

**April 11, 2019, 3:00 p.m. – 4:30 p.m.**  
Academic Center, Room 303, KTD

| TOPIC                        | DESCRIPTION   | Information/<br>Discussion<br>Action   |
|------------------------------|---|--|
| 1. Agenda                    | Review/Revise/Approve   | Action                                 |
| 2. Minutes                   | Approve Minutes from 3/7/2019 Meeting   | Action                                 |
| 3. President's Report        | <ul style="list-style-type: none"> <li>• Capital Projects Update (Greg/Isidro)</li> <li>• LRC-SS Moves (Jon)</li> <li>• Strategic Planning (DWC)</li> <li>• College Hour Update (Jon)</li> <li>• Constituents to Report Back on Proposed new language to Participatory Governance Plan</li> </ul> | Information/Discussion<br><br>Approval |
| 4. Board Policies/Procedures | <b>From August Review for Action</b><br>AP 7120 Employment Recruitment (10 + 1)<br><b>From April Review for Action:</b><br>BP/AP 4400 Community Services Courses (10 + 1)<br>AP 5015 Residence Determination (AS Updates/Jon Horinek)<br>AP 7145 Personnel Files<br>BP/AP 7310 Nepotism           | Action                                 |
| 5. Board of Trustees         | Review April 16, 2019 Board Agenda  | Information                            |
| 6. Constituent Reports       | Reports from senates and other constituent updates  | Information                            |
| 7. Meeting Wrap Up           | Review/confirm actions made at meeting/ identify items for next meeting.  | Discussion                             |
| 8. Meeting Schedule          | May 9, 2019<br>September 12, 2019;<br>October 10, 2019;<br>November 14, 2019;<br>December 12, 2019  | Information                            |
| 9. Adjourn Meeting           |   |  |

**Members:**

David Wain Coon, Chair

**Faculty:**

Meg Pasquel

Becky Brown

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



College Council  
Agenda

Staff Support:  
Kathy Joyner

Ex-Officio for CSEA  
Keli Gaffney, CSEA Pres.

**March 7, 2019**

Academic Center, Room 303, KTD

Present: Jonathan Eldridge, Christina Leimer; Meg Pasquel; Karen Robinson, Kim Foulger, Maridel Barr; Hellen Sigaran, Liam Campbell; Luanne Mullen, Isidro Farias; Kathy Joyner

Absent: David Wain Coon; Greg Nelson; Becky Brown; Monica Applegate

Guests: Patrick Ekoue-Totou; Marian Mermel

1. **Agenda** –The agenda was approved by consensus.
2. **Minutes** - The minutes of the February 7, 2019 meeting were approved by consensus.

3. **President's Report**

Capital Projects Update/LRC-SS

Isidro provided an update of current projects, projected completion dates and projects going out to bid or in the design process. He noted that a number of projects were delayed as a result of the fires in the fall and rain this season. A copy of the report is attached to the minutes and posted on the website. There was concern raised about the decision to put the IVC child care program on hiatus during construction without discussion with faculty. Jonathan noted that the move plan to vacate the Learning Resource Center should be completed by the end the month and there will be a meeting scheduled to discuss the plan with those who will be affected by the move. The new building will house all services from LRC and SS.

College Hour Update - This item will be heard in April.

Update on Wireless:

Students and staff expressed frustration with the inconsistent or lack of wireless service on campus. Patrick remarked that the department has been monitoring the system and have not identified any failures, though there are some “dead” areas they are working on. He also commented on the need for security protocols and that some individuals may not be following the 2-step process required to gain access to the Wi-Fi. He encouraged anyone having difficulties to contact IT for assistance and also to report any failures or problems to IT so they can troubleshoot the issue. Comments included reports from students daily that they cannot access the wireless from their phones or laptops; hard connects seem to work fine; and that this is an access issue - students rely on their devices while on campus and they should have access regardless of the device they are using. There was a suggestion to have a “how-to” card available for instructors

to hand out to students. Helen and Liam will refer students to IT for connection problems and IT will continue to follow up with issues brought to their attention.

EMP - Christina reported that the plan has been through several rounds of review with all constituent groups and has been edited based on review of the feedback received. There has been significant discussion about what equity means in the document and additional language is being worked on. Technology objectives was another topic as part of the review process and will be included in the strategic planning. It was noted that some feedback was more relevant to the Strategic plan and will be included in that process.

Report Back of proposed new language to Participatory Governance Plan - Senates asked to be prepared to report back on this in April.

#### 4. **Board Policies & Procedures**

The council approved the following BP/APs to move forward to the Board of Trustees.

- BP/AP 3300 Public Records
- BP 3420 Equal Employment Opportunity
- BP/AP 3810 Claims Against the District
- BP/AP 5110 Counseling (10 + 1)
- AP 6350 Contracts – Construction
- AP 6360 Contracts – Electronic Systems & Materials
- AP 7125 Verification of Eligibility for Employment
- BP/AP 7365 Discipline and Dismissal – Classified Employees
- BP 7510 Domestic Partners

The council received BP 2730 Board Member Health Benefits for information

The following AP is pending review with the Academic Senate:

- AP 7120 Employment Recruitment (Aug)

#### 5. **Board of Trustees -**

Jonathan reviewed the agenda for the March Board meeting which will be held at the Indian Valley Campus. The study session will include required sexual harassment prevention training for Trustees, review of the Educational Master plan draft and discussion about Board goals. Other items of note are a Resolution in support of Women's History Month and an endorsement of a nomination of Eliana Dimopoulos for the Community College Classified Employee of the Year Awards program.

#### 6. **Constituent Reports**

##### Classified Senate

Kim reported that the Classified employees welcome back breakfast was attended by approximately 60 people and that food was then taken up to the Indian Valley campus

to continue to event. Remaining food was donated to Homeward Bound. The senate continues to work on updating their website and new employee handbook and are searching for a replacement for Vickie Lamke on the CPLC committee. Classified Professional Day is scheduled for March 22.

Academic Senate

Meg reported that they have been working on BP/APs and provided input for the EMP. Alyssa Klinger, Susan Rahman and David Patterson have started working on creating a Gender Studies Certificate program which almost all other community colleges have in place. It is in the beginning stages.

ASCOM

Liam noted that the senate is doing some internal research to review stipends and make sure they are more equitable. The election process is starting and voting will take place April 9 – 13. ASCOM will use SLACK, a technology platform for communication. They are working on updating their constitution, the web site and are looking at instituting an inter-club council to help clubs communicate and be more productive. Angela Davis will be on campus March 28 from 5 – 7:00 in the James Dunn Theater.

ESCOM

ESCOM reported on the upcoming author series on March 29 with Tom Barbash: The Dakota Winters and on April 26 with Jasmin Darznik: Song of a Captive Bird. ESCOM is working on updating their web page as well and will be holding their elections in April. There is a coffee in the Deedy Lounge tomorrow from 10 – 12:00.

7. Meeting Wrap Up -

- College Hour Update (April)
- AP 7120 Employment Recruitment
- Report back on results of constituent review re: discontinued/restructured governance committees (April)

8. Meeting Schedule: Next Meeting April 11, 2019

9. Adjourn Meeting – Meeting was adjourned.

## MEASURE B BOND PROGRAM SUMMARY UPDATE

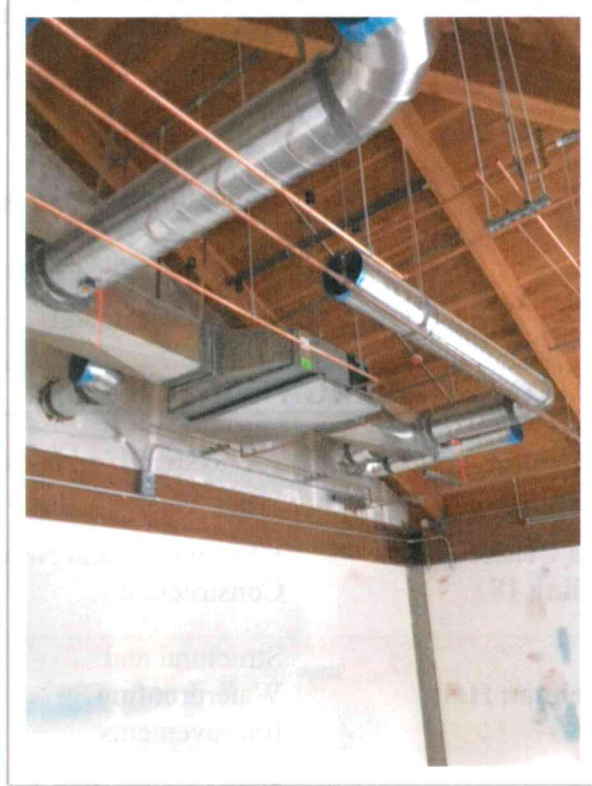
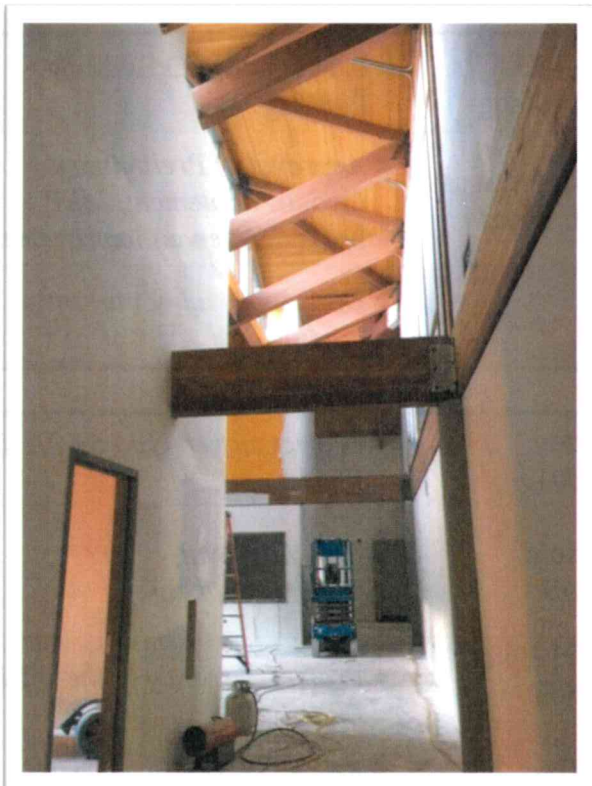
THURSDAY, MARCH 7, 2019

| Project  | Scope   | Schedule   | Status   |
|--|---|--|--|
| <b>PROJECTS UNDER CONSTRUCTION WINTER 2019:</b>      |   |  |  |
| <b>Athletic Turf Fields (Phase II)</b>               | Baseball Field                                  | Completion: March/April 2019   | <ul style="list-style-type: none"> <li>• <i>Site Work: paving, bleacher installation, turf installation</i></li> </ul>                         |
| <b>Pomo Cluster Phase II</b>                         | Interior Renovations                            | Completion: Summer 2019  | <ul style="list-style-type: none"> <li>• <i>Interior framing complete, MEP systems installation ongoing, furniture selections</i></li> </ul>   |
| <b>Miwok Center</b>                                  | New Construction                                | Completion: Summer 2020  | <ul style="list-style-type: none"> <li>• <i>Removal of site utilities, installation of water line, ongoing grading activities</i></li> </ul>   |
| <b>Admin Center Roof Replacement</b>                 | Roof Replacement                                | Completion: March 2019   | <ul style="list-style-type: none"> <li>• <i>Roofing construction in progress</i></li> </ul>  |
| <b>Building 27 Painting</b>                          | Exterior Painting                               | Completion: March 2019   | <ul style="list-style-type: none"> <li>• <i>Contract awarded, issued NTP, project scheduled to begin in March</i></li> </ul>                   |
| <b>PROJECTS BIDDING SPRING &amp; SUMMER OF 2019:</b> |   |  |  |
| <b>Site Improvements</b>                             | Widening Fire Lane at PE Complex                | Added to M&O Building Bidding  | <ul style="list-style-type: none"> <li>• <i>Added to M&amp;O Building Bidding</i></li> </ul>   |
| <b>Admin Cluster 9 &amp; 12 Design</b>               | Tenant Improvements                             | Request for Proposal from A&E Firms  | <ul style="list-style-type: none"> <li>• <i>Approval of Preliminary layouts, abatement, MEP upgrades, tenant improvements</i></li> </ul>       |
| <b>Maintenance &amp; Operations</b>                  | New Construction                                | Bidding: Ongoing   | <ul style="list-style-type: none"> <li>• <i>DSA Approval &amp; currently bidding</i></li> </ul>  |
| <b>PROJECTS IN DESIGN WINTER 2019:</b>               |   |  |  |
| <b>Performing Arts</b>                               | AV System Upgrades                              | Construction: Summer 2019  | <ul style="list-style-type: none"> <li>• <i>Project currently in the Design Phase</i></li> </ul>   |
| <b>Jonas Center &amp; Building 18</b>                | Repurposing and New Construction                | Construction: Spring 2019  | <ul style="list-style-type: none"> <li>• <i>DSA Approval, Groundbreaking</i></li> </ul>  |
| <b>Fusselman Hall</b>                                | Structural and Waterproofing Improvements       | Design-Bid-Build Construction: Fall 2019                                   | <ul style="list-style-type: none"> <li>• <i>Project currently in the Design Phase</i></li> </ul>   |
| <b>Learning Resource Center</b>                      | New Construction / Replacement Building for LRC | <u>Prequals Due:</u> April 2019<br><u>Proposals Due:</u> BOT Approval 5/19 | <ul style="list-style-type: none"> <li>• <i>RFP/Q currently advertised, addressing questions via Addendums posted on PlanetBids</i></li> </ul> |





**Baseball Fields - Construction**



**Pomo Phase II – Interior**

**DRAFT: January, 2019**

**To be added to the Participatory Governance System Plan:**

## **DISCONTINUED OR RESTRUCTURED GOVERNANCE COMMITTEES**

In the event of the need to restructure or discontinue a governance committee or subcommittee, the following procedure shall be followed:

- Determination to restructure or discontinue a governance committee or subcommittee shall be brought forward by PRAC or by consent of the members of the committee or subcommittee
- Recommendation to discontinue shall be presented to the Governance Review Council (GRC) in writing and will include
  - Reasons for discontinuance
  - Activities or work that will need to be taken on by other committees or subcommittees
  - Timeline for phasing out the committee or subcommittee
- Recommendation to restructure shall be presented to the Governance Review Council (GRC) in writing and will include
  - Reasons for restructuring
  - Rewritten committee charge intended to replace charge published in the Participatory Governance System Plan (PGS)
- GRC may request in-person meetings with the initiating party or parties
- GRC may request follow-up materials from the initiating party or parties and/or from college constituent groups affected by the restructuring or discontinuance of the committee or subcommittee
- GRC shall offer constituent groups, including the Classified Senate, the Academic Senate, and ASCOM, an opportunity to provide input regarding the restructuring or discontinuance of the committee or subcommittee
- If the committee is a subcommittee of PRAC, GRC shall consult with PRAC prior to presenting its recommendation
- Within one semester of the request for restructure or discontinuance, GRC shall present a recommendation to College Council
- The College Council decision regarding restructuring or discontinuance shall be communicated to GRC
- GRC shall be responsible for updating the PGS plan with a new or revised committee charge and/or removal of the discontinued committee or subcommittee.



## Human Resources

No CCLC Updates thru #32 April 2018

Revised by HR 8-2018

Categories modified to match BP/AP 3410 for this AP

Revision from Classified Senate at CC Mtg 11/29/2018

**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

~~Classified Senate through the Classified Professionals Liaison Committee, official classified staff appointing body (Classified Senate edit)-~~ 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



Academic Affairs  
Admin Review 3/2019

**BP 4400 COMMUNITY SERVICE COURSES**

**References:**

Education Code Section 78300;  
Title 5 Sections 55002 and 55160

The District shall maintain community service courses which may include coursework in civic, career/technical, literacy, health, and general education, including but not limited to course offerings in the fields of music, drama, art, handicrafts, science, literature, nature study, aquatic sports, and physical activities.

The community service courses shall contribute to the physical, cultural, intellectual, economic, ethical, civic, or professional development of the individuals or groups enrolled in it.

~~Regularly scheduled~~ Community service courses shall be open for admission to adults and minors who can benefit from the programs.

No General Fund monies may be expended to establish or maintain community service courses. Students involved in community service courses shall be charged a fee not to exceed the cost of maintaining the courses. Courses may also be offered for remuneration by contract or with contributions or donations of individuals or groups.

Community Service courses shall not be offered for college credit, but may provide continuing education units.

---

**Date Adopted:** May 17, 2011

*(Replaces College of Marin Policies 3.0001, 3.0002,  
and 3.0005)*

Academic Affairs  
Admin Review 3/2019

**AP 4400      COMMUNITY SERVICE COURSES**

**References:**

Education Code Section 78300;  
Title 5 Sections 55002 and 55160(b)

The District may solicit input on Community Service course offerings from various college constituencies, community groups, organizations, and advisory committees.

New or revised Community Service course outlines are presented to the Curriculum Committee for information.

Community Service Class Schedules are published in print and on the District's website.

---

**Date Approved:** April 19, 2011

**AP 5015      RESIDENCE DETERMINATION****References:**

Education Code Sections 66093.3, 68000 et seq., 68130.5 and 68074 -68075.7;  
Title 5 Sections 54000 et seq.

**Residence Classification**

Residency classifications shall be determined for each student at the time of each registration and whenever a student has not been in attendance for more than one semester. Residence classifications are to be made in accordance with the following provisions:

- A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.
- Residence classification is the responsibility of the Office of Enrollment Services.

Students must be notified of residence determination within 14 calendar days of submission of application.

The District shall publish the residence determination date and summary of the rules and regulations governing residence determination and classification in the District catalog or addenda thereto.

**Right to Appeal**

Students who have been classified as non-residents have the right to a review of their classification (Title 5 Section 54010 subdivision (a)). Any student, following a final decision of residence classification by the Office of Enrollment Services, may make written appeal to the Dean of Enrollment Services within 30 calendar days of notification of final decision by the District regarding classification.

**Appeal Procedure**

The appeal is to be submitted to the Office of Enrollment Services which must forward it to the Dean of Enrollment Services within five working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

The Dean of Enrollment Services shall review all the records and have the right to request additional information from either the student or the Office of Enrollment Services.

Within 30 calendar days of receipt, the Dean of Enrollment Services shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

**Reclassification**

A student previously classified as a non-resident may submit a petition to the Office of Admissions and Records to be reclassified as of any residence determination date. A residence determination date is that

day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

Petitions must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

Written documentation may be required of the student in support of the reclassification request.

A questionnaire to determine financial independence must be submitted with the petition for reclassification. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college district. (Education Code Section 68044)

A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:

- Has not and will not be claimed as an exemption for state and federal tax purposes by his/her parent in the calendar year prior to the year the reclassification application is made;
- Has not lived and will not live for more than six weeks in the home of his/her parent during the calendar year the reclassification application is made.

A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5 Sections 54020, 54022, and 54024.

Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one year requirement is met and demonstration of intent is sufficiently strong.

Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.

The Dean of Enrollment Services will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.

Students have the right to appeal according to the procedures above.

### **Non-Citizens**

The District will admit any non-citizen who is 18 years of age or a high school graduate.

~~If~~ Non-citizens ~~are~~ present in the United States without documentation ~~illegally~~ or with any type of temporary visa, ~~they~~ will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.

If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him/her to live permanently in the United States and he/she meets the California residency requirements, the student can be classified as a resident.

*A student who is without lawful immigration status may be classified as a resident if he/she meets the following requirements:*

- *high school attendance in California for three or more years;*
- *graduation from a California high school or attainment of the equivalent thereof;*
- *registration for classes not earlier than the fall semester or quarter of 2001-2002;*
- *the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.*

Any students who are U.S. citizens, permanent residents of the U.S., and aliens who are not nonimmigrants (including those who are undocumented), may be exempt from paying nonresident tuition if they meet one of the following requirements:

- Total attendance of, or attainment of credits earned while in California equivalent to three or more years of full-time attendance or attainment of credits at any of the following: (a) California high schools; (b) California high schools established by the State Board of Education; (c) California adult schools established by either a county office of education, unified or high school district, or The Department of Corrections and Rehabilitation; (d) campuses of the California community colleges; or (e) a combination thereof; or
- Three or more years of full-time high school coursework, and a total of three or more years of attendance in California elementary schools, or a combination of California elementary and secondary schools.

Additionally, the following requirements must be met:

- Graduation from a California high school or attainment of the equivalent thereof; or completed an associate degree from a California Community College; or completed the minimum requirements at a California Community College, or fulfill the minimum transfer requirements established for the University of California or the California State University for students transferring from a campus of the California Community Colleges;
- Registration or enrollment in a course offered by any college in the District for any term commencing on or after January 1, 2002,
- Completion of a questionnaire form prescribed by the Chancellor of the California Community Colleges and furnished by the District of enrollment, verifying eligibility for this nonresident tuition exemption; and
- In the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.

Documents and information obtained in implementing this exemption are confidential.

The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of

their residency status. Final residency determination is made by the Dean of Enrollment Services. Students may appeal the decision.

The District shall avoid the disclosure of information that might indicate a student or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or state law.

Where permitted by law, the Superintendent/President of District shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status or citizenship status, and that do not reveal information related to citizenship or immigration status.

Examples of documents that can be used as proof of residency include but are not limited to:

- Registering a motor vehicle operated in California;
- Obtaining a California driver's license or California identification card;
- Filing a resident or nonresident California state income tax return;
- Listing a California address on a federal income tax return;
- Listing a permanent military address or home of record in California;
- A professional or vocational license obtained from a California state licensing agency (e.g., nursing, teaching credentials);
- Maintaining active resident memberships in California based professional organizations (e.g., police union, teachers' union); and
- Maintaining an active bank account at a California bank

Where District is permitted by law to request parent's residency information for a minor student in order to determine tuition or aid, the District shall only require documentation or information that is available to persons regardless of immigration status (as noted above).

Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this procedure, the District's procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and authorized under this procedure.

Specifically, where District must determine a student's residency for purposes of in-state tuition, the District shall not inquire about a parent/guardian's citizenship or immigration status, and shall enumerate alternative means of establishing a parent/guardian's residency. If the student is considered a minor dependent of a California resident, the District shall only require documents to determine whether the parent has resided in California for one year (e.g. vehicle registration, lease agreements, etc.).

