

College Council: Policy and Procedure Review

10-10-2024

BP 2015 Student Trustee - The Service updated this legally required policy to add voting privileges for student members of the governing board and clarify the student member's rights pursuant to changes in the Education Code.

BP 2310 Regular Meetings of the Board - The Service updated this policy to remove provisions regarding meetings during proclaimed states of emergency pursuant to changes in the Government Code. Requirements regarding teleconference meetings are in *AP 2325 Teleconferenced Meetings* and requirements regarding special or emergency meetings are in *BP/AP 2320 Special and Emergency Meetings*.

BP 2315 Closed Sessions - The Service updated this policy to add a citation to the Government Code and clarify when a governing board may hold a closed session.

BP 2355 Decorum - The Service updated this policy to add references to the Government Code and update language pursuant to changes in the Government Code.

BP 2430 Delegation of Authority to the President - The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and related language pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 2715 Code of Ethics-Standards of Practice - The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 2740 Board Education - The Service updated this policy to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards.

BP 3250 Institutional Planning - CCLC 43 updated this policy to align with changes in the Title 5 regulations – minor reference changed, and cooperative work plan removed. The Service updated this policy to revise the reference to the ACCJC Accreditation Standards and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards. This policy is legally required and is a 10+1.

AP 3501 Campus Security and Access - CCLC 44 updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. This procedure is also due for review as part of the regular review cycle.

BP 3550 Drug Alcohol-Free Environment and Drug & Alcohol Abuse Program - The Service updated this policy to add additional requirements related to fentanyl test strips and specify the need to identify supporting administrative procedures pursuant to changes to the Education Code.

BP 3900 Speech: Time, Place, and Manner - Due for review as part of the regular review cycle. This policy is legally required. The corresponding procedure was updated in March 2023. This policy mirrors the model CCLC language and there are no recommended changes. This is a 10+1.

BP 6700 Civic Center and Other Facilities Use - The Service updated this policy to align with changes in the Education Code.

The following policies were revised with non-substantive changes, such as legal citations, and updated online since they have been reviewed within the 6-year cycle of review:

- BP 2200 Board Duties and Responsibilities
- BP 2340 Agendas
- BP 2410 Board Policies and Administrative Procedures
- BP 2431 Superintendent/President Selection
- BP 2432 Superintendent/President Succession
- BP 2435 Evaluation of the Superintendent/President
- BP 2745 Board Self Evaluation
- BP 5500 Standards of Conduct

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

Board of Trustees

The Service updated this legally required policy to add voting privileges for student members of the governing board and clarify the student member's rights pursuant to changes in the Education Code.

Mici 7-10-2024

Approved. Jonathan E. 8-26-2024

BP 2015 STUDENT TRUSTEE

Reference:

Education Code Section 72023.5

The Board of Trustees shall include ~~a one~~ student member in addition to the publicly elected Board members. The term of office shall be one year commencing June 1.

- a) In accordance with Education Code Section 72023.5, the student member shall be enrolled in and maintain a minimum of five (5) semester units in the District at the time of nomination and throughout the term of service. The student member is not required to give up employment with the District. The student shall:
- 1) be seated with the Board during open session portion of the meetings and shall be recognized as a full member of the Board at meetings;
 - 2) have the right to ~~attend and~~ participate fully in discussions of issues at all meetings of the Board of Trustees and receive all materials presented to members of the Board except, the student shall not have the right, or be afforded the opportunity to closed session materials or to attend closed sessions of the Board of Trustees;
 - 3) not be held liable for any acts of the Board of Trustees;
 - 4) be selected by an election held prior to May 15, run by the student government of the College, and shall be recalled only by a vote of the students enrolled in the College in accordance with procedures prescribed by the Board of Trustees;
 - 5) enrolled in the College for at least five semester units and shall meet and maintain the minimum standards of scholarship for community college students (2.0 GPA) throughout his/her their entire term;
 - ~~6) serve a one-year term commencing on June 1 of each year; and~~
 - 7) be entitled to a mileage allowance to the same extent as publicly elected Board members but is not entitled to any other compensation except by discretion of the Board of Trustees; and
 - 8) be entitled to one student parking pass per semester per ASCOM Bylaws.
- b) By discretion of the Board of Trustees, the student member may:
- 1) make and second motions; cast an "advisory vote" on any item immediately before the regular members of the Board cast votes, excluding personnel and legal matters;
 - 2) The student member's advisory vote shall not be included in determining the vote required to carry any measure before the Board;
 - 3) receive compensation at the rate of 50% of the maximum amount of compensation authorized by Education Code Section 72425 as it now exists or may hereafter be amended;

- 4) receive no other benefits or compensation from the District except as appears in section (a)(6) or (b)(2); ~~and~~
- 5) participate in all phases of Board of Trustees evaluation procedures; ~~and~~
- 6) contribute input to the evaluation of the Superintendent/President, but may not participate in any closed session meeting involving the Board's evaluation of the Superintendent/President.

On or before May 15 of each year, the Board shall consider whether to afford the student member any of the following privileges:

- The privilege to make and second motions;
- The privilege to attend closed sessions, other than closed sessions on personnel or collective bargaining matters;
- The privilege to receive compensation for meeting attendance at a level of 50% of the maximum amount of compensation authorized by Education Code Section 72425 as it now exists or may hereafter be amended (See BP 2725 Board Member Compensation); and/or
- The privilege to serve a term commencing on May 15 instead of on June 1.

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

Date Revised: March 19, 2013; May 16, 2017; November 13, 2018

Date Revised:

Board of Trustees

The Service updated this policy to remove provisions regarding meetings during proclaimed states of emergency pursuant to changes in the Government Code. Requirements regarding teleconferenced meetings are in AP 2325 Teleconferenced Meetings and requirements regarding special or emergency meetings are in BP/AP 2320 Special and Emergency Meetings. Mici 7-10-2024
Approved. Jonathan E. 8-26-2024

BP 2310 REGULAR MEETINGS OF THE BOARD**References:**

Education Code Section 72000 (d);
Government Code Sections 54952.2, 54953 et seq., and 54961;
Robert's Rules of Order

Regular meetings of the Board shall be held at least monthly on either the second or third Tuesday, at a time, and a place to be determined at the Organizational Meeting. A regular meeting may, however, be set for another date and time by action of the Board at any previous meeting.

A notice identifying the location, date, and time of each regular meeting of the Board of Trustees shall be posted at least ten (10) days prior to the meeting and shall remain posted until the day and time of the meeting. All regular meetings of the Board of Trustees shall be held within the boundaries of the District except in cases where the Board is meeting with another local agency or is meeting with its attorney to discuss pending litigation if the attorney's office is outside the District, or is meeting during a proclaimed state of emergency.

All regular and special Board meetings shall be open to the public, except as provided by law. Public votes and public records shall be open to the public for inspection and duplication.

All regular meetings of the Board of Trustees shall be open to the public, be accessible to persons with disabilities, and comply with Brown Act provisions, except as required or permitted by law.

Meetings During Proclaimed States of Emergency

~~Prior to January 1, 2024, the Board may hold a regular meeting, or special or emergency meetings as defined in BP 2320 Special and Emergency Meetings, virtually through voice or video teleconferencing services during a proclaimed state of emergency under the provisions of the Brown Act.~~

~~In order for the Board to meet virtually during a proclaimed state of emergency, the Board will make findings by majority vote, as required by the Brown Act or by way of a Board resolution.~~

~~If the Board elects to meet virtually during a proclaimed state of emergency, the District will comply with relevant provisions of the Brown Act regarding the posting of agendas, public access to meetings through call-in or internet-based service options, public participation, and limits on Board action in the event of a meeting disruption due to interruption of teleconferencing services.~~

~~During proclaimed states of emergency, the Board is not required to provide a physical location from which members of the public may attend or provide public comment.~~

Also see BP 2340 Agendas

Date Adopted: April 21, 2009 ~~(Replaced College of Marin Policies 1.5020, 1.5050, 1.5080, and 1.6030)~~

Reviewed/Revised: March 16, 2010; July 18, 2017; January 18, 2022; November 15, 2022

Revised:

Board of Trustees

The Service updated this policy to add a citation to the Government Code and clarify when a governing board may hold a closed session. Mici 7-10-2024

Approved. Jonathan E. 8-26-2024

Suggested by the Board Policy Review Committee. 10-2-2024

General Counsel edits to address BPRC suggestion. 10-2-2024

BP 2315 CLOSED SESSIONS

References:

Education Code Section 72122;

Government Code Sections [54954.5](#), 54956.8, 54956.9, 54957, 54957.1, 54957.6, and 11125.4

Closed sessions of the Board of Trustees shall only be held as permitted by applicable legal provisions including but not limited to the Brown Act, California Government Code, and California Education Code. Matters discussed in closed session may include:

- the appointment, employment, evaluation of performance, discipline or dismissal of a public employee;
- charges or complaints brought against a public employee by another person or employee, unless the accused public employee requests that the complaints or charges be heard in an open session. The employee shall be given at least twenty-four (24) hours written notice of the closed session;
- advice of counsel on pending litigation, [exposure to litigation, or the initiation of litigation](#), as defined by law;
- ~~advice of counsel on potential litigation;~~
- consideration of tort liability claims as part of the District's membership in any joint powers agency formed for purposes of insurance pooling;
- real property transactions;
- threats to public security;
- review of the District's position regarding labor negotiations and giving instructions to the District's designated negotiator;
- discussion of student disciplinary action, with final action taken in public;
- conferring of honorary degrees;
- consideration of gifts from a donor who wishes to remain anonymous; [and/or](#)
- to consider its response to a confidential final draft audit report from the Bureau of State Audits; [and/or](#)
- [other matters authorized by law to be discussed in closed session.](#)

The agenda for each regular or special meeting shall contain information regarding whether a closed session will be held and shall identify the topics to be discussed in any closed session in the manner required by law.

After any closed session, the Board of Trustees shall reconvene in open session before adjourning and shall announce any actions taken in closed session and the vote or abstention of every member present.

All matters discussed or disclosed during a lawfully held closed session and all notes, minutes, records or recordings made of such a closed session are confidential and shall remain confidential unless and until required to be disclosed by action of the Board of Trustees or by law.

If any person requests an opportunity to present complaints to the Board about a specific employee, such complaints shall first be presented to the Superintendent/President. Notice shall be given to the employee against whom the charges or complaints are directed. If the complaint is not resolved at the administrative level, the matter shall be scheduled for a closed session of the Board of Trustees. The employee shall be given at least twenty-four (24) hours written notice of the closed session, and shall be given the opportunity to request that the complaints be heard in an open meeting of the Board.

Also see BP 2715 Code of Ethics/Standards of Practice

Date Adopted: June 9, 2009 ~~*(Replaced College of Marin Policies 1.5060 and 1.2050)*~~

Dates Reviewed/Revised: November 18, 2014; December 11, 2018

Dates Revised:

Board of Trustees

The Service updated this policy to add references to the Government Code and update language pursuant to changes in the Government Code. Mici 7-10-2024

Approved. Jonathan E. 8-26-2024

BP 2355 DECORUM/CONDUCT

References:

Education Code Section 72121.5;

Government Code Sections 54954.3 subdivision (b), 54957.9, and 54957.95

The following will be ruled out of order by the presiding officer:

- Disrupting, disturbing, ~~or otherwise~~ impeding, or rendering infeasible the orderly conduct of the meeting.
- Physical violence or threats of physical violence directed toward-any person or property.

In the event that any meeting is willfully interrupted by the actions of one or more persons so as to render the orderly conduct of the meeting unfeasible, the person may be removed from the meeting room. Before removal for conduct other than an individual's use of force or a true threat of force, the presiding officer shall warn the individual that the behavior is disrupting the meeting and that failure to cease the behavior may result in the individual's removal. The presiding officer or their designee may then remove the individual if they do not promptly cease their disruptive behavior.

A warning and a request that the person curtail the disruptive activity will be made by the presiding officer. If the behavior continues, the person may be removed by a vote of the Board of Trustees, based on a finding that the person is violating this policy, and that such activity is intentional and has substantially impaired the conduct of the meeting. Speakers who engage in such conduct may be removed from the podium and denied the opportunity to speak to the Board of Trustees for the duration of the meeting.

If order cannot be restored by the removal in accordance with these rules of individuals who are willfully interrupting the meeting, the presiding officer may order the meeting room cleared and may continue in session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this rule.

In all matters of procedure not otherwise indicated, Robert's Rules of Order, Revised, governs.

Also see BP 2350 Speakers

Date Adopted: July 21, 2009

Reviewed/Revised: June 20, 2017; December 15, 2020

Reviewed/Revised:

Board of Trustees

The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and related language pursuant to the 2024 changes in the ACCJC Accreditation Standards. Mici 7-10-2024

Approved. Jonathan E. 8-26-2024

BP 2430 DELEGATION OF AUTHORITY TO SUPERINTENDENT/PRESIDENT**References:**

Education Code Sections 70902 subdivision (d) and 72400;
ACCJC Accreditation Standards ~~IV.B.5, IV.C.12, and IV.D.1.~~ 4.5

The Board delegates to the Superintendent/President the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board of Trustees requiring administrative action. The Board gives the Superintendent/President full authority to implement board policies and ensure the effective operations and fulfillment of the institutional mission.

The Superintendent/President may delegate any powers and duties entrusted to him/her/them by the Board of Trustees, but will be specifically responsible to the Board for the execution of such delegated powers and duties.

The Superintendent/President is empowered to reasonably interpret Board Policy. In situations where there is no Board Policy direction, the Superintendent/President shall have the power to act, but such decisions shall be subject to review by the Board. It is the duty of the Superintendent/President to inform the Board of such action and to recommend written Board Policy if one is required.

The Superintendent/President is expected to perform the duties contained in the Superintendent/President job description and fulfill other responsibilities as may be determined in annual goal-setting or evaluation sessions. The job description and goals and objectives for performance shall be developed by the Board of Trustees in consultation with the Superintendent/President.

The Superintendent/President shall ensure that all relevant laws and regulations are complied with and that required reports are submitted in timely fashion.

The Superintendent/President shall make available any information or give any report requested by the Board of Trustees as a whole. Individual Board member requests for information shall be met if, in the opinion of the Superintendent/President, they are not unduly burdensome or disruptive to District operations. Information provided to any Board member shall be available to all Board members.

The Superintendent/President shall act as the professional advisor to the Board in policy formation.

Date Adopted: July 21, 2009 (~~Replaced current College of Marin Policies 1.3034 and 7.0002~~)

Reviewed/Revised: 10/27/2015; November 14, 2017; April 18, 2023

Reviewed/Revised:

Board of Trustees

The Service updated this policy to revise the reference to the ACCJC Accreditation Standard and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards. The Service also updated this policy to change a reference to the "Superintendent/President" to "[CEO]."

Mici 7-10-2024

Approved. Jonathan E. 8-26-2024

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

Title 5 Section 51016;
ACCJC Accreditation Standard ~~4 IV.C.11;~~
~~Title 5 Section 51016~~

The governing board functions effectively as a collective entity to promote the institution's values and mission and fulfill its fiduciary responsibilities. The governing board demonstrates an ability to self-govern in adherence to its bylaws and expectations for best practices in board governance.

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

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

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

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

of Trustees is perceived to have violated the code, the Vice President of the Board of Trustees is authorized to pursue resolution.

Date Adopted: May 18, 2010 (*Replaced College of Marin Policies 1.2090 and 1.2091*)

Date Reviewed/Revised: July 18, 2017, November 13, 2018; November 9, 2021

Date Reviewed:

General Institution

CCLC 43 updated this policy to align with changes in the Title 5 regulations – minor reference changed and cooperative work plan removed. This policy is legally required, and it is a 10+1. Mici 2-23-2024

Approved with note: If we can interpret the new plan format—the 5-year plan with 1-year implementation plans—as in compliance with the language about long range EMP and short-term SPs, it’s fine. Mia and Cari/SLS and Instruction 4-22-2024

To Academic Senate 4-23-2024

The Service updated this policy to revise the reference to the ACCJC Accreditation Standards and add supporting language pursuant to the 2024 changes in the ACCJC Accreditation Standards. Mici 7-10-2024

To Cari T./Instruction 8-9-2024

Copy to Holley S./Institutional Planning and Effectiveness 8-9-2024

Copy to Jonathan E/President 8-9-2024

Resent with most recent updates. Approved by Academic Senate. 8-26-2024

BP 3250 INSTITUTIONAL PLANNING**References:**

~~ACCJC Accreditation Standards I.B.9, III.B.4, III.C.2, III.D.2, IV.B.3, and IV.D.5 (formerly I.B);~~

Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, ~~55250~~, 55510, and 56270 et seq.;

ACCJC Accreditation Standards 1.4 and 3.5

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

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

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

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

- Long Range Educational Master Plan
- Short Range Strategic Plans
- Facilities Master Plan
- Technology Plan
- Equal Employment Opportunity Plan
- Student Equity and Achievement Plan
- Guided Pathways Plan
- Transfer Center Plan
- ~~Cooperative Work Experience Plan~~

- Extended Opportunity Programs and Services (EOPS) Plan
- Distance Education Plan

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

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

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

Also see BP/AP 3200 Budget Preparation

Date Adopted: September 22, 2009

~~*{Replaces current College of Marin Policy 7.0005}*~~

Date Revised: June 18, 2019

Date Revised:

General Institution

CCLC 44 updated this procedure to revise the reference to the ACCJC Accreditation Standard pursuant to the 2024 changes in the ACCJC Accreditation Standards. This procedure is also due for review as part of the regular review cycle. Mici 8-19-2024

Approved with changes as noted. Raul/Campus Safety PD 9-25-2024

Copy to Klaus/M&O 9-25-2024

Copy to Eresa/Admin. Svcs. 9-25-2024

AP 3501 CAMPUS SECURITY AND ACCESS**Reference:**

Education Code Section 66093.3

34 Code of Federal Regulations Part 668.46 subdivision (b)(3)

ACCJCA Accreditation Standard ~~III.B.1.~~ 3.8

During business hours, the District will be open to students, parents, employees, contractors, guests, and invitees. Classroom doors shall remain unlocked while a class is in session except in emergency situations where occupant safety necessitates the locking of doors. During non-business hours access to all District facilities is by key or fob, if issued, or by admittance via the District Police. In the case of periods of extended closing, the District will admit only those with prior written approval to all facilities.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic will have regular periodic security surveys. The Chief Business Officer and administrators from other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the District Maintenance and Operations Officer and District Chief of Police shall meet to discuss campus security and access issues of pressing concern.

Responding to Requests for Access for Immigration Enforcement Purposes

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

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

District personnel shall advise all students, faculty, and staff to immediately notify the office of the Superintendent/President, or his ~~/or~~ her /their designee, if he ~~/or~~ she /they is advised that an officer

engaged in immigration enforcement is expected to enter, will enter, or has entered the campus for immigration enforcement purposes. Campus police should also be notified as soon as possible.

No personnel may consent to entry of District facilities or portions thereof.

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

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

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

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

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

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

- Name of the immigration enforcement officer, and, if available, the officer's credentials and contact information;
- Identity of all school personnel who communicated with the officer;
- Details of the officer's request;
- Whether the officer presented a warrant, subpoena, or court order to accompany his/her request, what was requested in the warrant/subpoena/court order, and whether the warrant/subpoena/court order was signed by a judge;

- District personnel's response to the officer's request;
- Any further action taken by the immigration officer; and
- Photo or copy of any documents presented by the agent.

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

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

Also See: BP/AP 3415 District Response to Immigration Enforcement Actions; BP/AP 5015 Residence Determination; BP/AP 5040 Student Records, Directory Information and Privacy

Office of Primary Responsibility: District Police Department

Date Adopted: March 13, 2012

Date Reviewed/Revised: February 12, 2019

Date Revised:

General Institution

The Service updated this policy to add additional requirements related to fentanyl test strips and specify the need to identify supporting administrative procedures pursuant to changes to the Education Code.

Mici 7-10-2024

Approved. Sadika/SAS 9-24-2024

Approved. Nikki/Human Resources 9-25-2024

Copy Raul/Campus PD 8-9-2024

BP 3550 DRUG AND ALCOHOL-FREE ENVIRONMENT AND DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM (DAAPP)**References:**

- Education Code Section 67384;
- 20 U.S. Code Section 1011i (Drug Free Schools and Communities Act);
- 41 U.S. Code Section 8103 (Drug Free Workplace Act of 1988);
- 34 Code of Federal Regulations Sections 86.1 et seq.

The District shall be free from the unlawful possession, use, or distribution of illicit drugs, prescription drugs, and alcohol by students and employees.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the District.

Any student or employee who violates this policy will be subject to disciplinary action consistent with local, state, or federal law, which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion, or dismissal.

Alcohol is a central nervous system depressant. Aside from the health risks of alcohol, drugs (legal or illegal) carry their own risks.

- Since everyone's brain and body chemistry is different and tolerance for drugs is different, it cannot be predicted how any individual may be affected, especially if it is a first time use and even if it is a small amount or dose.
- Using drugs or alcohol can lead to abuse, addiction, serious health problems, and even death.
- Drugs that are legal - prescription and over-the counter (OTC Medications) can be just as dangerous as illegal drugs.

More information on the health risks associated with alcohol, drugs, and/or the mixing of alcohol and drugs may be found on the College's website by searching Drug and Alcohol Prevention Program (DAAPP).

On November 8, 2016 California voters passed Proposition 64 legalizing the use of recreational marijuana by people over the age of 21. The change in law does not permit any person to possess or use recreational or medical marijuana on a community college campus. Using and possessing marijuana is still illegal under federal law. The federal Drug Free Schools and Communities Act and the Drug Free Workplace Act require that the District, which receives federal funding, have policies and procedures that prohibit marijuana use, possession and distribution on campus and in the workplace.

The District prohibits the use, possession and sale of marijuana, in any form, on all college property, including college owned and leased buildings, and parking lots. Marijuana is also not permitted at District sponsored events or while conducting college business.

The Superintendent/President shall ensure that the District distributes annually to each student and employee the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

The District shall provide educational and preventive information about opioid overdose and information about the use and location of fentanyl test strips and opioid overdose reversal medication to students at all campuses. The Superintendent/President shall establish administrative procedures to assure that each campus health center applies to distribute dosages of a federally approved opioid overdose reversal medication and participates in the Naloxone Distribution Project through the State Department of Health Care Services.

The Superintendent/President shall also establish administrative procedures to assure that upon approval to distribute dosages of a federal approved opioid overdose reversal medication and participation in the Naloxone Distribution Project, each campus health center will distribute a federally approved opioid overdose reversal medication obtained through the Naloxone Distribution Project. The administrative procedures shall also ensure each campus health center will stock and distribute fentanyl test strips along with written instructions on how to use the fentanyl test strips properly.

See BP/AP 3560 Alcohol on Campus

Date Adopted: December 14, 2010 *(Replaced College of Marin Policy 5.0035)*

Reviewed/Revised: April 18, 2017; June 21, 2022; October 17, 2023

Revised:

General Institution

Due for review as part of the regular review cycle. This policy is legally required. The corresponding procedure was updated in March 2023. This policy mirrors the model CCLC language and there are no recommended changes. This is a 10+1. Mici 12-7-2023

Approved without changes. Stormy/Student Activities and Advocacy 1-8-2024

Approved. Academic Senate 8-26-2024

BP 3900 SPEECH: TIME, PLACE, AND MANNER**References:**

Education Code Sections 66301 and 76120

Students, employees, and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.

The District is a non-public forum, except for those areas that are designated public forums available for the exercise of expression by students, employees, and members of the public. The Superintendent/President shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the designated public forums.

The administrative procedures promulgated by the Superintendent/President shall not prohibit the right of students to exercise free expression, including but not limited to the use of bulletin boards, the distribution of printed materials or petitions, and the wearing of buttons, badges, or other insignia.

Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on District property or the violation of Board policies or administrative procedures, or the substantial disruption of the orderly operation of the District.

Nothing in this policy shall prohibit the regulation of hate violence directed at students in a manner that denies their full participation in the educational process (Education Code Section 66301 (e)), so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 2 of Article 1 of the California Constitution. Students may be disciplined for harassment, threats, or intimidation unless such speech is constitutionally protected.

Also see: AP 3900 Speech: Time, Place, Manner; BP 5500 Standards of Conduct; AP 5520 Student Discipline and Due Process

Date Adopted: July 27, 2010

~~*{Replaces College of Marin Policies 2.0004, 3.0022, 4.0027, and 8.0021}*~~

Revised/Reviewed: January 17, 2017

Reviewed:

Business and Fiscal Affairs

The Service updated this policy to align with changes in the Education Code. Mici 9-23-2024

Approved with no change. Eresa/Admin Services 9-25-2024

BP 6700 CIVIC CENTER AND OTHER FACILITIES USE

References:

Education Code Sections 82537 and 82542;

Title 5 Sections 59601 et seq.

The Marin Community College District is a civic center. Use of this civic center shall be granted as provided by law. The Superintendent/President shall establish administrative procedures regarding the use of District property, including but not limited to facilities, equipment, and supplies by community groups and other outside contractors.

These administrative procedures shall reflect the requirements of applicable law, including Education Code Section 82537, regarding civic centers. The procedures shall include reasonable rules regarding the time, place, and manner of use of District facilities. They shall assure that persons or organizations using District property are charged such fees as are authorized by law. Public use of District property shall not interfere with scheduled instructional programs or other activities of the District on behalf of students.

No group or organization may use District property to unlawfully discriminate on the basis of race, color, religion, ancestry, national origin, military or veteran status, disability, gender, gender identity, gender expression, or sexual orientation, or the perception that a person has one or more of the foregoing characteristics, or because a person associates with a person or group with one or more of these actual or perceived characteristics, or on any basis prohibited by law.

Use of the District's Civic Centers will be only for the purposes described by the California Legislature in Education Code Section 82537(a). These purposes include use by ~~associations "formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts" in order to "engage in supervised recreational activities" or "meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside."~~ (Education Code Section 82537(a).) the community and organizations for public, literary, scientific, recreational, educational, or public agency meetings, or for the discussion of matters of general or public interest upon terms and conditions which that the governing board deems proper, and subject to the limitations allowed by law. In granting permission to use the Civic Centers, the District will not discriminate on the basis of viewpoint with regard to organizations engaging in expressive activities on the topics and subject matters articulated above.

Date Adopted: April 21, 2009 ~~(Replaced College of Marin Policy 3.0010)~~

Date Reviewed/Revised: June 20, 2023

Date Revised: