

[illegible]

10. Adjourn Meeting		
---------------------	--	--

Members:

David Wain Coon, Chair

Faculty:

Meg Pasquel

Peggy Dodge

Karen Robinson

Classified:

Kim Foulger

Maridel Barr

Monica Applegate

Students:

Liam Campbell, ASCOM President

Hellen Sigaran, ASCOM Vice President

Luanne Mullin, ESCOM Representative

Managers:

Jonathan Eldridge

Greg Nelson

Christina Leimer

Resources:

Cabinet Members

Isidro Farias

Staff Support:

Kathy Joyner

Ex-Officio for CSEA

Keli Gaffney, CSEA Pres.

September 6, 2018

Academic Center, Room 303, KTD

Present: David Wain Coon; Karen Robinson; Peggy Dodge; Maridel Barr; Kim Foulger; Anne Pearson; Hellen Sigaran; Jadon Seitz; Kathy Joyner

Absent: Jonathan Eldridge; Christina Leimer; Meg Pasquel; Becky Brown; Patricia Seery; Greg Nelson; Hugo Guillen; Luanne Mullin; Isidro Farias

Guests: Ellen Clements; Marian Mermel

1. **Agenda** –The agenda was approved by consensus.
2. **Minutes** - The minutes of the May 10, 2018 meeting were approved by consensus.
3. **President's Report**

Introductions: Committee members and guests introduced themselves and their affiliations.

Committee Charge: Dr. Coon reviewed the committee charge and responsibilities.

Flex Week: Dr. Coon asked for feedback related to the flex activities this year and encouraged input from constituents. There were comments that the activities were good, but that the full-day department chair meeting the first day back was a bit abrupt after being away for the summer.

ACCJC Report: Dr. Coon provided background information on the ISER done last March noting that there were recommendations that the College was required to respond to in the 18-month follow-up report which is due in October. The follow-up report has been provided to the senates for review and has been approved by the academic and classified senates. Dr. Coon will review the report with the students as an upcoming ASCOM meeting.

Measure B Update: Ellen Clements from Gilbane provided an update on the Measure B projects. Projects currently under construction include the athletics fields, the classroom and site improvements at the IVC organic farm, interior renovations at the Pomo cluster and the demolition of the Miwok center. Projects scheduled for bid include a speaker system and adding air to the ticket booth in Performing Arts, fire lane improvements at physical education, exterior work on the Pomo cluster and selected roofing projects at the Administrative Cluster and Pomo at IVC. Projects in design include the construction of the maintenance and operations building, construction and repurposing of the Jonas Center and Building 18, waterproofing, testing and structural

improvements at Fusselman Hall, reconstruction or new construction of student services and new construction of the Learning resource center. A copy of the update and project details is attached to the minutes.

SS/LRC: Ellen also provided an update on the programming discussions for the LRC and Student Services, noting that discussions are focused on what is needed in the spaces and what can be combined. They hope to have a plan to the Board by the end of the year. There was discussion about timeline, swing space and the role of College Council as a liaison and decision making body for these projects. Currently the direction is for keeping the student services building and reconfiguring it and building a new LRC. There have been no decisions made at this time.

4. Board Policies & Procedures

BP/AP Review Process/Definitions

Kathy Joyner provided the committee with information on the process for review and revision of Board policies and procedures as part of the governance review process.

The following BP/APs will be held for further review by the academic senate. The classified and student senates approved all of the listed BP/APs.

- BP/AP 3518 Child Abuse Reporting
- BP/AP 3410 Nondiscrimination
- BPAP 4111 Posthumous Degrees (10 + 1)
- AP 7120 Employment Recruitment (10 + 1)

5. Board of Trustees

Dr. Coon reviewed the agenda for the Board of Trustees meeting agenda for September 11, 2018. The meeting will be held at the Indian Valley Campus with a study session at 3:00 p.m. The regular meeting begins at 6:30 p.m. Trustees will take a tour of the makerspace in building 27. Dr. Coon also shared the schedule for the September 29 Open House at IVC which includes the Miwok project ground breaking at 11:00 a.m. and a Ribbon cutting for the Organic Farm and Garden at 1:00 p.m. There will be activities going on throughout the day.

6. Constituent Reports

Academic Senate: Karen Robinson reported that the Academic Senate approved the ACCJC report; have been working on AP 4250 Probation and AP 4255 Dismissal. They also plan to review BP/AP 3260 Participation in Local Governance. Kathy will check 4250 and 4255 for any changes from CCLC and will provide 3260 for review. She also provided information about student application deadlines for UCs and encouraged students to contact a counselor.

ESCOM: Marian Mermel provided an update on ESCOM activities which is attached to the agenda.

ASCOM: Hellen Sigaran shared information about upcoming ACSOM activities. A “Majors Day” will be held thon Tuesday and they are requested assistance from faculty for this event. They have noted there is a lot of student interest in volunteering, clubs and campus services this semester. They are working on using social media to help share information with students who don’t use e-mail. The focus this year is on engaging students to make productive and positive change.

Classified Senate: Kim Foulger reported that they will be having their next meeting tomorrow. There are 5 senate seats available. Classified senate will be meeting with a representative from Sonoma State to discuss the degree program. They are also working on changes related to committee appointments with CPCL.

7. Meeting Wrap Up -
 - BP/APs will be pulled from the BOT agenda so academic senate can review.
 - Dr. Coon will meet with ASCOM.
- Meeting Schedule
 - Next meeting is October 11, 2018
9. Adjourn Meeting – Meeting was adjourned.

General Institution

Admin/HR/Gen Counsel Review July 2018

CCLC Update 29 (October 2016) to add citation related to US Dept of Fair Employment and Housing regulations governing discrimination in employment
CCLC Update 32 (April 2018) to add legal citation re equal pay act.

BP 3410 NONDISCRIMINATION**References:**

Education Code Sections 66250 et seq., 72010 et seq., and 87100 et seq.;
Title 5 Sections 53000 et seq. and 59300 et seq.;
Penal Code Sections 422.55 et seq;
Government Code Sections 12926, 12926.1, and 12940 et seq.;
Title 2 Sections 10500 et.seq.;
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly Accreditation Standard II.B.2.c)

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, family and medical care leave, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), military and veteran status. ~~national origin, age, ancestry, color, religious creed (including religious dress and grooming practices), family and medical care leave, disability (mental and physical including HIV and AIDS), marital status, medical condition (including cancer and genetic characteristics), genetic information, military and veteran status, national origin (including language use restrictions), race, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity and gender expression, sexual orientation,~~ or because he/she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The Superintendent/President shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, family and medical care leave, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, sex (which includes pregnancy, childbirth, breastfeeding and medical

~~conditions related to pregnancy, childbirth), military and veteran status, age, ancestry, color, religious creed (including religious dress and grooming practices), family and medical care leave, disability (mental and physical), including HIV and AIDS, marital status, medical condition (including cancer and genetic characteristics), genetic information, military and veteran status, national origin (including language use restrictions), race, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity and gender expression, sexual orientation, or because he or she is perceived to have one or more of the foregoing characteristics, or based on because of his/her association with a person or group with one or more of these actual or perceived characteristics.~~

Also see: AP 3410 Nondiscrimination

Date Adopted: July 27, 2010

Date Revised: February 26, 2013

Date Revised: October 20, 2015

Updated in accordance with CCLC update 29. To Human Resources for review 12/19/2016

Updated in accordance with CCLC update 32. To Human Resources for review 6/1/2018

August 2018 – Protected categories have been listed in the as CCLC template. All categories reviewed and revised by HR and legal counsel.

General Institution

Reviewed/edited by HR/legal counsel

CCLC Update 29 (October 2016) to specific that unpaid interns may not be discriminated against based on a protected status and to add a citation to DFEH regulations governing discrimination in employment.
CCLC Update 32 (April 2018) to add labor code reference.

AP 3410 NONDISCRIMINATION

References:

Education Code Sections 200 et seq., 66250 et seq., and 72010 et seq.; 87100 et seq.;
Penal Code Sections 422.55 et seq.;
Government Code Sections 11135 et seq., 12926, and 12940 et seq.;
Title 5 Sections 53000 et seq. and 59300 et seq.;
Title 2 Sections 10500 et seq.;
Labor Code Section 1197.5
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard Catalog Requirements (formerly II.B.2.c)

Education Programs

The District shall provide access to its services, classes, and programs without regard to, national origin, religion, age, family and medical care leave, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), military and veteran status. ~~age, ancestry, color, religious creed (including religious dress and grooming practices, family and medical care leave, disability (mental and physical) including HIV and AIDS, marital status, medical condition (including cancer and genetic characteristics), genetic information, military and veteran status, national origin (including language use restrictions), race, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity and gender expression, sexual orientation or because he/she 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.~~

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, "gender" means sex, and includes a person's gender identity and gender expression. "Gender expression" means a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

The District shall not prohibit any student from enrolling in any class or course on the basis of gender.

Academic staff, including but not limited to counselors, instructors, and administrators shall not offer program guidance to students which differs on the basis of gender.

Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

Employment

The District shall provide equal employment opportunities to all applicants and employees regardless of race or ethnicity, religious creed, family and medical care leave, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), gender, gender identity, gender expression, age, sexual orientation, military or veteran status ~~age, ancestry, color, religious creed (including religious dress and grooming practices, family and medical care leave, disability (mental and physical) including HIV and AIDS, marital status, medical condition (including cancer and genetic characteristics), genetic information, military and veteran status, national origin (including language use restrictions), race, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity and gender expression, sexual orientation.~~ or because he/she 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 ore perceived characteristics.

All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria as well as be responsive to the District's needs.

The District shall from time to time as necessary provide professional and staff development activities and training to promote understanding of equity and diversity and inclusion in accordance with the District Equal Opportunity Employment (EEO) Plan and Board Policy 3420 Equal Employment Opportunity.

It is unlawful to discriminate against a person who serves in an unpaid internship or any other limited-duration program to provide unpaid work experience in the selection, termination, training, or other terms and treatment of that person on the basis of their race or ethnicity, religious creed, family and medical care leave, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), gender, gender identity, gender expression, age, sexual orientation, or military and veteran status. (Update 29)

Office of Primary Responsibility: Human Resources

Date Approved: June 22, 2010

Date Revised: January 15, 2013

Date Revised: September 15, 2015 BOT Meeting

Updated in accordance with CCLC Update 29. To HR for review 12/19/2016

Updated in accordance with CCLC Update 32. To HR for review 6/1/2018

Updated to follow CCLC category order. Categories reviewed/edited by HR/legal

General Institution

Reviewed against CCLC template

Reviewed by Administration

CCLC Update 32 (April 2018) to update legal citation to the Family Code

BP 3518 CHILD ABUSE REPORTING

References:

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3;
Welfare and Institutions Code Sections 300, [and 318](#), 600-~~and 15630~~;
Family Code Sections 7802, 7807, 7808, 7820-782~~79~~, 7890, and 7892

The Superintendent/President shall establish procedures related to the responsibility of employees, within the scope of employment or in their professional capacity, to report suspected abuse and neglect of children.

The Superintendent/President shall ensure that all employees are informed of their reporting responsibilities and indicate their willingness to comply with these codes.

Date Adopted: May 18, 2010

(Replaces College of Marin Policy 5.0033)

7/5/2018 Reviewed/edited by M Robertshaw/C Torres/J Marozick
For Governance Review via CC Fall 2018

General Institution

Reviewed against CCLC Template

Administrative Review June 2018

Update 32 (April 2018) to update legal citation to the Family Code

AP 3518 CHILD ABUSE REPORTING**References:**

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3;

Welfare and Institutions Code Sections 300, 318, [and 600](#); ~~and 15630~~Family Code Sections 7802, 7807, 7808, 7820-7827~~9~~, 7890, and 7892

The Superintendent/President recognizes the responsibility of employees to report to the appropriate agency when there is a reasonable suspicion that an abuse or neglect of a child may have occurred. Mandated reporters include faculty members, educational [and classified](#) administrators, and classified staff members. Volunteers are not mandated reporters but are encouraged to report suspected abuse or neglect of a child.

Child abuse is defined as physical abuse, neglect, sexual abuse, and/or emotional maltreatment. This procedure addresses the sexual assault, sexual exploitation, and/or sexual abuse of a child; the willful cruelty or unjustifiable punishment of a child; incidents of corporal punishment or injury against a child; abuse in out-of-home care; and the severe and/or general neglect of a child (definitions contained in Penal Code Section 11165).

“Reasonable suspicion” occurs when “it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position drawing when appropriate on his/her training and experience, to suspect child abuse” (Penal Code Section 11166 [subdivision \(a\)](#)).

A child protective agency is a police or sheriff’s department, a county probation department, or a county welfare department. District Police departments are not child protective agencies (Penal Code Section 11165.9).

Any person not mandated by law to report suspected child abuse has immunity unless the report is proven to be false and the person reporting knows it is false, or the report is made with reckless disregard of the truth or falsity of the incident (Penal Code Section 11172 [subdivision \(a\)](#)). Reporting is an individual responsibility. An employee making a report cannot be required to disclose his/her identity to the employer (Penal Code Section 11166 [subdivision \(h\)](#)). However, a person who fails to make a required report is guilty of a misdemeanor punishable by up to six months in jail and/or up to a \$1,000 fine (Penal Code Section 11172 [subdivision \(e\)](#)).

Mandated reporters must report immediately any reasonable suspicion of child abuse to local law enforcement and/or the Marin County Child Protective Services Department and follow up with a written

report within 36 hours. The follow-up report may be mailed or submitted by facsimile or electronic transmission.

Child abuse reporting forms are available from the Marin County Child Protective Services Department.

No mandated reporter who reports a known or suspected instance of child abuse shall be civilly or criminally liable for any report required or authorized by the Penal Code. Any person other than a child care custodian reporting a known or suspected instance of child abuse shall not incur any liability as a result of making any report of child abuse, unless it can be proven that a false report was made and the person knew that the report was false (Penal Code Section 11172 [subdivision \(a\)](#)).

When the [Senior Vice President of Student Learning and Student Services](#) or designee releases a minor to a peace officer for the purpose of removing the minor from the campus, the District official shall take immediate steps to notify the parent or guardian regarding the release of the minor to the officer and regarding the place to which the minor is reportedly being taken (Education Code Section 87044), except when a minor has been taken into custody as a victim of suspected child abuse, as defined in Penal Code Section 11165, or pursuant to Welfare and Institutions Code Section 305. In those cases, the official shall provide the peace officer with the address and telephone number of the minor's parent or guardian.

Non-accidental physical injury is considered to be a health and safety emergency, and parental consent is not required for release of student information under the Family Education Rights and Privacy Act or the California Student Records Act (Education Code Sections 76200 et seq.).

Information relevant to the incident of child abuse may be given to an investigator from a child protective agency who is investigating the known or suspected cause of child abuse (Penal Code Section 11167 [subdivision \(b\)](#)).

The District shall provide a mandated reporter with a statement informing the employee that he/she is a mandated reporter and inform the employee of his/her reporting obligations under Penal Code Section 11166 and of his/her confidentiality rights under subdivision (d) of Penal Code Section 11167. The District shall provide a copy of Penal Code Sections 11165.7, 11166, and 11167 to the employee. Prior to commencing his/her employment and as a prerequisite to that employment, the employee shall sign and return the statement to the District. The signed statements shall be retained by the District (Penal Code Section 11166.5).

The District will distribute this procedure to all employees.

Offices of Primary Responsibility: District Police Department, Child Development Center and Human Resources

Date Approved: April 20, 2010

7/5/2018 – Reviewed/edited by M Robertshaw/C Torres/J Marozick
For Governance Review via CC Aug 2018

BP 4111 POSTHUMOUS DEGREES

References:

The purpose of this policy is to recognize the academic achievement of the deceased student, and to extend to the college community, family, and friends of the student an opportunity to share in his/her academic success at College of Marin.

Posthumous degrees may be awarded at commencement or some other equally appropriate time. The names of persons receiving posthumous degrees must be approved by the Board of Trustees upon recommendation by the Superintendent/President.

The Superintendent/President shall develop procedures for the implementation of this policy that comply with the Title 5 requirements.

Date Adopted: Insert Date

AP 4111 POSTHUMOUS DEGREES**References:**

The posthumous degree is conferred on students who, at the time of death, have completed at least the current residency requirement for an Associate Degree at College of Marin and minimum cumulative GPA of 2.0.

Procedure

The process for identifying and considering candidates for the award of posthumous Associate degrees shall be:

1. A formal request may be initiated by any of the following: a family member, a faculty/staff member, a dean, or a fellow student. If the request is not made by a family member, the family must be contacted and found to be receptive to the possible award.
2. The request must be submitted in writing within two semesters following the student's death and must be accompanied by a copy of the student's death notification (i.e., death certificate, newspaper article, funeral service program).
3. The request must be submitted to the Senior Vice President for Student Learning and Student Services or designee.

The Senior Vice President for Student Learning and Student Services or designee will be responsible for reviewing the student's academic record, whether the specified criteria are met, and forwarding the request to the Superintendent/President.

The Superintendent/President will then recommend to the Board of Trustees that the student receive the posthumous Associate degree. This must be completed no later than March of every year to ensure that the student will have their name appear in the upcoming commencement program.

The Senior Vice President for Student Learning and Student Services or designee notifies the individual who made the request of the Board of Trustees decision. If approved, an invitation will be made to the family to attend the College's commencement ceremony held at the end of the spring semester each year.

Upon Board of Trustees approval, the Senior Vice President for Student Learning and Student Services or designee completes an Application for Graduation and sends the application, the student death notification and request to the Enrollment Services for processing.

Degrees awarded posthumously will be noted on the commencement programs as "Associate Degree Awarded Posthumously".

The student's diploma or certificate will be released or mailed to the person legally authorized to manage the deceased student's affairs. The posthumous nature of the award will be indicated on the diploma and in the student's official transcript. Any fees associated with the administration of the posthumous degree or certificate of attendance shall be waived

Date Adopted:

Human Resources

No CCLC Updates thru #32 April 2018

Revised by HR 8-2018

Categories modified to match BP/AP 3410 for this AP

AP 7120 EMPLOYMENT RECRUITMENT**References:**

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

I. General Provisions

- A. Equal Employment Opportunity (EEO) – Commitment to Diversity:** In all phases of recruitment and hiring, equal opportunity shall be afforded to all employees and applicants for employment without discrimination on the basis of national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), military and veteran status ~~national origin, religion, age, sex or gender, race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, genetic information,~~ 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.

B. Permanent Academic, Management, and Classified Employees

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

II. Recruitment Methods for Management and Classified Positions**A. Position Authorization**

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

B. Search/Screening Committee Structure

1. The Superintendent/President or designee may appoint the manager(s) for the committee and committee members. Classified employees will be appointed by the

official classified staff appointing body. Academic employees will be appointed by the Academic Senate.

2. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, and the search/screening process.
3. The committee will have District-wide representation for the purpose of screening, interviewing, and recommending candidates to the Superintendent/President or designee (See Human Resources Screening Committee Composition Guidelines).
4. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.
5. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited from releasing any information which relates to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

C. Position Announcement

1. The position announcement will describe the duties and responsibilities of the position based upon the approved job description. The announcement shall be reviewed by the appropriate administrator.
2. The recruiting efforts will include, as appropriate, regional and national advertising as well as outreach efforts in accordance with the District's EEO Plan.

D. Applications

Applications for positions will be submitted using the District's website. Applicable materials shall be submitted with all completed applications. Human Resources will conduct the initial review of the applications to ensure minimum qualifications for the position are met.

E. Screening Process

1. Screening Criteria: Criteria may be formulated by the committee for the purpose of reducing the applicant pool to those best qualified. At the same time, the committee will formulate questions and other assessments to be used during the interview process.
2. Screening criteria must identify job-related qualifications that enhance equity, diversity, inclusion and reinforce the Knowledge, Skills and Abilities (KSAs) needed for the position.
3. Human Resources will provide the screening committee with access to view the application and applicable materials for all candidates who meet the minimum qualifications for the position. The screening committee will then select candidates to be interviewed.
4. Every effort should be made to interview ~~at least~~ three (3) or more candidates for each position.
5. Pre-selection Activities, Assessments, Demonstrations and Presentations: The District at its discretion may require pre-screening activities and/or assessments, as well as demonstrations or presentations of the candidate's effectiveness as appropriate to the position.
6. Applicant Screening: Members of the screening committee shall individually review each qualified applicant's application materials using the previously agreed upon screening criteria. Following the screening, the committee shall develop consensus regarding the pool of applicants to be invited to interview. The hiring administrator/designee or Human

Resources ~~or the hiring administrator/designee~~ will schedule the selected candidates' interview and make necessary arrangements.

7. Interview Process: Interviews will be conducted using the previously agreed upon interview questions, and at least two (2) diversity questions must be included when developing interview questions. ~~and~~ Screening committee members shall individually evaluate each candidate based on his/her responses to the questions, the demonstration/presentation, and/or other type of performance indicator exercise(s), if applicable. Following the last interview, the screening committee will deliberate the candidates' strengths and areas for growth, reach a consensus on a finalist(s), and prepare written documentation of these conclusions to Human Resources. If the committee cannot reach a consensus on a finalist(s), the position may be reposted and the screening process restarted. At the conclusion of the interview process, all application and interview materials used and completed by screening committee shall be returned and retained by Human Resources.
8. Notification of Candidates: Human Resources will notify applicants not moved forward to interview or as finalists of their status.
9. Recommendations and Finalization of Selection
 - a. Management Positions
 - i. Finalists will be recommended to the Superintendent/President or designee. The committee may send comments or a statement of reservation about the candidates along with their recommendation.
 - ii. At the discretion of the Superintendent/President or designee, the finalists will be invited for an interview with the Superintendent/President and/or designees.
 - iii. If the Superintendent/President or designee does not agree with the committee's recommendations, he/she will request that the search be extended or suspended.
 - iv. The finalist(s) name(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
 - v. The Superintendent/President or designee will extend an offer of employment.
 - vi. Upon acceptance of the offer of employment, the finalist's name will be submitted to the Board of Trustees for approval.
 - vii. Notification of Candidates: The Superintendent/President or designee or Human Resources will notify the finalists not selected for the position of their status.
 - b. Classified Positions
 - i. The screening committee, in conjunction with the committee chairperson (e.g. hiring manager), will recommend a finalist(s). Second interviews are appropriate in the event the supervisor or manager is unable to participate in the initial interview.
 - ii. The finalist(s') name(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
 - iii. The appropriate administrator or Human Resources will extend an offer of employment.
 - iv. If there is not an acceptable candidate, the supervisor or manager will request the search be extended or suspended.
 - v. Upon acceptance of the offer of employment, the finalist's name will be submitted to the Board of Trustees for approval.

8. The action of the Board of Trustees will be communicated to the candidates. If for any reason the person approved refuses the offer, the matter may be referred back to the screening committee by Human Resources.

III. Recruitment Methods for Full-Time Faculty Positions

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

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

1. The Superintendent/President or designee may appoint the chairperson for the committee and committee members. Classified employees will be appointed by the official classified staff appointing body. Academic employees will be appointed by the Academic Senate.
2. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, and the search/screening process.
3. The committee will have District-wide representation for the purpose of screening, interviewing, and recommending candidates to the Superintendent/President (see Human Resources Screening Committee Composition Guidelines).
4. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.
5. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited from releasing any information which relates to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

C. Position Announcement:

1. In collaboration with the appropriate administrator and department chair, Human Resources will develop the position announcement to include:
 - a. a description of the teaching/counseling/librarian/nursing, or other non-teaching responsibilities;
 - b. representative courses to be taught, if applicable;
 - c. minimum qualifications that:
 - i. conform to the California Community College Chancellor's Office's Minimum Qualifications for Faculty and Administrators in California Community Colleges;
 - ii. include "Demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds and learning styles of community college students and staff;
 - iii. include desirable "Knowledge, Skills and Abilities" which shall serve as the basis for the screening criteria, in conjunction with other required application materials.
2. The recruiting efforts will include, as appropriate, regional and national advertising, as well as outreach efforts in accordance with the District's EEO Plan.

D. Minimum Qualifications: Human Resources will conduct the initial review of the applications to ensure minimum qualifications for the position are met. If the applicant has applied for a minimum qualification equivalency or Human Resources is unable to determine if a candidate

meets the minimum qualifications for a position, the application materials will be sent to the Academic Senate's designee(s). An Equivalence Committee, made up of the Academic Senate president or designee(s) and two discipline faculty, will review applications to determine equivalency. (see AP 7211 titled Faculty Service Areas, Minimum Qualifications, and Equivalencies)

E. Screening Process:

1. Screening Criteria: Criteria may be formulated by the committee for the purpose of reducing the applicant pool to those best qualified.
2. Pre-selection Activities, Assessments, Teaching Demonstrations and Presentations: The screening committee will formulate questions to be used during the interview process. The committee at its discretion may require pre-screening activities and/or assessments, as well as demonstrations or presentations of the candidate's effectiveness as appropriate to the position.
3. Human Resources will provide the screening committee with access to view the application and applicable materials for all candidates who meet the minimum qualifications for the position. The screening committee will then select candidates to be interviewed.
4. Applicant Screening: Members of the screening committee shall individually review each qualified applicant's application materials using the previously agreed upon screening criteria. Following the screening, the committee shall develop consensus regarding the pool of applicants to be invited to interview. The hiring administrator/designee or Human Resources ~~or the hiring administrator/designee~~ will schedule the selected candidates' interviews and make all necessary arrangements.
5. Interview Process: Interviews will be conducted using the previously agreed upon interview questions, and screening committee members shall individually evaluate each candidate based on his/her responses to the questions, the teaching demonstration, presentation, and/or other type of performance indicator exercise(s), if applicable. Following the last interview, the screening committee will deliberate the candidates' strengths and areas for growth to determine a finalist(s) and will prepare written documentation to Human Resources. If the committee cannot identify a finalist(s), the position may be reposted and the screening process restarted. At the conclusion of the interview process, all application and interview materials used and completed by the screening committee shall be returned to and retained by Human Resources.
6. Notification of Candidates: The hiring administrator/designee or Human Resources ~~or designee~~ will notify all applicants of their status.
7. Recommendations and Finalization of Selection:
 - a. Finalists will be recommended to the Superintendent/President ~~or~~ designee. The committee may send comments or a statement of reservation about the candidates along with their recommendation.
 - b. At the discretion of the Superintendent/President or designee, the finalists will be invited for an interview with the Superintendent/President or designees.
 - c. If the Superintendent/President or designee does not agree with the committee's recommendations, he/she will request that the search be extended or suspended.
 - d. The successful candidate's s(s') name(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
 - e. The Superintendent/President or designee will extend an offer of employment.

- f. Upon acceptance of the offer of employment the candidate's name will be submitted to the Board of Trustees for official approval.
- g. Notification of Candidates: The Superintendent/President or designee or Human Resources or designee will notify the finalists not selected for the position of their status.

F. Reference Check:

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

For Temp Pools recruitment methods see AP 7212 titled Temporary Faculty

Also see AP 7126 titled Applicant Background Checks and AP 7210 titled Academic Employees and AP 7230 titled Classified Employees

Date Approved: June 28, 2011

(Replaces College of Marin Policy 5.0013 and Procedures 5.0005 DP.1 and 5.0006.1 DP.2)

Date Reviewed/Revised: May 16, 2017

Human Resources

No CCLC Updates/Reviewed against template -no discrepancies
Reviewed HR 9/13/2018

BP 7100 COMMITMENT TO DIVERSITY

References:

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

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

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

Date Adopted: March 17, 2009

Human Resources

HR Review 9/18/2018 – No changes

AP 7126 APPLICANT BACKGROUND CHECKS

References:

Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;
Fair Credit Reporting Act (federal)

Applicants for positions may be subject to background or reference checks.

Where a background investigation is performed by a third party, the Human Resources Department shall make a clear and conspicuous disclosure to the applicant on a separate form before the report is procured. The applicant shall be provided an option to receive or not receive the report. If the applicant is not hired or the District takes other action that adversely effects any applicant based in whole or in part upon the third-party report, the Human Resources Department shall provide oral, written, or electronic notice of:

- the adverse action to the applicant;
- the name, address, and telephone number of the third party agency that furnished the report;
- the applicant's right to obtain a free copy of the report; and
- the applicant's right to dispute the accuracy or completeness of any of the information in the report.

Date Approved: July 19, 2011

Human Resources

No CCLC Updates thru #32
Follows CCLC Template
Reviewed HR 9-2018

BP 7140 COLLECTIVE BARGAINING

References:

Government Code Sections 3540 et seq.

If eligible employees of the District select an employee organization as their exclusive representative and if after recognition by the District or after a properly conducted election, an exclusive representative is certified as the representative of an appropriate unit of employees under the provisions of the Educational Employment Relations Act, Government Code Sections 3540 et seq., the District will meet and negotiate in good faith on matters within the scope of bargaining as defined by law.

See BP/AP 2610 titled Presentation of Initial Collective Bargaining Proposals

Date Adopted: March 17, 2009

*(This is a new policy recommended by the CC
League and the League's legal counsel)*

Human Resources
No CCLC Template
HR Review 9-2018

BP 7150 EVALUATION

References:

Education Code Sections 70902, 87626, and 87663-87683;
Accreditation Standard III.A.1.b

The Superintendent/President will develop and maintain an evaluation tool for each employee category. Personnel shall be evaluated regularly and systematically, and are provided opportunities for professional development.

Faculty members and classified employees shall be evaluated in accordance with their respective negotiated labor agreements.

Date Adopted: March 17, 2009

(Replaces current College of Marin Policy 5.0016)

Human Resources

Reviewed/revised HR 9/18/2018

AP 7150 EVALUATION**References:**

ACCJC Accreditation Standard III.A.5 (formerly III.A.1.b)

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

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

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

Supervisory and Confidential employees will be evaluated annually after successfully completing a one-year probationary period or more frequently at the discretion of the District.

See also BP 7150 titled Evaluation.

Office of Primary Responsibility: Human Resources

Date Approved: May 17, 2016

Human Resources
HR Review 9-18-2018

BP 7155 COMMENDATION OF DISTRICT EMPLOYEES

References:

No references

The Superintendent/President shall bring to the attention of the Board and the college community the commendation of District employees. When appropriate, official recognition shall be made and sent to the employee and may be included in his/her personnel file.

Date Adopted: March 17, 2009

(Replaces current College of Marin Policy 5.0026)

Human Resources

No CCLC Updates/Reviewed w/HR 9/18/2018

AP 7216 ACADEMIC EMPLOYEES – GRIEVANCE PROCEDURE FOR CONTRACT DECISIONS

Reference:

Education Code Section 87610.1

This procedure is addressed in the faculty collective bargaining agreement.

Date Approved: July 19, 2011

Human Resources

No CCLC Changes/HR Review w/no changes 9/18/2018

AP 7233 CLAIMS FOR WORK OUT OF CLASSIFICATION

Reference:

Education Code Section 88010

Classified employees shall not be required to perform duties that are not fixed and prescribed for the position by the Board of Trustees unless the duties reasonably relate to those fixed for the position, for any period of time that exceeds five working days within a 15 calendar day period except as authorized in these procedures.

An employee may be required to perform duties inconsistent with those assigned to the position for a period of more than five working days if his/her salary is adjusted upward for the entire period he/she is required to work out of classification and in amounts that will reasonably reflect the duties required to be performed outside his/her normal assigned duties, subject to the applicable collective bargaining agreement.

Date Approved: January 18, 2011

Human Resources
HR/Legal Review/ Edits 9/2018

**AP 7235 PROBATIONARY PERIOD – CONFIDENTIAL, AND SUPERVISORY, ~~AND CLASSIFIED~~
~~MANAGEMENT~~ EMPLOYEES**

Reference:

Education Code Section 88013

As permitted by statute, the probationary period is one year for confidential, and supervisory, ~~and classified~~ management employees.

This Administrative Procedure also shall apply to classified managers whose employment is not held by an employment agreement under Education Code section 72411 or pursuant to Title 5 as an interim employee.

Date Approved: January 18, 2011

Human Resources

No CCLC Updates through #32

Follows CCLC Template

HR Review 9-2018

BP 7240 CONFIDENTIAL EMPLOYEES

Reference:

Government Code Section 3540.1(c)

Confidential employees are those who are required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. The fact that an employee has access to confidential or sensitive information shall not in and of itself make the employee a confidential employee.

A determination whether a position is a confidential one shall be made by the Board of Trustees in accordance with applicable law and with the regulations of the California Public Employment Relations Board.

Confidential employees are not eligible for inclusion in a bargaining unit represented by an exclusive representative and the terms and conditions of their employment are not controlled by any collective bargaining agreement.

The terms and conditions of employment for confidential employees shall be provided for by procedures developed by the Superintendent/President. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers, and reassignments.

Date Adopted: August 25, 2009

Human Resources

HR Review 9-2018

CCLC Update #32 (April 2018) updated to add a cross-reference to AP 7230 Classified Employees

AP 7240 CONFIDENTIAL EMPLOYEES

Reference:

Government Code Section 3540.1 subdivision (c)

Confidential employees shall receive the same health benefits, leave, and holidays as non-confidential employees.

The terms and conditions of employment for confidential employees shall be provided for as necessary by additional procedures developed by the Human Resources Office.

Also see BP 7240 Confidential Employees; AP 7230 Classified Employees, AP 7233 titled Claims for Work Out of Classification; ~~and~~ AP 7234 titled Overtime and BP/AP 7340 Leaves.

Date Approved: May 7, 2009

Board of Trustees

Proposed clarification re Parking Permit – OK'd – Sadika
BOT Committee Review 7/12/2018

BP 2015 STUDENT TRUSTEE

Reference:

Education Code Section 72023.5 *(NOTE: 72035(d) is included as part of this reference)*

The Board of Trustees shall include a student member in addition to the publicly-elected Board members.

- a) In accordance with Education Code Section 72023.5, the student member shall:
 - 1) have the right to attend and participate fully in discussions of issues at all meetings of the Board of Trustees except, the student shall not have the right, or be afforded the opportunity to attend closed sessions of the Board of Trustees;
 - 2) not be held liable for any acts of the Board of Trustees;
 - 3) be selected by an election held prior to May 15, run by the student government of the College, and shall be recalled only by a vote of the students enrolled in the College in accordance with procedures prescribed by the Board of Trustees;
 - 4) enrolled in the College for at least five semester units and shall meet and maintain the minimum standards of scholarship for community college students (2.0 GPA) throughout his/her entire term;
 - 5) serve a one-year term commencing on June 1 of each year; and
 - 6) be entitled to a mileage allowance to the same extent as publicly-elected Board members, but is not entitled to any other compensation except by discretion of the Board of Trustees.
 - 7) be entitled to one student parking pass per semester per ASCOM Bylaws.
- b) By discretion of the Board of Trustees, the student member may:
 - 1) make and second motions; cast an "advisory vote" on any item, excluding personnel and legal matters;
 - 2) receive compensation at the rate of 50% of the maximum amount of compensation authorized by Education Code Section 72425 as it now exists or may hereafter be amended;
 - 3) receive no other benefits or compensation from the District except as appears in section (a)(6) or (b)(2); and
 - 4) participate in all phases of Board of Trustees evaluation procedures
 - 5) contribute input to the evaluation of the Superintendent/President, but may not participate in any closed session meeting involving the Board's evaluation of the Superintendent/President.

Date Adopted: December 8, 2009
(Replaces College of Marin Policy 1.2011)

Date Revised: March 19, 2013

Date Reviewed/Revised: May 16, 2017

Board of Trustees

BP 2330 QUORUM AND VOTING

References:

Education Code Sections 72000(d)(3), 81310 et seq., 81365, 81432, and 81511;
Government Code Sections 53094 and 54950 et seq.;
Code of Civil Procedure Section 1245.240

A quorum of the Board shall consist of four members.

The Board of Trustees shall act by majority vote of all of the membership of the Board, except as noted below.

No action shall be taken by secret ballot. The Board will publicly report any action taken in open session and the vote or abstention of each individual member present.

The following actions require a two-thirds majority of all members of the Board of Trustees:

- Resolution of intention to sell or lease real property (except where a unanimous vote is required);
- Resolution of intention to dedicate or convey an easement;
- Resolution authorizing and directing the execution and delivery of a deed;
- Action to declare the District exempt from the approval requirements of a planning commission or other local land use body;
- Appropriation of funds from an undistributed reserve;
- Resolution to condemn real property.

The following actions require a unanimous vote of all members of the Board of Trustees:

- Resolution authorizing a sale or lease of District real property to the state, any county, city, or to any other school or community college district;
- Resolution authorizing lease of District property under a lease for the production of gas.

[In all matters of process not otherwise indicated, parliamentary procedure governs.](#)

Date Adopted: March 16, 2010

(Replaces current College of Marin Policies 1.5100, 1.5200, 1.5300, and 1.5310)

Date Revised: CCLC Update April 2014/BOT 11-18-2014

Board of Trustees

BP 2365 RECORDING**References:**

Education Code Section 72121(a);
Government Code Sections 54953.5 and 54953.6

Any audio or video recording of an open and public Board meeting made by or at the direction of the Board, shall be subject to inspection by members of the public in accordance with the California Public Records Act, Government Code Sections 6250 et seq. The Superintendent/ President shall ensure that any such recordings are maintained for at least sixty (60) days following the taping or recording.

Persons attending an open and public meeting of the Board of Trustees may, at their own expense, record the proceedings with an audio or video tape recording or a still or motion picture camera or may broadcast the proceedings. However, if the Board of Trustees finds by a majority vote that the recording or broadcast cannot continue without noise, illumination, or obstruction of view that constitutes or would constitute a persistent disruption of the proceedings, any such person shall be directed by the President of the Board to stop.

Date Adopted: January 19, 2010
(Replaces College of Marin Policy 1.5330)

Date Revised: March 19, 2013

Board of Trustees

BP 2410 BOARD POLICIES AND ADMINISTRATIVE PROCEDURES**References:**

Education Code Section 70902;

ACCJC Accreditation Standards IV.C.7, IV.D.4, I.B.7, and I.C.5. *(formerly IV.B.1.b & e)*

The Board of Trustees may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Board policies are intended to be statements of intent by the Board on a specific issue within its subject matter jurisdiction.

The policies have been written to be consistent with provisions of law, but do not encompass all laws relating to District activities. All District employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

Policies of the Board may be adopted, revised, added to, or amended at any regular Board meeting by a majority vote. Proposed changes or additions shall be introduced not less than one regular meeting prior to the meeting at which action is recommended.

The Board shall regularly assess its policies in fulfilling the District's mission.

Administrative procedures may be revised as deemed necessary by the Superintendent/President.

Administrative procedures approved by the Superintendent/President in accordance with Board policies shall apply to all students and personnel employed by the District, including the Superintendent/President and other District officers, and, where applicable, to agents and consultants of the District and the Board.

Administrative procedures are to be issued by the Superintendent/President as statements of method to be used in implementing Board Policy. Such administrative procedures shall be consistent with the intent of Board Policy.

The Superintendent/President shall provide each member of the Board with copies of the administrative procedures. The Board of Trustees reserves the right to direct revisions of the administrative procedures should they, in the Board's judgment, be inconsistent with the Board's own policies.

Copies of all Board Policies and Administrative Procedures are readily available on the District's website and/or through the Office of the Superintendent/President.

Date Adopted: January 19, 2010

(Replaces College of Marin Policies 1.6010 and 7.0002)

Date Reviewed/Revised: July 18, 2017

Board of Trustees

BP 2710 CONFLICT OF INTEREST

References:

Government Code Sections 1090 et seq., 1126, and 87200 et seq.;
Title 2 Sections 18730 et seq.

Board members and employees shall not be financially interested in any contract made by them in their official capacity or in any body or board of which they are members.

A Board member shall not be considered to be financially interested in a contract if his/her interest is limited to those interests defined as remote under Government Code Section 1091 or is limited to interests defined by Government Code Section 1091.5.

A Board member who has a remote interest in any contract considered by the Board shall disclose his/her interest during a Board meeting and have the disclosure noted in the official Board minutes. The interested Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract.

A Board member shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to his/her duties as an officer of the District.

In compliance with law and regulation, the Superintendent/President shall establish administrative procedures to provide for disclosure of assets of income of Board members who may be affected by their official actions, and prevent members from making or participating in the making of Board decisions which may foreseeably have a material effect on their financial interest.

Board members shall file statements of economic interest with the filing officer identified by the administrative procedures.

Board members are encouraged to seek counsel from the District's legal advisor in every case where any question arises.

Date Adopted: January 19, 2010

Date Reviewed/Revised: July 18, 2017

Board of Trustees

BP 2715 CODE OF ETHICS/STANDARDS OF PRACTICE**References:**

ACCJC Accreditation Standard IV.C.11 (*formerly* IV.B.1.a, e, and h);
Title 5 Section 51016

The Board maintains high standards of ethical conduct for its members. Members of the Board are responsible to:

- Act only in the best interests of the entire community.
- Ensure public input into Board deliberations; adhering to the law and spirit of the open meeting laws and regulations.
- Prevent conflicts of interest and the perception of conflicts of interest.
- Exercise authority only as a Board.
- Use appropriate channels of communication.
- Respect others and act with civility.
- Be informed about the District, educational issues, and responsibilities of trusteeship.
- Devote adequate time to Board work.
- Maintain confidentiality of closed sessions.

The Board President and Superintendent/President are authorized to consult with legal counsel when they become aware of or are informed about actual or perceived violations of pertinent laws and regulations, including but not limited to conflict of interest, open and public meetings, confidentiality of closed session information, and use of public resources. Violations of law may be referred to the appropriate governing agency, District Attorney, or Attorney General as provided for in law.

Violations of this policy (BP 2715 titled Code of Ethics/Standards of Practice) will be addressed by the President of the Board, who will first discuss the violation with the Board member to reach a resolution. If resolution is not achieved and further action is deemed necessary, the Board President may appoint an ad hoc committee composed of two Board members to examine the matter and recommend further courses of action to the Board. Sanctions will be determined by the Board officers (or committee) and may include a recommendation to the Board of Trustees to censure the Board member. If the President of the Board of Trustees is perceived to have violated the code, the Vice President of the Board of Trustees is authorized to pursue resolution.

Date Adopted: May 18, 2010

(Replaces College of Marin Policies 1.2090 and
1.2091)

Date Reviewed/Revised: July 18, 2017

Board of Trustees

BP 2716 POLITICAL ACTIVITY

References:

Education Code Sections 7054, 7054.1, and 7056;
Government Code Section 8314

Members of the Board shall not use District funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the Board.

Initiative or referendum measures may be drafted on an area of legitimate interest to the District. The Board of Trustees may by resolution express the Board's position on ballot measures. Public resources may be used only for informational efforts regarding the possible effects of District bond issues or other ballot measures.

Also see BP 7370 titled Use of District Resources for Political Activity

Date Adopted: March 16, 2010

Date Revised: March 19, 2013

Date Revised: CCLC Update 22 June 2013/BOT
11/18/2014

Board of Trustees

BOT Review/Edits 7/12/2018

CCLC Update 31 (10/2017) to include a government code section which was enacted by AB 1887. A usage note is also included.

BP 2735 BOARD MEMBER TRAVEL**References:**

Education Code Sections 72423 and 87032; [Government Code Section 11139.8](#)

Members of the Board of Trustees may have travel and/or conference expenses paid when they travel as representatives of and perform services directed by the Board. The Board is expected to travel in the most economically prudent manner possible.

Board of Trustee Travel Allocation

District paid travel shall be limited to the amount adopted in the Annual Budget, ~~divided equally among members of the Board of Trustees. Any request for reimbursement for travel, in state or out of state, that exceeds the approved annual individual allocation must be reviewed and approved by the full Board of Trustees at a regular meeting.~~

Approval for Out of State Travel

~~Each fall, the Board will review the known schedule of conferences and trainings to determine individual Trustee interest.~~

Out-of-state travel is approved in advance by a majority of the Board at a meeting of the Board of Trustees.

Reimbursement for Travel

~~Reimbursements for Trustee travel shall only be made if their travel is approved as outlined in the section above.~~ Reimbursement for Trustee travel expenses shall follow the District administrative procedures. (See BP/AP 7400 titled Travel)

~~Any unexpended travel funds remaining in the Board of Trustees' budget at the end of the fiscal year will be returned to the General Fund. Board Members shall not donate, transfer, or share any portion of any Trustee's annual travel allocation with any other Trustee.~~

Report on Conference Participation

1. Newly elected Trustees in their first year of service are expected to participate in the Community College League of California's (CCLC) Effective Trustee Workshop. The cost of the Effective Trustee Workshop will be borne by the District. *(moved from above)*
2. [Encourage all trustees to achieve certification in CCLC's Excellence in Trusteeship program.](#)
3. Trustees are expected to provide a report on conference participation at a meeting of the Board of Trustees, within 60 days following conference attendance.

Members of the Board shall have travel expenses paid whenever they travel as representatives of and perform services directed by the Board.

NOTE only (not part of procedure): Government Code Section 11139.8 prohibits a state agency from requiring its employees, officers, or members to travel to, or approving a request for state-funded or sponsored travel to, any state that, after June 26, 2015, has eliminated protections against discrimination on the basis of sexual orientation, gender identity, or gender expression. This prohibition also applies to any state that has enacted a law that authorizes or requires discrimination against same-sex couples or their family or on the basis of sexual orientation, gender identity, or gender expression, subject to certain exceptions. The California Community Colleges Chancellor's Office has indicated it will not approve requests from local community college districts to travel to a restricted state. The California Community Colleges Chancellor's Office has also opined that Government Code Section 11139.8 does not apply to local community college districts. However, California law has recognized local community college districts as state agencies for certain purposes, among those is the community college funding mechanism. Thus, districts should consult with legal counsel in implementing Government Code Section 11139.8.

Date Adopted: March 16, 2010

(Replaces current College of Marin Policy 1.2061)

Date Revised: February 26, 2013

Board of Trustees

BP 2750 BOARD MEMBER ABSENCE FROM THE STATE

Reference:

Government Code Section 1064

No member of the Board shall be absent from the state for more than 60 days, except in any of the following situations:

- Upon business of community college district with the approval of the Board.
- With the consent of the Board for an additional period not to exceed a total absence of 90 days. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.
- For federal military deployment, not to exceed an absence of a total of six months, as a member of the Armed Forces of the United States or the California National Guard. If the absence of a member of the Board pursuant to this subdivision exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in his/her absence. If two or more members of the Board are absent by reason of the circumstances described in this subdivision, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities.
- The term of an interim member of the Board appointed as set forth above may not extend beyond the return of the absent member, nor may it extend beyond the next regularly scheduled election for that office.

Date Adopted: March 19, 2013