdivision (b)(12)  
[Title 5 Section 55720-55732](#)

The Superintendent/President shall, in consultation with the appropriate groups, submit to the Board of Trustees ~~for approval~~ an academic calendar for approval. The academic calendar may include flexible calendar days for professional learning activities as authorized or required by Title 5.

*Also see AP 4010 Academic Calendar*

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Date Adopted: April 21, 2009 (*Replaced College of Marin Policy 7.0006*)

Date Reviewed/Revised: December 6, 2016; April 18, 2023

**Date Revised:**

## Academic Affairs

Due for review as part of the regular review cycle. This is a 10+1. Mici 12-1-2025

Approved with no changes. Jon/Enrollment 12-1-2025

Approved. Academic Senate. 12-11-2025

**AP 4110      Honorary Degrees****References:**

Education Code Section 72122

The conferring of honorary Associate in Arts or Associate in Science degrees provides the Board of Trustees with a vehicle to recognize and honor individuals whose lives, conduct, and significant achievements are consistent with the mission of Marin Community College District and the aims of higher education.

Recipients must have distinguished themselves in education, community or national service, or in their profession. Their service must also support the mission and values of the District.

Any group or individual on or off campus may nominate a candidate for an honorary degree. All nominations are forwarded to the Superintendent/President. The Superintendent/President, with the approval of the Academic Senate, recommends the awarding of an honorary degree to the Board of Trustees.

Recommendations shall include:

- Name of recipient;
- Educational and professional experience;
- Evidence of distinguished service that justifies awarding of an honorary degree.

Honorary degrees shall not be awarded to:

- Incumbent members of the Board of Trustees of the Allan Hancock Community College District
- Any current employee of the District
- Incumbent elected officials

The Board of Trustees shall approve the conferring of all honorary degrees, as required by statute.

If a Marin Community College District honorary degree holder is found not to uphold the criteria and standards for which the degree was awarded, the Superintendent/President may hold the honorary degree in abeyance, pending board action. The Board of Trustees shall meet in closed session and by virtue of its exclusive authority in this matter shall make the final determination regarding whether any previously conferred honorary degree shall be revoked.

*Office of Primary Responsibility: Enrollment Services*

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Date Adopted: November 14, 2017

**Reviewed/Revised:**

**Student Services**

CCLC 47 - The Service updated this policy to add a legal citation to the revised Title 5 regulations on burden-free access to instructional materials and baccalaureate degree programs. The Service also updated this policy to revise the permissible fees for upper-division coursework in a baccalaureate degree program and to identify the District's policy to ensure student access to instructional materials.

Mici 10-29-2025

To Jon/Enrollment 11-12-2025

Copy to Dana and Cari

Approved. Academic Senate 12-11-2025

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

Education Code Sections 76300 et seq.  
Title 5 Sections [54221](#) and [58501](#) ~~58520~~;  
ACCJC Accreditation Eligibility Requirement 20

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 Program Fees** (Title 5 Section [58501](#) ~~58520~~)

~~Students enrolled in upper-division coursework in a baccalaureate degree program shall be charged a per-unit fee in addition to the enrollment fee. Each student shall be charged a fee in addition to an enrollment fee for upper division coursework in a baccalaureate degree 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 [54221 and](#) 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. [The District shall ensure student access to textbooks and supplemental materials on the first day of class and strengthen student access to other instructional materials before their required use.](#)

**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%) 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-dollar (\$2) 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 Auditing, BP 5020 Non-resident Tuition, and BP 4400 Community Service Programs*

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Date Adopted: April 20, 2010

Date Reviewed/Revised: November 16, 2010; April 16, 2013; December 6, 2016; June 21, 2022;  
November 6, 2024

**Date Revised:**

**Student Services**

CCLC 47 - The Service updated this procedure to add a legal citation to the revised Title 5 regulations on baccalaureate degree programs. The Service also updated this policy to revise the permissible fees for upper-division coursework in a baccalaureate degree program and to identify the District's policy to ensure student access to instructional materials.

This is a 10+1. Mici 10-29-2025

Approved. Jon H/Enrollment 12-1-2025

Approved. Sam/Fiscal Services 12-2-2025

Copy to Dana/SLS and Eresa/Finance and Operations

Approved. Academic Senate 12-11-2025

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

Education Code Sections 66025.3, 68120, 70902 subdivision (b)(9), 76300, and 76300.5;  
 Title 5 Sections 51012, ~~58520~~, 58501, and 58629;  
 California Community Colleges Chancellor's Office (CCCCO) Student Fee Handbook; and  
 ACCJC Accreditation Standard Eligibility Requirement 20

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 program fees** (Title 5 Section ~~58520~~58501)
  - Students enrolled in upper-division coursework in a baccalaureate degree program shall be charged a per-unit fee in addition to the enrollment fee, as prescribed by law.
- **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/their immigration status, or will file an application as soon as he/she/they is eligible to do so.
- A nonresident student who enrolls in a credit English as a Second Language (ESL) course at the district and who is any of the following:
  1. A recent immigrant, as defined in 8 U.S. Code Section 1101(a)(15);
  2. A recent refugee, as defined in 8 U.S. Code Section 1101(a)(42); or
  3. A person who has been granted asylum by the United States, as defined in 8 U.S. Code Section 1158.

This exemption applies only to individuals who, upon entering the United States, settled in California and who have resided in California for less than one year. This exemption applies only to the tuition fee for credit ESL courses.

- **Student representation** (Education Code Section 76060.5; Title 5 Section 54805)

**Fees authorized by law include:**

- Non-District physical education facilities (Education Code Section 76395)
- 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 though writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)
- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Rental of practice rooms (CCCCO Student Fee Handbook)
- Apprenticeship courses (Education Code Section 76350)
- 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.

- **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 credit in their account 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:

- **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 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 Library and Other Instructional Support Services*

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

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Approved: October 19, 2010

Reviewed/Revised: March 19, 2013; November 15, 2016; November 17, 2020; May 17, 2022;

November 14, 2023; December 10, 2024

**Revised:**

**Student Services**

The Service updated this procedure to add a legal citation, clarify when a district may use a student's gender or legal name as indicated in a government-issued identification document, and clarify the records a district shall update to reflect an affirmed name and gender pursuant to changes in the Education Code. The Service also updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

**This is a 10+1. Mici 10-23-2024**

To Jon H./Enrollment 10-23-2024

*The CCLC 45 updated a reference to the U.S. Department of Education Office for Civil Rights (see page 3).*

Mici 10-30-2024

Resent with CCLC 45 update. Jon H./Enrollment 10-23-2024; Approved. 12-1-2025

Approved. Academic Senate 12-2-2025

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

Education Code Sections 66093.3, 66271.4 et seq., and 76200 et seq.;

Title 5 Section 59410 and 54600 et seq. ~~and 59410~~;

Civil Code Sections 1788.90 et seq. and 1798.85;

10 U.S. Code Section 503;

20 U.S. Code Section 1232g subdivision (j) (U.S. Patriot Act);

ACCJC Accreditation Standard ~~H.C.8 2~~

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

**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 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 [\*Department of Education\*](#)

Office ~~of~~for 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, dates and places of birth, levels of education, degrees received, prior military experience, 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.

Students may request to inspect and review his/her/their student records. The District will grant a request to inspect and review student records during regular school hours no later than 15 working days following the date of the request.

#### **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 or guardian, 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 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 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 device; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
  - Application or enrollment purposes;
  - To establish, amend, or terminate an account, contract, or policy; or
  - To confirm the accuracy of the social security number.

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

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that 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, Gender Identity, and Gender Changes to Student Records**

Current students can declare an affirmed name, gender, or both name and gender identification to be used in their records where legal names are not required by law. Upon the request of a current student, the District shall update any records for the student to include the affirmed name, gender, or both name and gender identification. The records that shall be updated include but are not limited to District-issued email addresses, student identification cards, class rosters, unofficial and official transcripts, diplomas, certificates of completion of courses, or similar 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 or record based on an affirmed name, gender identification, or legal name or gender change than the fee it charges for correcting, updating, or reissuing that document or record generally.

The District may use a student's gender or legal name as indicated in a government-issued identification document only if it is necessary to meet a legally mandated obligation, but otherwise shall identify the student in accordance with the student's gender identity and affirmed name.

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.

The District cannot require a current student to provide legal documentation to demonstrate a legal name or gender change in order to have the student's affirmed name listed on the student's records.

*Also see* BP/AP 3300 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:* Enrollment Services

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

Reviewed/Revised: January 15, 2013; May 15, 2018; May 17, 2022; September 20, 2022;  
October 17, 2023; September 17, 2024

**Revised:**

## Student Services

The Service updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. Language from model CCLC regarding employment trends included because word "trends" was stand alone in existing AP. Unsure as to prior intent or if this was an error. **This is a 10+1.** Mici 10-23-24  
 To Cari/Instruction 10-23-24; resent 12-1-2025  
 Sadika's title update. Dana/SLS 12-2-2025  
 Approved. Academic Senate. 12-11-2025

## AP 5110 COUNSELING

## References:

Education Code Section 72620, and 72621, ~~87355, and 87356~~;  
 Title 5 Section 51018;  
 ACCJC Accreditation Standard ~~H.C.5-2.7~~

The primary counseling services available in the District's counseling program are as follows:

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

**Confidentiality of Counseling Information**

Information of a personal nature disclosed by a student 12 years of age or older in the process of receiving counseling from a counselor is confidential and shall not become part of the student official record without the written consent of the person who disclosed the confidential information.

However, the information shall be disclosed when permitted by applicable law, including but not limited to disclosure as necessary to report child abuse or neglect; reporting to the ~~Director~~ Associated Dean of Student Services - Activities and Advocacy or other persons when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons in the college community; reporting information to the ~~Director~~ Associate Dean of Student Services - Activities and Advocacy or other persons as necessary when the student indicates that a crime involving the likelihood of personal injury or significant or substantial property losses will or has been committed; reporting information to one or more persons specified in a written waiver by the student.

*Office of Primary Responsibility:* ~~Office of~~ Student Learning and Success

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Date Approved: January 18, 2011

Date Revised: June 28, 2011; March 12, 2019

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**Date Reviewed/Revised:**

**Student Services**

Due for review as part of the regular review process. Formatting updated. Mici 11-14-2025

Approved. Meg/Academic Senate 12-11-2025

**AP 5160      OPEN EDUCATIONAL RESOURCES (OER)**

**References:**

Faculty are encouraged to adopt Open Educational Resources (OER) when and if an OER of appropriate quality and rigor with acceptable supplemental instructional resources are found by faculty and approved by the Curriculum Committee.

When considering an OER for a course, the OER itself and the supplemental resources associated with it must be accessible and meet Section 508 compliance.

Marin Community College District shall make use of OER materials in accordance with the Creative Commons Licensing standards; applicable state and federal copyright laws; accepted best practices of the OER community; and college policies and academic standards.

*Office of Primary Responsibility: Student Learning and Success*

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Date Adopted: November 14, 2017

**Date Reviewed/Revised:**

**Student Services**

This procedure is due for review as the regular cycle of review. There are no recommended legal updates. Mici 12-2-2025

Minor edits as noted. Sadika/Student Services 2-10-2026

To Sam/Fiscal 2-11-2026

Copy to Eresa and Dana

**BP 5420 ASSOCIATED STUDENTS ORGANIZATION FINANCE**

**References:**

Education Code Sections 76063–76065

The funds of the Associated Students of College of Marin (ASCOM) ~~Organization~~ shall be deposited with and disbursed by the District.

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

The student body funds of the District are independent funds administered by ASCOM and student organizations. They are not part of District funds; however, the student body funds shall be administered in accordance with District accounting procedures and shall be subject to annual audit.

A financial report of the condition of each general organization shall be submitted to the Board of Trustees annually.

Student body budget and financial reports are to be approved by the Board of Trustees.

*Also see* BP/AP 6150 ~~titled~~ Designation of Authorized Signatures

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Date Adopted: April 20, 2010 (*Replaced College of Marin Policy 6.0014*)

Date Reviewed: May 16, 2017

**Date Reviewed:**

**Student Services**

Due for review as part of the regular review process. There is no CCLC model policy. Formatting updated and non-substantive edits. This is a 10+1. Mici 10-10-2024  
Recommend removing language because this is not a part of the PGS. Cari/VP Instruction 10-11-2024  
Approved. Academic Senate 12-11-2025

**BP 5450 ESCOM (EMERITUS STUDENTS COLLEGE OF MARIN)****Reference:**

No reference

ESCOM (Emeritus Students College of Marin) supports the Emeritus program and its students. ESCOM members ~~participate on the ESCOM Curriculum Committee and~~ provide feedback and suggestions regarding Emeritus courses.

ESCOM sponsors forums, concerts, lectures, and other activities of interest to older adult students and lifelong learners. Members participate in the college governance system and on other college committees and taskforces, as appropriate.

*Also see* BP 4675 ~~titled~~ Programs for Older Adult Students and BP/AP 5400 ~~titled~~ Associated Students Organization

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Date Adopted: May 17, 2011

Date Reviewed/Revised: May 16, 2017

**Date Reviewed/Revised:**

CCLC 44 updated this procedure to add a legal citation and add that a district's local practice regarding recruitment and hiring of academic employees should include information on an applicant's required disclosure of sexual harassment pursuant to changes in the Education Code. The Service also updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. Please note there is some duplication in the AP as it relates to screening ("reference checks" with the same language in two places). Mici 9-27-2024

Edits as noted by HR. Nikki/HR 7-9-2025

Approved Academic Senate 12-11-2025

## AP 7120 EMPLOYMENT RECRUITMENT

### References:

Education Code Sections ~~80435~~, 87100 et seq., ~~87360~~, 87400, 87604.5, ~~87408-87408.6~~, and 88003, ~~and 88021~~;

Title 5 Code Sections 53021-53024, and 53406;

ACCJC Accreditation Standard 3 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)

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 Superintendent/President shall provide the Board of Trustees with an annual report regarding the District's EEO Plan. [For definitions related to this Administrative Procedures, please see the Screening and Selection-MCCD Screening Committee Guide Definitions.](#)

Equal employment opportunity issues are further addressed in *BP/AP 3420 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~~ [Vice President](#) of Human Resources, or designee, does not approve of the Academic and Classified Senate appointments to a screening committee due to lack of diversity, they will take necessary steps to remedy the representation.
3. The Superintendent/President's *Standards of Decorum (SOD)* shall be **read out loud during the initial screening committee meeting**. The SOD 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 [required by Title 5, §§ 53003\(c\)\(6\) and 53020\(c\)](#).
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 workforce 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**

1. 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.
2. All classified staff descriptions or announcements must include language that requires "Demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students and the campus community."
3. All management descriptions or announcements must include language that requires "Demonstrated commitment to equity-minded practices in support of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students we serve and sensitivity to and knowledge and understanding of groups historically underrepresented, and groups who may have experienced discrimination."
4. If an educational administrator 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 may be sent to the Academic Senate's designee(s).
5. In compliance with the California Code of Regulations, degrees and college level coursework that are required of an academic position must be authenticated via an official transcript or verification-of-true-copy transcript from an institution accredited by an agency recognized by either the U.S. Department of Education or the Council on Postsecondary Accreditation. Further, applicants with foreign degree credentials must submit a Foreign Credential Evaluation (FCE) for degrees obtained outside the U.S. in order to demonstrate their U.S. equivalent. The College accepts FCEs from evaluation

agencies approved by the State of California Commission for Foreign Transcript Evaluation.

#### **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 as many candidates as possible **throughout each phase of the recruitment process.**
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 and one technology-related question 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 finalists, 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 move forward to interview or will not move 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 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 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.

- 9. 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 with at least three (3) of the candidate's provided references.
- 5. No individual serving on the screening committee may serve as a reference for any finalist.

### 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 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 a screening committee due to lack of diversity, they will take necessary steps to remedy the representation.
3. The Superintendent/President's *Standards of Decorum (SOD)* shall be **read out loud during the initial screening committee meeting**. The SOD 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 of the screening committee members related to additional input they may have during the committee's discussions during the recruitment process. The questions the co-facilitator will ask will be **documented in the committee's materials for the recruitment file**.
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 advertising/announcement phase shall be long enough to allow for a comprehensive search, typically four (4) weeks for full-time faculty 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**

1. 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.
2. All position announcements must include language that requires: "demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students and the campus community."
3. Academic employees shall also possess the minimum qualifications prescribed for their positions by the Board of Governors of the California Community College System.
4. 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. (See AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies)
5. In compliance with the California Code of Regulations, degrees and college level coursework that are required of an academic position must be authenticated via an official transcript or verification-of-true-copy transcript from an institution accredited by an agency recognized by either the U.S. Department of Education or the Council on Postsecondary Accreditation. Further, applicants with foreign degree credentials must submit a Foreign Credential Evaluation (FCE) for degrees obtained outside the U.S. in order to demonstrate their U.S. equivalent. The College accepts FCEs from evaluation agencies approved by the State of California Commission for Foreign Transcript Evaluation.

**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 as many candidates as possible for each position. The hiring administrator/designee or Human Resources will schedule the selected candidates' interviews and make necessary arrangements.
4. 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 and one technology-related question 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 finalists, 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.

5. Notification of Candidates: Human Resources will notify applicants not moved forward to interview or not moved forward as finalists of their status.
6. Recommendations and Finalization of Selection:
  - a. 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.
  - 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, they will request that the search be extended or suspended.
  - d. The name(s) of the successful 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 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.
7. 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.
- 5. No individual serving on the screening committee may serve as a reference for any finalist.

**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.
- G. Implement the action plan not limited to the strategies outlined in Plan Component 12: Methods to Address Any Underrepresentation in the EEO Plan.

For Temp Pool recruitment methods see AP 7212 Temporary Faculty

Also see BP 7120 Employment Recruitment, AP 7126 Applicant Background Checks, AP 7210 Academic Employees, BP 7230 Classified Employees, BP 7250 Educational Administrators, BP 7260 Classified Supervisors and Managers, BP/AP 7330 Communicable Disease, BP 7335 Health Examinations, BP/AP 3420 Equal Employment Opportunity, BP/AP 3410 Nondiscrimination, and BP/AP 7310 Nepotism.

*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; May 17, 2022; May 16, 2023

**Revised:**

**Human Resources**

Added recommended language from AP 2710 Conflict of Interest. Mici 1-17-2025

Approved Nikki/Human Resources 12-4-2025

Approved. General Counsel 12-4-2025

**BP 7348 OUTSIDE EMPLOYMENT/CONFLICT OF INTEREST**

**References:**

No references

An employee shall not engage in any outside employment or self-employment, activity, or enterprise which is inconsistent, incompatible, or in conflict with or inimical to his/her/their District duties, functions, responsibilities, or that of the department in which they are employed by the District. Employees with questions regarding whether their outside employment or self-employment may violate this Board policy are encouraged to consult with their supervisor and Human Resources.

Any employee of the District shall take vacation or leave without pay for time absent due to outside employment for professional services or consulting work for other institutions or organizations. Furthermore, the District shall be reimbursed for any District expense related to an employee serving as a paid consultant.

Other outside employment or activity may be accepted by employees of the District if it does not create a conflict of interest or interfere with their regular assignments, duties, and responsibilities.

~~In order to avoid perceived or actual conflicts of interest that may arise from outside employment, all employees must obtain written approval from the Chief Human Resources Officer or designee prior to undertaking any outside employment as described in this procedure.~~

Also see AP 3050 Institutional Code of Ethics

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Date Adopted: December 13, 2011 *(Replaced College of Marin Policy 5.0027)*

Date Reviewed: January 17, 2023

**Date Reviewed:**