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



Office of Primary Responsibility: Office of Enrollment Services

---

Date Approved: December 8, 2009

*(Replaces part of current College of Marin Procedure 4.0003 DP.1)*

**Date Reviewed/Revised: February 12, 2019**

Human Resources

No CCLC Updates

Reviewed by HR 3/2019 – No Changes

**AP 7145 PERSONNEL FILES**

**References:**

Education Code Section 87031;

Labor Code Section 1198.5

Personnel records are private, accurate, complete, and permanent.

Every employee has the right to inspect personnel records pursuant to the Labor Code.

Information of a derogatory nature shall not be entered into an employee's personnel records unless and until the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to enter, and have his/~~or~~ her own comments attached to any derogatory statement. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

The employee shall not have the right to inspect personnel records at a time when the employee is actually required to render services to the District.

Nothing in this procedure shall entitle an employee to review ratings, reports, or records that (a) were obtained prior to the employment of the person involved, (b) were prepared by identifiable examination committee members, or (c) were obtained in connection with a promotional examination or interview.

Documents shall be kept in the Human Resources Department, as appropriate, with the exception of some payroll, leave records, and statistical and financial accounting data, including academic employee assignments which may be stored in the District's computer system.

Refer to the current collective bargaining agreement for the applicable employee group.

---

**Date Approved:** February 12, 2009 (College Council)  
(Replaces current College of Marin Policy 5.0012)

## Human Resources

Admin Review/Edits 2/27/2019

CCLC Update 29 (October 2016) Updated to add discipline to the list of items that  
constitute a personnel decision

CCLC Update 31 (October 2017) to add step-children to the definition of immediate family

CCLC Update 32 (October 2018) to add registered domestic partner to the definition of immediate  
family

**BP 7310      NEPOTISM****References:**

Government Code Sections 1090 et seq. and 12940 et seq.

The District does not prohibit the employment of relatives or domestic partners as defined by Family Code Sections 297 et seq. in the same department or division, with the exception that they shall not be assigned to a regular position within the same department, division, or site that has an immediate family member who is in a position to recommend or influence personnel decisions.

Personnel decisions include appointment, retention, evaluation, tenure, work assignment, promotion, discipline, demotion, or salary of the relative or domestic partner as defined by Family Code Sections 297 et seq.

“Immediate family member” is defined in Administrative Procedure 7310 Nepotism. ~~means spouse, registered domestic partner, parents, grandparents, siblings, children, step children, grandchildren, in-laws, step relatives, or any other relative living in the employee’s home.~~

The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, morale, or creating other potential conflicts of interest.

Notwithstanding the above, the District retains the right where such placement has the potential for creating an adverse impact on supervision, safety, security, morale, or involves other potential conflicts of interest, to refuse to place spouses in the same department, division or facility. The District retains the right to reassign or transfer any person to eliminate the potential for creating an adverse impact on supervision, safety, security, morale, or involves other potential conflicts of interest.

This rule is subject to the following limitations:

1. The spouse of a member of the Board of Trustees or the spouse of the Superintendent/President may not be hired as an employee of the District. The spouse of a Board member may continue employment with the District, provided the Board member's spouse was employed by the District prior to the Board member's selection or appointment.
2. The Board of Trustees may, upon recommendation by the Superintendent/President, deny employment to a spouse of any current employee or a family member of any current employee

or Board member based on the individualized assessment of the work situation. The Board's assessment must demonstrate a reasonable potential for a financial conflict of interest wherein the employee or Board member would stand to personally profit from decisions he/she would make or effectively recommend on behalf of the District concerning his or her spouse or family member.

If current employees of the District marry, are married to, or are family members of current employees, the Superintendent/President or designee will assess the individual work situation as needed. If the assessment demonstrates a conflict of interest described above or evidence of a family member improperly providing benefits in initial appointment, evaluation, assignment of work, promotion, retention, salary determination, leave of absence, or other conditions of work the Superintendent/President will direct the reassignment of job responsibilities so as to minimize the resulting problems of supervision, safety, security, or morale and eliminate the potential for conflict of interest. Individuals whose duties are reassigned as result of this policy shall not suffer a change in employment status or a decrease in pay solely through application of this paragraph.

Also see [AP 7310 Nepotism and AP-BP 7510](#) titled Domestic Partners

---

**Date Adopted:** August 23, 2011

*(Replaces College of Marin Policy 5.0024)*

## Human Resources

Reviewed w/CCLC Template – No CCLC Updates  
To HR for Review 9/13/2018

## AP 7310 NEPOTISM

## References:

Government Code Sections 1090 et seq. and 12940 et seq.

The employment of relatives, immediate family members, or domestic partners as defined by Family Code Sections 297 et. seq. in the same facility, department, division, office, or line of supervisory authority may adversely impact the nature of the necessary working relationships between supervisors and employees and between co-workers. Such employment can raise issues which adversely affect the public trust and confidence in the fairness and efficiency of the employment policies and operations of the District.

- A. ~~“Relatives” or “members of an immediate family”~~ “Immediate family member” ~~is are~~ defined ~~in BP 7310 titled Nepotism~~ as father, mother, brother, sister, spouse, registered domestic partner, child, grandchild, stepfather, stepmother, stepson, stepdaughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandfather, grandfather-in-law, grandmother, grandmother-in-law, foster parents in lieu of father or mother, foster children, or any other relative family members living in the immediate household. Pursuant to BP 7510 titled Domestic Partners, a domestic partner and his/her immediate family members shall have, insofar as permitted by California law, the same consideration as a spouse.
- B. At any time that an immediate family member ~~or a relative~~ of a member of the Board of Trustees is being considered for employment in any regular full-time, part-time, or hourly capacity by the District, said member of the Board of Trustees shall make known the family relationship before action is taken.
- C. ~~Relatives or~~ Immediate family members of current District employees may be hired by the District as employees, promoted, or transferred but the District may consider the following issues before taking these personnel actions:
  - 1. will the individuals concerned work in a direct supervisory relationship with one another, or be in the same line of authority or supervision;
  - 2. will the individuals concerned work in divisions, departments, offices, or facilities which would allow or require that their work or work products are shared or dependent on one another;
  - 3. will the employment, promotion or transfer pose any reasonably foreseeable problems or conflicts involving supervision, security, confidentiality, performance, or morale.
- D. Current District employees are prohibited from participating in, or influencing or attempting to influence the selection process or employment, promotion, or transfer of a relative or immediate family member as described in BP 7310 titled Nepotism.

- E. Current District employees are prohibited from participating in, or influencing or attempting to influence decisions regarding admission, financial aid, work-study, student hourly employment or internship for students or prospective students who are their ~~relatives or~~ immediate family members as described in BP 7310 titled Nepotism.
- F. The District reserves the right to take prompt action to prevent the attempt of any ~~relatives or~~ immediate family members from influencing any personnel action.
- G. No personnel action will be based on an individual's status as an ~~relative or~~ immediate family member of a current District employee except in the following circumstances:
  - 1. for business reasons of supervision, safety, security or morale, or direct reporting relationship; and
  - 2. for business reasons of supervision, safety, security, or morale, the District may refuse to place both members of an immediate family in the same department, division or facility if the work involves reasonably foreseeable conflicts of interest.
- H. Applicants for employment must declare on their District applications their ~~relatives or~~ immediate family members who are current District employees.

Present employees who become ~~relatives or~~ members of the same immediate family must notify their supervisors and/or the Human Resources Office. Any supervisor who receives a report of change in status of two employees such that they become ~~relatives or~~ immediate family members of one another will notify the Human Resources Office. If that relationship causes or it is reasonably foreseeable that it will cause a conflict of interest or any of the problems listed above in this procedure, the District will make every attempt to reassign one of the employees or will make arrangements which mitigate the problems until such a transfer is possible.

Also see BP 7510 titled Domestic Partners

---

**Date Approved:** November 18, 2011