

College Council: Policy and Procedure Review

3-9-2023

BP 2430 Delegation of Authority to President – This policy was reviewed as part of the regular review cycle. Compared to the model CCLC policy.

BP 3100 Organizational Structure - This legally required policy was reviewed as part of the regular review cycle. Compared to CCLC model policy. The language was updated for clarity and accuracy.

BP 4010 Academic Calendar Review - This policy was reviewed as part of the regular review cycle and compared to the CCLC model template. This is a 10+1.

BP 4021 Program Revitalization and Discontinuance - This policy was reviewed as part of the regular review cycle. There is no CCLC model policy for comparison. Edits include ACCJC reference, formatting update, and language updates for consistency and clarity. This is a 10+1.

BP 4025 Criteria for Associate Degree - This legally required policy was reviewed as part of the regular review cycle and compared to the CCLC model procedure. Edits include ACCJC reference and formatting updates for consistency. This is a 10+1.

While the Board Policy Review Committee approved the policy on February 27, 2023, Staff has been directed to update the policy to reflect the importance of diversity, equity, and inclusion as part of the policy.

BP 7110 Delegation of Authority - This policy was reviewed as part of the regular review cycle. Updated formatting and compared to CCLC model policy that is legally required.

AP 3100 Organizational Structure - This procedure was reviewed as part of the review cycle. Compared to model CCLC procedure. Formatting updated.

AP 3540 Sexual and Other Assaults on Campus – It is legally required to review this procedure annually as of 1/2020. Minor, non-substantive edits as noted.

AP 3900 Speech - Time Place and Manner - This procedure was reviewed as part of the regular review cycle and Mia/General Counsel requested it be reviewed. The procedure was compared to the model CCLC procedure last updated in October 2018. Removed last paragraph as it violates the 1st amendment of the US Constitution. Formatting updated. This is a 10+1.

AP 4021 Program Discontinuance - This procedure was reviewed as part of the regular review cycle and compared to the CCLC model procedure. Edits include ACCJC reference and language updates for consistency and clarity. A separate PDF of AP 4021 includes a flow chart. This is a 10+1.

AP 4025 Criteria for Associate Degree and General Education - This legally required procedure was reviewed as part of the regular review cycle and compared to the CCLC model procedure. Edits include ACCJC reference and language updates for consistency and clarity. This is a 10+1.

AP 4026 Philosophy and Criteria for International Education - This procedure was reviewed as part of the regular review cycle. Compared to model CCLC and there have been no updates since this was procedure was adopted. This is a 10+1.

AP 4100 Graduation Requirements for Degrees and Certificates - CCLC 40 updated this legally required procedure to reflect new Title 5 Regulations regarding direct assessment competency-based education. Reformatted.

AP 4222 Remedial Coursework – Formerly “AP 4222 Basic Skills Coursework”, this legally required procedure was reviewed as part of the regular review cycle. Compared to model CCLC procedure, with references and formatting updated. Copy of CCLC Model AP 4222 provided to reviewers for comparison during review. This is a 10+1.

AP 7110 Delegation of Authority Human Resources - Reviewed as part of the regular review cycle. Formatting updated, compared to CCLC model procedure.

AP 7150 Evaluation – Initiated revision by Human Resources and updated to reflect most recent collective bargaining agreement.

AP 7340 Leaves - Reviewed as part of the regular review cycle. Updated references and terms to reflect most recent collective bargaining agreement.

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 and/or ready for next month’s agenda

BP 3430 Prohibition of Harassment
BP 3433 Prohibition of Sexual Harassment under Title IX
AP 3434 Responding to Harassment Based on Sex under Title IX
AP 3435 Discrimination and Harassment Investigations
BP/AP 3710 Securing of Copyright
BP/AP 3715 Intellectual Property
BP 4040 Library and Other Instructional Support Services
BP/AP 4103 Work Experience
AP 4104 Contract Education
AP 4105 Distance Education
BP 4107 Health Science Programs
BP/AP 4225 Course Repetition Non-repeatable Courses
BP/AP 4226 Multiple and Overlapping Enrollments
AP 4228 Course Repetition-Significant Lapse of Time
BP/AP 4300 Field Trips and Excursion
AP 5530 Student Rights and Grievances
BP/AP 6150 Designation of Authorized Signatures
BP/AP 6200 Budget Preparation
BP/AP 6250 Budget Management
AP 6251 Reserve Fund Management
BP/AP 6520 Security for District Property
BP 7120 Employment Recruitment
AP 7160 Professional Development
AP 7210 Academic Employees
AP 7212 Temporary Faculty

Academic Senate – Under Review

AP 4022 Program Revitalization

BP 4030 Academic Freedom

AP 4102 Career Technical Programs

AP 4230 Grading and Academic Record Symbols

BP/AP 4240 Academic Renewal

BP 4675 Programs for Older Adult Students

BP 5040 Student Records Directory Information and Privacy

AP 5055 Enrollment Priorities

AP 5530 Student Rights and Grievances

AP 5700 Intercollegiate Athletics

Board of Trustees

Reviewed as part of the regular review cycle. Compared to the model CCLC policy. Mici 2-14-2023

BP 2430 DELEGATION OF AUTHORITY TO SUPERINTENDENT/PRESIDENT**References:**

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

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

The Superintendent/President may delegate any powers and duties entrusted to him/her/them by the Board of Trustees, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

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

The Superintendent/President is expected to perform the duties contained in the Superintendent/President job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board of Trustees in consultation with the Superintendent/President.

The Superintendent/President shall ensure that all relevant laws and regulations are complied with and that required reports are submitted in timely fashion.

The Superintendent/President shall make available any information or give any report requested by the Board of Trustees as a whole. Individual Board member requests for information shall be met if, in the opinion of the Superintendent/President, they are not unduly burdensome or disruptive to District operations. Information provided to any Board member shall be available to all Board members.

The Superintendent/President shall act as the professional advisor to the Board in policy formation.

Date Adopted: July 21, 2009 *(Replaced current College of Marin Policies 1.3034 and 7.0002)*

Reviewed/Revised: ~~10/27/~~ October 27, 2015; November 14, 2017

Reviewed/Revised:

General Institution

Reviewed as part of the regular review cycle. Compared to CCLC model policy. This policy is legally required. Mici 2-14-2023

Revisions recommended by the Board Policy Review Committee for clarity and accuracy. 2-27-2023

BP 3100 ORGANIZATIONAL STRUCTURE

Reference:

Education Code Section 72400

The Superintendent/President shall establish the lines of responsibility, as delineated in organizational charts, and general duties of employees within the District. ÷

- ~~• organizational charts that delineate the lines of responsibility and~~
- ~~• general duties of employees within the District.~~

Date Adopted: June 23, 2009

Date Reviewed/Revised: May 16, 2017

Date Reviewed/Revised:

Academic Affairs

This policy was reviewed as part of the regular review cycle and compared to the CCLC model template.

This is a 10+1. Mici 1-26-2023

Approved without changes. Jonathan 1-26-2023

Approved without changes. Academic Senate 2-10-2023

BP 4010 ACADEMIC CALENDAR

References:

Education Code Sections ~~70902~~ subdivision (b)(12) ~~and 84890;~~
~~Title 5 Sections 55700 et seq. and 58142~~

The Superintendent/President shall, in consultation with the appropriate groups, submit to the Board of Trustees for approval an academic calendar.

Also see AP 4010 ~~titled~~ Academic Calendar

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

Date Reviewed/Revised: December 6, 2016

Date Reviewed/Revised:

Academic Affairs

This policy was reviewed as part of the regular review cycle. There is no CCLC model policy for comparison. Edits include ACCJC reference, formatting update, and language updates for consistency and clarity. Mici 1-26-2023

Approved without changes. Jonathan 1-30-2023

Approved without changes. Academic Senate 2-10-2023

BP 4021 PROGRAM REVITALIZATION AND DISCONTINUANCE**References:**

Education Code Sections 70902 and 78016;

Title 5 Section 51022 and 55130

[ACCJC Accreditation Standard II.A.15](#)

It is the policy of the Marin Community College District that procedures be established for discontinuing instructional programs, student support services, and library and other learning support services identified as no longer meeting the requirements of four-year institutions or serving any need of business, or industry, or any community, or student need.

Criteria for determining at risk programs and procedures for discontinuance will be established and followed. Programs identified by the District as at risk of discontinuance must first go through the revitalization procedure. Program revitalization and discontinuance procedures must take into consideration the opinions and recommendations of the student organizations. Program revitalization and discontinuance procedures recognize that the District must, Pursuant to Title 5, rely primarily upon the Academic Senate in this area and that the faculty and the college administration both participate in all phases of the discontinuance process.

Every career ~~and~~ technical program offered by the ~~community college d~~District shall be reviewed every two years by the Board of Trustees as per Education Code Section 78016.

When programs are eliminated or program requirements are significantly changed, the institution makes appropriate arrangements so that enrolled students may complete their education in a timely manner with a minimum of disruption.

The Board of Trustees holds the final legal authority to make the final decision.

Date Adopted: March 18, 2008

Date Reviewed/Revised:

Academic Affairs

This legally required policy was reviewed as part of the regular review cycle and compared to the CCLC model procedure. Edits include ACCJC reference and formatting updates for consistency.

Mici 1-26-2023

Approved without changes. Jonathan/Student Learning and Success. 1-30-2023

Approved without changes. Academic Senate. 2-10-2023

BP 4025 CRITERIA FOR ASSOCIATE DEGREE & GENERAL EDUCATION**References:**

[ACCJC Accreditation Standard II.A.3;](#)

Title 5 Section 55061;

[ACCJC Accreditation Standard II.A.](#)

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

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

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

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

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

The Superintendent/President shall establish procedures to assure that courses used to meet general education and associate degree requirements meet the standards in this policy. The procedures shall provide for appropriate Academic Senate involvement.

In meeting the educational needs of the community, the District shall offer to individuals completing the required courses and units the following degrees:

- Associate in Arts
- Associate in Science

Date Adopted: July 27, 2010 (*Replaced College of Marin Policy 2.0011*)

Date Reviewed/Revised:

Human Resources

Reviewed as part of the regular review cycle. Updated formatting and compared to CCLC model policy that is **legally required**. Mici 2-14-2023

Approved without changes. Nikki/Human Resources 2-14-2023

BP 7110 DELEGATION OF AUTHORITY, HUMAN RESOURCES**References:**

Education Code Sections 70902 subdivision (d) ~~and 72400~~

The Board of Trustees delegates authority to the Superintendent/President to authorize employment, fix job responsibilities, and perform other personnel actions provided that all state and federal laws and regulations, Board Policies, and Administrative Procedures have been followed, subject to confirmation by the Board.

The Board also delegates authority to the Superintendent/President to establish non-administrative academic and classified positions as appropriate to meet the needs of the District, subject to confirmation by the Board.

The Board will consider the elimination or creation of educational administrator or classified administrator positions upon the recommendation of the Superintendent/President, subject to confirmation by the Board.

Date Adopted: March 17, 2009 (*Replaced College of Marin Policy 5.0002*)

Date Reviewed/Revised: July 19, 2011; May 17, 2016

Date Reviewed/Revised:

General Institution

Due for review as part of the review cycle. Compared to model CCLC procedure. Formatting updated.
Mici 2-14-2023

AP 3100 ORGANIZATIONAL STRUCTURE

References:

Education Code Section 72400;
Title 5 Section 53200

The District's organizational structure shall be available on the District's website. The organizational structure will be updated on an as-needed basis.

Office of Primary Responsibility: ~~Office of~~ Human Resources

Date Approved: May 12, 2009

Date Revised: April 18, 2017

Date Reviewed/Revised:

General Institution

Legally required to review annually as of 1/2020. Minor, non-substantive edits. Mici 9-22-2022

Approved without changes. Mia/General Counsel 9-26-2022

Reviewed with 1 edit (AP changed to BP). Eresa/ Admin Svcs 9-29-2022

Approved without changes. Nikki/Human Resources 9-29-2022

Edits as noted. Sadika/SAS 2-21-2023

AP 3540 SEXUAL AND OTHER ASSAULTS ON CAMPUS**References:**

Education Code Sections 67385, 67385.7, and 67386;
20 U.S. Code Section 1092 subdivision (f) (Jeanne Clery Act);
34 Code of Federal Regulations Section 668.46 subdivision (b) (11) (Institutional Security Policies and Crime Statistics)

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District facilities or at another location, or on an off-campus site or facility maintained by the District or on grounds or facilities maintained by a student organization, is a violation of Board policies and administrative procedures and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (Also see ~~AP BP 5500 titled Standards of Student Conduct~~ AP 5520 Student Discipline and Due Process)

“Sexual assault,” “dating violence,” “domestic violence” and “stalking” are defined in Administrative Procedure 3434 – Responding to Harassment Based on Sex under Title IX.

It is the responsibility of each person involved in sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. Consent must be given without coercion, provocation, force, threats or intimidation. Consent cannot be given when a person is incapacitated or when his or her understanding is affected by a mental or physical impairment.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. If affirmative consent is withdrawn, the sexual activity must immediately stop.

These written procedures and protocols are designed to ensure that victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, also see AP 3500 Campus Safety, AP 3510 Workplace Violence Plan, and AP 3515 Reporting of Crimes).

All students, faculty members, or staff members who allege they are the victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Executive Director of Human Resources, who shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Executive Director of Human Resources is authorized to release such information. Situations that fall under the auspices of mandated reporting shall be addressed according to appropriate laws and regulations. In instances involving District employees, District Police shall work with Human Resources as appropriate.

The Executive Director of Human Resources shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- A copy of the Board Policy (BP) and Administrative Procedure (AP) regarding domestic violence, dating violence, sexual assault, or stalking.
- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents. (Executive Director of Human Resources)
- Information about the importance of preserving evidence and the identification and location of witnesses.
- Available services, and the persons on campus available to provide those services if requested. Services and those responsible for providing or arranging them include:
 - transportation to a hospital if necessary via emergency services - 911 or college police;
 - counseling provided by the college's ~~psychologist~~ **mental health counselors** in the Counseling department;
 - referral to *Community Violence Solutions* (for sexual assault) and *Center for Domestic Peace* (domestic violence issues) for off campus resources;
 - a list of other appropriate campus and off-campus resources and referrals into the community (available via publication and website).
- The victim's option to:
 - notify proper law enforcement authorities, including on-campus and local police;
 - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - decline to notify such authorities.
- The rights of the victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court.
- Information about how the District will protect the confidentiality of victims.
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
- A description of each of the following procedures:
 - criminal prosecution;
 - civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - modification of class schedules;
 - tutoring, if necessary.

The Executive Director of Human Resources should be available to provide assistance to the District's law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3434 Responding to Harassment Based on Sex under Title IX, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the Executive Director of Human Resources of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality consistent with state and federal law.

A Complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the Complainant consented to the sexual activity under either of the following circumstances.

- The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the Complainant affirmatively consented

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the Complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- The Complainant was asleep or unconscious.
- The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity.
- The Complainant was unable to communicate due to a mental or physical condition.

The District shall maintain the identity of any alleged victim witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence consistent with state and federal law, unless the alleged victim witness, or third-party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on District property shall be referred to the Superintendent/President's office, which shall work with the Executive Director of Human Resources and District Police to assure that all confidentiality rights are maintained consistent with state and federal law.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sexual assault, domestic violence, dating violence, and stalking and procedures that should be followed after an incident of domestic violence, dating violence, sexual assault, or stalking has been

reported, including a statement of the standard of evidence that will be used during any District proceeding arising from such a report. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- Information about how the District will protect the confidentiality of victims;
- Information for students about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance or other student services for victims;
- Written notification to victims about options for, and available assistance in changing academic, living, transportation, and working situations, if requested, and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus policy or local law enforcement.
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking including a clear statement that:
 - Such proceedings shall provide a prompt, fair, and impartial resolution;
 - Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault, or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any changes to the results that occur prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the domestic violence, dating violence, sex offense, sexual assault, or stalking and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

Education and Prevention Information

The Director of Student Services – ~~Education~~ **Student Activities** and Advocacy or designee in collaboration with the Dean of Enrollment Services or designee shall:

- Provide as part of the Kentfield and Indian Valley campuses' established on-campus orientation program, education, prevention, and outreach information about domestic violence, dating violence, sexual assault and stalking. The information shall be developed in collaboration with

campus-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies including education and information programs on victim prevention, primary prevention, bystander intervention, risk reduction and awareness raising campaigns.

The outreach programming included as part of an incoming student's orientation must include, at a minimum, all of the following:

- The warning signs of intimate partner and dating violence.
 - Campus policies and resources relating to intimate partner and dating violence.
 - Off-campus resources and centers relating to intimate partner and dating violence.
 - A focus on prevention and bystander intervention training as it relates to intimate partner and dating violence.
- Post sexual violence prevention and education information on the campus internet website and **student orientation** ~~the Student Handbook~~ (Education Code Section 67385.7) regarding domestic violence, dating violence, sexual assault and stalking.

Offices designated for providing information: Human Resources (overall charge and staff education), Administrative Services (Campus Police – Clery Act), Student Learning and Success (~~student education~~ **Student Services – Student Activities and Advocacy**).

Also see BP and AP 3430 Prohibition of Harassment, ~~AP 3500~~ AP 3500 Campus Safety, AP 3510 Workplace Violence Plan, and AP 3515 Reporting of Crimes

Office~~s~~ of Primary Responsibility: Administrative Services, Human Resources, and Student Learning and Success

Date Approved: April 19, 2011

Date Reviewed/Revised: March 3, 2012; September 15, 2015; May 11, 2021

Date Reviewed:

General Institution

Due for review as part of the regular review cycle, and Mia/General Counsel requested it be reviewed.

Compared to the model CCLC procedure last updated in October 2018. Removed last paragraph as it violates the 1st amendment of the US Constitution. Formatting updated. This is a 10+1. Mici B. 12-1-2022

Revisions as noted. Mia/General Counsel. 12-1-2022

Approved without changes. Sadika 2-16-2023

Approved without changes. Academic Senate 2-16-2023

AP 3900 SPEECH: TIME, PLACE, AND MANNER**References:**

Education Code Sections 66301 and 76120

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

The campuses of the District are non-public forums, except for those areas generally available to students and the community, defined as grassy areas and walkways which are reserved for expressive activities that do not violate Board policy and are lawful. The areas are chosen to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus but not to disrupt the educational and other activities on behalf of students:

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

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

- No person using the areas shall touch, strike, harass or physically impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
- Persons using areas shall not use any means of amplification that creates a noise or diversion that disturbs the orderly conduct of the campus or classes taking place at that time.
- No persons using the areas generally available to students and the community shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he/she/they is using the areas generally available to students and the community on behalf of and collecting funds for an organization that is registered with the Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club.
- Persons using the areas reserved for expressive activities shall not disrupt the orderly operation of the college.

Non-student, community groups wishing to engage in speech or expressive activities on campus, in the areas designated as public forums, must provide notification to the District through the Office of Student

Activities and Advocacy not less than three business days in advance of the activities. No illegal activities will be permitted, no activities which violate District or campus rules, including rules and laws on illegal harassment and discrimination, and none that will substantially interfere with or disrupt activities already scheduled for that day and time in the designated areas, as described below. In the event the area sought to be used for expressive activities has already been reserved for another activity so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the District will offer alternative available areas or if none are available offer alternative dates.

Students, outside organizations, and others are encouraged to make reservations in advance to use the areas for their expressive activities by contacting the Office of Student Activities and Advocacy.

All persons using the areas that are designated public forums shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within those areas. Those persons distributing printed material must, prior to their departure from the areas that day, make reasonable efforts to retrieve, remove or properly discard material discarded or dropped in or around the areas other than in an appropriate receptacle.

Hours of Access

The hours of operation of the District are 9:00 a.m. to 5:00 p.m. Expressive activities are not permitted outside the District's hours of operation. Overnight use or sleeping on campus is not permitted, nor is use of the campus areas for sleeping, camping, or laying down of bedding. Nor is use of facilities for similar purposes permitted during hours of operation.

Posting

Designated areas shall be provided for use in posting materials at campus locations convenient for use by students, employees and members of the public. All materials displayed on a bulletin board or in a designated area shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the Office of Student Activities and Advocacy. Materials displayed shall be removed within the earlier of ten days after the event or two months after posting. ~~First priority is given to College of Marin events and information, on a space available basis. Lowest priority is given to off-campus commercial advertisements. Any posting lacking the appropriate approval stamp or that is incongruent with the mission of the College, policies and/or procedures will be removed. Designated areas are the bulletin board located at the entrance of the Student Services Building at the Kentfield Campus and at the Enrollment Services office at the Indian Valley Campus. Materials posted in other locations, including on windows or walls will be removed immediately.~~

Office of Primary Responsibility: Student Activities and Advocacy

Date Approved: June 22, 2010 *(Replaced College of Marin Procedure 8.0021 DP.1)*

Reviewed/Revised: February 21, 2017

Reviewed/Revised:

Academic Affairs

This procedure was reviewed as part of the regular review cycle and compared to the CCLC model procedure. Edits include ACCJC reference and language updates for consistency and clarity. **Please see PDF of AP 4021 that has a flow chart and is posted online.** Mici 1-26-2023

NOTE: A procedure for discontinuance of career and technical programs is **legally required**. Procedures for discontinuance of other programs are **suggested as good practice**. The procedure for discontinuance of career and technical programs should include a local process for: 1) Reviewing such programs every two years to ensure they meet legal standards. 2) Terminating programs by the Governing Board if legal and other District standards are not met.

Approved without changes. Jonathan/Student Learning and Success. 1-30-2023

Approved with minor, non-substantive edit. Academic Senate 2-10-2023

AP 4021 PROGRAM DISCONTINUANCE**References:**

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

The District has established procedures for program discontinuance based on the following:

- The District will rely primarily on the Academic Senate in the implementation of program discontinuance procedures;
- Program discontinuance is different from program review;
- Program discontinuance shall be an academic and professional matter for the Academic Senate and may have a potential impact on employment of individuals and therefore may be a matter for collective bargaining;
- Grant-funded programs whose source of funding is no longer available may be discontinued without following the program discontinuance procedure;
- Program discontinuance should not adversely affect students who are in the middle of a program;
- If a program is **not** successful in the revitalization process, it will begin the discontinuance procedure. (~~See~~ AP 4022 [Program Revitalization](#))
- Once a program is identified for discontinuance, formal notice will be sent to the department chair, program faculty and program staff, the Vice President of Student Learning and Success, the President of the United Professors of Marin (UPM), the President of the [California School Employees Association \(CSEA\)](#), and the ~~College~~ Superintendent/President.
- A Program Discontinuance Committee, appointed by the Superintendent/President and the Academic Senate President, will serve as a review committee and prepare the final report based on the revitalization report and any other pertinent information.
- This committee will be comprised of an Academic Dean, the Chair of the Department, a discipline faculty member, a faculty member from another discipline and a counselor.
- The committee will write the final report and present its findings to the Academic Senate and the Superintendent/President. The Program Discontinuance Committee's recommendations shall

also be forwarded to the Planning and Resource Allocation Committee (PRAC) and the Office of Student Learning and Success for review and comment.

- Should the findings be inconclusive, a recommendation for additional review for one more year may be made.
- Findings may result in a recommendation for discontinuance, including a timeline for phasing ~~it~~ out a program within one year.
- Specific steps for program discontinuance shall be developed by the Program Discontinuance Committee.
- Students who are already enrolled in the program will be allowed to complete requirements within the year of review or will be assisted to transfer to other programs. New students will not be allowed to enroll in the program while the program is being considered for discontinuance.
- The District will consult with the appropriate collective bargaining agents about the potential impact of program discontinuance on the employment of unit members. Applicable law and contract provisions will apply.
- The Superintendent/President, upon the recommendation of the Vice-President of Student Learning and Success, the Academic Senate and the Program Discontinuance Committee, will forward a final recommendation to the Board of Trustees. Any party may submit a different recommendation. While the final decision rests with the Board of Trustees, except in exceptional circumstances, the ~~ed~~District shall rely primarily upon the recommendation of the Academic Senate.
- NOTE: If 60% of all full-time and part-time faculty members teaching in a discipline agree to submit to the Academic Senate a request for the discontinuance of a program, the Academic Senate may recommend program discontinuance without a formal procedure being implemented.

Career/Technical programs

The District is legally required to establish a procedure for the discontinuance of career and technical programs that differs in some ways (~~Education Code Section 78016~~). Career ~~and~~ technical programs must be reviewed every two years to ensure that they meet legal standards. If legal and other District standards are not met, the same procedures for all other programs shall be followed except for the timeline which shall be accelerated to comply with legal requirements. (See Ed. Code 78016).

Legal standards for career and technical programs include that the program:

- Meets a documented labor market;
- Does not represent unnecessary duplication of other manpower training programs in the area; and
- Demonstrates effectiveness as measured by the employment and completion success of its students.

Other legal requirements include:

- Any program that does not meet the requirements and the standards promulgated by the Board of Trustees shall be terminated within one year;
- The required review process shall include the review and comments of the local Private Industry Council and the review and comments shall occur prior to any decision by the Board of Trustees; and
- A written summary of the findings of each review shall be made public.

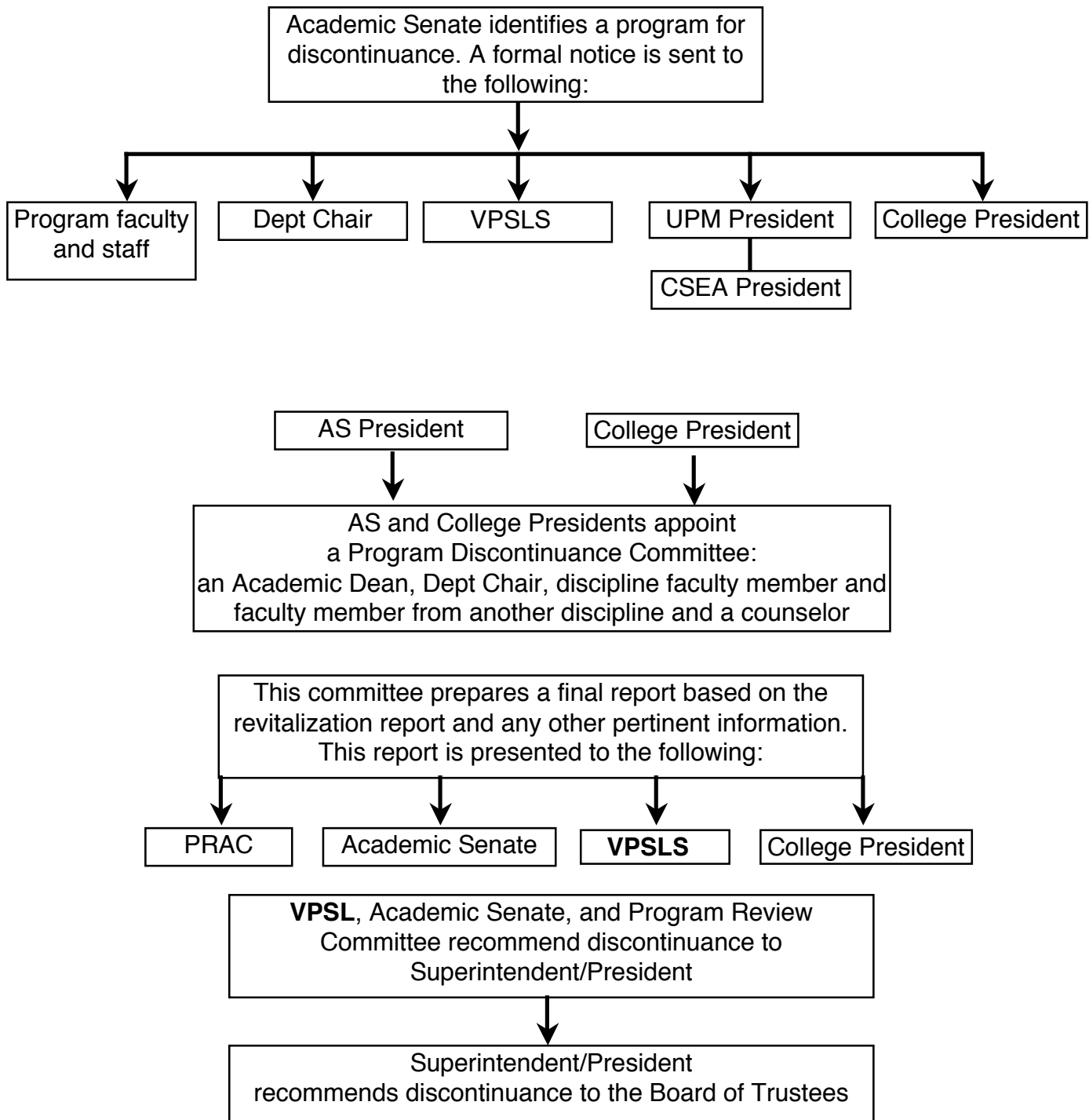
Office of Primary Responsibility: ~~Vice President of~~ Student Learning and Success

Date Approved: December 9, 2008

Date Reviewed/Revised: June 28, 2011

Date Reviewed/Revised:

Discontinuance Procedure Flowchart



Academic Affairs

This legally required procedure was reviewed as part of the regular review cycle and compared to the CCLC model procedure. Edits include ACCJC reference and language updates for consistency and clarity.

Mici 1-26-2023

Approved without changes. Jonathan/Student Learning and Success. 1-31-2023

Approved without changes. Academic Senate 2-10-2023

AP 4025 CRITERIA FOR ASSOCIATE DEGREE & GENERAL EDUCATION**References:**

Title 5 Section 55061;

ACCJC Accreditation Standard II.A.3

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

- The programs of the District are consistent with the institutional mission, purposes, demographics, and economics of the community.
- The criteria regarding the associate degree references the policy of the Board of Governors that the associate degree symbolizes a successful attempt to lead students through patterns of learning experiences designed to develop certain capabilities and insight, including:
 - the ability to think and communicate clearly and effectively orally and writing;
 - use mathematics;
 - understand the modes of inquiry of the major disciplines;
 - be aware of other cultures and times;
 - achieve insights gained through experience in thinking about ethical problems; and
 - develop the capacity for self understanding.

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

- General education is designed to introduce students to the variety of means through which people comprehend the modern world.
- General education introduces the content and methodology of the major areas of knowledge including the humanities and fine arts, the natural sciences, and the social sciences, and provides an opportunity for students to develop intellectual skills, information technology facility, affective and creative capabilities, social attitudes, an appreciation for cultural diversity, and a recognition of what it means to be an ethical human being and effective citizen.

Academic departments review and propose new courses and revisions to current courses, certificates, programs, and/or majors based on changing industry standards and practices, baccalaureate transfer requirements, newly added associate degree standards, and/or recommendations from the State Chancellor's Office. The Curriculum Committee evaluates the content of every new and revised course, certificate, program, or major submitted for consideration.

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

Date Approved: June 22, 2010

Date Reviewed/Revised:

Academic Affairs

Due for review as part of the regular review cycle. Compared to model CCLC and there have been no updates since this was procedure was adopted. Mici B. 8-26-2022
Jonathan/SLS, Julian and Brier review, edits, and comments. 9-26-2022
Edits as noted. ASC/AS 1-30-2023

AP 4026 PHILOSOPHY AND CRITERIA FOR INTERNATIONAL EDUCATION

Reference:

Education Code Section 66015.7

International education encourages programs ~~and a college atmosphere~~ that support intercultural learning, and the exchange of ideas related to diverse ~~about other~~ about other cultures, global issues, and ~~the exchange of a deepening cross-cultural competence understanding between~~ the exchange of Californians and international students and scholars.

For California students and scholars, College of Marin sets forth, as resources permit, to accomplish these goals:

- Develop courses of study in as many fields as possible to increase students' understanding of global issues and the complexity of cultural differences.
- Offer courses in languages other than English to train students to communicate effectively in other cultures and to enhance their understanding of other nations' values.
- ~~Develop courses that offer opportunities for students to develop the ability to critically analyze diverse and multicultural values.~~
- Provide opportunities for students in all majors to participate in study abroad programs to enrich their academic training, perspectives, and personal development.
- Provide opportunities for domestic and international students to interact effectively ~~interact, communicate,~~ and routinely share their views, perceptions, and experiences in educational settings.
- Develop innovative public educational forums and venues to explore global issues and showcase highlight world cultures.

For international students and scholars:

- Encourage the presence of qualified students from other countries with sufficient geographic diversity to inspire an appreciation for differences among cultures and a deeper understanding of the values and perspectives of other people.
- ~~Encourage well rounded and diverse recruitment of international students, scholars, and employees.~~
- Establish admissions requirements for international students (~~see~~ AP 5012 ~~titled~~ International Students)
- Facilitate faculty exchange and collaborative partnership programs with institutions in other countries. Develop and strengthen international networks and strategic partnerships to facilitate international exchange and collaborative programs such as faculty and student exchange, visiting scholar programs, research, and resource networking.

- Initiate collaborative research undertakings to address issues of global significance.
- Recruit and retain the world's best and brightest faculty to educate California's students as globally competent citizens.
- Create spaces and programs where international students, staff, and guests feel welcome, such as through Learning Communities, the International Education Office, the International Lounge, and affinity spaces.

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

Date Approved: December 8, 2009 (*Replaced portions of former College of Marin Procedure 4.0003 DP.10*)

Date Reviewed/Revised:

Academic Affairs

CCLC 40 - The Service updated this procedure to reflect new Title 5 Regulations regarding direct assessment competency-based education. This procedure is legally required. Reformatted. Mici 12-1-2022

Defer to Jonathan and Cari. Mia/General Counsel 1-12-2023

To Jonathan/SLS/Jon H. 1-13-2023

Revisions and edits by Academic Senate. Maria/AS 2-10-2023

Reviewed. Jonathan/SLS/Jon H. 2-22-2023

AP 4100 GRADUATION REQUIREMENTS FOR DEGREES AND CERTIFICATES**References:**

Title 5 Sections 55002, 55060 et seq. and 55270 et seq. ~~55062 and 55063~~

Degree

The Associate of Arts (A.A.) Degree or Associate of Science (A.S.) Degree will be awarded to any student upon satisfactory completion of all of the following requirements:

1. Competence in reading, written expression, and mathematics.
 - a. Students who have maintained catalog rights prior to Fall ~~2009~~ 2019:
 - 1) A satisfactory score on the Math Assessment Test, i.e., eligibility beyond Math 101 or,
 - 2) Completion of Elementary Algebra (Math 101 or Math 101A plus Math 101B or Math 101X plus Math 101Y) with a grade of "C" or higher, "CR" or "P" ~~and~~
 - 3) Completion of Statway II (Stat 106)
 - 4) Completion of Intermediate Algebra (Math 103 or Math 103A plus Math 103B or Math 103X plus Math 103Y) with a grade of "C" or higher, "CR," or "P" and
 - 5) Completion of English 120 or 150 with a grade of "C" or higher, "CR," or "P" depending on the major requirements.
 - b. Students entering Fall ~~2009~~ 2019 or any term thereafter:
 - ~~1) A satisfactory score on the Math Assessment Competency Test, i.e., eligibility beyond Math 103 or~~
 - ~~2) Completion of Intermediate Algebra (Math 103 or Math 103A plus Math 103B or Math 103X plus Math 103Y) with a grade of "C" or higher, "CR," or "P" or~~
 - ~~3) Completion of Statway II (Stat 106)~~
 - 2) Enroll and pass a transfer-level math course with a grade of "C," "P," or higher, or
 - 3) Complete an Advanced Placement (AP) math (calculus AB, BC or statistics) exam with a score of "3" or higher, or
 - 4) Other means as written in the current catalog, and

- 4) Completion of English 150 with a grade of "C" or higher.
- ~~2- The student must satisfactorily complete as least Sixty (60) semester units of college work. lower division degree-applicable units of regionally accredited college courses that have been properly approved pursuant to Title 5 Section 55002(a) and 55062.~~
- A definition of "college work" that provides that courses acceptable toward the associate degree include those that have been properly approved pursuant to Title 5 Section 55002(a), or, if completed at other than a California community college, would reasonably be expected to meet the standards of that section.
- a. College of Marin courses numbered 0-99 do not apply toward the 60 units required for graduation, even though they may be listed as part of a vocational program major.
 - b. Students who have maintained catalog rights prior to Fall 2009, must have an overall grade point average (GPA) of 2.0 or higher in all courses taken at the College of Marin and all courses transferred from other colleges used toward a degree or Certificate of Achievement, and be in good academic standing at the college.
 - c. All students entering Fall 2009 or any term thereafter, each course applied towards the major or area of emphasis must be completed with a grade of "C" or higher, "CR" or "P" if the course is taken on a "pass/no-pass" basis (Title 5 Section 5063(a)(2))
3. A minimum of 19 semester units in general education and at least 18 semester units in an approved major as described in the college catalog. For general education, students may use COM's local GE pattern, CSU GE Breadth or IGETC. Courses in the major can double count as general education courses.
- ~~4. A minimum of 12 units successfully completed in residence at the College of Marin. in the major. When injustice or undue hardship would result, students may file a petition at the Office of Enrollment Services to have this requirement waived. The petition will be forwarded to the department for review. Even with an approved waiver, students must complete a minimum of 60 units for graduation, have a minimum of 18 units in the major and 19 units in general education.~~

Associate in Arts or Associate in Science for Transfer (AA-T/AS-T) Degrees

To earn an Associates in Arts or Associates in Science for Transfer (AA-T/AS-T) Degree, as described in the college catalog, a student must:

- 1. Complete a minimum of sixty (60) lower division CSU-transferable semester units.
 - a. Complete required units in the major, and
 - b. Complete either the CSU GE Breadth or IGETC pattern.
- 2. Each course required for the major or area of emphasis must be completed with a grade of "C" or higher, "CR" or "P" if the course is taken on a "pass/no-pass" basis (Title 5 Section 5063 (a) (2)).
- 3. Maintain a minimum grade point average (GPA) of 2.0 or higher in all CSU-transferable coursework.

4. A minimum of 12 degree-applicable units must be completed at the College of Marin.

Certificate of Achievement

A Certificate of Achievement will be awarded upon satisfactory completion of the following requirements:

1. Successful completion of a course of study or curriculum that consists of 18 or more semester units of degree-applicable credit coursework as described in the college catalog.
2. Students who have maintained catalog rights prior to Fall 2009, must have an overall grade point average (GPA) of 2.0 or higher for all courses taken at the College of Marin or transferred from other colleges, which are to be applied toward the Certificate of Achievement.
3. All students entering Fall 2009 or any term thereafter must complete each course applied towards the major and/or area of emphasis with a grade of "C" or higher, "CR" or "P" if the course is taken on a "pass/no-pass" basis (Title 5 Section 5063(a) (2)).
4. Courses numbered 0-99 are non-degree applicable but may be used for a Certificate when listed as a major requirement.

Skills Certificates

Requirements for skills certificates are less than 18 units and are listed in the college catalog. Students should check with the director or department chair for the process to receive completed certificates.

Catalog Rights

The catalog sets forth requirements for achieving an Associate Degree or Certificate of Achievement and these requirements may change from one catalog to the next. Catalog rights are established for any semester that a student is in attendance. The specific catalog employed toward graduation requirements for Associate Degrees or Certificates of Achievement and all implied rights cease after two consecutive semesters of nonattendance. State of California and federal law, as well as College of Marin Board Policy, shall take precedence over catalog rights. Students not enrolled when applying for an Associate Degree or Certificate of Achievement and who have maintained their catalog rights, may use that catalog or any subsequent catalog up to and including the current catalog.

Degree Requirements

District policies and procedures regarding requirements for general education, Associate Degrees and Certificate of Achievements are updated and published in the college catalog and filed with the State Chancellor's Office.

Course Substitution/Waiver

Substitution/Waiver for any required course must be approved through student petition. An official transcript and catalog description must accompany the petition. For non-comparable courses, Department Chairs will be consulted to determine course acceptability. Even with an approved waiver, students must complete a minimum of 60 units for graduation, have a minimum of 18 units in the major, 19 units in general education and complete the residency requirement.

Official Transcripts

In order to apply units completed at another institution toward a degree or a Certificate of Achievement,

official transcripts may be mailed or hand-delivered, provided they arrive in an original sealed and stamped envelope from the issuing institution. College of Marin will also accept faxed or e-mailed official transcripts from a district approved secured credentialing service. Official transcripts have an embossed or water seal. Official transcripts, if mailed, should be sent via U.S. Mail to the College of Marin Counseling Department, Kentfield, CA 94904. Transcripts from other colleges received by the College of Marin will not be copied for release to the student.

Transfer Units:

1. U.S. Accredited Colleges: Students may only transfer lower division units from a regionally accredited college or university.
2. Foreign Colleges: Transcripts from foreign colleges and universities will be accepted only when evaluated by U.C., C.S.U., or an evaluating service recognized by the College of Marin. Lower division credit will be granted when the academic level of the course work is deemed to be comparable to that of classes taught in regionally accredited United States colleges and universities.
3. Upper Division Courses: Upper division units may not be used toward an AA or AS degree. Students may, however, submit a petition to the Office of Enrollment Services for a waiver of requirements with relevant upper division work. Even with an approved waiver, students must complete a minimum of 60 units for graduation, have a minimum of 18 units in the major, 19 units in general education and complete the residency requirement.

Graduation Applications

The completion of an Application for Graduation/Certificate of Achievement and any relevant official transcripts and petitions must be submitted by the established deadline.

1. Graduation requirements must come from a single catalog. Students, who have maintained their catalog rights, may use that catalog or any subsequent catalog up to and including the current catalog.
- ~~2. A student who receives a Degree/Certificate of Achievement in one major may subsequently or simultaneously work on a Degree/Certificate of Achievement in another major within that discipline, provided there are 12 different units completed in that additional degree. When there are fewer than 12 different units, students should:~~
 - ~~a. Consult with the discipline department chair or coordinator for acceptable units to fulfill this degree requirement, and~~
 - ~~b. Submit a petition to the Office of Enrollment Services for the additional units needed to fulfill this requirement.~~
3. Students who have been awarded a degree and/or Certificate of Achievement in a major and want to be awarded the AA-T/AS-T degree in that same discipline must complete all requirements for that major to be awarded the degree.
4. A student who receives a Certificate of Achievement may subsequently complete requirements and earn a degree in the same major, since the degree represents a higher level of accomplishment. A Certificate of Achievement in the same major will not be granted after receipt of a degree in the

same major. A student, who at the time of applying is eligible for a degree, will not be issued a certificate in the same major.

General Education (GE) Certification for Transfer

Students requesting GE Certification must complete:

1. All courses with a "C" or higher "CR" or "P" for IGETC Certification.
2. All courses with a 2.00 grade point average (GPA) or higher with a minimum of 30 units completed with a "C" or higher for CSU Certification.

Outstanding Debt

A Diploma, Certificate of Achievement ~~and official transcripts~~ may not be released until the student has paid all outstanding debts to the college.

Deleted Degrees and Certificate of Achievements

1. Students who have maintained their catalog rights:
 - a. After a degree or Certificate has been deleted, it may still be conferred for 3 years beyond the deleted date if the degree or Certificate of Achievement is not out-of-compliance with Title 5.
 - b. If courses that are part of a deleted degree or Certificate of Achievement have also been phased out, students and counselors should work with the discipline Department Chairs or coordinator to determine suitable/appropriate courses to substitute for requirements that are no longer offered.
2. Students who have not maintained their catalog rights, must follow the college's policy on Catalog Rights.
3. Degrees or Certificates of Achievement that are out-of-compliance with Title 5 cannot be conferred past the deletion date.

The District may obtain approval of a direct assessment competency-based program from the California Community College Chancellor's office.

For additional information pertaining to deleted degrees and Certificates of Achievement, please consult with a College of Marin Counselor.

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

Date Approved: December 9, 2008 (*Replaced portions of College of Marin Procedure 4.0003 DP.10*)

Reviewed/Revised: June 18, 2013; June 16, 2015; December 8, 2015; May 17, 2016

Reviewed/Revised:

Academic Affairs

Due for review as part of the regular review cycle. Compared to model CCLC procedure. This procedure is legally required. Updated references and formatting. This procedure is legally required. CCLC Model AP 4222 provided for comparison. Mici 1-27-2023
Revisions as noted. Jonathan/Cari/Tonya 2-9-2023
Revisions as noted. Academic Senate 2-23-2023

AP 4222 **BASIC SKILLS REMEDIAL** COURSEWORK

References:

Education Code Section 78213;
Title 5 Sections 55035 ~~and 56036;~~
ACCJC Accreditation Standard II.A.4

Remedial coursework consists of pre-collegiate basic skills courses.

~~The Marin Community College District offers basic skills courses in English, reading, mathematics, and credit and noncredit English as a Second Language. Basic skills coursework consists of non-degree-applicable remedial or developmental courses.~~

A student's need for basic skills remedial coursework shall be determined using appropriate assessment instruments, methods, or procedures.

No student shall receive more than 30 semester units for basic skills remedial coursework. A student who exhausts this unit limitation shall be referred to appropriate adult noncredit education services.

~~Per Title 5, the following students are exempted from the limitation on basic skills coursework:~~

- ~~• Students enrolled in one or more courses of English as a Second Language (ESL);~~
- ~~• Students identified by the District as having a learning disability as defined in Title 5 Section 56036~~

No student shall be required to enroll in remedial English or mathematics coursework that lengthens their time to complete a degree unless placement research that includes consideration of high school grade point average and coursework, shows that those students are highly unlikely to ~~success~~ succeed in transfer-level coursework in English and mathematics. A student may be required to enroll in additional concurrent support, including additional language support for English as a Second Language students, during the same semester that they take a transfer-level English or mathematics course, but only if the ~~Area Dean~~ Academic Senate, or its designee, determines the support will increase their likelihood of passing the transfer-level English or mathematics course. The ~~Area Dean~~ Academic Senate, or its designee, shall minimize the impact on student financial aid and unit requirements for the degree by exploring embedded and low or noncredit support options.

~~The Board may provide a waiver of the limitation on remedial coursework with respect to any student who shows significant, measurable progress toward the development of skills appropriate to his/her enrollment in degree-applicable credit courses.~~

~~A student who exhausts this unit limitation shall be referred to appropriate noncredit basic skills courses.~~

~~A student who does not attain full eligibility status for degree-applicable credit courses within the limit described in Title 5 Section 55035 shall, unless provided with a waiver, be restricted to taking only noncredit courses, non-degree-applicable courses which do not involve remediation, and those degree-applicable credit courses which do not have basic skills prerequisites or advisories on recommended preparation.~~

A student who successfully completes basic skills remedial coursework or who demonstrates skill levels which assure success in college-level courses may proceed with college-level coursework. ~~in English, reading, mathematics, and English as a Second Language.~~

Students enrolled in one or more courses of English as a Second Language and students identified as having a documented learning disability are exempt from the limitations of this procedure.

Students who demonstrate significant, measurable progress toward development of skills appropriate to enrollment in college-level courses may be granted a waiver of the limitations of this procedure.

~~The District's~~ and College of Marin catalogs shall include a clear statement of the limited applicability of basic skills coursework toward fulfilling degree requirements and any exemptions that may apply to this limitation.

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

Date Approved: January 17, 2012

Date Reviewed/Revised:

Human Resources

Reviewed as part of the regular review cycle. Formatting updated, compared to CCLC model procedure.

Mici 2-14-2023

Approved without changes. Nikki/HR 2-14-2023

AP 7110 DELEGATION OF AUTHORITY, HUMAN RESOURCES

References:

~~ACCJC Accreditation Standard III.A.11~~

Education Code Sections 70902 subdivision (d); ~~and 72400~~

ACCJC Accreditation Standard III.A.11

The District's Chief Human Resources Officer is delegated responsibility from the Superintendent/President to authorize employment, fix job responsibilities, and perform other personnel actions provided that all state and federal law and regulations, Board Policies, and Administrative Procedures are followed.

Office of Primary Responsibility: Human Resources

Date ~~Approved~~ Adopted: February 12, 2009 ~~(College Council)~~

Date Revised: April 19, 2016

Date Reviewed/Revised:

Human Resources

Minor non-substantive edits and formatting updated by Mici. 2-1-23

Revisions updated to reflect collective bargaining agreement. Human Resources 2-23-2023

AP 7150 EVALUATION**References:**ACCJC Accreditation Standard III.A.5 ~~(formerly III.A.1.b)~~

The District assures the effectiveness of its human resources by evaluating all personnel systematically and at stated intervals. The District establishes written criteria for evaluating all personnel. The evaluation process assesses the effectiveness of personnel and encourages improvement. Actions taken following evaluations are formal, timely and documented.

The Human Resources Department maintains current forms and procedures for evaluation. These forms and processes are maintained on the Human Resources website [and employee portal](#). Further information regarding evaluation of represented employees can be found in the respective collective bargaining agreements.

Management employees will be evaluated annually or more frequently at the discretion of the District. Step advancement on the management salary schedule is not automatic and is based on serving a minimum of one year in the position, merit as determined by the annual employee evaluation, and upon recommendation of the President/Superintendent. [Step advancements shall be granted on July 1 on the condition that the employee receives a satisfactory performance evaluation. ~~are granted on the first day of the month immediately following the anniversary date of hire or promotion if the employee received an evaluation of satisfactory or better.~~](#)

Supervisory and Confidential employees will be evaluated annually after successfully [completing a six-month ~~one-year~~](#) probationary period or more frequently at the discretion of the District.

See also BP 7150 ~~titled~~ Evaluation.

Office of Primary Responsibility: Human Resources

Date ~~Approved~~ Adopted: May 17, 2016

Date Reviewed/Revised: November 13, 2018

Date Reviewed/Revised:

Human Resources

This procedure is due for review as part of the regular review cycle. Compared to CCLC model procedure - references updated. Mici 2-2-2023

Revisions as noted to reflect collective bargaining agreement. Connie/Human Resources. 2-23-2023

AP 7340 LEAVES**References:**

Labor Code Sections 245 et seq.;

Education Code Sections ~~87763 et seq. and 88190 et seq.;~~

Education Code Sections 88190 et seq.;

Labor Code Sections ~~234, 235, et seq.~~

Classified Employees

Leaves for members of the classified service are stipulated in the appropriate collective bargaining agreement.

Academic Employees

Leaves for members of the academic service are stipulated in the appropriate collective bargaining agreement.

Unrepresented Groups

The District shall provide leaves of absence for District employees not covered by negotiated labor agreements in the following categories:

Vacation and Sick Leave - As stipulated in the relevant salary schedules and condition of work documents.

Bereavement Leave - Up to ~~five~~ **three** days for death of an immediate family member ~~and five days if more than 300 miles (one-way) travel is required.~~

Jury Duty Leave - Any necessary absence. Pay shall be limited to the difference between regular salary and the jury fees received.

Military Leave - As authorized by law. (See AP 7346 ~~titled~~ *Employees Called to Military Duty*)

Pregnancy Disability - Sick leave or other salary continuance benefits available and thereafter unpaid leave for the duration of disability certified by the physician.

Industrial Accident and Illness Leave - Up to 60 days per industrial injury.

Personal Necessity Leave - Up to seven days of sick leave for death of a family member (beyond bereavement leave), for accidents involving employee's family or property, legal appearances, or other pressing, personal obligations.

Uncompensated Leave - Unpaid leaves of absence approved individually by the Board.

Sabbatical Leave - Partially-paid leaves granted management employees for professional growth after seven years of full-time service to the District. Employees shall agree to remain in the employ of the District for two years after return from sabbatical leave. Management employees may also be granted short-term administrative leaves of absence for no more than three months after three years of employment.

Legislative Leave - Unpaid leave for anyone elected to the State Legislature or Congress. Leave covers term of office plus six months.

The Superintendent/President or designee shall issue an annual calendar of holidays authorized by the State and the Board. (See BP/AP 4010 ~~titled~~ Academic Calendar)

1. ACCRUAL

For represented employees, vacation time is accrued in accordance with negotiated labor agreements. For unrepresented employees, vacation time is accrued on the following basis: (part-time employees accrue on a prorated basis).

MANAGEMENT & SUPERVISORY 22 days per year
& CONFIDENTIAL

2. VACATION USE

- A. The right to vacation shall not become vested until completion of six months of regular service. Vacation may be used as it is accrued, but all vacation is subject to approval by the employee's supervisor.
- B. The use of all accrued and projected vacation may be directed in the event of layoff, dismissal or release from an administrative position to a position not providing vacation accrual. Use may also be directed for the needs of an office or function as determined by the appropriate supervisor and reviewed by the next higher management level.

Employee Vacation/Off-Duty Periods/Compensatory Time Off

1. Vacation

Classified, management, supervisory, and confidential employees accrue vacation through the provisions of collective bargaining agreements or relevant salary schedule and condition of work documents. Less-than-full-time employees accrue vacation time on a pro-rated basis.

- A. All employees can access their leave balances through the MyCom portal. Managers can access their employee's vacation accrual balances through Argos.
- B. Vacation schedules will be based on the needs of the office as determined by the manager, with the request of the employee taken into consideration. The manager is responsible for assuring that each employee schedules and uses all vacation available during the year. The

maximum cap for vacation accruals is 240 hours. Any hours in excess of the 240 cap will be paid out to the employee within 60 days. Employees shall be permitted to take vacation in a timely manner to avoid accumulation of excess vacation. Maintaining the 240-hour cap is a shared responsibility between the employee and the manager. Therefore, leave requests should be scheduled in advance to avoid excess vacation hours.

- C. Following vacation leave, the employee must submit an electronic leave report no later than the last work day of the month.

2. Off-Duty Periods

- A. Off-Duty periods for less-than-twelve-month employees will be scheduled prior to July 1 of each fiscal year by the manager based on the needs of the office and will be integrated with vacation and compensatory time off scheduling. The scheduled off-duty periods may be rescheduled during the year with the approval of the appropriate Vice President.

3. Compensatory Time

- A. Compensatory time must be used within 12 calendar months of the time of accrual. No employee shall be allowed to accrue a compensatory time balance of more than 240 hours.
- B. Managers are responsible for assuring that compensatory time accrued by their employees is scheduled and used within the 12-month period, is scheduled based on the needs of the office, and is integrated with the vacation and off-duty period schedules.
- C. If a manager determines, based on the needs of the office, that compensatory time off cannot be scheduled within the allowable period, the time will be paid. This determination must be reviewed by the next higher managerial level and the cost of paying off the compensatory time will be charged against the Department's budget.

Date Approved: December 13, 2011

(Replaced College of Marin Policies 5.0023, 5.0032 and Procedure 5.0023 DP.1)

Date Reviewed/Revised: November 17, 2015, February 16, 2016

Date Revised: