

College Council: Policy and Procedure Review

4-13-2023

BP 2000 Board Title and Authority – This policy was reviewed as part of the regular review cycle. Compared to the model CCLC policy.

BP 2010 Board Membership – This policy was reviewed as part of the regular review cycle. Compared to the model CCLC policy.

BP 2110 Vacancies on the Board – This policy was reviewed as part of the regular review cycle. Compared to the model CCLC policy.

BP 2210 Officers – This policy was reviewed as part of the regular review cycle. Compared to the model CCLC policy. Formatting and non-substantive edits for clarity.

BP 4030 Academic Freedom – This policy was reviewed as part of the regular review cycle. Compared to the model CCLC policy. This is a 10+1.

BP 4226 Multiple and Overlapping Enrollments – This legally required policy is due for review as part of the regular review cycle. Compared to CCLC model policy. Updated formatting. This is a 10+1.

BP 4240 Academic Renewal – Due for review as part of the regular review cycle. Format updated. Compared to CCLC model legally required policy. No other changes and no legal updates. This is a 10+1.

BP 4675 Programs for Older Adult Students – Due for review as part of regular review cycle. There is no corresponding CCLC model policy. This is a 10+1.

BP 5040 Student Records, Directory, Information, and Privacy – CCLC 40 - The Service updated this policy to add legal citations and language concerning a student's ability to request name and gender changes in the student's records. This is a 10+1.

BP 6150 Designation of Authorized Signatures – This policy is due for review as part of the regular review cycle. It is legally required and has been compared to the model CCLC. There were no CCLC updates. Reformatted.

BP 6200 Budget Preparation – This policy is due for review as part of the regular review cycle. It is legally required and has been compared to the model CCLC. There were no CCLC updates. Clarifying edits added. This is a 10+1.

BP 6520 Security for District Property – This policy is due for review as part of the regular review cycle. It is legally required and has been compared to the model CCLC. There were no CCLC updates. "Office of primary responsibility" removed since this is a board policy not an administrative procedure.

BP 6740 Citizens Bond Oversight Committee – Due for review as part of regular review cycle. Compared to CCLC model policy and there are no changes recommended.

AP 3570 Smoke-Free Campus Environment – Review initiated by Administrative Services.

AP 4022 Program Revitalization - Due for review as part of regular review process. Compared to model CCLC procedure. This procedure applies to the processes for approving individual credit and non-credit courses and must address the requirements of Title 5 Section 55100 for credit courses and Title 5 Section 55150 for non-credit courses. This is a 10+1.

AP 4102 Career Technical Programs – Due for review as part of the regular review cycle. Compared to model CCLC procedure. CCLC legal updates from 2015 included in this legally required procedure. This is a 10+1.

AP 4226 Multiple and Overlapping Enrollments – This procedure is due for review as part of the regular review cycle. Compared to CCLC model procedure. Updated formatting. This is a 10+1.

AP 4227 Repeatable Courses – The legally required procedure is due for review as part of the regular review process. Compared to the CCLC model procedure and updated formatting. Revisions as noted. This is a 10+1.

AP 4240 Academic Renewal – Due for review as part of the regular review cycle. Format updated. Compared to CCLC model legally required procedure.

AP 5530 Students Right and Grievances – CCLC 38 update to legally advised procedure in order to ensure compliance with accreditation requirements. Multiple updates since 2015 so this included several CCLC updates.

AP 5700 Intercollegiate Athletics (NEW) – This procedure is legally advised and, if the District adopts this procedure, CCLC 39 adds legally required language regarding student athletes' rights to earn compensation for their name, image, likeness, or athletic reputation. (Education Code Section 67456, as amended by Senate Bill 26). The Service also added a citation to California Community College Athletic Association Constitution and Bylaws.

AP 6150 Designation of Authorized Signatures – This procedure is legally required and due for review as part of the regular review cycle. Formatting updated and compared to CCLC model procedure.

AP 6200 Budget Preparation – This procedure is due for review as part of the regular review cycle. It is legally required and has been compared to the model CCLC. There were no CCLC updates. This is a 10+1.

AP 6250 Budget Management – This procedure is due for review as part of the regular review cycle and legally required. Formatting updated.

AP 6251 Reserve Fund Management – This policy is due for review as part of the regular review cycle. There is no model CCLC for comparison. Reformatted and updated.

AP 6520 Security for District Property – This procedure is due for review as part of the regular review cycle. Procedures on security for District property are suggested as good practice. Compared to the model CCLC. There were no CCLC updates. Formatting and clarifying edits added.

AP 6530 District Vehicles – CCLC 36 Update and this procedure is legally advised. Formatted, reorganized to conform/align with the model CCLC and revised.

AP 6740 Citizens Bond Oversight Committee – Reviewed as part of regular review cycle. The model CCLC procedure recommends local practice be included with recommendations to address certain elements (purpose, activities, members, assistance, public meetings, and reports).

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

AP 3434 Responding to Harassment Based on Sex under Title IX
AP 3435 Discrimination and Harassment Investigations
BP/AP 3530 Weapons on Campus
AP 3550 Drug and Alcohol-Free Environment
BP/AP 3715 Intellectual Property
BP/AP 3820 Gifts
BP 4040 Library and Other Instructional Support Services
BP/AP 4070 Auditing
AP 4100 Graduation Requirements for Degrees and Certificates
BP/AP 4103 Work Experience
BP/AP 4240 Academic Renewal
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
AP 6251 Reserve Fund Management
BP/AP 6580 Excavations Occurring in Native American Midden Areas
BP/AP 6700 Civic Center and Other Facilities Use
AP 6805 Controlled Access Hours
BP/AP 6850 Bicycles Skateboards etc. on Campus
AP 7210 Academic Employees
AP 7212 Temporary Faculty
BP/AP 7400 Travel

Academic Senate – Under Review

BP/AP 3710 Securing of Copyright
AP 4022 Program Revitalization
BP 4107 Health Science Programs
BP/AP 4225 Course Repetition Non-repeatable Courses
BP/AP 4226 Multiple and Overlapping Enrollments
AP 4227 Repeatable Courses
AP 4228 Course Repetition-Significant Lapse of Time
AP 4230 Grading and Academic Record Symbols

BP/AP 4300 Field Trips and Excursions
AP 5045 Student Records Challenging Content and Access Log
AP 5055 Enrollment Priorities
AP 5530 Student Rights and Grievances
AP 5700 Intercollegiate Athletics
BP/AP 7120 Employment Recruitment
BP 7210 Academic Employees

Board of Trustees

Due for review as part of regular review cycle. No revisions. Mici 3-23-2023

BP 2000 BOARD TITLE AND AUTHORITY

References:

Education Code Sections 35160 and 70902

The governing board of the District shall be known officially as the "Board of Trustees of the Marin Community College District."

The Board shall be a body corporate and derives its authority from the California Education Code.

Pursuant to Education Code Section 35160, nothing in these Bylaws shall be considered to constrain the Board from exercising its authority should the occasion warrant such action.

Date Adopted: April 21, 2009 (*Replaced College of Marin Policies 1.1020 and 1.1030*)

Date Reviewed: May 16, 2017

Date Reviewed/Revised:

Board of Trustees

Due for review as part of regular review cycle. Mici 3-23-2023

BP 2010 BOARD MEMBERSHIP

References:

Education Code Sections 72023, 72103, and 72104;
ACCJC Accreditation Standard IV.C.6.

The Board shall consist of seven members elected ~~at-large~~ by area from the District and a student member.

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

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

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

No member of the Governing Board shall, during the term for which he~~or~~/she/they was elected, be eligible to serve on the governing board of a high school district whose boundaries are coterminous with those of the Marin ~~C~~ommunity ~~C~~ollege ~~D~~istrict.

Date Adopted: April 21, 2009 (*Replaced College of Marin Policy 1.2010*)

Date Revised/Reviewed: May 16, 2017

Date Revised/Reviewed:

Board of Trustees

Due for review as part of regular review cycle. No changes. Mici 3-23-2023

BP 2110 VACANCIES ON THE BOARD

References:

Education Code Sections 5090 et seq.;
Government Code Section 1770

Vacancies on the Board of Trustees may be caused by any of the events specified in Government Code Section 1770 or any applicable provision in the Elections Code, or by a failure to elect. Resignations from the Board of Trustees shall be governed by Education Code Section 5090.

Within 60 days of the vacancy or filing of a deferred resignation, the Board of Trustees shall either order an election or make a provisional appointment to fill the vacancy.

If an election is ordered, it shall be held on the next regular election date not less than 130 days after the occurrence of the vacancy.

If a provisional appointment is made, it shall be subject to the conditions in Education Code Section 5091. The person appointed to the position shall hold office only until the next regularly scheduled election for Board of Trustee members, when the election shall be held to fill the vacancy for the remainder of the unexpired term.

The provisional appointment will be made by a majority public vote of the Board members at a public meeting.

The Superintendent/President shall establish administrative procedures to solicit applications that assure ample publicity to and information for prospective candidates. The Board of Trustees will determine the schedule and appointment process, which may include interviews at a public meeting.

Date Adopted: July 21, 2009 (*Replaced College of Marin Policy 1.2040*)

Date Reviewed: May 16, 2017

Date Reviewed:

Board of Trustees

Due for review as part of the regular review cycle. Formatting and non-substantive edits. Mici 3-23-2023

BP 2210 OFFICERS**Reference:**

Education Code Section 72000

The President of the Board as a regular member shall participate in the discussion of issues during the meeting as well as in voting. In addition, the Board President's duties shall include:

- a) To preside at all meetings and decide questions of order.
- b) To appoint Trustees to and designate chairpersons of all committees, Board Committees, and make all other appropriate trustee assignments.
- c) To execute all contracts and official documents approved by the Board and requiring the Board President's signature.
- d) To represent the Board at official functions when necessary; to serve as spokesperson for the Board regarding a Board action taken; to keep the Board promptly informed of these occasions.
- e) To set the Board meeting agenda with the Superintendent/President and Board officers.
- f) To call special meetings of the Board as required.
- g) To perform other duties formally assigned by the Board, or by statute.

The Board Vice President's duties shall include:

- a) To perform all duties of the President of the Board in the ir absence or disability ~~of the President~~.
- b) To discharge such other functions as the President of the Board may from time to time request.

The Board Clerk's duties shall include:

- a) To perform all duties of the President of the Board in the absence or disability of the President and Vice President of the Board.
- b) Signatures as required.
- c) To perform any other duty assigned by the President of the Board, ~~or~~ as required by law.

The District Superintendent/President shall serve as Secretary to the Board and, ~~as such, shall~~ have the following obligations:

- a) To be responsible for such public notices as may be required by statutes, Bylaws, resolutions and policies of the Board.
- b) To be responsible for recording, preparing, and maintaining the approved Official Minutes of all regular and special meetings of the Board, and properly transmitting them to the Board.
- c) To retain and properly file all official records and documents of the Board.

- d) To conduct the official correspondence on behalf of the Board as requested and issue all Board orders.
- e) To be responsible for providing members promptly with copies of correspondence prepared in the name of the Board or Board President, as well as copies of all reports, communications, etc., developed and transmitted to members of the community.
- f) To perform such other duties as may be required by law or delegated from time to time by the Board.

Also see BP/AP 2305 ~~titled~~ Annual Organizational Meeting and BP 2430 ~~titled~~ Delegation of Authority to the Superintendent/President

Date Adopted: April 21, 2009 (*Replaced College of Marin Policies 1.3031, 1.3032, 1.3033, and 1.3035*)

Date Reviewed/Revised: May 16, 2017

Date Reviewed/Revised:

Academic Affairs

Due for review as part of the regular review cycle. Compared to model CCLC policy. Mici 1-27-2023
Approved without changes. Academic Senate 3-2-2023

BP 4030 ACADEMIC FREEDOM**References:**

~~ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard I.C.7;~~
Title 5 Section 51023;
~~ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard I.C.7;~~

Academic ~~F~~freedom protects a teacher's right to teach and a student's right to learn and is necessary in order for College of Marin (COM) to fulfill its mission of providing excellent educational opportunities for all members of our diverse community.

The exercise of academic freedom allows society to enjoy the benefits of honest intellectual discourse and the transmittal of unbiased knowledge. COM's academic employees must be free from pressures and demands that restrict intellectual discovery and the dissemination of knowledge. COM shall promote and protect an educational climate in which teachers and students can assert their ideas without fear of reprisal. By the same token, COM faculty and students have a responsibility, under the guidelines of academic freedom, to engage in teaching and learning that honors, respects, and supports divergent viewpoints.

Date Adopted: December 8, 2009

Date Reviewed/Revised: November 17, 2015

Date Reviewed/Revised:

Academic Affairs

This legally required policy is due for review as part of the regular review cycle. Compared to CCLC model policy. Updated formatting. No changes as this tracks the CCLC model. This is a 10+1. Mici 3-7-2023
No changes. Jonathan/SLS and Jon H/Enrollment 3-9-2023
Approved without changes. Academic Senate 3-16-2023

BP 4226 MULTIPLE AND OVERLAPPING ENROLLMENTS

Reference:

Title 5 Section 55007

The Superintendent/President shall establish procedures to ensure that students may only enroll in two or more sections of the same credit course during the same term if the length of the course provides that the student is not enrolled in more than one section at any given time.

The Superintendent/President shall establish procedures to ensure that students may only enroll in two or more courses where the meeting times overlap under the conditions specified in Title 5 Section 55007.

Date Adopted: March 18, 2008

Date Reviewed:

Academic Affairs

Due for review as part of the regular review cycle. Format updated. Compared to CCLC model legally required policy. No other changes and no legal updates. Mici 10-6-2022
To Jonathan/Student Learning and Success and Jon H./Enrollment 1-31-2023
Approved without changes. Academic Senate 3-2-2023

BP 4240 ACADEMIC RENEWAL

Reference:

Title 5 Section 55044

Previously recorded substandard academic performance may be disregarded if it is not reflective of a student's demonstrated ability. The Superintendent/President shall establish procedures that provide for academic renewal.

Date Adopted: March 18, 2008

Date Reviewed/Revised:

Academic Affairs

Due for review as part of regular review cycle. There is no corresponding CCLC model policy. This is a 10+1. Mici 2-16-2023

Approved without changes. Lori F./Greg N. 2-16-2023

Approved without changes. Academic Senate 3-2-2023

BP 4675 PROGRAMS FOR OLDER ADULT STUDENTS**Reference:**

No reference

ESCOM (Emeritus Students College of Marin) is a unique program that offers Community Service and/or Noncredit classes designed to address the needs of the county's older adult population. Courses offered through ESCOM seek to support the principles of quality of life, lifelong learning, cultural enrichment, and personal growth.

Also see BP 5450 ~~titled~~ ESCOM (Emeritus Students College of Marin)

Date Adopted: May 17, 2011 (*Replaced College of Marin Policy 3.0030*)

Date Reviewed/Revised: May 16, 2017

Date Reviewed/Revised:

Student Services

CCLC 40 - The Service updated this policy to add legal citations and language concerning a student's ability to request name and gender changes in the student's records. This is a 10+1. Mici 9-13-2022

Revisions included. Mia 10-25-2022

Approved without changes. Maria/Academic Senate 3-2-2023

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

Education Code Sections 66271.4 and 76200 et seq.;
Title 5 Sections 54600 et seq.
20 U.S. Code Section 1232g(l);
ACCJC Accreditation Standard II.C.8

The Superintendent/President shall assure that student records are maintained in compliance with applicable state and federal laws relating to the privacy of student records.

The Superintendent/President may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of the District has a right of access to any and all student records relating to ~~him or her or them~~ him/her/them maintained by the District. Upon request by a former student of the District, the District will update and reissue student records to include an updated legal name or gender. These documents include but are not limited to transcripts or a diploma.

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

No District representative shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable state and federal laws.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained here, and that they may limit the information.

Directory information shall include:

- Name
- Level of education
- Academic majors
- Enrollment Status by Term (enrolled/not enrolled)

- Student participation in officially recognized activities and sports including weight, height, and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards, and Dean's List recognition.

The Solomon Amendment to Family Educational Rights and Privacy Act (FERPA) requires the District, upon request, to provide "student recruiting information" on any currently enrolled student who is at least 17 years of age to any branch of the armed services unless the student has opted out. "Student recruiting information" is defined by federal law as name, address, telephone numbers, age or date of birth, class level, degrees received, major, most recent educational institution attended. The District shall not release student recruiting information to military recruiters for those students who request that such information not be released. The District shall establish procedures for students requesting to have any information withheld.

Also see BP/AP 3300 ~~titled~~ Public Records

Date Adopted: December 13, 2011 (*Replaces College of Marin Policy 4.0021*)

Date Reviewed/Revised: January 17, 2017; March 14, 2017; June 19, 2018

Date Revised:

Business and Fiscal Affairs

This policy is due for review as part of the regular review cycle. It is **legally required** and has been compared to the model CCLC. There were no CCLC updates. Reformatted. Mici 2-16-2023

No changes. Greg/Eresa/Administrative Services 3-23-2023

BP 6150 DESIGNATION OF AUTHORIZED SIGNATURES

References:

Education Code Sections 85232 and 85233

The Board of Trustees will authorize and approve all authorized signatures. Authority to sign orders and other transactions on behalf of the Board is delegated to the Superintendent/President and other officers appointed by the Superintendent/President.

Also see BP/AP 5420 ~~titled~~ Associated Students Finance

Date Adopted: September 16, 2008

Date Reviewed/Revised: April 19 2016

Date Reviewed:

Business and Fiscal Affairs

This policy is due for review as part of the regular review cycle. It is legally required and has been compared to the model CCLC. There were no CCLC updates. Clarifying edits added. **This is a 10+1.**

Mici 2-16-2023

Approved without changes. Eresa/Administrative Services 2-26-2023

Approved without changes. Academic Senate 3-9-2023

BP 6200 BUDGET PREPARATION**References:**

Education Code Section 70902 subdivision (b)(5);
Title 5 Sections 58300 et seq.;
ACCJC Accreditation Standard III.D

Each year, the Superintendent/President shall present to the Board a budget, prepared in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. The schedule for presentation and review of budget proposals shall comply with state law and regulations, and provide adequate time for Board study.

Budget development shall meet the following criteria:

- The annual budget shall support the District's ~~master and~~ educational master plans.
- Both short-term and long-term budget goals and objectives, and broad-based input, are coordinated with District educational planning.
- Assumptions upon which the budget is based are presented to the Board for review in regular reports.
- A schedule is provided to the Board by October of each year that includes dates for presentation of the tentative budget, required public hearing(s), and approval of the final budget. At the public hearings, interested persons may appear and address the Board regarding the proposed budget or any item in the proposed budget.
- Unrestricted general reserve shall be no less than 8%.
- Changes in the assumptions upon which the budget was based shall be reported to the Board in a timely manner.
- Budget projections address long-term goals and commitments.
- Business practices for fiscally sound financial planning will be followed.

Also see AP 6200 ~~titled~~ Budget Preparation; and AP 6251 Reserve Fund Management

Date Adopted: April 20, 2010 (*Replaced College of Marin Policy 6.0003*)

Date Reviewed/Revised: June 21, 2016; November 15, 2016

Date Reviewed/Revised:

Business and Fiscal Affairs

This policy is due for review as part of the regular review cycle. It is legally required and has been compared to the model CCLC. There were no CCLC updates. Removed office of primary responsibility since this is a BP not an AP.

Mici 2-16-2023

Approved without changes. Eresa/Administrative Services 2-28-2023

BP 6520 SECURITY FOR DISTRICT PROPERTY

References:

Education Code Sections 81600 et seq.;
ACCJC Accreditation Standard III.B.1

The Superintendent/President shall establish procedures necessary to manage, control, and protect the assets of the District, including but not limited to ensuring sufficient security to protect property, equipment, and information from theft, loss, or significant damage.

~~Office of Primary Responsibility: College Operations~~

Date Adopted: May 12, 2009

Date Reviewed/Revised: February 16, 2016

Date Reviewed:

Business and Fiscal Affairs

Due for review as part of regular review cycle. Compared to CCLC model policy and there are no changes recommended. Mici 3-9-2023

Approved without changes. Eresa/Administrative Services 3-27-2023

BP 6740 CITIZENS' BOND OVERSIGHT COMMITTEE

References:

Education Code Sections 15278, 15280, and 15282;

California Constitution Article XIII A Section 1(b) and Article XVI Section 18(b)

If a bond measure has been authorized pursuant to the conditions of Proposition 39, as defined in the California Constitution, the Superintendent/President shall establish a Citizens' Bond Oversight Committee in accordance with applicable law and regulations.

Date Adopted: August 26, 2008

Date Reviewed: September 20, 2016

Date Reviewed:

General Institution

Review initiated by administrator.

Revisions as noted. Greg/Admin. Svcs. 3-23-2023

Approved without changes. Jeff M/Chief 3-23-2023

AP 3570 SMOKE-FREE LEARNING AND WORKING ENVIRONMENT**References:**

Government Code Sections 7596, 7597, 7597.1, and 7598;
Health and Safety Code Section 104495;
Title 8 Section 5148;
Labor Code Section 6404.5;
Education Code Sections 70902 and 76033(e);
Penal Code Sections 602 and 853.6;
Vehicle Code Section 4000.1;
Marin County Ordinance 3464

This procedure applies to employees, students, vendors, visitors, and other persons who use the vehicles and facilities on the campuses or centers that are part of the District. Signs prohibiting smoking shall be prominently displayed. The policy will be communicated via District communication means including course schedules, catalogs, student and employee handbooks, posters, and the web site.

Smoking shall be permitted only in designated areas clearly indicated by "Designated Smoking Area" signage. Designated Smoking Areas shall be subject to review and possible change.

If an individual is identified as violating the Smoke-Free Campus Environment Policy, the Campus Police and/or manager should be notified immediately. Individuals refusing to comply with the Smoke-Free Campus Environment Policy should be referred to the manager and/or Campus Police who may issue a citation or follow discipline procedures. Repeat student violators will be referred to the appropriate administrator for violation of the Student Conduct statement. Employees who are repeat violators may be subject to the disciplinary process according to the appropriate collective bargaining or administrative agreement. All others will be asked to leave District property and if they refuse, may be subject to arrest for trespass according to Penal Code Section 602.

Smoking products, including but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, marijuana, and an electronic device that delivers nicotine or other vaporized liquids to a person inhaling from the device (e.g. e-cigarettes and vaporizers) may not be used within 30 feet of any facility and 250 feet of a youth sporting event. A youth sports event is any practice, game, or any other related activity organized by an entity at which athletes up to 18 years of age are present.

Staff shall not use tobacco products while in the performance of their duties, while in a uniform or in accordance with this procedure.

The sale and use of tobacco products is prohibited on District property.

Information for students and employees regarding smoking cessation, local treatment centers, and literature on the issue shall be available in the Health Center as well as the Human Resources Office.

See also BP 3570 ~~title~~ Smoke Free Learning and Working Environment and BP/AP 3550 Drug and Alcohol Free Environment and Drug and Alcohol Abuse Prevention Program (DAAPP)

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

Date Approved: June 28, 2011

Date Revised: November 13, 2012; March 13, 2018

Date Revised:

Academic Affairs

Due for review as part of regular review process. Compared to model CCLC procedure. This procedure applies to the processes for approving individual credit and non-credit courses. Local practice may be inserted, but must address the following requirements of Title 5 Section 55100 for credit courses and Title 5 Section 55150 for non-credit courses. This is a 10+1. Mici 2-16-2023

To Jonathan/SLS 2-16-2023

Non-substantive minor edit. Academic Senate 3-3-2023

AP 4022 PROGRAM REVITALIZATION**References:**

~~Education Code Section 78016;~~

Title 5 Sections 51022 and 55130

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

- Because program revitalization is an academic and professional matter, the District will rely primarily on the Academic Senate for its implementation;
- Program revitalization is different from program review, but is an outgrowth of the program review process.
- Criteria for identifying at-risk programs in need of revitalization are clear and include evidence supported by qualitative and quantitative data, **including but not limited to:**
 - long-term trends over several years of enrollment history;
 - projections for continued declining enrollment;
 - success and retention rates over several years;
 - changes in the academic discipline in terms of articulation changes established by transfer colleges and universities that affect the viability of program offerings; and
 - other factors that demonstrate that the program is in decline and predict it will continue to decline.

Procedure via Program Review:

- The Planning and Resource Allocation Committee (PRAC) will evaluate the full program reviews for each program to assess general health and viability based on the presentations provided by the department chairs and division deans. Mitigating factors shall be considered.
- PRAC shall solicit input from affected discipline faculty before making recommendations as needed.
- If PRAC identifies a program as “at risk,” the committee may recommend to the Academic Senate that the program complete a revitalization procedure.

Alternate Procedure:

- A discipline may request in writing to the Academic Senate to go through revitalization if a majority of the discipline’s faculty and the department chair feel that revitalization is warranted.

Academic Senate Approval:

- Academic Senate approval is required for program revitalization upon a recommendation by PRAC or upon a request from the discipline itself.

NOTE: Units dedicated to a program entering revitalization will not be reduced without approval from PRAC.

NOTE: Revitalization applies to all programs except for grant-funded programs whose source of funding is no longer available and which may be discontinued without following the program revitalization or discontinuance procedures.

The revitalization process will proceed as follows:

- Following an initial finding to proceed, program faculty will have one academic year to compile quantitative and qualitative data that assess the program for its viability and its fit with the District's goals, mission, and vision.
- At the end of the year, program faculty will prepare a Revitalization Report to be presented to the Academic Senate. This report will:
 - Identify the program's weaknesses and challenges
 - Review all data consulted
 - Include a list of measurable actions for revitalization
 - Make specific recommendations for improvement which may include:
 - Curriculum changes
 - Scheduling changes
 - Degree or certificates updates
 - Professional development for faculty
 - Changes in delivery method
 - Additional or new classroom resources or technology
 - Identify budget requirements in order to achieve improvement goals
- Upon Academic Senate approval of this report, recommendations for resource allocations will be forwarded to PRAC.
- Upon approval by PRAC including resource recommendations, the program has one year to implement their plan.
- As findings may result in recommendations for improvement that would require more than one year to implement, the discipline faculty must return to the Academic Senate with follow-up progress reports.
- At the end of the revitalization process, program faculty must present the results of their assessment, based upon evidence, along with their recommendation to the Academic Senate.
- If a program is not successful in its revitalization, it will move on to the procedure outlined in AP 4021 ~~titled~~ Program Discontinuance.

See also AP 4021 Program Discontinuance

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

Date Approved: June 28, 2011

Reviewed/Revised: September 20, 2016

Reviewed/Revised:

Academic Affairs

Due for review as part of the regular review cycle. Compared to model CCLC procedure. CCLC legal updates from 2015. This procedure is legally required. Mici 1-27-2023

NOTE: This procedure is legally required. Local practice may be inserted here, which must address:

1) Establishment of an appointment process for related advisory committees; 2) Provisions for documenting the competence of students completing career and technical programs; and 3) Written procedures mandated by The Federal Education Department General Administrative Regulations 2nd Edition.

Edits as noted below. Jonathan Eldridge/Alina 2-1-2023

Revisions as noted. Academic Senate 3-6-2023

Reviewed changes and no additional revisions suggested. Alina 3-6-2023

AP 4102 CAREER ~~AND~~ /TECHNICAL PROGRAMS**References:**

Title 5 Sections 55600 et seq.;

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

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

~~34 Code of Federal Regulations Part 600 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, amended);~~

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

All career and /technical programs ~~must~~ have regularly scheduled advisory committee meetings. Programs receiving grant or categorical funding and/or federal funding through Perkins must “have extensive business and industry involvement, as evidenced by not less than one formal annual business and industry advisory committee meeting” (Section 135(b) of Perkins IV[2]). Advisory committee membership should include some or all of the following: program faculty, working professionals, employers, workforce boards, economic development entities, and other workforce organizations. As a best practice, committees should also include students, alumni, community-based organizations, and high school stakeholders representatives; in the appropriate program field whose expertise would benefit the growth and development of the program. Members may be recommended by the faculty in a particular program, an existing advisory member, or be recruited on behalf of the program. ~~and reviewed and appointed by the Division Dean. A meeting that includes only college faculty from the program will not demonstrate employer engagement or sufficient advisory.~~

Advisory committees are used for planning purposes, curriculum development, District relations, and maintaining relevant, industry informed career and /technical education programs that lead to gainful employment and livable wages. that are relative to job needs and up-to-date with current field practices. ~~Committees are meant to support the partnership between business, labor, the community, and education with recommendations that enhance and expand the curriculum and improve the quality of program(s). Members provide valuable input in areas such as curriculum development, student recruitment, student placement, staff development, and equipment and software recommendations.~~

Advisory minutes must be submitted to the College's local curriculum committee and, when applicable, to the regional consortium as part of any new and existing program curriculum development.

Functions of the Career ~~and~~ Technical Advisory Committee

- To study the educational needs of a specific career ~~and~~ technical program and to make recommendations to the District program faculty and administration relating to these needs. Such recommendations may be included in the program's academic program review.
- To interpret the program to the communities served and the communities' needs to the District.
- To furnish specialized information and advice on technical requirements for the effective operation of the program.
- To provide channels of communication between the District and the various organizations and agencies of the community interested in the program.
- To further a cooperative relationship between the District and the resource agencies of the community in support of the program.

Operations of the Committee

- A faculty member of the particular career ~~and~~ technical program or a member of the advisory committee may serve as chairperson of the committee and shall preside at all meetings.
- Subcommittees may be appointed, if and as desired by the committee.
- Committee responsibilities of individual members may be designated, as required.
- Meetings shall have prepared agendas that are sent to committee members and other appropriate parties in advance of the meeting and kept on file in the Division office.
- Minutes shall be taken at all meetings and shall become a permanent record of the meeting and be kept on file in the Division Office.
- It is recommended that meetings be held at least twice during the academic year.
- Additional meetings may be called by the committee chairperson or by the appropriate administrator, as necessary.

Provisions for Documenting the Competencies of Students Completing Career ~~and~~ Technical Programs

All programs are responsible for monitoring, documenting, and communicating with their advisory committee how students are progressing toward the competencies, objectives, and student learning outcomes identified for the particular program.

Students may demonstrate proficiency in one or more of the following ways:

- Achieving grades on all assignments and examinations in each course within the program that would enable them to receive a certificate of training, certificate of completion, and/or a degree in the particular field.
- Performing all identified skills needed to enter a particular profession at a level that indicates proficiency in the particular skill.
- Completing all required clinical rotations or internships as required by the program.
- Passing all required local, state, and or national certification or licensure tests or examinations.
- Achieving identified course, program, and institutional student learning outcomes.
- Demonstrating competency through approved alternative methods which award credit for prior learning.

Consistent with federal regulations pertaining to federal financial aid eligibility, the Chief Instructional Officer will ensure that the District complies with the United States Department of Education's disclosure requirements for each of the District's gainful employment programs, by disclosing federally-mandated

information about the programs to prospective students. The District shall make the required disclosures available to prospective students in promotional materials and on its website.

The Chief Instructional Officer shall establish procedures to ensure that the District meets these reporting requirements whenever the District intends to add a new gainful employment program.

Office of Primary Responsibility: Office of Student Learning and Success; Workforce Development and Career Education

Date Approved: November 11, 2009

Date Revised: June 19, 2012

Date Reviewed/Revised:

Academic Affairs

This procedure is due for review as part of the regular review cycle. Compared to CCLC model procedure.

Updated formatting. Mici 3-7-2023

No Changes. Jonathan/SLS and Jon H/Enrollment 3-9-2023

Approved without changes. Academic Senate 3-16-2023

AP 4226 MULTIPLE AND OVERLAPPING ENROLLMENTS**Reference:**

Title 5 Section 55007

~~A student may not enroll in two or more sections of the same credit course during the same term unless the length of the course provides that the student is not enrolled in more than one section at any given time.~~

~~A student may enroll in two or more sections of the same course in the same term if the sections are scheduled so that the meeting dates do not overlap, i.e.,~~

- ~~• the first section meets the first six weeks of the semester;~~
- ~~• the second section meets the last six weeks; and~~
- ~~• the section meeting dates do not overlap.~~

A student may not enroll in two or more courses where the meeting times for the courses overlap, unless:

- The student files a course conflict petition at the Enrollment Services Office providing a valid justification, other than scheduling convenience, of the need for an overlapping schedule.
- An appropriate District official approves the schedule.
- The student makes up the overlapping hours at some other time during the same week under the supervision of the instructor of the course.

A student may not enroll in two or more sections of the same credit course during the same term unless the length of the course provides that the student is not enrolled in more than one section at any given time.

A student may enroll in two or more sections of the same course in the same term if the sections are scheduled so that the meeting dates do not overlap, i.e.,

- the first section meets the first six weeks of the semester;
- the second section meets the last six weeks; and
- the section meeting dates do not overlap.

Offices of Primary Responsibility: ~~Vice President of~~ Student Learning and Success; Enrollment

Date Approved: April 21, 2009 (*Replaced portions of College of Marin Procedure 4.0003 DP.10*)

Date Reviewed/Revised:

Academic Affairs

The legally required procedure is due for review as part of the regular review process. Compared to the CCLC model procedure and updated formatting. Revisions as noted. The CCLC model is included to the Academic Senate for comparison and for guidance as it differs but also may be more succinct. This is a 10+1. Mici 3-7-2023

No changes. Jonathan/SLS and Jon H/Enrollment 3-9-2023

Approved without changes. Academic Senate 3-16-2023

AP 4227 REPEATABLE COURSES**References:**

Title 5 Sections ~~55000~~, 55040, 55041, ~~55045~~, 55253, and 56029, ~~and 58161~~

Under the following special circumstances, students may repeat courses in which a grade of “C” or higher or “CR” or “P” was earned.

Only the following types of courses may be designated as repeatable on the Course Outline of Record:

- Courses for which repetition is necessary to meet the major requirements of [California State University \(CSU\)](#) or [University of California \(UC\)](#) for completion of a bachelor's degree;
- Intercollegiate athletics courses, as defined in Title 5 Section 55000; and
- Intercollegiate academic or vocational competition courses, as defined in Title 5 Section 55000, where enrollment in the course and courses that are related in content, as defined in Title 5 Section 55000, is limited to no more than four times for semester courses. This enrollment limitation applies even if the student receives a substandard grade or “W” during one or more of the enrollments in such a course or petitions for repetition due to special circumstances as provided in Title 5 Section 55045.

The District must identify all courses which are repeatable and designate such courses in its catalog.

Legally Mandated Courses

Students are allowed to repeat a course with a petition when repetition is necessary to enable that student to meet a legally mandated training requirement as a condition of volunteer or paid employment. Students can repeat such courses any number of times, even if they receive a grade of “C” or higher or “CR” or “P”; however, the grade received by the student each time will be included in the calculations of the student’s grade point average or NPG percentage. Prior to enrollment, the student must submit a Petition to Repeat a Legally Mandated Course along with verifiable documentation to Admissions and Records.

With an approved petition, students must wait one week after the start of new and returning student registration to register for the course.

Activity Courses

Students may enroll in activity courses in physical education, kinesiology, visual arts and performing arts. Such courses may not be repeated for more than four semesters. This limit applies even if the student receives a substandard grade “W” during one or more enrollment or if a student petitions for repetition due to extenuating circumstances.

Courses for Students with Disabilities

Students with disabilities can repeat a special class for students with disabilities any number of times when an individualized determination verifies that such repetition is required as a disability-related accommodation for the student for one of the reasons specified in Title 5 Section 56029.

When a student with a disability repeats special Student Accessibility Services (SAS) classes, the previous grades and units shall be disregarded in the computation of the cumulative grade point average (GPA).

Cooperative Work Experience Courses

- a) For the satisfactory completion of all types of Cooperative Work Experience Education, students may earn up to a total of 16 semester credit hours, subject to the following limitations:
 - 1. General Work Experience Education
A maximum of six semester credit hours may be earned during one enrollment period in general work experience education.
 - 2. Occupational Work Experience Education
A maximum of eight credit hours may be earned during one enrollment period in occupational work experience education.
- b) If a college offers only one course in occupational work experience in a given field and that course is not offered as a variable unit open-entry/open-exit course, the district policy on course repetition adopted pursuant to section 55040 may permit a student to repeat that course any number of times so long as the student does not exceed the limits on the number of units of cooperative work experience education set forth in subdivision (a). Consistent with section 58161, attendance of a student repeating cooperative work experience course pursuant to this subdivision may be claimed for state apportionment.

Each time a repeatable course is repeated, the grades and units earned will be computed in the student’s cumulative grade point average (GPA).

Annotating the permanent academic record shall be done in a manner that all work remains legible, insuring a true and complete academic history.

The District shall develop and implement a mechanism to allow it to properly monitor course repetition.

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

Date Approved: June 28, 2011

Date Revised: June 18, 2013; February 18, 2014; July 21, 2015

Date Reviewed/Revised:

Academic Affairs

Due for review as part of the regular review cycle. Format updated. Compared to CCLC model legally required policy. Mici 1-31-2023

To Jonathan/Student Learning and Success and Jon H./Enrollment 1-31-2023

Edits as noted. Academic Senate 3-16-2023

AP 4240 ACADEMIC RENEWAL**References:**

Title 5 Section 55046

Academic renewal provides students with an opportunity to reverse the negative impact of past academic failures at College of Marin without course repetition.

- ~~Academic renewal may only be requested once at College of Marin.~~
- Academic renewal is not automatic.
- Academic renewal actions are irreversible.

All course work granted academic renewal status shall not be computed in the student's grade point average (GPA) or non-progress grade percentage, and this shall be noted on the student's permanent record.

Academic renewal does not guarantee that other institutions outside the District will approve such action. This determination will be made by the respective transfer institution.

Specific courses and/or categories of courses that are exempt from academic renewal will be described in the current College Catalog.

Academic renewal procedures may not conflict with the District's obligation to retain and destroy records or with the instructor's ability to determine a student's final grade.

~~Students who have been awarded an Associate Degree may not apply for academic renewal under the following conditions: students with grades of "F," "FW," "NP" and "NC." Coursework completed after the Associate Degree is awarded may be considered for academic renewal.~~

Academic renewal may not be applied to any course that has been used to satisfy associate degree, certificate of achievement, IGETC or CSU-GE transfer general education breadth requirements.

Students who have been awarded Certificates of Achievement may apply for academic renewal providing the courses requested for academic renewal were not applied towards the Certificate of Achievement.

Students may request academic renewal for substandard academic performance under the following conditions:

1. At least ~~two~~ one semesters, (excluding summer session) must have elapsed since the last substandard grades were recorded.
2. The student has subsequently completed:

- a) 24 units at a satisfactory level (minimum 2.00 ~~grade point average (GPA)~~) with no more than 6 units of physical activity courses used to demonstrate improved academic ability or
 - b) 12 letter-graded units (minimum of 3.00 ~~grade point average (GPA)~~) with no more than 3 units of physical activity courses used to demonstrate improved academic ability.
3. A maximum of ~~24~~ 36 units of substandard course work may be eliminated from consideration in the cumulative grade point average. Substandard grades are any grades lower than a "C," "CR," or "Pass."
 4. ~~A student's~~ most recent semesters utilized to demonstrate that the substandard work is not a reflection of the student's ability must not include grades below "C," "I," "IP," "FW," "NC," or "NP." (Semesters with lined out grades below "C," "FW," "NC," and "NP" do not count toward academic renewal.)
 5. Work from other colleges with recognized accreditation may be considered. If using course work from another regionally accredited college, official transcripts must be attached. Transcripts will be evaluated according to the terms outlined in this procedure.
 6. Academic renewal does not allow a student to repeat courses they have already repeated the maximum number of times.
 7. All students are urged to consult a counselor with questions regarding academic renewal procedures before submitting the Request for ~~a~~Academic ~~r~~Renewal to the Office of Enrollment Services.

Annotating the permanent academic record shall be done in a manner that all work remains legible, ensuring a true and complete academic history.

Offices of Primary Responsibility: ~~Vice President of~~ Student Learning and Success; Enrollment Services

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

Reviewed/Revised: November 16, 2010; December 11, 2012; July 21, 2015

Reviewed/Revised:

Student Services

CCLC 38 Legally advised in order to ensure compliance with accreditation requirements. Multiple updates since 2015 so this included multiple CCLC updates. Mici 2-14-2022

CCLC 39 The Service updated this procedure to address a typo. Mici 8-26-2022

Revised and approved. Sadika S.H./SAS 8-24-2022

Revised and approved. Mia/General Counsel 8-24-2022

Approved without changes. Patrick and Marco/UPM 9-2-2022

Added reference to *Responding to Harassment Based on Sex Under Title IX*. Nikki H. 9-7-2022

Jonathan E./Student Learning Success, Jon H./Enrollment, Sadika/SAS 9-7-2022

Approved without changes. Jeff M./Campus Police 9-12-2022

Edits as noted. Mia/General Counsel 9-20-2022

Non Substantive edit as noted. ASC/AS 3-2-2023

AP 5530 STUDENT RIGHTS AND GRIEVANCES**References:**

Title 5 Sections 59300 et seq.

Education Code Section 76224 subdivision (a);

ACCJC Accreditation Eligibility Requirement 20;

ACCJC Accreditation Standard IV.D

The purpose of this Administrative Procedure is to provide a prompt and equitable means of resolving student grievances when no other administrative procedure, Marin Community College District departmental procedure, collective bargaining agreement, or statutory procedure applies. ~~See Section III, below, for a list of other procedures applicable to concerns related to harassment, discrimination, unsafe assignments, grade changes, academic probation, dismissal and readmission, student discipline, student records, residency, and police department citations.~~

Any students or applicants who have questions about which procedure applies to their particular concerns are encouraged to contact the Office of the Vice President of Student Services – Office of Activities and Advocacy for assistance, and submit a COM Care report.

I. Definitions

Applicant - A person whose application for admission to the District has been denied.

Day – Unless otherwise provided, day shall mean any day on which the District's Administrative Office is open for business.

District – Marin Community College District

Grievance – ~~A charge, complaint, or appeal by a currently enrolled student or applicant based on an action by a District employee or agent that allegedly (1) violates a specific law or written Board Policy or Administrative Procedure, or (2) constitutes an arbitrary, capricious, or unequal application of a specific law or written Board Policy or Administrative Procedure and for which no other administrative procedure or department process for review, investigation,~~

~~or resolution of the matter exists. A grievance by an applicant to the college shall be limited to the denial of admission.~~
A claim by any student who reasonably believes a college decision or action has adversely affected his/her/their status, rights, or privileges as a student. A Grievance includes, but is not limited to, claims regarding:

- Financial aid;
- Course grades, to the extent permitted by Education Code Section 76224 subdivision (a), which provides: "When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors;
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

A Grievance is not:

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

Grievant – A student who has filed a Grievance.

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

Superintendent/President – The District's Superintendent/President or a designated representative of the Superintendent/President.

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

Respondent – Any person the Grievant claims to be responsible for the alleged Grievance.

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

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

The Superintendent/President shall appoint an employee who shall assist students in seeking resolution by informal means. This person shall be called the Grievance Officer. The

Grievance Officer and the student may also seek the assistance of the Associated Student Organization in attempting to resolve a Grievance informally.

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

Any student who believes he/she/they has a Grievance, or learns of the basis of the Grievance towards them, shall file a Statement of Grievance with the Grievance Officer 180 days of the incident on which the Grievance is based. or - [number] days after the student learns of the basis for the Grievance, whichever is later. The Statement of Grievance must be filed whether or not the student has already initiated efforts at informal resolution, if the student wishes the Grievance to become official. Within two days following receipt of the Statement of Grievance Form, the Grievance Officer shall advise the student of his/her/their rights and responsibilities under these procedures, and assist the student, if necessary, in the final preparation of the Statement of Grievance form.

If at the end of 30 days following the student's first meeting with the Grievance Officer, there is no informal resolution of the complaint which is satisfactory to the student, the student shall have the right to request a Grievance hearing.

Grievance Facilitator – District administrator appointed by the Superintendent/President to facilitate resolution of grievances by mutual agreement of the parties.

Grievance Officer – A District administrator or administrators appointed by the Superintendent/President to review a specific Grievance and render a final decision.

Grievance Statement – A written statement which clearly and concisely states (1) the law or Board Policy or Administrative Procedure that allegedly has been violated or arbitrarily, capriciously, or unequally applied; (2) the facts and circumstances giving rise to the grievance and name(s) of all District employees and/or agents whose acts or omissions are at issue; (3) the desired remedy; (4) a brief description of informal resolution efforts and whether informal resolution efforts are still in progress; and (5) the student's or applicant's mailing address and/or email address and telephone number for notices and other communications in relation to the grievance.

~~**Grievant** – A student or applicant who submits a sufficient Grievance Statement.~~

~~**Party** – The grievant or any District employee or agent who is allegedly responsible for the violation or arbitrary, capricious or unequal application of a law or Board Policy or Administrative Procedure.~~

~~**Respondent**— Any District employee or agent alleged by a student or applicant to be responsible for the alleged violation or arbitrary, capricious, or unequal application of a law or Board Policy or Administrative Procedure.~~

~~**Student**— A student currently enrolled in the District~~

~~**Superintendent/President**— The District's Superintendent/President or a designated representative of the Superintendent/President.~~

Unsafe Assignments - A student may file a grievance if he or she believes a faculty member has given the student an assignment that is unreasonable or unsafe, i.e., an assignment that subjects a student to unreasonable demands or requirements, or to unsafe conditions as determined by state or federal law.

II. Grievance Resolution Procedures

A. Informal Resolution

Students and applicants shall make a reasonable effort to communicate with the respondent(s) and, if unsuccessful, with the respondent's(s') immediate supervisor(s) to try to resolve the matter.

B. Facilitated Voluntary Resolution

If an Informal Resolution has not been reached and the student or applicant desires to continue to pursue resolution, he/she/they shall submit a written Grievance Statement to the Grievance Facilitator's Office within 30 days after the act or omission giving rise to the grievance.

The Grievance Facilitator shall determine whether, as submitted, the Grievance Statement is sufficient. A Grievance Statement shall be deemed sufficient if:

1. The Grievance Statement specifies facts which, if true, would constitute a grievance under this procedure;
2. The person submitting the Grievance Statement is a "student" or "applicant," as defined in this procedure, and has made a reasonable effort to meet with the respondent(s) and respondent's(s') immediate supervisor(s) to try to resolve the matter;
3. The student or applicant is personally and directly affected by the act(s) or omission(s) alleged in the Grievance Statement;
4. The Grievance Statement was filed in a timely manner; and
5. The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If a Grievance Statement is not sufficient, the Grievance Facilitator shall notify the student or applicant in writing within ten (10) days whenever practicable. The Notice of Insufficiency shall identify the reason(s) for insufficiency.

A student or applicant shall be given an opportunity to submit a revised Grievance Statement which must be received in the Grievance Facilitator's office within ten days after the Grievance Facilitator either mailed or emailed the Notice of Insufficiency,

whichever is later. If a revised Grievance Statement is not timely received or is also determined to be insufficient by the Grievance Facilitator, the student or applicant shall be notified, and no further action under this procedure shall ensue.

The Grievance Facilitator shall try to facilitate a resolution through conference(s) with the parties, individually or together, and any other voluntary means designed to facilitate a mutually agreeable, voluntary resolution. If the Grievance Facilitator concludes that the parties are unable to reach a mutually agreeable, voluntary resolution, the Grievance Facilitator shall issue a Notice of Non-Resolution to the Grievant with a copy to the respondent(s).

C. Administrative Resolution

If the Grievant desires to seek an Administrative Review of the Grievance, within ten days after the Grievance Facilitator mailed or emailed the Notice of Non-Resolution, whichever is later, the Grievant shall submit a written Request for Administrative Review to the Grievance Facilitator, who shall forward it to the Superintendent/President, or designee, with a copy of the Grievance Statement, for assignment to a Grievance Officer. If the Grievance concerns a District employee, the Grievance Facilitator shall also forward a copy of the Request for Administrative Review to the employee within five days after receipt and notify the employee of the District's intention to investigate in accordance with these procedures.

Unless other procedures are required by applicable laws or regulations, the Grievance Officer shall set an Administrative Review Conference ("ARC") as soon as practicable. At the ARC, the Grievance Officer shall give the parties an opportunity to present information in support of, or to rebut, the Grievance and to state any proposed resolution(s). The Grievance Officer may ask the parties and non-parties questions and request that they provide relevant documents. Presentation of information and/or appearances by non-parties shall be permitted only with the Grievance Officer's express authorization or as permitted under an applicable collective bargaining agreement.

The Grievance Officer shall issue a Notice of Decision to the parties within ten days after conclusion of the ARC whenever practicable and send a copy to the Grievance Facilitator. The Grievance Officer's decision shall be final.

III. Other Available Procedures.

The District has specific procedures in place to address various concerns. The list below is intended to assist in identifying the appropriate procedure for the specific complaints. Any questions about which procedure applies should be directed to the Office of the Vice President of Student Learning and Success~~Student Services~~.

Prohibition of Harassment (BP/AP 3430): Contact ~~the~~ Student Services, Activities and Advocacy ~~Chief Human Services Officer.~~

Nondiscrimination (BP/AP 3410) and Discrimination and Harassment Investigations (AP 3435): Contact ~~the~~ Student Services, Activities and Advocacy ~~Chief Human Services Officer.~~

Responding to Harassment Based on Sex Under Title IX (BP/AP 3434): Contact: Human Resources

Grade Changes (BP/AP 4231): Contact ~~the Enrollment Services Admissions and Records Office.~~

Academic Probation, Dismissal, and Readmission (BP 4250) Probation (AP 4250), and Academic Dismissal (AP 4255): Contact ~~the Enrollment Services Admissions and Records Office.~~

Standards of Conduct (BP 5500) and Student Discipline and Due Process (AP 5520): Contact the Office of the Vice President of Student Learning and Success Services.

Residence Determination (BP/AP 5015): Contact ~~the Enrollment Services Admissions and Records Office.~~

Student Records and Directory Information (BP/AP 5040): Contact ~~the Enrollment Services Admissions and Records Office.~~

Student Records – Student Content and Access Log (AP 5045): Contact ~~the Enrollment Services Admissions and Records Office.~~

Withholding of Student Records (BP/AP 5035): Contact ~~the Enrollment Services Admissions and Records Office.~~

Police Citations (i.e., tickets, etc.): Contact the Marin County Courts in San Rafael, CA.

~~Complaints against Faculty re: unsafe assignments, harassment or unlawful discrimination. (See MCD/UPM collective bargaining agreement, Article 24.14, Student Complaints, for supplementary procedures.) Contact the Office of the Vice President of Student Learning and Success Services.~~

~~Policy 5530 contains items which impact the United Professors of Marin (UPM) and its unit members' rights as provided for under the MCD/UPM collective bargaining agreement. To the extent the Procedure impacts such rights, the MCD/UPM collective bargaining agreement controls as provided in Article 13.2.~~

Neither the United Professors of Marin (UPM) nor its unit members waive any rights they may have in disciplinary matters, professional standards (including Article 24.14), evaluations, and other contexts under the MCD/UPM collective bargaining agreement, the Educational Employment Relations Act (EERA), the Education Code and/or other sources of federal and state law. To the extent that a Grievance has implications for faculty within the scope of the MCD/UPM collective bargaining agreement, EERA, the Education Code, and/or other federal and state laws, those requirements shall govern how faculty may be impacted.

Offices of Primary Responsibility: Student Activities and Services and Human Resources

Date Approved: March 19, 2013 *(Replaced College of Marin Policies 4.0023, 7.0003 and Procedure 4.0023 DP.1)*

Date Reviewed/Revised:

Student Services**MCCD/COM does not have AP 5700 but it is legally advised to have this procedure.**

CCLC 39 adds legally required language regarding student athletes' rights to earn compensation for their name, image, likeness, or athletic reputation. (Education Code Section 67456, as amended by Senate Bill 26). The Service also added a citation to California Community College Athletic Association Constitution and Bylaws. Mici 8-26-2022

Revised and approved with edits. Ryan B/Kinesiology 9-13-2022

Approved. Sadika/Student Services 9-20-2022

Approved. Nicole/Communications 9-28-2022

Revised. Mia/General Counsel 10-25-2022

Ryan B/Jonathan/SLS 10-26-2022

Communication - Need to clarify that the CCCAA forbids athletics scholarships for student athletes for member institutions. The section in scholarships and NLI is a little confusing considering that we aren't allowed to have athletics scholarships. That said, it is possible for a student-athlete to receive a scholarship that is not based on athletic ability. Ryan 1-19-2023

Approved. Mia/General Counsel 1-26-2023

Approved without changes. Academic Senate. 3-3-2023

AP 5700 INTERCOLLEGIATE ATHLETICS (NEW)**References:**

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

20 U.S. Code Sections 1681 et seq.;

ACCJC Accreditation Standard II.C.4;

Community College Athletic Association (CCCAA) Constitution and CCCAA Bylaws

The District is a member of the California Community College Athletic Association (CCCAA) and is governed by the rules of the CCCAA constitution and bylaws. The District will provide an athletics program and physical education curriculum based on the most recent constitution and bylaws of CCCAA and conference(s) in which the District is a member.

The Athletics Department is committed to student-athlete academic success and shall monitor and track student-athlete academic performance.

The Athletics Department is committed to nondiscrimination and providing equitable opportunities, benefits, and resources to all students. This commitment promotes an atmosphere that is free from harassment or discrimination within all athletic program activities and classes.

Fundraising

Any fundraising activities conducted by a member of the Athletics Department must be approved in advance by the Athletics Director. All fundraising activities shall follow the procedures established by Administrative Services and shall comply with all applicable Board Policies, Administrative Procedures, and District protocols.

Name, Image, Likeness, and Athletic Reputation

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

Student Athletes: The District will not prevent a student participating in intercollegiate athletics from either earning compensation as a result of the use of the student athlete's name, image, likeness, or athletic reputation, or from obtaining professional representation by duly licensed athletic agents or attorneys. However, a student athlete may not enter into a contract that provides compensation to the student athlete for their name, image, likeness, or athletic reputation if the contract conflicts with a provision of any team contract the student athlete has entered, if a team contract exists ~~the student athlete's team contract.~~

A student who enters into a contract providing compensation for use of the student's name, image, likeness, or athletic reputation must disclose the contract to ~~Athletic Director~~ Director of Student Services, Kinesiology and Athletics. If the District determines that a conflict between the student athlete's contract and the student athlete's team contract (if any) or an applicable Board Policy or Administrative Procedure, the ~~Athletic Director~~ Director of Student Services, Kinesiology and Athletics will disclose the conflict to the student or student's legal representative, if any, and identify the contractual provisions that conflict, such as use of the District's logos, branding, graphic identity, or uniforms in association with NIL activities. In association with name, image, and likeness (NIL) activities, ~~the student may not use the College's logos, branding, graphic identity, or uniforms, nor any other District resources, facilities, equipment, or intellectual property.~~ in association with name, image, and likeness (NIL) activities.

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

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

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

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

~~Office of Primary Responsibility: Kinesiology and Athletics, Student Services, Student Activities and Advocacy, and Marketing and Communications~~

Date Adopted:

Business and Fiscal Affairs

This procedure is legally required and due for review as part of the regular review cycle. Formatting updated and compared to CCLC model procedure. Edits as shown. Mici 2-16-2023
Approved without changes. Eresa/Administrative Services 2-26-2022

AP 6150 DESIGNATION OF AUTHORIZED SIGNATURES

References:

Education Code Sections 85232 and 85233

The Chief Business Officer is hereby designated as the District officer authorized to sign warrants or electronically transfer funds on behalf of the District.

District Board of Trustees shall authorize delegated signature authority for various types of documents on an annual basis by ~~b~~Board resolution.

Proper documentation regarding signing District warrants shall be filed with the Marin eCounty Office of Education (MCOE), sSuperintendent of sSchools.

The Chief Business Officer will withhold approval of District warrants when:

- Disbursement of the funds will result in the total amounts expended in any major account classification to exceed the amount budgeted; ~~and/or-~~
- Established procedures have not been followed to permit verification of authenticity of the expenditure.

Also see BP/AP 5420 ~~titled~~ Associated Students Finance

Office of Primary Responsibility: Administrative Services

Date Approved: May 13, 2008

Date Reviewed/Revised: April 19, 2016

Date Reviewed/Revised:

Business and Fiscal Affairs

This procedure is due for review as part of the regular review cycle. It is legally required and has been compared to the model CCLC. There were no CCLC updates. **This is a 10+1.**

Mici 2-16-2023

Approved without changes. Eresa/Administrative Services 2-26-2023

Approved without changes. Academic Senate 3-9-2023

AP 6200 BUDGET PREPARATION**References:**

Education Code Section 70902 subdivision (b)(5);
Title 5 Sections ~~58191-58194~~ and 58300 et seq.;
ACCJC Accreditation Standard III.D

The annual budget shall support the District's Educational Master Plan and Strategic Plan.

Assumptions upon which the budget is based shall be presented to the Board of Trustees for review.

Changes in any assumptions upon which the budget was based shall be reported to the Board in a timely manner.

The District shall prepare three-year budget projections annually.

A budget calendar shall be established by the Chief Business Officer, including presentation of a tentative budget to the Board of Trustees no later than July 1 and the final budget no later than September 15. A public hearing on the budget shall be held on or before September 15.

The required number of copies of the adopted budget shall be submitted to the California Community Colleges Chancellor's Office before October 1.

The Chief Business Officer shall follow the Participatory Governance System Plan in defining a consultation process for budget development.

The Chief Business Officer shall be responsible for timely submission of all financial forms, such as the 311 Form, required by the State Chancellor's Office.

Also See AP 6251 Reserve Fund Management

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

Date Approved: March 16, 2010 *(Replaced former College of Marin Procedures 6.0003 DP.1 and 6.0003 DP.3)*

Reviewed/Revised: October 18, 2016

Reviewed/Revised:

Business and Fiscal Affairs

This procedure is due for review as part of the regular review cycle and legally required. Formatting updated. Mici 2-16-2023

Approved without changes. Eresa/Administrative Services 2-26-2023

AP 6250 BUDGET MANAGEMENT

References:

Title 5 Sections 58305, 58307, and 58308

Budget management shall conform to the following standards:

Total amounts budgeted as the proposed expenditure for each major classification of expenditures shall be the maximum expended for that classification for the academic year, except as specifically authorized by the Board of Trustees.

Transfers may be made from the reserve for contingencies to any expenditure classification by written resolution of the Board and must be approved by a two-thirds vote of the members of the Board of Trustees per Administrative Procedure 6251 Reserve Fund Management.

Transfers of money within the same major classification of accounts may be made without prior Board approval.

During the final quarter of the fiscal year, budget categories shall be examined and the year-end status of each shall be estimated. Before the close of the fiscal year, appropriate amounts shall be transferred from those accounts in which a surplus is anticipated into those in which a deficit is anticipated. To expedite the year-end closing process, the Chief Business Officer may make such transfers without Board approval.

Also see: AP 6251 Reserve Fund Management

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

Date Approved: April 21, 2009

Date reviewed/Revised: October 18, 2016

Date reviewed/Revised:

Business and Fiscal Affairs

This policy is due for review as part of the regular review cycle. There is no model CCLC for comparison.
Reformatted and updated. Mici 2-16-2023

Revisions as noted to revise reserve funds and amount to be maintained in reserve funds.
Greg/Administrative Services 2-28-2023

AP 6251 RESERVE FUND MANAGEMENT

The District sets forth the following principles governing the establishment and maintenance of reserve funds. A reserve fund is an established fiscal management tool which buffers cash flow fluctuations and provides a resource for contingencies and reasonable yet unforeseen operational needs.

These principles are built upon the expectation that:

1. the District's annual budget is reflective of a sound and reasonable estimate of actual revenues and expenditures;
2. any significant increase or decrease in reserves will be purposeful, deliberate, and transparent;
3. transfers in and out of the reserve fund will be transparent and reflected as an action item in the monthly agenda; and
4. all elements of the reserve will support and advance the mission of the District.

The District shall have four ~~three~~ (34) reserves established:

1. Unrestricted General Fund Reserve
2. Capital Maintenance ~~and Equipment~~ Reserve
3. Equipment Reserve
4. 2016 Measure B Bond Reserves

The Unrestricted General ~~F~~und Reserve shall include:

- 8%, with annual escalators per fiscal year. Each year the base percentage shall grow based on a prescribed schedule and annual review of the Board of Trustees.

The Capital Maintenance and Equipment Reserves shall include:

- The Board of Trustees has established a minimum base reserve. This base funding is designated as a minimum fund level within the specific reserve; however, it may be allocated if necessary for the intended purposes of the fund. The reserves can be funded from utility savings that occur annually, PG&E rebates, direct allocation to the fund via board action, or other items as approved by board resolution.
 - Capital maintenance fund and equipment: \$1 million base reserve ~~\$4.0 million base reserve (To be increased to this base amount by 2021).~~
 - Any transfer in or out of this fund must be approved ~~as an action item of~~ by the ~~b~~Board of ~~Trustees~~ Trustees in a regularly scheduled meeting ~~of the Board of Trustees~~.

~~2016 Measure B~~ The Bond ~~Reserves~~ Fund ~~shall include:~~

- The District will allocate any interest earned from bond proceeds, any state or other matching money, and any savings from any specific project to a "bond reserve" to be spent only with authorization of the Governing Board. Each bond project has a budget associated with it, and that budget may not be exceeded without authorization of the Governing Board.

The Superintendent/President shall:

- Add revenues accruing to the District in excess of amounts budgeted to the District's unrestricted reserve for contingencies on an annual basis equal to or greater than 0.5% per annum until the reserve meets a 12% threshold or Fiscal Year 2022, whichever comes first, but not to exceed 18%. The Board of Trustees will review this escalator annually on the basis of the current budget and economy.
- Maintain the unrestricted general fund reserve at/or above the following levels:
 - ~~8% for 2016/17~~
 - ~~8.5% for 2017/18~~
 - ~~9% for 2018/19~~
 - ~~9.5% for 2019/2020~~
 - ~~10% for 2020/21~~
 - 10.5% for 2021/2022
 - 11% for 2022/2023
 - 11.5% for 2023/2024
 - 12% for 2024/2025
 - 12.5% for 2025/2026
 - 13% for 2026/2027
- Maintain and identify additional restricted reserves specific to short and long-term liabilities specific to CERBT Fund, PARS Fund (Both 115 Trust Accounts), and ongoing increases to CalSTRS and CalPERS.
- Require ~~two-thirds vote~~ 6 of the 7 members of the Governing Board to approve ~~for~~ transfers from the reserve for contingencies to any expenditure classification.
- Review the levels of reserve annually in the tentative budget, in percentages, to ensure the District is planning for economic indicators and long-term institutional planning accordingly.

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

Date Adopted: October 18, 2016

Date Reviewed/Revised:

Business and Fiscal Affairs

This procedure is due for review as part of the regular review cycle. Procedures on security for District property are suggested as good practice. Compared to the model CCLC. There were no CCLC updates.

Formatting and clarifying edits added.

Mici 2-16-2023

Approved with changes. Eresa/Administrative Services 2-28-2023

Approved without changes. Klaus C./M&O 3-2-2023

No changes. Patrick E./IT 3-2-2023

Minor edits as noted re: recordings as evidence. Jeff M./Campus Police 3-13-2023

Revisions as noted. Mia/General Counsel 3-29-2023

AP 6520 SECURITY FOR DISTRICT PROPERTY**Reference:**

ACCJC Accreditation Standard III.B.1;

~~Penal Code Section 469~~

Practices implemented to manage, control, and protect the assets of the District will include the following:

Use of Property

The District shall not assume either responsibility or liability for personal property belonging to employees or students either on or off campus. The District shall not provide reimbursement or replacement for the loss, destruction, or damage by arson, burglary, or vandalism of personal property. Personal property shall not be received or stored by maintenance personnel on District property.

The use of an individual's personal automobile in connection with District business is an exception authorized under this policy. When using personal automobiles, the individual's automobile insurance will be considered the primary insurance.

No personnel of the District shall use any equipment belonging to the District or consume any supplies or utilize any District personnel for any purpose other than the business of the District except as authorized in the negotiated ~~labor~~ collective bargaining agreements.

Records and Inventories

As steward of the District's property, the Board recognizes that efficient management and full replacement upon loss requires accurate inventories and properly maintained property records of all building contents.

"Contents" shall be defined for purposes of this procedure as equipment and furnishings that, although housed in a building, neither constitute an integral part of the building nor are permanently attached to the building.

The Superintendent/President shall ensure that:

1. A system of property records is maintained which shall include ~~all~~ descriptive matter required by law ~~(property records of consumable supplies shall be maintained on a continuous inventory basis);~~
2. An ~~complete~~ inventory by physical count of District-owned building contents having a current market value of more than \$100,000;
3. A spot check shall be conducted to determine loss, relocation, or excessive wear of building contents;
4. Capitalized IT equipment are identified by permanently attached asset tag;
5. An inventory reports shall be made to the Board.

Items which may be defined as contents or as part of the building shall be defined in such manner as to minimize the insurance coverage thereof. In order to determine the depreciated value of an item of contents, a depreciation factor shall be applied to said item.

Assignment of Responsibilities

The District's Police Department is designated the responsibility to develop and implement:

1. Patrolling schedules and practices to monitor and protect District property, including buildings, parking lots and other open spaces on campus;
2. Emergency notification and disaster response practices (e.g., earthquake, fire, flood, intruders on campus); and
3. Plans for publication of warnings about unsafe areas of campus as necessary.

The District's Maintenance and Operations Department is designated the responsibility to develop and implement:

1. Processes for assigning, distributing, monitoring, and retrieving keys, including ~~fobs or~~ electronic key cards, which may include assessing fees to responsible parties for replacement of lost keys and/or re-keying buildings necessitated by such loss;
2. Maintaining fire and other alarm systems in working order; and
3. Maintaining other aspects of the property in the interest of security (e.g., tree pruning, adequate lighting, workable locks).

The District's Information Technology Department is designated the responsibility to maintain security of all electronic equipment (e.g., telephones, computers), including but not limited to password protection, virus and malware control, and locking systems as needed.

Keys

The Superintendent/President or designee must approve the assignment of keys. Employees and others who are authorized to hold keys to facilities will receive keys from ~~the~~ Maintenance and Operations Department and are responsible for protecting ~~said~~ keys ~~while they are~~ in their ~~individual's~~ possession. Upon termination or completion of duties that mandate a hard key or Universal Key (U-Key), ~~the key holder-employees or other authorized key holders~~ must return any and all District ~~the~~ keys to the District Police, who will issue a receipt for the key.

In the event a hard key or Universal Key (U-Key) is lost, the ~~responsible individual~~ employee or other authorized key holder shall sign an affidavit to that effect and may be assessed a fee for the replacement of the key, up to and including the cost of re-keying the impacted facility.

If a bargaining unit employee fails to return a key when requested, disciplinary proceedings in accordance with the appropriate collective bargaining contract will be followed. If an unrepresented employee fails to return a key when requested, ~~he or she is~~ they are subject to disciplinary action in accordance with Board Policy. If upon termination of employment with the District an employee fails to return a key, the individual is subject to prosecution for unauthorized possession of District property.

If a work study student or an elected officer of an authorized student body organization fails to return a key, the individual shall ~~be have his/her their transcripts withheld and is~~ subject to prosecution for unauthorized possession of District property.

~~Closed-Circuit Television~~ Surveillance Systems

~~Closed-circuit television (CCTV)~~ Surveillance systems may be implemented throughout the campus as such need may arise. The implementation of such systems shall be ~~solely~~ for the protection of District property and assets from theft and vandalism through deterrence and video documentation. The ~~CCTV~~ surveillance system is not designed or intended to protect individuals from being victims of violent or property crimes, or to detect other potentially illegal or undesirable activities which may occur although they may be recorded. ~~occur although any video information obtained by such methods but~~ However, Surveillance these recordings may be used as evidence ~~in such cases.~~

The implementation of ~~closed-circuit television camera~~ surveillance systems shall not be utilized to monitor areas where persons have a reasonable expectation of privacy. ~~The implementation of closed circuit television camera~~ Surveillance systems shall not replace the need for supervision/public safety staff. Administrators and public safety staff shall ensure that due diligence is observed in maintaining general campus security. ~~The CCTV system shall not be represented at any time as enhancing or ensuring the personal safety of any individual under any circumstances.~~ Collective bargaining agreements may contain information relevant to surveillance systems.

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

Date Approved: April 21, 2009 (*Replaced College of Marin Policies 5.0028, 7.0037, 8.0012, 8.0013, and 8.0020 and Procedure 8.0012 DP.1*)

Date Reviewed/Revised: March 8, 2016

Date Reviewed/Revised:

Business and Fiscal Affairs

CCLC 36 Update – Legally advised. Formatted, reorganized to conform/align with the model CCLC and revised. Mici Rev. 3-4-2021

Revisions as noted Greg/Admin. Svcs. 3-17-2021

Approved without changes. Jeff M./Chief 3-23-2023

AP 6530 DISTRICT VEHICLES**References:**

Public Contract Code Section 10326.1

Title 13, California Code of Regulations, Division 1, Chapter 1

All District vehicles and drivers must comply with the California Vehicle Code and Title 13 (Motor Carrier Safety).

All drivers of District-owned or leased vehicles both on and off campus must have a current license appropriate for the vehicle to be driven. Students or student employees are not permitted to drive District vehicles.

Any vehicle that carries ten (10) or more persons, including the driver, is defined in the Vehicle Code as a bus. All bus operators must have a current Class II license, a current medical certificate and a current First Aid Certificate.

All drivers of District-owned or leased vehicles that carry fifteen (15) or more persons including the driver must have a current Class B license, a current medical certificate and a current First Aid Certificate.

Should the District purchase and keep buses for student or employee transportation, the District shall keep records of driver's hours, vehicle maintenance, and vehicle inspection records. All of these records must be made available to the California Highway Patrol (CHP). The CHP is required to inspect the records in accordance with state law.

All District vehicles with equipment for transporting the disabled must comply with all applicable laws and regulations regarding such vehicles.

The District shall not operate or lease a 15-passenger van unless the driver holds both a valid class B driver's license, and an endorsement for operating a passenger transportation vehicle issued by the Department of Motor Vehicles.

Any person who is driving a District-provided vehicle which is involved in an accident must immediately report the incident to the law enforcement agency having jurisdiction at the accident location and to the Campus District Police or by calling 911. ~~The District shall provide accident reporting forms in each vehicle which must be completed and submitted to the Maintenance and Operations Department.~~ The District employee driving the vehicle shall report the accident to the office of the Assistant Superintendent/Vice President of Administrative Services within 24 hours of the incident. Notification shall be in the form of an email and/or phone notification of the details of accident that took place.

Vehicles made available to District personnel are for use in the conduct and operation of District business only. Personal use of any district vehicle shall be prohibited. This shall include, but not limited to lunch periods, or other usage while not on District paid time.

Automobiles owned by the District and operated by district personnel ~~may be replaced after 75,000 miles.~~ shall be reviewed annually. Shall a motor vehicle need to be replaced, the total cost of ownership shall be determined. Upon that review, the cost for the repair will be established and compared against the cost of a new or used vehicle before a determination for the replacement of the individual vehicle is determined.

Regular or occasional garaging of District-owned vehicles at any location other than the one assigned is permitted only with prior approval. Home garaging shall meet any one of the criteria listed below:

- Employees whose duties require regular or frequent reporting to locations other than their regular headquarters before or after regular working hours.
- Employees who are regularly or frequently subject to call before or after regular working hours.
- Employees with assigned vehicles who are headquartered at locations lacking secured overnight garaging facilities.
- The Chief Business Officer is responsible for controlling access to and use of all District vehicles assigned to that location.
- The name, home address, employee number, and California driver's license number and social security number of any employee to be authorized to drive District vehicles must be submitted to the Chief Business Officer prior to final granting of authorization.

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

Date Approved: May 13, 2008
Date Reviewed/Revised:

Business and Fiscal Affairs

Reviewed as part of regular review cycle. The model CCLC procedure recommends local practice be included with recommendations to address certain elements (purpose, activities, members, assistance, public meetings, and reports). Please review for accuracy. Mici 3-9-2023
Approved without changes. Eresa/Administrative Services 3-27-2023

AP 6740 CITIZENS' BOND OVERSIGHT COMMITTEE**References:**

Education Code Sections 15278, 15280, and 15282;
Government Code Sections 54950 et seq.

The oversight committee shall advise the public as to the Marin Community College District's compliance with the Proposition 39 requirements as contained in the California Constitution and inform the public about the expenditure of bond revenues, review, and report on the proper expenditures of taxpayers' money for school construction.

Duties

To implement this charge, the committee will:

- Receive and review copies of the annual, independent performance audit;
- Receive and review copies of the annual, independent financial audit;
- Inspect District facilities and grounds to ensure that bond revenues are expended properly;
- Receive and review copies of any deferred maintenance proposals or plans developed by the Marin Community College District; and
- Review efforts by the Marin Community College District to maximize bond revenues by implementing cost-saving measures.

Members

The committee shall consist of at least seven (7) members to serve for a term of two (2) years and for no more than three (3) consecutive terms. Members shall serve without compensation.

The committee shall be comprised of at least:

- One member active in a business organization representing the business community located within the District
- One member active in a senior citizen's organization
- One member active in a bona fide taxpayer's organization
- One student member who is both currently enrolled in the District and active in a community college group, such as student government. At the discretion of the Board of Trustees, the student may serve up to six (6) months after his or her graduation
- One member active in the support and organization of a District

No employee, official, vendor, contractor, or consultant of the Marin Community College District shall be appointed to the committee.

Assistance

The Marin Community College District shall provide the committee with any necessary technical or administrative assistance, as well as other resources, to publicize its conclusions.

Public Meetings

Meetings shall be open to the public and notice provided in accordance with the provisions of open meetings laws.

Reports

At least once a year the committee shall issue a report on the result of its activities. Minutes from its proceedings, all documents received, and reports issued are a matter of public record and shall be made available on an internet website maintained by the District.

Office of Primary Responsibility: Administrative Services

Date Approved: May 13, 2008

Date Reviewed/Revised: September 20, 2016

Date Reviewed/Revised: