

College Council: Policy and Procedure Review

5-15-2025

BP 2305 Annual Organizational Meeting – The CCLC 46 released an update with recommended language to clarify scheduling requirements. The Board Policy Review Committee (BPRC) improved the language to further clarify the timing and purpose of the annual organizational meeting.

BP 3050 Institutional Code of Ethics – This policy is for review as part of the regular review process. There is no CCLC model policy available for comparison. Formatting and non-substantive edits. Updating ACCJC Standard reference to that used in BP 2715 Code of Ethics/Standards of Practice. The BPRC added a reference to companion AP 3050.

BP 3225 Institutional Effectiveness – Although this was last reviewed and approved in November of 2024, the BPRC reviewed this policy along with other Chapter 3 policies as part of the new “by Chapter” review cycle. This policy was compared to the CCLC model policy. The BPRC recommends adding “environmental responsibility” with “sustainability” in parentheses.

BP 3250 Institutional Planning - Although this was last reviewed and approved in November of 2024, the BPRC reviewed this policy along with other Chapter 3 policies as part of the new “by Chapter” review cycle. The policy was compared to the CCLC model policy. The BPRC recommends adding “Sustainability and Environmental Action Plan” here to align with the Board’s mission. **This is a 10 +1.**

BP 3433 Prohibition of Sexual Harassment under Title IX – Multiple legal updates and revisions, including recent Title IX rulings impacting the policy.

BP 3440 Service Animals – This policy is for review as part of the regular review process to align with Chapter 3 regular review cycle. It was compared to the CCLC model policy. The last time this was reviewed by the League was in 2011. Revisions to note that service animals are limited to a dog or a miniature horse subject to AP 3440.

BP 7230 Classified Employees – The CCLC 46 updated this policy to add provisions about providing official letters of recommendation to a district employee pursuant to changes in the Education Code. The Service also updated this policy to exclude part-time students employed part-time as student-tutors by their district from the classified service pursuant to changes in the Education Code. The BPRC made format changes to help with legibility.

BP 7250 Educational Administrators – The CCLC 46 updated this policy to add provisions about providing official letters of recommendation to a district employee pursuant to changes in the Education Code. The Service also updated this policy to add provisions about retreat rights pursuant to changes in the Education Code.

BP 7260 Classified Supervisors and Managers – The CCLC 46 updated this policy to add provisions about providing official letters of recommendation to a district employee

pursuant to changes in the Education Code. The BPRC made format changes to help with legibility.

AP 3415 District Response to Immigration Enforcement Actions – The CCLC 46 updated this legally required procedure to clarify the responsibility of the Office of the Chancellor or President regarding verifying requests for access to non-public spaces. Language added to define the areas that are not public and may not be accessed without written permission.

AP 7212 Temporary Faculty – Recruitment and screening language updated by General Counsel. Academic Senate approved.

The below-listed Chapter 2 Board Policies were reviewed and revised with minor non-substantive changes, if any, and will be updated online without going through the participatory review process as part of the 6-year cycle of review:

- BP 3100 Organizational Structure
- BP 3200 Accreditation
- BP 3260 Participation in Local Decision Making
- BP 3275 Operational Reports
- BP 3280 Grants
- BP 3300 Public Records
- BP 3310 Records Retention and Destruction
- BP 3415 District Response to Immigration Enforcement Actions
- BP 3500 Emergency Preparedness
- BP 3505 Emergency Operations
- BP 3510 Workplace Violence Plan
- BP 3515 Reporting of Crimes
- BP 3518 Child Abuse Reporting
- BP 3520 Local Law Enforcement
- BP 3530 Weapons on Campus

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

Board of Trustees

The Board Policy Review Committee reviewed this policy on March 19, 2025, and had no recommended changes but the CCLC 46 released in April included revisions. The recommended language is clearer regarding the scheduling requirements. Mici 4-18-2025

Additional clarifying edits to clarify timing and purpose of the annual organizational meeting.

BPRC 4-23-2025

BP 2305 ANNUAL ORGANIZATIONAL MEETING

Reference:

Education Code Section 72000(c)(2)(A)

~~The Organizational Meeting of the Board shall be held annually in connection with the regular meeting in December, within fifteen (15) days of the date that Governing Board members take office and generally within the first two weeks of December. In years when Trustees are elected, the annual organizational meeting of the Board will be held within fifteen (15) days after the second Friday in December.~~

~~The specific business before this meeting shall be the seating of Board officers and the determination of the regular meeting schedule of the Board. The purpose of the annual organizational meeting is to elect seat a the Board president, a the Board vice president, a the Board clerk in accordance with AP 2305 Annual Organizational Meeting, and conduct any other business as required by law or determined by the Board.~~

~~Board officers shall be seated annually at the Organizational Meeting of the Board in accordance with Administrative Procedure AP 2305 Annual Organizational Meeting.~~

Also see AP 2305 Annual Organizational Meeting; and BP 2210 ~~titled~~ Officers.

Date Adopted: April 21, 2009 (*Replaced College of Marin Policies 1.3020, 1.3021, and 1.5010*)

Date Reviewed/Revised: April 20, 2010; April 13, 2021

Date Revised:

General Institution

Due for review as part of the regular review process. No CCLC model policy is available. Formatting and non-substantive edits. Updating ACCJC Standard reference to that used in BP 2715 Code of Ethics/Standards of Practice. Mici 4-18-2025
Added reference to companion AP 3050 BPRC 4-23-2025

BP 3050 INSTITUTIONAL CODE OF ETHICS

Reference:

ACCJC Accreditation Standard s 3 and 4.6 ~~III.A.13 (formerly III.A.1.d)~~

The District shall establish an Institutional Code of Professional Ethics.

Also see BP 2715 ~~titled~~ Code of Ethics and AP 3050 Institutional Code of Ethics

Date Adopted: April 20, 2010

Date Reviewed/Revised: May 16, 2017

Date Reviewed:

General Institution

Due for review as part of the regular review process to align with Chapter 3 regular review cycle. Compared to CCLC model policy. Recommend adding sustainability here to align with the Board's mission. Mici 4-18-2025
Added "environmental responsibility" with "sustainability" in parentheses. BPRC 4-23-2025

BP 3225 INSTITUTIONAL EFFECTIVENESS

References:

Education Code Sections 78210 et seq. and 84754.6;
ACCJC Accreditation Standard 1

The Board is committed to developing goals that measure the ongoing condition of the District's educational environment. The Board regularly assesses the District's institutional effectiveness. Institutional effectiveness includes the assessment of goals and objectives with respect to the District's commitment to diversity, equity and inclusion, and environmental responsibility (sustainability) to the fullest extent permitted by law.

Date Adopted: June 18, 2019

Date Reviewed/Revised: November 9, 2021; November 6, 2024

Date Reviewed:

General Institution

Due for review as part of the regular review process to align with Chapter 3 regular review cycle. Compared to CCLC model policy. Recommend adding sustainability here to align with the Board's mission. **This is a 10 +1.** Mici 4-18-2025
To BPRC 4-23-2025

BP 3250 INSTITUTIONAL PLANNING**References:**

Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, 55510, and 56270 et seq.;
ACCJC Accreditation Standards 1.4 and 3.5

The institution's mission directs resource allocation, innovation, and continuous quality improvement through ongoing systematic planning and evaluation of programs and services.

The institution's mission and goals are the foundation for financial planning. Financial information is disseminated to support effective planning and decision-making and provide opportunities for stakeholders to participate in the development of plans and budgets.

The Superintendent/President shall ensure that the District has and implements a broad-based comprehensive, systematic, integrated system of planning and resource allocation that involves appropriate segments of the college community and is supported by institutional effectiveness research.

The planning system shall include plans required by law, including, but not limited to:

- Long Range Educational Master Plan
- Short Range Strategic Plans
- Facilities Master Plan
- Technology Plan
- Equal Employment Opportunity Plan
- Student Equity and Achievement Plan
- Guided Pathways Plan
- Transfer Center Plan
- Extended Opportunity Programs and Services (EOPS) Plan
- Distance Education Plan
- [Sustainability and Environmental Action Plan](#)

The Superintendent/President shall submit those plans to the Board of Trustees for which Board approval is required per Title 5.

The Superintendent/President shall inform the Board of Trustees about the status of planning and the various plans.

The Superintendent/President shall ensure the Board of Trustees has an opportunity to assist in developing the general institutional mission, educational master plan, facilities master plan, and strategic plans.

Also see BP/AP 3200 Budget Preparation

Date Adopted: September 22, 2009

Date Revised: June 18, 2019; November 19, 2024

Date Revised:

General Institution

CCLC 40 - The Service updated this policy to add optional language regarding the prevalence of sexual harassment and sexual violence. Mici 9-13-2022

Declined to adopt optional language. Mia/General Counsel 9-14-2022

Title IX Summer Update. This policy is legally required and was revised to update the title and align with the requirements of the 2024 Title IX regulations. Mici 07-09-2024

To Mia 7-10-2024

The Service updated this policy and its title pursuant to a ruling invalidating the 2024 Title IX regulations in the U.S. District Court for the Eastern District of Kentucky litigation. Mici 4-7-2025

Approved without changes. Nikki/HR 4-10-2025

Copy to Mia/General Counsel 4-8-2025

BP 3433 PROHIBITION OF SEXUAL HARASSMENT-DISCRIMINATION UNDER TITLE IX

References:

Title IX of the Education Amendments Act of 1972;
34 Code of Federal Regulations Part 106

~~The District recognizes that sex discrimination, including sexual harassment and violence, harms all students, undermines students' physical safety, impedes students' ability to learn, and can reinforce social inequality throughout a student's lifetime. The District will include on its website statistics on the prevalence of sexual harassment and sexual violence in the educational setting, and the differing rates at which students experience sexual harassment and sexual assault in the educational setting based on their race, sexual orientation, disability, gender, and gender identity. The District has a responsibility to make reasonable efforts to respond effectively when sexual harassment is reported to, or observed by, District employees.~~

All forms of ~~sexual harassment discrimination including sex-based harassment~~ are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit ~~sexual harassment discrimination~~ and the District will not tolerate ~~sexual harassment discrimination including sex-based harassment~~. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of ~~sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence~~ discrimination.

The District seeks to foster an environment in which all employees, students, applicants for employment, and applicants for admission, and other individuals participating or attempting to participate in the District's education program or activity feel free to report incidents of ~~sexual harassment discrimination~~ in violation of this policy ~~and Title IX~~, without fear of retaliation or reprisal. Therefore, the District also strictly prohibits retaliation, ~~including peer retaliation~~, against any ~~person for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported possible sex discrimination, made a sex discrimination complaint, or participated or refused to participate in any way in the District's Title IX process, individual for filing a complaint of sexual harassment in violation of this policy and Title IX or for participating, or refusing to participate, in a sexual harassment investigation.~~ The District will investigate ~~all~~ allegations of ~~Title IX~~ retaliation pursuant to its Title IX procedures ~~swiftly and thoroughly~~. If the District determines that someone has retaliated, it will take reasonable steps within its power to stop such conduct. Individuals who engage in ~~Title IX~~ retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any employee, student, applicant for employment, or applicant for admission ~~and other individuals participating or attempting to participate in the District's education program or activity~~ who believes he/she/they has been ~~harassed discriminated~~ or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3434 Responding to ~~Sexual Harassment Based on Sex Discrimination~~ under Title IX. ~~The District requires supervisors to report all incidents of harassment and retaliation that come to their attention.~~

~~This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities, and compensation.~~

To this end, the Superintendent/President shall ensure that the institution undertakes education and training activities to counter sex~~ual harassment discrimination~~ and to prevent, minimize, or eliminate any ~~hostile environment sex discrimination including sex-based harassment sexual harassment~~ that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures that define sex~~ual harassment discrimination and sex-based harassment on campus~~. The Superintendent/President shall further establish procedures ~~for employees, students, and other members of the campus community~~ that provide for the investigation and resolution of complaints regarding sex~~ual harassment discrimination~~ in violation of this policy, and procedures to resolve complaints of sex~~ual harassment discrimination~~ in violation of this policy. ~~State and federal law and this policy prohibit retaliation against any person for the purpose of interfering with any right or privilege secured by Title IX, or because the person who has reported information, made a complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations~~ ~~retaliatory acts against all participants by the District, its employees, students, and agents.~~

The District will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, applicants for employment, and applicants for admission, particularly when they are new to the institution. The District will make this policy and related written procedures (including the procedures for making complaints) available in all administrative offices and will post them on the District's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Volunteers or unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the volunteer assignment, internship, or other unpaid work experience program.

Date Adopted: June 8, 2021

Date Reviewed/Revised: October 15 2024
(reverted)

Date Revised:

General Institution

Due for review as part of the regular review process to align with Chapter 3 regular review cycle. Compared to CCLC model policy. The last time this was reviewed by the League was in 2011. Have there been any updates to the law since 2011 about what constitutes a service animal? Mici 4-18-2025

Edits as shown. Service animals are limited to a dog or a miniature horse subject to AP 3440. BPRC 4-23-2025

BP 3440 SERVICE ANIMALS

References:

The Americans with Disabilities Act of 1990 -- 42 United States Code Sections 12101 et seq.;
28 Code of Federal Regulations Part 35;
28 Code of Federal Regulations Part 36;
34 Code of Federal Regulations Part 104.44 subdivision (b)

In order to prevent discrimination on the basis of disability, the District will allow an individual with a disability to use a service ~~dog animal~~ or miniature horse in District facilities and on District campuses in compliance with state and federal law.

See AP 3440 Service Animals

Date Adopted: May 15, 2012

Date Revised/Reviewed: June 18, 2019

Date Reviewed:

Human Resources

CCLC 46 updated this policy to add provisions about providing official letters of recommendation to a district employee pursuant to changes in the Education Code. The Service also updated this policy to exclude part-time students employed part-time as student-tutors by their district from the classified service pursuant to changes in the Education Code. Mici 4-7-2025

Approved without changes. Nikki/HR 4-8-2025

Copy to Shawna (HR, Mia/General Counsel 4-8-2025

Format changes to increase legibility. BPRC 4-23-2025

BP 7230 CLASSIFIED EMPLOYEES**References:**

Education Code Sections 66284, 88003, 88004, 88009, 88013, 88067, and 88120;
Title 5 Section 53602

Classified employees are those who are employed in positions that are not academic positions. The employees and positions shall be known as the classified service.

The classified service does not include:

- Substitute and short-term employees who are employed and paid for less than 75 percent of the fiscal year.
- ~~Part-time~~ apprentices;
- ~~and~~ professional experts employed on a temporary basis for a specific project, regardless of length of employment; ~~and~~
- Full-time students employed part time, ~~and~~ part-time students employed part-time in any college work-study program or in a work experience education program conducted by the District, and part-time students employed part time as student-tutors by their community college district of enrollment.

The Board of Trustees shall fix and prescribe the duties of the members of the classified service. (See BP 7110 Delegation of Authority)

Before a short-term employee is employed, the Board of Trustees, at a regularly scheduled meeting, shall specify the service required to be performed and certify the ending date of the service. The Board of Trustees may later act to shorten or extend the ending date, but shall not extend it beyond 75 percent of an academic year.

The Superintendent/President shall establish procedures to ensure that the requirements of state law and regulations regarding the classified service are met.

The probationary period for classified employees shall be six months or 130 days of paid service whichever is longer or as defined in the applicable collective bargaining agreement. A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional classification shall be employed in the position from which the employee was promoted.

The evaluation of classified employees must include consideration of the employee's demonstrated, or progress toward, proficiency in diversity, equity, inclusion, and accessibility competencies that enable work with diverse communities.

Any administrator or supervisor who elects to provide an official letter of recommendation to a District employee must consult with the District's human resources office to determine if the employee is a respondent in a sexual harassment complaint filed with the District.

The District prohibits an administrator or supervisor from providing an official letter of recommendation if the employee is a respondent in a sexual harassment complaint and any of the following occurred:

- the District's final administrative determination determined that the employee committed sexual harassment,
- before a final administrative decision is made, and while an investigation is pending, the employee resigns from their current position, and/or
- the employee enters into a settlement with the District based on allegations arising from the sexual harassment complaint.

Date Adopted: February 19, 2011

Date Reviewed/Revised: November 15, 2022; October 17, 2023

Date Revised:

Human Resources

CCLC 46 updated this policy to add provisions about providing official letters of recommendation to a district employee pursuant to changes in the Education Code. The Service also updated this policy to add provisions about retreat rights pursuant to changes in the Education Code. Mici 4-7-2025

Approved without changes. Nikki/HR 4-10-2025

Copy to Shawna (HR), Mia/General Counsel 4-8-2025

BP 7250 EDUCATIONAL ADMINISTRATORS**References:**

Education Code Sections 66284, 72411 et seq., 87002 subdivision (b), and 87457-87460;
Government Code Sections 3540.1 subdivisions (g) and (m);
Title 5 Section 53602

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

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

Retreat Rights

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

- The educational administrator's first date of paid service in the District as a faculty member or an administrator is on or after July 1, 1990.
- The requirements of Education Code Sections 87458(c) and (d), or any successor statute, are met with respect to minimum years of prior satisfactory service and termination for reasons other than cause. For purposes of this policy, the term "year" shall mean service of at least 75 percent of the number of days the regular schools of the District are maintained.
- Upon expiration or termination of the administrative assignment there is a vacant position in the educational administrator's faculty service area(s) and no other individual has a preferred right to the position under applicable laws and regulations. For purposes of this policy, the term "vacant position" means a position in which the employee is qualified to serve and which is not filled by a regular or contract employee. It does not include a position which would be filled by a regular or contract employee except for the fact that such employee is on leave.
- The District has a vacancy for which the administrator meets minimum qualifications. A vacancy means that a position is available within the District and the District has appropriately allocated, budgeted, and prioritized in accordance with District practice.
- None of the following have occurred:

- o The administrator is the respondent in a sexual harassment complaint filed with the District and the administrator is determined in a final administrative decision to have committed sexual harassment;
- o The administrator is the respondent in a sexual harassment complaint filed with the District and, before a final administrative decision is made, the administrator resigns from his/her/their current position; and
- o The administrator is the respondent in a sexual harassment complaint filed with the District and the administrator has entered into a settlement with District.

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

Educational administrators employed under contract with public or private agencies or other categorically funded projects of indeterminate duration shall serve at the pleasure of the Board of Trustees and shall not be entitled to retreat rights except as specifically otherwise provided by written agreement or applicable law.

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

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

The evaluation of educational administrators must include consideration of the employee's demonstrated, or progress toward, proficiency in diversity, equity, inclusion, and accessibility competencies that enable work with diverse communities.

Any administrator or supervisor who elects to provide an official letter of recommendation to a District employee must consult with the District's human resources office to determine if the employee is a respondent in a sexual harassment complaint filed with the District. The District prohibits an administrator or supervisor from providing an official letter of recommendation if the employee is a respondent in a sexual harassment complaint and any of the following occurred: (1) the District's final administrative determination determined the employee committed sexual harassment, (2) before a final administrative decision is made, and while an investigation is pending, the employee resigns from their current position, and (3) the employee enters into a settlement with the District based on allegations arising from the sexual harassment complaint.

Appointment to Interim Position(s)

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

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

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

Reviewed/Revised: June 21, 2022; October 17, 2023

Revised:

Human Resources

CCLC 46 updated this policy to add provisions about providing official letters of recommendation to a district employee pursuant to changes in the Education Code. Mici 4-7-2025
Approved without changes. Nikki/HR 4-10-2025
Copy to Mia/General Counsel 4-8-2025
Formatting changes to increase legibility. BPRC 4-23-2025

BP 7260 CLASSIFIED SUPERVISORS AND MANAGERS**References:**

Education Code Sections 66284 and 72411;
Government Code Sections 3540.1(g) and (m);
Title 5 Section 53602

Classified administrators are administrators who are not employed as educational administrators.

Classified supervisors are those classified administrators, regardless of job description, having authority to hire, transfer, suspend, recall, promote, discharge, assign, reward, or discipline other employees or having the responsibility to assign work to and direct them, adjust their grievances, or effectively recommend such action.

Classified managers are those classified administrators, regardless of job description, having significant responsibilities for formulating Board Policies or administering District programs other than the educational programs of the District.

Classified administrators may be employed in the same manner as the other members of the classified service. If a classified administrator is employed as a regular member of the classified service, employment shall be consistent with other provisions of these policies regarding employment of classified employees.

The evaluation of classified administrators and managers must include consideration of the employee's demonstrated, or progress toward, proficiency in diversity, equity, inclusion, and accessibility competencies that enable work with diverse communities.

Any administrator or supervisor who elects to provide an official letter of recommendation to a District employee must consult with the District's human resources office to determine if the employee is a respondent in a sexual harassment complaint filed with the District.

The District prohibits an administrator or supervisor from providing an official letter of recommendation if the employee is a respondent in a sexual harassment complaint and any of the following occurred:

- the District's final administrative determination determined the employee committed sexual harassment,

- before a final administrative decision is made, and while an investigation is pending, the employee resigns from their current position, and or
- the employee enters into a settlement with the District based on allegations arising from the sexual harassment complaint.

Date Adopted: February 19, 2011

Date Reviewed/Revised: October 17, 2023

Date Revised:

General Institution

For review in conjunction with *BP 3415* that is currently due for review as part of the regular review cycle. Minor edits as noted are for clarity and non-substantive. Mici 1-10-2025
CCLC 46 updated this legally required procedure to clarify the responsibility of the Office of the Chancellor or President regarding verifying requests for access to non-public spaces.

Mici 4-16-2025

Language added defining areas that are not public and may not accessed without written permission. Mia/General Counsel 4-16-2025

Approved without changes. Jon H./Enrollment 4-16-2025

Reviewed. Raul A./Campus PD 4-25-2025

AP 3415 DISTRICT RESPONSE TO IMMIGRATION ENFORCEMENT ACTIONS**Reference:**

Education Code Sections [66093](#) and 66093.3

Responding to Requests for Access for Immigration Enforcement Activities

District shall provide guidance and offer training to campus employees ~~training~~ addressing law enforcement access to campus buildings. This guide shall include the following required topics:

- Campus police contact information to report concerns about the presence of officers engaged in immigration enforcement on any campus property.
- Samples of warrant and subpoena documents that could be used for access onto campus property, or to seize or arrest students or other individuals on campus.
- Sample responses for personnel to use in response to officers seeking access for immigration enforcement purposes that avoids classroom interruptions, and that preserves the peaceful conduct of the school's activities.

District personnel shall advise all students, faculty, and staff to immediately notify the ~~o~~Office of the Superintendent/President, or ~~his or her a~~ designee, if ~~he or she is they are~~ advised that an officer engaged in immigration enforcement is expected to enter, will enter, or has entered the campus for immigration enforcement purposes. Campus police should also be notified as soon as possible.

No personnel may consent to entry of District facilities or portions thereof. District classrooms, laboratories, athletic facilities that are not open to the public, and studios are teaching spaces and are not open to public access without prior written permission. In addition, restricted access spaces include employee offices, maintenance areas, storage facilities, and other spaces where access is restricted to students and/or employees.

District personnel shall advise all students, faculty, and staff responding to or having contact with an officer engaged in immigration enforcement executing an immigration order, to refer the entity or individual to the office of the Superintendent/President, or ~~his or her a~~ designee, for purposes of verifying the legality of any warrant, court order, or subpoena.

If the officer declares that exigent circumstances exist and demands immediate access to the campus, District personnel should not refuse the officer's orders and immediately contact the District General Counsel or Campus Police.

The Superintendent/President or designee shall determine what type of authorization is being provided to support the officer's request for access:

- *A U.S. Immigrations and Customs Enforcement (ICE) "warrant."* Immediate compliance is not required. District personnel shall inform the officer that he/she/they cannot consent to any request without first consulting with the District General Counsel. Provide copy of the warrant to the District General Counsel as soon as possible.
- *A federal judicial warrant (search-and-seizure warrant or arrest warrant):* Prompt compliance with such a warrant is usually legally required, but where feasible, consult with the District General Counsel before responding.
- *A subpoena for production of documents or other evidence:* Immediate compliance is not required. Inform the officer that the District cannot respond to the subpoena until after it has been reviewed by a designated administrator. Provide a copy of the subpoena to a designated administrator or legal counsel as soon as possible.
- *A notice to appear:* This document is not directed at the District. District is under no obligation to deliver or facilitate service of this document to the person named in the document. If a copy of the document is received, it must be given to a designated administrator as soon as possible.

District personnel should not attempt to physically interfere with an officer, even if the officer appears to be acting without consent or exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, District personnel shall make a record of the contact and forward the information to the Office of the Superintendent/President.

In making a record of the contact with an immigration enforcement officer, District personnel shall provide the following information:

- Name of the officer, and, if available, the officer's credentials and contact information;
- Identity of all school personnel who communicated with the officer;
- Details of the officer's request;
- Whether the officer presented a warrant, subpoena, or court order to accompany his/her/their request, what was requested in the warrant/subpoena/court order, and whether the warrant/subpoena/court order was signed by a judge;
- District personnel's response to the officer's request;
- Any further action taken by the immigration officer; and
- Photo or copy of any documents presented by the agent.

District personnel shall provide a copy of those notes, and associated documents collected from the officer, to the Superintendent/President or District General Counsel.

In turn, the Superintendent/President or District General Counsel shall submit a timely report to the District's governing board and the campus public safety office regarding the officer's requests and actions and the District's response(s).

Responding to Immigration Acts Against Students or Family Members

If there is reason to suspect that a student, faculty member, or staff person has been taken into custody as the result of an immigration action, District personnel shall notify the person's emergency contact that the person may have been taken into custody.

District personnel shall designate a staff person as a point of contact for any student, faculty member, or staff person who may or could be subject to an immigration order or inquiry.

District personnel shall not discuss the personal information, including immigration status information, of any student, faculty member, or staff person with anyone, or reveal the personal information to anyone, unless disclosing this information is permitted by federal and state law.

District personnel shall maintain a contact list of legal service providers who provide legal immigration representation and provide this list free of charge to any student who requests it. At minimum, the list shall include the legal service provider's name and contact number, e-mail address, and office address.

If a student is detained or deported, or is unable to attend to ~~his or her~~ their academic requirements because of an immigration order, District personnel shall make all reasonable efforts to assist the student in retaining any eligibility for financial aid, fellowship stipends, exemption from nonresident tuition fees, funding for research or other educational projects, housing stipends or services, or other benefits the student has been awarded or received subject to and in compliance with its policy.

District personnel shall permit a student who is subject to an immigration order to reenroll if and when the student is able to return to the District, subject to and in compliance with its policy and will make reasonable and good-faith efforts to provide for a seamless transition in the student's reenrollment and reacquisition of campus services and support.

District personnel shall be available to assist any student, faculty, and staff who may be subject to an immigration order or inquiry, or who may face similar issues, and whose education or employment is at risk because of immigration enforcement actions.

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

Office of Responsibility: Superintendent/President

Date Adopted: February 12, 2019

Date Reviewed/Revised: March 9, 2021

Date Reviewed:

Human Resources

General Counsel edits. 10/3/2024

Reviewed and approved without changes. Nikki/HR 12/12/2024

Approved. Academic Senate 4/18/2025

AP 7212 TEMPORARY FACULTY**References:**

Education Code Sections 53406, 80435, 87481, 87482, and 87482.5

Education Code Section 87481

The District may employ any qualified individual as a temporary faculty member for a complete academic year, but not less than one semester or quarter during an academic year unless the date of rendering first paid service begins during the second semester or third quarter and prior to March 15th. The employment of these persons shall be based upon the need for additional faculty during a particular semester, quarter, or year because a faculty member has been granted leave for a semester, quarter, or year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need.

Education Code Section 87482

The District may employ any qualified individual as a temporary faculty member for a complete academic year but not less than a complete semester or quarter during an academic year. The employment of those persons shall be based upon the need for additional faculty during a particular semester because of the higher enrollment of students during that semester as compared to the other semester in the academic year, or because a faculty member has been granted leave for a semester, or year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need. Such employment may be pursuant to contract fixing a salary for the entire semester. No person, other than a person serving as clinical nursing faculty, shall be so employed for more than two semesters or three quarters within any period of three consecutive years.

Education Code Section 87482.5

A person serving as clinical nursing faculty may be employed for up to four semesters or six quarters within any period of three consecutive years long as the hiring of that person does not result in an increase in the ratio of part-time to full-time nursing faculty in the District.

Any person who is employed to teach classes for not more than 67 percent of the hours per week that are considered a full-time assignment for regular employees having comparable duties shall be classified as a temporary employee, and shall not become a contract employee. Service as a substitute on a day-to-day basis shall not be used for purposes of calculating eligibility for contract or regular status.

I. General Provisions**A. Equal Employment Opportunity (EEO)**

Commitment to Diversity: In all phases of recruitment and hiring, equal opportunity shall be afforded to all employees and applicants for employment without discrimination on the basis of ethnic group identification, race, color, national origin, religion, age, sex, physical disability, mental disability, ancestry, gender identity, sexual orientation, language, accent, citizenship status, transgender status, parental status, marital status, economic status, veteran status, medical condition, or because the employee or applicant is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. Equal employment opportunity issues are addressed in BP/AP 3420 titled Equal Employment Opportunity and the District's EEO Plan.

Screening for temporary faculty shall be conducted in accordance with District practices and procedures for employment of regular faculty. In particular, there shall be consideration given to principles of selection that assure the greatest opportunity for participation by underrepresented groups as required by District policies and procedures.

B. Part-time Temporary Faculty Employees

Human Resources will have primary responsibility for implementing Administrative Procedures for the employment of part-time faculty employees. Such procedures for employment include provisions for assuring adequate candidate screening by a screening committee, including faculty, administration, and staff participation as appropriate; equal employment opportunity review; and necessary forms and guidelines.

II. Recruitment Methods for Part-time Temporary Faculty

In an effort to develop a well-qualified and diverse pool of potential part-time faculty, a year-round process for advertising and screening will be conducted for most disciplines, allowing for the continuous recruitment of part-time faculty. The determination whether a discipline warrants year-round recruiting will be made collectively by Human Resources and the administrative dean/director. Once submitted, pool applications will be held for one year. After the one-year period, applicants who have not been appointed to the pool may re-apply.

Exceptions:

If an unanticipated hire is needed, an expedited interview process will be conducted. However, all individuals must have a completed application packet on file with the Human Resources Office and must meet minimum qualifications prior to the beginning of the assignment.

In addition, when a full-time faculty recruitment is conducted, applicants for the full-time position will have the opportunity to indicate whether they would like to be considered simultaneously for the part-time temporary faculty pool in the event they are not selected for the full-time position. An applicant who completes the full-time faculty recruitment – through the final phase of the interview process – and is not selected as full-time faculty may be eligible for placement in the temporary pool for the applicable discipline upon the recommendation of the screening committee. The screening committee will forward the Consideration for Temporary Pool Appointment form, which includes the applicant's strengths, areas of concern, and application materials, to the appropriate dean/director and department chair. The dean/director and designated department chair will review the committee's recommendation, arrange a meeting with the applicant, and determine whether to approve the applicant for the temporary pool. Human Resources may disqualify candidates as a result of reference or background checks.

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A. Screening Committee Structure

A screening committee for each discipline recruited will be formed.

1. The Superintendent/President or designee may appoint the manager(s) for the committee and committee members.
2. The screening committee shall also be composed of at least one faculty member from the relevant discipline or a closely-related field. The selection of the faculty to serve on any given committee shall be made by the Academic Senate President or designee.
3. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.
4. Every effort will be made to ensure the diversity of screening committees.
5. If a committee member has to withdraw and cannot be replaced prior to the beginning of interviews, or a committee member chooses not to participate in the screening process, the committee will continue with the remaining members.
6. The Superintendent/President's *Standards of Decorum* shall be read and distributed at each convening, which reminds committee members of the shared governance model under which we operate, highlights current needs in response to legislation and social issues, delineates processes for complaints and concerns, and creates an atmosphere of collegiality and collaboration so that members feel free to participate in the process and offer up opinions for debate.
7. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, diversity, and the search/screening process.
8. To ensure all screening committee members' voices and opinions are heard during the deliberation process, a faculty member may volunteer to co-facilitate along with the hiring manager. The co-facilitator may ask specific questions to the screening committee members related to additional input they may have during the committee's discussions during the recruitment process. For the sake of uniformity across screening committees, the questions the co-facilitator will ask will be enumerated in the committee materials and documents.
9. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited from releasing any information which relates to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

B. Part-time Temporary Pool Announcement

1. In collaboration with the appropriate administrator and department chair, Human Resources will develop the position announcement to include:
 - a. a description of the teaching/counseling/librarian/nursing, or other non-teaching responsibilities;
 - b. representative courses to be taught, if applicable;
 - c. minimum qualifications that:
 - i. conform to the California Community College Chancellor's Office's Minimum Qualifications for Faculty and Administrators in California Community Colleges;

- ii. include “Demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds and learning styles of community college students and staff”;
 - iii. include desirable “Knowledge, Skills and Abilities” which shall serve as the basis for the screening criteria, in conjunction with other required application materials.
- d. The announcement may be reviewed by the Office of Student Learning and the Academic Senate.
- 2. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include, as appropriate, regional and national outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
- 3. Recruitment for all open positions shall include, but not be limited to, placement of job vacancy announcements in diversity websites and publications.

C. Minimum Qualifications

- 1. Applications and applicable materials shall be submitted using the District’s website. Human Resources will conduct the initial review of the applications to ensure minimum qualifications for the position are met.
- 2. All position announcements must include language that requires: “demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students and the campus community.”
- 3. Academic employees shall also possess the minimum qualifications prescribed for their positions by the Board of Governors of the California Community College System.
- 4. If the applicant has applied for a minimum qualification equivalency or Human Resources is unable to determine if a candidate meets the minimum qualifications for a position, the application materials will be sent to the Academic Senate’s designee(s). An Equivalence Committee, made up of the Academic Senate president or designee(s) and one or two discipline faculty, will review applications to determine equivalency. (See AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies)
- 5. In compliance with the California Code of Regulations, degrees and college level coursework that are required of an academic position must be authenticated via an official transcript or verification-of-true-copy transcript from an institution accredited by an agency recognized by either the U.S. Department of Education or the Council on Postsecondary Accreditation. Further, applicants with foreign degree credentials must submit a Foreign Credential Evaluation (FCE) for degrees obtained outside the U.S. in order to demonstrate their U.S. equivalent. The College accepts FCEs from evaluation agencies approved by the State of California Commission for Foreign Transcript Evaluation.

D. Selection

Human Resources may disqualify candidates as a result of reference/background checks. The names and contact information for the final list of candidates will be forwarded to the appropriate dean/director and department chair.

E. Appointment/Duration of Eligibility

Candidates in the pool may be offered temporary employment by the Superintendent/President or designee for approval by the Board of Trustees, however, assignments are not guaranteed. The Board of Trustees or its designee shall have the authority to make all final hiring decisions.

F. Applications Received Outside Active Recruitments

Applications and/or resume/CV submissions received for disciplines which the District has not posted on a year-round basis will not be accepted.

Also see BP 7120 Employment Recruitment, AP 7126 Applicant Background Checks, AP 7210 Academic Employees, BP/AP 7330 Communicable Disease, BP 7335 Health Examinations, BP/AP 3420 Equal Employment Opportunity, BP/AP 3410 Nondiscrimination, and BP/AP 7310 Nepotism.

Office of Primary Responsibility: Human Resources

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Date Revised: