

November 29, 2018, 3:00 p.m. – 4:30 p.m.
Academic Center, Room 303, KTD

[illegible]

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.

November 8, 2018

Academic Center, Room 303, KTD

Present: Jonathan Eldridge, Christina Leimer; Greg Nelson, Meg Pasquel; Karen Robinson; Kim Foulger, Luanne Mullin, Isidro Farias, Jadon Seitz (student rep); Kathy Joyner

Absent: David Wain Coon, Peggy Dodge; Maridel Barr; Monica Applegate; Anne Pearson; Liam Campbell, Hellen Sigaran

Guests: Marian Mermel

1. **Agenda** –The agenda was approved by consensus.
2. **Minutes** - The minutes of the October 11, 2018 meeting were revised to note that ESCOM meets on the 3rd Thursday of the month, not weekly. The revised minutes were approved by consensus.

3. **President's Report**

Capital Projects Update: Isidro provided an update on Measure B projects. See [handout](#) for details. There were questions and discussion about the LRC/SS project and RFP/bidding process and the PA/Box Office AV system projects. Meg requested a narrative/summary of the overall recommendations. A copy of the presentation to the Board will be provided.

Educational Master Plan: Christina reviewed items that arose from the internal and external community meetings at both campuses related to developing the next EMP. PRIE reached out to faculty and staff who were unable to attend the meetings for their input as well. Feedback is under review to determine what items continue to rise to the top. EPC is meeting on November 19 and will review the information along with the key areas from the environmental scan.

- **Board Policies & Procedures**

Kathy clarified that AP 7235 Probationary Period Confidential, Supervisory & Management, pulled at the last meeting, was correct. She also noted that it was important for the committee to act on AP 2712 Conflict of Interest Code at either this meeting or the next in order to meet a requirement to submit the code to the County of Marin by the end of December.

The council approved the following BP/APs for forwarding to the Board of Trustees for review/approval and information:

- AP 2712 Conflict of Interest Code
- BP/AP 3410 Nondiscrimination

- BP 3518 Child Abuse Reporting
- BP/AP 7150 Evaluation
- AP 7216 Academic Employees-Grievance procedure for Contract Decisions (10 + 1)
- AP 7235 Probationary Period – Confidential and Supervisory

The following BP/APs are still under review by the academic senate or are being revised. The classified and student senates have approved these BP/APs.

- AP 3518 Child Abuse Reporting (under revision)
- BP/AP 4111 Posthumous Degrees (10 + 1)
- AP 7120 Employment Recruitment (10 + 1)

The committee received the following Chapter 2 BP/APs for information.

- BP 2315 Closed Session
- BP 2330 Quorum and Voting
- BP 2720 Communications Among Board Members
- BP 2740 Board Education

4. **Board of Trustees**

Jonathan reviewed the draft agenda for the November 13, 2018 Board of Trustees meeting. The study session will include information about the Corte Madera Creek restoration project, programming for SS/LRC, the student scorecard report which the Board is required to review and discuss, and an update on fund development. In addition to normal business items, there will also be an update on California Promise/COMPASS during the CEO report.

6. **Constituent Reports**

ESCOM – A copy of the ESCOM report presented by Marian is attached to the minutes. There was a comment to have a conversation about the College's participation in the Marin Senior Fair.

ASCOM – Jadon reported that there was a very good turnout for the Día de Muertos celebration on November 1 and that the poetry reading by Javier Zamora was also very well attended. ASCOM purchased 100 of Mr. Zamora's books which were handed out to students at the event. Students will participate in a walk out against hate on November 14 and will host a film screening of Walking in Oak Creek that evening. A Recycling Day is scheduled on November 15 from 11 – 2:00.

Academic Senate – Meg reported that the poetry reading was a wonderful event. She noted that the senate is working on a new method to move BP/APs forward more quickly. She commented that the College has made significant progress with guided pathways and is in a good position related to AB 705 and the new funding formula. She

also provided an update on changes to priority registration that will benefit our current students.

Classified Senate: Kim provided the classified senate report which is attached to the minutes.

7. Meeting Wrap Up -

- Approved BP/ AP 2712 Conflict of Interest Code, BP/AP 3410 Nondiscrimination; BP 3518 Child Abuse Reporting; BP/AP 7150 Evaluation; AP 7216 Academic Employees-Grievance procedure for Contract Decisions (10 + 1); and AP 7235 Probationary Period – Confidential and Supervisory
- Meeting Schedule
 - Next meeting is November 29, 2018

9. Adjourn Meeting – Meeting was adjourned.

1. Emeritus will fund the Author Series and Dave Patterson has offered to take on all tasks relating to the events. The Emeritus Curriculum Committee will continue to offer their support. The committee has selected several authors and Dave is waiting for a response from Karen West from Book Passage.

Emeritus greatly appreciates all that Dave has done and will continue to do to make these events happen.

We continue to hope the Author Series benefits the College, the Library and Community Ed.

2. The Senior Fair was a success with over 4,000 people attending. Community Ed. participated in this event.

3. Emeritus will hold their Holiday Event on Dec.1st. At Saint John's church in Ross between 11:30 and 2pm.

CLASSIFIED SENATE CABINET MEETING MINUTES

NOVEMBER 5, 2018

ATTENDEES: Kim Foulger, President; Maridel Barr, Vice President; Monica Applegate, Secretary. Absent: Valerie Marckwordt

- The CS Halloween Party was a great success!! We brought in over \$900.00 and cleared \$545.00. We'll be hosting a winner's breakfast for the best costume group prize. Enrollment Services won again! Their costume theme was The Game of Thrones!
- We were happy with the turn out and the prizes that were solicited far exceeded our expectations! As far as the food faire went, we will be adding salads to the menu next year.
- At our next Classified Senate meeting to be held on Friday, December 7th, we will have Klaus Christensen as our guest to discuss the launch of his recycling program.
- We will also be confirming 2 new senators, Janice Olsen and Candice Hanson which brings us to 11 Senators. Our goal is to continue to have our Classified members who sit on the Participatory Governance Committees give us monthly updates. We will then pass that information along to the Classified Professionals here at the college.

General Institution

Reviewed against CCLC Template

Administrative Review June 2018

Updates related to mandated reporting by ECE 11/26/2018

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
[Health and Safety Code Section 1596.866 and 1596.8662](#)

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).

Per state Licensing regulations, any person whose duties bring them into direct contact and supervision of children are required to complete the online Mandatory Child Abuse Reporting Training (and provide Certificate of Completion) within 90 days of accepting position or student teacher placement at College of Marin and prior to any work conducted at the College of Marin Child Development Program facility and to renew the training every two years.

“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

General Institution

[BOT Comm Review 7/12/2018 – Recommend adding a Definition of Equity to this procedure](#)[Admin Review/edits 11/2108](#)

AP 3050 INSTITUTIONAL CODE OF ETHICS

Reference:

ACCJC Accreditation Standard III.A.13 (*formerly* III.A.1.d);
ACCCA Statement of Ethics

Definition of Ethics

Ethical behavior is often defined as “right” or “good” behavior as measured against commonly accepted rules of conduct for a society or for a profession. The ethical person is often described in absolute terms as one who is fair, honest, straightforward, trustworthy, dispassionate, and unprejudiced. If, however, one is inconsistently fair or honest, one loses credibility and is perceived to be unethical. The ethical person must be conspicuously consistent in the exercise of integrity to sustain the credibility that is an expectation of office.

Importance of Ethics

The credibility of the District’s employees depends upon whether they are perceived as honest individuals. If integrity contributes to credibility, then ethical behavior is a singular prerequisite to successful performance. When people are convinced that public institutions employ honest individuals, questions of credibility and demands for public accountability rarely arise.

Statements of ethical standards do not necessarily ensure ethical behavior. Yet public statements of intent surely create an expectation that public officials will indeed act with integrity in the public interest.

Expectations for Ethical Behavior

Employees of the District shall be committed to the principles of honesty and equity. Equity means recognizing the historical and systematic disparities in opportunity and outcomes and providing the resources necessary to address those disparities (Definition from The Education Trust-West.) They shall not seek to abridge for any purpose the freedoms of other employees or students. At the same time, they shall not willingly permit the right and privileges of any members of the college community to override the best interests of the public served by the District.

Employees shall exercise judgments that are fair, consistent, and equitable. They shall exhibit openness and reliability in what they say and do as educational leaders. They shall confront issues and people without prejudice. They shall do everything they can to demonstrate a commitment to excellence in education and without compromise to the principles of ethical behavior.

Similarly, students are expected to abide by ethical behavior and decision-making in their treatment of District employees, other students, and members of the public.

Employee Responsibilities

The following statements are intended as guidelines:

1. With respect to students:
 - a. Remain continuously informed of characteristics, preferences, and educational needs of the local community.
 - b. Provide and protect student access to educational resources of the District.
 - c. Protect human dignity and individual freedom, and assure that students are respected as individuals, as learners, and as independent decision-makers.
 - d. Invite students to contribute to the District decisions and directions.
 - e. Protect students from disparagement, embarrassment, or capricious judgment.
 - f. Keep foremost in mind at all times that the District exists to serve students.
2. With respect to colleagues and staff:
 - a. Develop a climate of trust and mutual support through the governance process characterized by participation of the people affected; focus on objectives rather than personalities; respect for reason, freedom of expression, and right to dissent.
 - b. Foster openness by encouraging and maintaining two-way communication.
 - c. Encourage, support, and abide by written policies and procedures and to communicate clearly to new staff members the conditions of employment, work expectations, and evaluation procedures.
 - d. Provide opportunities for professional growth.
 - e. Provide due process with opportunity for appeal and review of employee evaluation.
3. With respect to the Board of Trustees:
 - a. Keep the Board of Trustees informed so it can act in the best interests of the District and the public.
 - b. Act in the best interest of the District even when that action conflicts with an interest of an administrator or individual colleagues.
 - c. Be guided by the principles and policies established by the Board of Trustees.

Office of Primary Responsibility: President's Office

Date Approved: March 16, 2010

Date Revised: April 18, 2017

General Institution

No CCLC Updates through #33 – follows template with one noted difference
To BOT Policy Committee 11/8/2018
To Jeff Marozick 11/1/2018

BP 3505 EMERGENCY OPERATIONS PLAN**References:**

Education Code Sections 32280 et seq. and 71095;
Government Code Sections 3100 and 8607(a);
19 California Code of Regulations (CCR) Sections 2400-2450;
National Fire Protection Association 1600;
Homeland Security Act of 2002;
Homeland Security Presidential Directive-5;
Executive Order S-2-05;
34 Code of Federal Regulations Part 668.46(g)

The District shall have emergency response and evacuation procedures for notifying the campus community in the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

The Superintendent/President shall establish procedures that ensure that the District implements a plan to be activated in the event of an emergency, or the occurrence of a natural disaster or hazardous condition. This plan must comply with the National Incident Management System (NIMS), the Standardized Emergency Management System (SEMS) and should incorporate the functions and principles of the Incident Command System (ICS), the Master Mutual Aid Agreement (MMAA) and any other relevant programs. The plan must incorporate NIMS and SEMS to facilitate the coordination between and among agencies in the event of an emergency or natural disaster.

Compliance with NIMS and SEMS mandates include but are not limited to:

- Establishing disaster preparedness procedures or a plan and
- Completion of training sessions by college personnel in compliance with NIMS and SEMS guidelines
 - Training requirements vary based on job titles or assigned roles within the emergency management plan

District personnel must be informed that as public employees, they are also disaster service workers during national, state, and local emergencies. The District must ensure that its employees are in compliance with the disaster service worker oath requirements.

The Superintendent/ President should ensure that a team is created to carry out compliance with NIMS and SEMS mandates. The responses to emergencies or natural disasters are organized by SEMS into five categories: field response, local government, operational areas, regions, and state.

The plan should contain information regarding activation and chain of command responsibilities. Compliance with NIMS mandates requires planning and incorporation for all phases of emergency management including mitigation and prevention, preparedness, response, and recovery. The District must ensure that its disaster plan is updated regularly and must comply with NIMS and SEMS to receive state or federal funding.

Date Adopted: May 15, 2012

General Institution

No CCLC Updates through #33
To BOT Policy Committee 11/8/2018
Reviewed by Chief Marozick 11/2018

AP 3505 EMERGENCY OPERATIONS PLAN**References:**

Education Code Sections 32280 et seq. and 71095;
Government Code Sections 3100 et seq., 8558, 8559, 8600, 8605, and 8607(a);
Homeland Security Act of 2002;
National Fire Protection Association 1600;
Homeland Security Presidential Directive-5;
Executive Order S-2-05;
19 California Code of Regulations (CCR) Sections 2400-2450;
34 Code of Federal Regulations Part 668.46(b)(13) and (g)

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

General information about the emergency response and evacuation procedures for the District are publicized each year as part of the District's Clery Act compliance efforts and that information is available on the District web site via the Police Department link.

All members of the campus community are notified on an annual basis that they are required to notify the District Police Department of any incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and employees on campus. District Police Department has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, District Police Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If so, federal law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

Upon confirmation or verification by the District that a legitimate emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, the District will determine the content of the message and will use some or all of the systems described below to communicate the threat to the campus community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The District will, without delay, take into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to the District Police Department, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the campus community, the District has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include network emails, emergency text messages that can be sent to a cell phone (individuals can sign up for this service on the District web site), public address system in specific buildings, District website. The District will post updates during a critical incident on the District web site at www.marin.edu. Individuals can call the District's recorded information telephone line at 415-457-8811 for updates.

The District's Public Information Officer will be responsible for the dissemination of emergency information to the larger community through cell phone alerts to parents/guardians, radio, TV alerts.

TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

An evacuation drill is coordinated by the District Police Department once per year for campus facilities. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The District Police Department has established primary evacuation locations in advance. However, these locations may be subject to change due to time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. The District Police Department and District staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

Evacuation drills are monitored by the District Police Department and District administration to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments and offices for consideration.

The District conducts numerous announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. District Police Department and District administration coordinate announced and unannounced evacuation drills once per year, as described above, to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. For each test conducted, District Chief of Police or Designee will document a description of the exercise, the date, time, and whether it was announced or unannounced. The District will ~~publish~~ [create](#) a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

In the event of an emergency, natural disaster or the occurrence of a hazardous condition the District must ensure the activation of a plan or procedures to protect and govern employees, students, visitors and children in childcare programs on its campuses and facilities. The District should implement a campus emergency management team to aid in creation and implementation of its emergency procedures or plan.

The District's Emergency Operations Plan ~~should adopt~~ [shall meet](#) California's Standardized Management System (SEMS) and the National Incident Management System (NIMS) [standards](#). The purpose of SEMS is to provide a standardized response to emergencies involving multiple jurisdictions or multiple agencies. Compliance with requirements includes the use of the basic principles and components of emergency management which include the Incident Command System (ICS), multi-agency or inter-agency coordination, the operational area concept and established mutual aid systems. SEMS and NIMS both

utilize ICS. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure that is responsible for the management of resources to effectively accomplish the District's stated objectives in response to an incident.

For major incidents NIMS provides a consistent nationwide template to ensure that local, state, and federal agencies work together to prepare for, prevent, respond to, and recover from incidents. The following are criteria and areas that should be included in the District's Emergency Response Plan.

Compliant emergency response plans provide information on preparedness, prevention, response, recovery, and mitigation policies and procedures.

Compliant emergency response plans also provide information on coordinating with the appropriate local, state, and federal government authorities, and nongovernmental entities on comprehensive emergency management and preparedness activities.

SEMS

Below is information that specifically relates to SEMS and compliance with SEMS. State agencies are required by law to use SEMS. There are five designated levels in the SEMS organization: field response, local government, operational areas, regions, and state. Each level is activated as needed.

- **"Field response level"** commands emergency response personnel and resources to carry out tactical decisions and activities in direct response to an incident or threat.
- **"Local government level"** manages and coordinates the overall emergency response and recovery activities within their jurisdiction.
- **"Operational area level"** manages and/or coordinates information, resources, and priorities among local governments within the operational area and serves as the coordination and communication link between the local government level and the regional level.
- **"Regional level"** manages and coordinates information and resources among operational areas within the mutual aid region designated pursuant to Government Code Section 8600 and between the operational areas and the state level. This level along with the state level coordinates overall state agency support for emergency response activities.
- **"State level"** manages state resources in response to the emergency needs of the other levels, manages and coordinates mutual aid among the mutual aid regions and between the regional level and state level, and serves as the coordination and communication link with the federal disaster response system.

The local government level, operational area level, regional level, and the state level shall include the following functions:

- Management,
- Operations,
- Planning/intelligence,
- Logistics, and
- Finance/Administration.

Training

The District shall determine the appropriate level(s) of SEMS training for each of its employees. This determination is dependent upon the employee's potential assignment during an emergency response situation. The District should ensure that its emergency response personnel can demonstrate and maintain, the minimum SEMS performance objectives, at the appropriate level, [as](#) is required by the District's training programs.

Compliance with SEMS

To be compliant with SEMS requirements the District must include the five essential SEMS functions in its Emergency Response Plan. To be in compliance with SEMS, the Emergency Response Plan must at minimum, address the following functions:

- Management,
- Operations,
- Logistics,
- Planning/Intelligence, and
- Finance/Administration.

Local government must use SEMS in order to be eligible for state funding for response-related personnel costs which occur in response to an incident. The District shall use SEMS to coordinate multiple jurisdiction or multiple agency emergency and disaster operations.

In the event that a local emergency occurs and the Governor declares a state of emergency, if the District responds to said emergency, the District shall complete and transmit an after action report to the California Office of Emergency Services (OES) within 90 days of the close of the incident period. The after action report shall at a minimum include a review of the response actions taken, the application of SEMS, the identified training needs, suggested modifications to SEMS, necessary modifications to the SEMS plans and procedures and an up to date recall of the recovery actions.

NIMS

The District must also be in compliance with the federal requirements for emergency preparedness or NIMS.

The components of NIMS are:

- Command and Management including ICS,
- Preparedness,
- Resource Management,
- Communications and Information Management,
- Supporting Technologies, and
- NIMS Management and Maintenance.

Compliance with NIMS

To comply with NIMS requirements, the District must ensure that its employees receive the appropriate NIMS training. NIMS compliance is measured by a performance-based "metrics" system. In addition to the training requirements, the District must also comply with state and federal preparedness laws for public institutions.

The District can work with the Disaster Resistant California Community Colleges (DRCCC) program to ensure it's in compliance with state and federal requirements.

Definitions

The following definitions may be relevant to the implementation of the Emergency Response Plan:

Emergency: a condition of disaster or of extreme peril to the safety of persons and property caused by such conditions as air pollution, fire, flood, hazardous material incident, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestations or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake or other conditions, other than conditions resulting from a labor controversy.

Incident: an occurrence or event, either human-caused or by natural phenomena, that requires action by emergency response personnel to prevent or minimize loss of life or damage to property and/or natural resources.

Incident Command System (ICS): the nationally used standardized on-scene emergency management concept specifically designed to allow its user(s) to adopt an integrated organizational structure equal to the complexity and demands of single or multiple incidents without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, with responsibility for the management of resources to effectively accomplish stated objectives pertinent to an incident.

Office of Primary Responsibility: College Operations

Date Approved: April 17, 2012

Student Services

No CCLC Updates thru #32

Admin Review 11/2018

BP 5300 STUDENT EQUITY

References:

Education Code Sections 66030, 66250 et seq., and 72010 et seq.;
Title 5 Section 54220

The Board of Trustees is committed to assuring student equity in educational programs and college services. The Superintendent/President shall establish and implement a Student Equity Plan that meets the Title 5 standards and ensures that all students, especially underrepresented students, have the opportunity to achieve their academic goals.

Date Adopted: June 23, 2009

(Replaces College of Marin Policy 4.0035)

Student Services

[Admin Review/Edits 11/6/2018](#)

AP 5300 STUDENT EQUITY

References:

Education Code Sections 66030, 66250 et seq. and 72010 et seq.;
Title 5 Section 54220

The District has a Student Equity Plan. The Plan is filed as required to the California Community Colleges Chancellor's Office, following approval by the Board of Trustees.

The plan addresses:

- active involvement of the groups on campus through governance committees, and instructional and student development departments, and through the program review process
- involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups
- campus-based research as to the extent of student equity
- institutional barriers to equity
- goals for access, retention, degree and certificate completion, English as a Second Language (ESL) and basic skills completion, and transfer for each historically underrepresented group
- activities most likely to be effective to attain the goals, including coordination of existing student equity related programs
- sources of funds for the activities in the plan
- a schedule and process for evaluation of progress toward the goals
- an executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the District will undertake to achieve the goals, the resources budgeted for that purpose, and the District officer or employee who can be contacted for further information

The Student Equity Plan shall be developed, maintained, and updated under the supervision of the ~~Director of Student Affairs~~ [Dean of Educational Success Programs](#).

Office of Primary Responsibility: ~~Student Affairs~~ [Student Services and Student Learning](#)

Date Approved: April 19, 2009

Business and Fiscal Affairs

Admin Review against CCLC template

Fiscal Review Nov 2018

BP 6330 PURCHASING

References:

Education Code Section 81656;
Public Contract Code Sections 20650 and 20651

The Board of Trustees delegates to the Superintendent/President the authority to purchase supplies, materials, apparatus, equipment, and services as necessary to the efficient operation of the District. No purchase shall exceed the amounts specified by Public Contract Code Section 20651 as amended from time to time, without Board approval.

All such transactions shall be reviewed by the Board every 60 days.

Date Adopted: May 12, 2009

(Replaces College of Marin Policy 6.0015)

Business and Fiscal Affairs

Admin Review Against CCLC Template

Fiscal Review Nov 2018

CCLC Update 26 (April 2015) to change title for added specificity and to update revised accreditation standards in references.

CCLC Update 24 (April 2014) to update legal references

CCLC Update 29 (October 2016) to include citation regarding the EDGAR second edition requirements re: governing procurement standards

BP 6340 BIDS AND CONTRACTS**References:**

Education Code Sections 81641 et seq.;

Public Contract Code Sections 20650 et seq.

Government Code Section 53060;

ACCJC Accreditation Standard III.D.16;

2 Code of Federal Regulations, Part 200.318

The Board of Trustees delegates to the Superintendent/President the authority to enter into contracts on behalf of the District for goods (supplies, materials, apparatus, equipment), work to be done, or services to be performed on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

- Contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contract Code Section 20651 shall require prior approval by the Board.
- Contracts are not enforceable obligations until they are ratified by the Board.
- When bids are required according to Public Contract Code Section 20651, the Board of Trustees shall award each such contract to the lowest responsible, responsive bidder who meets the specifications published by the District and who shall give such security as the Board requires. The Board may reject all bids.
- The amounts specified in Public Contract Code Section 20651 shall not apply to contracts for public projects falling within the limits for informal bidding under the California Uniform Public Construction Cost Accounting Act.

If the Superintendent/President concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contract Code Section 20651.5, pre-qualification may ~~shall~~ be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the District will be served by a contract, lease, requisition, or purchase order through any other public corporation or agency in accordance with Public Contract Code Section 20652, the Superintendent/President is authorized to proceed with a contract.

Unlawful to Split Bids

It is unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by the contract after competitive bidding.

Office of Primary Responsibility: College Operations

Date Adopted: January 20, 2009

(Replaces College of Marin Policies 6.0013 and 6.0018)

Business and Fiscal Affairs

Fiscal Review Nov 2018

- CCLC Update 26 (April 2015) to reflect revised accreditation standards in references.
- CCLC Update 24 (April 2014) to update legal references and the types of purchases which do not require advertising for bids.
- CCLC Update 22 (June 2013) to update section re: awarding of bids and contracts as discussed in new Section 20651.7 of Public Contract Code.
- CCLC Update 29 (Oct 2016) updated to include additional items under EDGAR Second Edition related to procurement standards, including the requirement that districts avoid acquisition of unnecessary or duplicative items and record retention requirements.

AP 6340 **BIDS AND CONTRACTS —GOODS**

References:

Education Code Sections 81641 et seq.;

Public Contract Code Sections [20103.7](#) 20112, 20650 et seq., and 22000 et seq.;

Labor Code Sections 1770 et seq.;

[Government Code Section 53060](#)

[ACCJC Accreditation Standard III.D.16](#)

[2 Code of Federal Regulations Part 200.318](#)

Limits

The District shall enter into contracts for purchase of goods (supplies, materials, apparatus, and equipment) or services except construction (?) as necessary for to the efficient operation of the District in accordance with Board policies, state laws, and other pertinent regulations, with limits as follows:

- Informal procurement (typically, less than \$30,000 or in accordance with Public Contract Code limits): The Chief Business Officer may sign contracts;
- Written quotes (in accordance with typically, \$30,000 to the Public Contract Code limits): The District shall solicit formal written quotations from at least three independent vendors; and
- Formal bids (above the Public Contract Code limit): The District shall solicit formal bids per Public Contract Code Section 20651, as described below.

(Note: replacing above with CCLC template language)

Bids or quotations shall be secured as may be necessary to obtain the lowest possible prices as follows:

- Purchase of goods or services up to the limits set out in the Public Contract Code will require documented quotes
- Purchase of goods or services in excess of the limits set out in the Public Contract Code will require formal advertised bids.

In securing bids or quotations, the District will avoid acquisition of unnecessary or duplicative items. Contracts involving expenditures that require competitive bidding require approval by the Board of Trustees prior to award.

Bid Specifications

Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified.

Notice Calling for Formal Advertised Bids

The District shall publish at least once a week for two weeks in a newspaper of general circulation circulated within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post the information on the District's web site or through an electronic portal, a notice calling for bids or proposals, stating the work to be done or materials or supplies to be furnished ~~goods~~ to be furnished and the time and place when bids will be opened. Mailing shall be completed at least thirty (30) days before the date of bid opening. The District may accept a bid that was submitted either electronically or on paper.

Bid and contract forms shall be prepared and maintained by the Chief Business Officer or designee. All applicable statutory provisions and Board Policies shall be observed in preparation of the forms.

The Chief Business Officer or designee shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

All bid notices for work to be done shall contain an affirmative statement requiring compliance with Labor Code Sections 1775 and 1776 governing payment of prevailing wages and Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance with these California Labor Code Sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.

When required or determined to be appropriate, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of the District, any certified or cashier's check received shall be returned to the respective bidder.

The Chief Business Officer or designee shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and material personnel may examine the specifications and drawings.

The Chief Business Officer or designee shall provide an electronic copy of the plans and specifications and other contract documents to a contractor plan room service at no charge upon request from that contractor plan room.

When permitted, A deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

Awarding of Bids and Contracts

The awarding of bids and contracts ~~for goods~~ shall be subject to the following conditions:

- Any and all bids may be rejected by the District for any reason.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.

- Bid and cContract award recommendations to the Board of Trustees shall show a tabulation of the bids received in reasonable detail.
- Bid and cContract awards shall be made to the lowest responsible, responsive bidder substantially meeting the requirements of the specifications. The District reserves the right to make its selection of materials or services goods purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.
- For the purposes of bid evaluation and selection when the District determines that it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and material, and reduced administrative costs, the District may provide for the selection of the lowest responsible bidder on the basis of best value pursuant to policies and procedures adopted by the governing board-Board of Trustees in accordance with this section.
- “Best value” means the most advantageous balance of price, quality, service, performance, and other elements, as defined by the Board of Trustees, achieved through methods in accordance with this section and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.

Unlawful to Split Bids

~~It is unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.~~ *(Note: moved to later in the document per CCLC template)*

Purchase without Advertising for Bids

The Chief Business Officer or designee is authorized to make purchases from firms holding public agency contracts without calling for bids where it appears advantageous to do so.

The Chief Business Officer or designee may, without advertising for bids within the same county, city, town or district, purchase or lease from other public agencies materials or services by authorization of contract or purchase order.

The Chief Business Officer or designee may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.

The Chief Business Officer or designee is authorized to make purchases with a value between \$5,000 and \$250,000 from a certified small business, microbusiness, or disabled veteran business enterprise.

Duration of Continuing Contracts for Services and Supplies

Continuing contracts for work or services goods furnished to the District are not to exceed five ~~three~~ years. Contracts for materials and supplies are not to exceed three years.

Note: Below added from CCLD template language per Fiscal Review

Emergency Repair Contracts without Bid

When emergency repairs or alterations are necessary to continue existing classes or to avoid danger of life or property, the Chief Business Officer may make a contract on behalf of the District for labor, materials and supplies without advertising for or inviting bids, subject to ratification by the Board.

Unlawful to Split Bids

It is unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding. (Moved from above)

Record Retention

The District will retain records sufficient to detail the history of procurement. These records include: rationale for the method of procurement, selection of contract type, contractor selection and rejection, and the basis for the contract price.

Office of Primary Responsibility: College Operations

Date Approved: December 9, 2008

AP 6350 CONTRACTS – CONSTRUCTION

References:

Education Code Sections 81800 and 81147;
Public Contract Code Sections 20650 et seq. and 22000 et seq.

Limits

~~The District shall enter into construction contracts as necessary to the efficient operation of the District in accordance with Board Policies, state laws, and other pertinent regulations, with limits as follows:~~

- ~~• Informal procurement (\$15,000 or less or as revised in Public Contract Code): The District shall solicit bids from at least three independent vendors and the Chief Business Officer may sign the contract.~~
- ~~• Formal bids (more than \$15,000 or as revised in Public Contract Code): The District shall require the solicitation of formal bids (Public Contract Code Section 20651), as described below.~~

~~(Above paragraph not in template – review)~~

The Chief Business Officer or designee shall be responsible for the planning and programming of new construction, alterations and repairs of existing plants, and leasing of facilities that require state approval. This includes the planning and programming of District-initiated new construction, additions to existing plants, and major alterations and repairs of buildings and grounds.

The Chief Business Officer or designee shall be responsible for preparation of drawings and specifications for new buildings, leased facilities, additions, major alterations, and improvements of buildings and grounds together with estimates of costs.

The preliminary drawings, which shall cover all proposed facilities together with construction cost estimates, shall be submitted to the Board of Trustees for approval and authorization to proceed with the working drawings and specifications. Upon completion, the working drawings, specifications, and revised cost estimates, if any, will be submitted for approval to the [Department of General Services](#) (Division of the State Architect) and the [California Community College State Chancellor's Office](#), if applicable and as required by statute in the name of the Board of Trustees.

The final working drawings and specifications, approved by the [Department of General Services](#) (Division of the State Architect) and the [California Community College State Chancellor's Office](#), if applicable together with revised estimates, if any, shall then be submitted to the Board of Trustees for adoption.

The letting of contracts for construction shall comply with the procedures of the District regarding contracts that exceed the statutory minimums for competitive bidding (See AP 6340 Titled Bids and Contracts)

The District has elected to become subject to the California Uniform Public Construction Cost Accounting Act which provides for an alternative set of bidding procedures. (See AP 6345 Bids and Contracts – UPCCAA)

~~Bid Specifications~~

~~Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified.~~

~~Notice Calling for Formal Advertised Bids~~

~~The District shall publish at least once a week for two weeks in a newspaper of general circulation circulated within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post the information on the District's web site or through an electronic portal, a notice calling for bids or proposals, stating the materials or supplies to be furnished and the time and place when bids will be opened. The District may accept a bid that was submitted either electronically or on paper.~~

~~Bid and contract forms shall be prepared and maintained by the Chief Business Officer or designee. All applicable statutory provisions and board policies shall be observed in preparation of the forms.~~

~~The Chief Business Officer or designee shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.~~

~~All bid notices for work to be done shall contain an affirmative statement requiring compliance with Labor Code Sections 1775 and 1776 governing payment of prevailing wages and Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance with these Labor Code Sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.~~

~~When required or determined to be appropriate, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of the District, any certified or cashier's check received shall be returned to the respective bidder.~~

~~The Chief Business Officer or designee shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and material personnel may examine the specifications and drawings.~~

~~A deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.~~

~~Awarding of Contracts~~

~~The awarding of contracts shall be subject to the following conditions:~~

- ~~• Any and all bids may be rejected by the District for any reason.~~
- ~~• All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.~~
- ~~• Contract award recommendations to the Board of Trustees shall show a tabulation of the bids received in reasonable detail.~~

Contract awards shall be made to the lowest responsible, responsive bidder meeting the requirements of the specifications.

~~Kindergarten-University Public Education Bond Act Projects~~

~~For projects funded by State Bond Funds, the Chief Business Officer or designee will initiate and enforce, or contract with a third party to initiate and enforce, a labor compliance program for that project under Labor Code Section 1771.7. The program will include:~~

- ~~• Appropriate language concerning the wage requirements of Labor Code Sections 1720 et seq. in all bid invitations and public works contracts.~~
- ~~• A pre-job conference with the contractor and subcontractors to discuss applicable state and federal labor law requirements.~~
- ~~• Project contractors and subcontractors shall be required to maintain and, at designated times, furnish certified copies of weekly payroll containing a statement of compliance signed under penalty of perjury.~~
- ~~• The District shall review, and if appropriate audit, the payroll records of the employees of the contractor and/or subcontractor. The review and audit shall be conducted by the Chief Business Officer, designee, or an independent third party (but not the third party with whom the District contracts to initiate and enforce a labor compliance program under Labor Code Section 1771.7).~~
- ~~• If an investigation establishes that an underpayment of wages has occurred, the District shall withhold any contract payments, equal to the amount of underpayment and any applicable penalties.~~
- ~~• The Chief Business Officer or designee shall transmit a written finding that the District has initiated and enforced, or has contracted with a third party to initiate and enforce, the required labor compliance program, to the Director of the Department of Industrial Relations, or any successor agency that is responsible for the oversight of employee wage and work hour laws.~~

~~Unlawful to Split Bids~~

~~It is unlawful to split or separate into smaller contracts any construction project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.~~

Also see BP/AP 6340 Bids and Contracts; AP 6345 Bids and Contracts – UPCCAA)

Office of Primary Responsibility: College Operations

Date Approved: December 9, 2008

*(Replaces College of Marin Policies 8.0022 and
8.0023)*

Date Revised: March 12, 2009 (Revised by College Council)

CCLC Update 31 (October 2017) to include references to Ed Code and Title 5

AP 6400 FINANCIAL AUDITS

References:

Education Code Sections 84040(b), 84040.5 and 81644;
Title 5 Section 59102;
ACCJC Accreditation Standard III.D.7.

On or before April 1 of the fiscal year, the Board of Trustees shall approve the selection of an auditor who shall be a certified public accountant licensed by the California State Board of Accountancy.

An auditing firm's contract shall be for no longer than five years. The audit shall include all funds under the control or jurisdiction of the District. The audit shall identify all expenditures by source of funds and shall contain:

- A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Education Code Section 84040.5 and
- a summary of audit exceptions and management recommendations.

Audit reports for the preceding fiscal year must be presented to the Board of Trustees and submitted to the California Community Colleges Chancellor's Office by December 31.

The audit shall cover the general financial operations of the District, Associated Student Body Fund operations and the Federal Aid Program operation.

Also see BP/AP 6740 titled Citizens' Bond Oversight Committee

Office of Primary Responsibility: College Operations

Date Approved: May 23, 2008
*Replaces sections of Board Policy 6.0004 titled
Annual Audit.*
Date Reviewed/Revised: June 20, 2017

Business and Fiscal Affairs
Fiscal Services Revise 11-2018

AP 6500 PROPERTY MANAGEMENT

References:

Education Code Sections 70902 and 81300 et seq.

The Chief Business Officer shall be responsible for supervising acquisitions of real property, including appraisals and valuations of real property and improvements; securing title insurance policies; dedications or conveyance of easements; vacation of streets and alleys, street lighting and other special assessments; and the condemnation of real property.

According to Sections 81360-81380 of the California Education Code, the Board of Trustees of the District has the power to acquire, buy, sell, or lease real property belonging to the District. Before an action is taken by the Board of Trustees on the lease or sale of College-owned land, the following criteria must be met:

1. No obvious academic, athletic, or administrative need must exist for the property under consideration;
2. The proposed lease or sale must generate positive educational and/or financial benefits for the College, or make possible improvements to its physical facilities;
3. The proposed use of the leased or sold property must be supportive or at least compatible with the activities of the College;
4. The proposed use must comply with all applicable statutes and regulations;
5. The principal leasing or purchasing the property must identify itself;
6. The process must allow for a full public hearing or workshop before any action is taken by the Board of Trustees.

The Board may sell or lease real property belonging to the District under the following conditions:

- If the District has received only one sealed proposal from a responsible bidder that conforms with the standard rate or rates for the lease of its real property established by a majority vote of the Board of Trustees, the Board may (by majority vote) delegate to an officer or employee the power to enter into leases, for and on behalf of the District, of any real property of the District.

Generally, the funds derived from the sale or from a lease with an option to purchase shall be used for capital outlay or deferred maintenance. However, the proceeds of property sold or leased that was first offered for park or recreational purposes where applicable and then offered for sale or lease with an option to purchase at fair market value may be deposited in the general fund of the District if, prior to the sale or lease, the Board of Trustees has determined that the District has no anticipated need for additional

sites or building construction for the five-year period following the sale or lease. *(NOTE: This text was removed from AP 6550 Disposal of District Personal Property.)*

The Board shall review and consider all final Environmental Impact Reports and Negative Declarations prior to approving any project not exempt from the requirements of the California Environmental Quality Act, and shall make such findings as are required by law.

Office of Primary Responsibility: College Operations

Date Approved: December 9, 2008

(Replaces current College of Marin Policies 8.0026 and 8.0028)

Date Reviewed: July 18, 2017

Business and Fiscal Affairs
[Reviewed by Fiscal 11-2018](#)

BP 6550 DISPOSAL OF DISTRICT PERSONAL PROPERTY

References:

Education Code Sections 70902(b)(6), 81360 et seq. and 81450 et seq.

The Superintendent/President is delegated authority by the Board of Trustees to declare surplus such personal property of the District that is no longer useful for District purposes. The Superintendent/President shall establish procedures to dispose of such property in accordance with applicable law. All sales of surplus personal property shall be reported to the Board on a periodic basis.

[This policy shall not be construed as authorizing any representative of the District to dispose of surplus real property at any time.](#)

This policy applies to District personal property only.

Date Adopted: May 12, 2009

Date Revised: December 11, 2012

Business and Fiscal Affairs
Admin Review w/CCLC Template
Fiscal Review 11/2018

AP 6550 DISPOSAL OF DISTRICT PERSONAL PROPERTY**References:**

Education Code Sections 70902(b)(6), 81360 et seq., ~~81380, 81390 et seq., 81440 et seq.,~~ and 81450 et seq.;
OMB Circular A-110

The Chief Business Officer shall maintain an inventory of all District capital assets valued at more than \$5,000, which shall be depreciated in accordance with Generally Accepted Accounting Principles and the California Budget and Accounting Manual.

District Personal Property

The District may sell for cash any District personal property if the property is not required for District purposes or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for use.

Property cannot be sold until notice has been given. Notice must be posted in at least three public places in the District for not less than two weeks; notice can also be by publication for at least once a week for a period of not less than two weeks in a newspaper published in the District and having a general circulation.

The Chief Business Officer shall sell the property to the highest responsible bidder, or shall reject all bids.

Personal property authorized for sale as surplus may also be disposed of by means of a public auction conducted by employees of the District, or by other public agencies, or by contract with a private auction firm. The personal property shall be sold or transferred to the highest responsible bidder upon completion of the auction and after payment has been received by the District.

The District can also exchange for value, sell for cash, or donate any personal property belonging to the District without complying with the preceding procedures if all of the following criteria are met:

- a) The District determines that the property is not required for District purposes, that it should be disposed of for the purpose of replacement, or that it is unsatisfactory or not suitable for school use.
- b) The property is exchanged with, or sold or donated to, a school district, community college district, or other public entity that has had an opportunity to examine the property proposed to be exchanged, sold, or donated.
- c) The receipt of the property by a school district or community college district will not be inconsistent with any applicable District wide or school site technology plan of the recipient district.

Any item or items of property having previously been offered for sale as provided above, but for which no qualified bid was received, may be sold by the Chief Business Officer at private sale without advertising.

The Chief Business Officer shall determine whether an article to be replaced should be traded in for the new item or be declared surplus property. District employees must have approval of the Chief Business Officer before discarding or selling any item they consider surplus. The Chief Business Officer shall determine when there is a sufficient volume of surplus property to require that a sales event be conducted to dispose of the property.

If the Board of Trustees, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed in value the sum of five thousand dollars (\$5,000), the property may be sold by the Chief Business Officer at private sale without advertising.

~~In addition, the Board may sell or lease real property belonging to the District under the following conditions:~~

- ~~• If the District has received only one sealed proposal from a responsible bidder that conforms with the standard rate or rates for the lease of its real property established by a majority vote of the Board of Trustees, the Board may (by majority vote) delegate to an officer or employee the power to enter into leases, for and in behalf of the District, of any real property of the District.~~

~~Generally, the funds derived from the sale or from a lease with an option to purchase shall be used for capital outlay or deferred maintenance. However, the proceeds of property sold or leased that was first offered for park or recreational purposes where applicable and then offered for sale or lease with an option to purchase at fair market value may be deposited in the general fund of the District if, prior to the sale or lease, the Board of Trustees has determined that the District has no anticipated need for additional sites or building construction for the five year period following the sale or lease. (NOTE: Crossed out paragraphs moved to AP 6500 Property Management as it relates to real property vs. personal property)~~

Any of the duties in this section can be assigned to a designee by the Chief Business Officer.

The Chief Business Officer shall report all sales proceeds to the Board of Trustees at least once annually.

Real Property

The District can sell or lease real property belonging to the District if the provisions of the Education Code relating to such sale or lease are met. ([See BP/AP 6500 Property Management](#))

Abandoned Property

The District may dispose, sell, or lease any abandoned property found within District if any of the following conditions are met:

- Notice to the apparent owner is reasonably attempted and no response was received.
- The property is reasonably deemed lost, neglected, or pose a safety concern.
- There is clearly no intention to recover the property by the apparent owner.

Property Purchased with Federal Funds

The federal definition of equipment is: tangible nonexpendable personal property, including exempt property charged directly to the award having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit.

All property acquired by the District from federal funds must be inventoried, maintained, and disposed of in accordance with federal provisions.

Procedures for managing equipment purchased with federal funds, until transfer or disposition takes place, shall meet the following requirements:

- The recipient's property management standards for equipment acquired with federal funds and for federally owned equipment should include all of the following:
 - A description of the equipment
 - Manufacturer's serial number, model number, federal stock number, national stock number, or other identification number
 - Source of the equipment, including the award number
 - Whether title vests in the recipient of the federal government
 - The information needed to calculate the federal share of the equipment
 - Acquisition date and unit acquisition cost
 - Location, use, and condition of the equipment and the date the information was recorded
 - Ultimate disposition data, including date of disposal and sales price or the method used to determine the current fair market value where a recipient compensates the federal awarding agency for its share
- A physical inventory of equipment shall be taken and the results reconciled with the equipment records at least once every two years to verify the existence, current use and continued need for the equipment. Any differences between physical inventory and accounting records shall be investigated to determine the cause of difference. A statistical sampling basis is acceptable.

A control system shall be in effect to insure adequate safeguards against loss, damage, or theft of the equipment. Any loss, damage, or theft of equipment shall be investigated and fully documented. Adequate maintenance procedures shall be implemented to keep the equipment in good condition.

Disposal of Surplus Property

District Personal Property

Material accumulated which has no further value to the District shall from time to time be disposed of in such a manner as to provide maximum benefit to the District. If the sale value of the material is \$1,000.00 or less as determined by the unanimous vote of the Board of Trustees, it may be sold pursuant to provisions of Education Code Section 81452(a).

If the Board of Trustees, by unanimous vote of those members present, finds the material to be of insufficient value to defray the costs of sale, it may be disposed of pursuant to the provisions of Education Code Section 81452(b).

If the sale value is more than \$1,000.00 as determined by the Superintendent/President, the material to be disposed as surplus property shall be sold pursuant to the provisions of Education Code Section 81450.

District employees directly involved in recommending the disposal of specific pieces of personal property may not purchase such property.

Real Property

The sale, lease, or rental of real property shall be in accordance with the provisions of Education Code Section 81360-80. [See AP 6500 Property Management.](#)

Surplus Non-Fixed Equipment

The orderly disposal of District surplus non-fixed equipment is essential for the maintenance of an accurate District equipment inventory. Maintenance of inventory records and the purchasing and disposal of District equipment are functions of Administrative Services. For purposes of this procedure, equipment is defined as tangible property of more or less permanent nature other than building, improvements, or books. Such items as machinery, instruments, vehicles, and furniture are equipment.

Factors to be taken into consideration when contemplating disposal include the following:

- age of equipment
- cost of maintenance
- cost of repair
- remaining useful life
- condition
- availability of replacement funds
- cost of replacement
- cost of disposal
- other deciding factors

Once the department decides to recommend disposal, the department will submit a fully completed Disposal of Non-Fixed Equipment Request form to the designated position in Administrative Services.

If approved for disposal, equipment will be gathered to a central location. Method of disposal will depend upon the greatest net financial gain to the District and must comply with Board Policy.

Proceeds from the sale will go into the General Fund unless restricted by original funding source.

Office of Primary Responsibility: College Operations

Also see BP/AP 6500 Property Management

Date Approved: April 21, 2009

(Replaces current College of Marin Policy 6.0008 and Procedure 6.0008 DP.1)

Date Revised: November 13, 2012