

## **Policy and Procedure Review**

12-11-2025

**BP 2015 Student Trustee** - CCLC 47 updated this policy to clarify that a district cannot impose eligibility requirements more stringent than those contained in the Education Code section cited in the revision. The Service also corrected a grammatical error.

**AP 2800 Naming of Buildings and Facilities** - CCLC 46 updated this procedure to add a legal reference to a federal law.

**AP 3500 Campus Safety** – This procedure is due for review as part of the regular review process. It was compared to the legally required CCLC model procedure, with some formatting and cite edits. The first three paragraphs and the Education Code Section 67380 definition of “hate crime” track the CCLC, and the rest of the language addressed COM’s local practices.

**AP 3516 Registered Sex Offender Information** - CCLC 46 updated this procedure to clarify requirements for sex offenders to register.

**AP 3540 Sexual and Other Assaults on Campus** - CCLC 46 updated this legally required procedure to revise a reference to *AP 3434 Responding to Sexual Harassment under Title IX* pursuant to a ruling invalidating the 2024 Title IX regulations in the U.S. District Court for the Eastern District of Kentucky litigation. The Service also updated this procedure to revise the usage note.

**BP 5510 Off-Campus Student Organizations** - The Service updated this legally required policy to align with the Clery Act and clarify requirements related to working with local law enforcement agencies (CCLC 44). *Note:* This policy is legally required even if the District has no officially recognized student organizations with off-campus locations.

**BP 6250 Budget Management** – The Government Finance Officers Association and the California Community Colleges Chancellor’s Office recommended that unrestricted reserves comprise a minimum of two months, or 16.7%, of expenditures. Edits reflect this requirement.

**AP 6251 Reserve Fund Management** – Fiscal and Operations updated this procedure to in alignment with the Chancellor’s Office directives stated immediately above.

**AP 6345 Bids and Contracts – UPCCAA** - CCLC 46 updated this procedure to reflect updated monetary limits to the permissible informal and formal bidding procedures under UPCCAA and to update the definition of ‘public projects.’

**AP 6360 Contracts-Electronic Systems and Materials** - The CCLC service updated this procedure to remove a legal reference. The last paragraph was from language recommended by the CCLC in 2003 and not adopted. Fiscal and IT determined to include the model CCLC language for certain purchases and also included a new District requirement that bids for any software product and/or hardware product that connects to the internet should include a completed copy of the latest HECVAT form regarding cybersecurity, accessibility, and privacy compliance.

**AP 6700 Civic Center and Other Facilities Use** – The CCLC updated this procedure to remove an outdated reference. Finance and Operations approved the update but will revise the procedure to reflect local rules with specificity and in alignment with regulations. A more up-to-date version will be ready in the spring of 2026.

**AP 6750 Parking** - CCLC 46 updated this procedure to revise the usage note. Staff added language to emphasize local process.

**AP 7126 Applicant Background Checks** - CCLC 47 - The Service updated this procedure to provide more detail about required disclosures from applicants for academic, athletic, or administrative positions, including volunteer positions in athletics pursuant to a change in the Education Code.

**AP 7345 Catastrophic Leave** - This policy is due for review as part of the regular cycle of review. Formatting updated. CCLC model language is included.

**BP 7365 Discipline and Dismissal - Classified Employees** – This policy is due for review as part of the regular cycle of review. There have been no CCLC updates.

Reviewed/No Changes or No Substantive Changes – direct to web

*AP 6100 Delegation of Authority (formatting and office of primary responsibility added)*

*AP 6250 Budget Management*

*AP 6320 Investments (office of primary responsibility added)*

*AP 6322 Employee Indemnity Bonds (office of primary responsibility added)*

*AP 6500 Property Management (office of primary responsibility updated)*

*BP 6750 Parking (formatting, office of primary responsibility updated)*

*BP 7150 Evaluation (formatting, citation removed)*

*BP 7155 Commendation of District Employees*

*AP 7125 Verification of Eligibility for Employment*

*BP 7140 Collective Bargaining*

*AP 7233 Claims for Work Out of Class*

*AP 7240 Confidential Employees*

*AP 7340 Leaves (citations updated)*

*AP 7400 Travel (citations updated)*

*BP 3560 Alcoholic Beverages*

*AP 6550 Disposal of Personal Property*

*AP 7240 Confidential Employees*

List of Board Policies and Administrative Procedures Currently Under Review/Revision

*BP 1200 Mission*

*BP 2015 Student Trustee*

*AP 2320 Special and Emergency Meetings*

*AP 2710 Conflict of Interest*

*BP 3250 Institutional Planning*

*AP 3310 Records Retention and Destruction*

*AP 3415 District Response to Immigration Enforcement Actions*

*AP 3433 Prohibition of Sexual Harassment Under Title IX*

*AP 3434 Responding to Harassment Based on Sex under Title IX*

*AP 3435 Discrimination and Harassment Procedures*

*AP 3436 Hazing*

*AP 3715 Intellectual Property*

*BP 3570 Smoke-Free Learning Working Environment*

*BP 4025 Criteria for Associate Degree*

*AP 4025 Criteria for Associate Degree and General Education*

*AP 4222 Remedial Coursework – Academic Senate reviewing*

*BP 4250 Academic Probation Dismissal Readmission*

*AP 4250 Probation*

*AP 4255 Dismissal*

*BP 5030 Fees*

*BP and AP 5050 Student Success Support Program*

*AP 5140 Student Accessibility Services*

*BP and AP 5420 Associated Students Organization Finance*

*BP 5500 Standards of Conduct*

*AP 5520 Student Discipline and Due Process*

*AP 6700 Civic Center*

*AP 6900 Bookstore*

*AP 7216 Academic Employees - Grievance Procedure for Contract Decisions*

*BP 7348 Outside Employment Conflict of Interest*

*AP 7385 Salary Deductions*

*BP/AP 7600 District Police*

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

## Board of Trustees

CCLC 47 - The Service updated this policy to clarify that a district cannot impose eligibility requirements more stringent than those contained in the Education Code section cited in the revision. The Service also corrected a grammatical error. Mici 10-29-2025

## BP 2015 STUDENT TRUSTEE

## Reference:

Education Code Section 72023.5

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

The District shall not impose eligibility requirements more stringent than those set forth in Education Code Section 72023.5.

- a) In accordance with Education Code Section 72023.5, ~~the~~ a student member shall be enrolled in and maintain a minimum of five ~~(5)~~ semester units, or its equivalent, in the District at the time of appointment and throughout the term of service. ~~The~~ A student member is not required to give up employment with the District. ~~The~~ A 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 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 their entire term;
  - 6) be entitled to a mileage allowance to the same extent as publicly elected Board members but is not entitled to any other compensation except by discretion of the Board of Trustees; and
  - 7) be entitled to one student parking pass per semester per ASCOM Bylaws.
- b) By discretion of the Board of Trustees, ~~the~~ a 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~~ A 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);
  - 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.
- c) On or by May 15 of each year, the Board of Trustees shall adopt a resolution, which shall be effective until May 15 of the following year, to define the following privileges for ~~the~~ a student trustee:
- 1) ~~The~~ A student member may make and second motions at the discretion of the Board.
  - 2) ~~The~~ A student member may receive compensation, at the discretion of the Board, up to the amount prescribed by law (see BP 2725 Board Member Compensation).
  - 3) The Board may determine whether ~~the~~ a student member's term will commence on May 15 instead of June 1.

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Date Adopted: December 8, 2009

Date Revised: March 19, 2013; May 16, 2017; November 13, 2018; December 17, 2024

**Date Revised:**

**Board of Trustees**

CCLC 46 updated this procedure to add a legal reference to a federal law. Mici 10-28-2025

Approved. Jonathan/President 10-28-2025

Approved with no changes/ Eresa/Finance and Operations 10-28-2025

Copy to Keith/Advancement and Klaus/M&O once College Council approves

**AP 2800 NAMING OF BUILDINGS AND FACILITIES****References:**

No references

This administrative procedure provides guidelines, criteria, and the process for naming, removing of names from, and renaming of buildings, facilities, or removing of names from, and renaming buildings, facilities, or grounds of the District. The Superintendent/President shall provide recommendations to the Board of Trustees, which retains final authority for the naming of any building, facility, or grounds of the District.

Consistent with *BP 2800 Naming of Buildings and Facilities*, this administrative procedure also sets forth the criteria and process for removing a name and facility demolition or replacement. All recommendations shall comply with the procedures and criteria in this Administrative Procedure and *Board Policy 2800*.

**Definition of "Facility"**

As used in this procedure, "facility" includes any building or other structure, pathway, road or sidewalk; indoor or outdoor areas such as classrooms, labs, theaters, lobbies or other gathering areas; athletic fields or other grounds or property owned by the District.

**Process to Name a Facility**

**College or Site Recommendation:** The process may be initiated by the Superintendent/President or the Board of Trustees.

All requests shall include the following:

- The rationale for requesting the naming of a facility, including evidence of a broad base of support for such action.
- A biography of the person for whom the facility is to be named.
- A description of the business or organization, if the recommendation is to name a facility for a business or organization, including the names of members of the board of directors and senior management.
- Recommendation from the Superintendent/President or referral from the Board of Trustees.

**Superintendent/President Initial Review**

The Superintendent/President reviews all proposals for information and consistency with existing Board Policies and Administrative Procedures. Any new names proposed for facilities shall go through the District governance system.

**Superintendent/President Action**

The Superintendent/President prepares an agenda item for Board of Trustees action.

**Board of Trustees Action**

The Board of Trustees approves, rejects, or delays action on the proposal.

**Superintendent/President Action**

After a facility name is approved by the Board, the Superintendent/President authorizes staff to proceed with necessary administrative steps.

This process shall also apply to proposals to remove a name from a facility, and to address naming considerations when a facility is demolished or replaced.

**Naming a Facility for an Individual for “Service to the District”**

There should be an appropriate relationship between the use of the facility or its function and the person for whom it is named.

A facility may be named:

- In honor of an individual, family, organization, non-profit foundation or corporation which has made a major, significant financial contribution to the District;
- In recognition of an individual who has made a significant contribution of service to the District;

If the request is to honor a living person, that person will not be considered for this honor until at least three years following his/her/their separation from the District. Separation is defined as leaving service or employment. This criterion does not apply to alumni or other friends of the District.

If the request is to honor a deceased person, that request will be submitted only after a suitable period of mourning. No request will be considered within a year of the death.

**Naming of a Facility in Recognition of a Significant Financial Gift to the District**

Facilities may be named for a benefactor or an individual nominated by a benefactor.

The benefactor must have given a minimum of 25 percent (25 %) of the “private” cost (non-state funds portion or local bond measure) of the construction of a new facility for a naming request to be considered by the District. For an existing building, the benefactor must have given a minimum of 15 percent of the estimated current cost to build the facility for a naming request to be considered by the District.

Benefactors must have given a minimum of 25 percent (25 %) of the cost of a sub-unit of a building or other facility such as classrooms, lecture halls, lobby areas, or meeting rooms for a naming request to be considered by the District.

Benefactors must have given 100 percent (100 %) of the cost of walkways, benches, or gardens for a naming request to be considered by the District.

Facilities will not be considered for naming requests in return for deferred gifts and will not be considered for naming requests for persons making gifts of property (real or personal), until such time as the gift is converted to liquid assets or is otherwise utilized by the District.

If the request is to honor a deceased person, that request will be submitted only after a suitable period of mourning. No request will be considered within a year of the death.

### **Removing a Name from a Facility**

If any building or facility is destroyed or razed, or must be substantially remodeled or rebuilt for any reason the District may, in its sole discretion, change or remove a name from a building or facility.

The District may, in its sole discretion, change a name, or remove a name from a donor-named building or facility. In that situation, the District will acknowledge the donor's contribution with a plaque in a prominent location in a replacement building, facility or elsewhere on the District's campus.

The District has the absolute right and authority to remove a name from a donor-named building or facility and rename the building or facility as it sees fit, in the following situations:

- if the donor fails to make the promised donation or gift for any reason; or ~~.The District also has the absolute right and authority to remove a name from a donor named building or facility, and rename the building or facility as it sees fit,~~
- if the District determines, in its sole discretion, that the District's continued association with the name, the donor, or the donor's family or business will damage the District's reputation or goodwill in the community.

### **Signage**

Named buildings or facilities should bear the name of the person and the building or facility name in a typeface and style consistent with District signage requirements.

Buildings or facilities may also bear a bronze plaque permanently affixed to the outside of the wall nearest to the main entrance of the building. If applicable, the plaque should list the name of the person for whom the building or facility is named and, if the building or facility is newly constructed, the architect, Board of Trustee members, Superintendent/President, and date the building or facility was dedicated. Relevant information about the donor shall be prominently displayed.

Classrooms, labs, theaters, and indoor or outdoor gathering areas to be named should be identified with a bronze plaque mounted on the wall directly outside the main entrance or with other appropriate acknowledgement consistent with District signage requirements.

The District shall seek private funding for signage.

*Office of Primary Responsibility:* Superintendent/President

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Date Approved: August 24, 2010; *(Replaced College of Marin Procedure 8.0003 DP.1)*

Reviewed/Revised: October 17, 2017; September 20, 2022

**Revised:**



**General Institution**

Due for review as part of the regular review process. Compared to the **legally required** CCLC model procedure. Formatting and cite edit. The first three paragraphs and the Education Code Section 67380 definition of hate crime track the CCLC and the rest are COM's local practices. Please ensure these processes are consistent with our practices. Mici 3-7-2024

Approved with no changes. Administrative Services/Eresa 4-23-2024

Approved with changes. District PD/Dustin 4-23-2024

Copy to Sadika, Nikki, and Mia 10-29-24

Resent to Raul/PD on 10-29-2024, 1-28-2025

**AP 3500      CAMPUS SAFETY****References:**

Education Code Section 212, 67380, and 87014;  
Penal Code Section 245 and 422.55;  
20 U.S. Code Sections 1092(f) and 1232(g) and ~~1292(f)~~;  
34 Code of Federal Regulations Section 668.46;  
34 Code of Federal Regulations Sections 99.31(a)(13) and (14);  
Campus Security Act of 1990

A District Safety Plan shall be developed and is provided to students and District employees via publications and the District's website.

The District Police Department prepares and annually updates a report of all occurrences reported to campus police of and arrests for crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication, and of all occurrences of non-criminal acts of hate violence reported to campus authorities. Upon request, a written report will be submitted to the Board of Trustees.

Written records of non-criminal acts of hate violence shall include at least a description of the act of hate violence, the victim characteristics, and offender characteristics, if known.

**Definitions**

**Prevention activities** increase awareness and minimize the potential for crisis in the workplace. Training is essential for all staff to learn how to recognize early warning signs, so that appropriate intervention can be provided for identified areas of conflict in the workplace.

**Crisis or conflict** constitutes any inappropriate or unreasonable disruption that interferes with the normal functioning of your work.

**Acts of violence** include any physical action, whether intentional or reckless, that harms or threatens the safety of self, another individual, or property.

**A threat of violence** includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual, or property.

**Workplace** includes off-campus locations as well as District-sponsored activities where faculty, staff, or student employees are engaged in District business or locations where incidents occur as a result of the person's relationship to the District community.

Education Code Section 67380 defines “hate violence” as: “any act of intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons or the property of any person or group of persons because of ethnicity, race, national origin, sex, sexual orientation, gender identity, gender expression, disability, or political or religious beliefs of that person or group.” Section 67380 requires reporting of both occurrences to Campus Police of, and arrests for, crimes that involve hate violence (Section 67380(a)(1)(A) and of “non-criminal acts of hate violence” (Education Code Section 67380(a)(1)(B)).

### **Crisis and Conflict Intervention**

Any employee experiencing an unsafe work condition should immediately contact ~~his/her~~ their supervisor or the Human Resources Office. The supervisor shall immediately notify the Human Resources Office about any acts or threats of violence or intimidation. The employee will be provided consultation regarding resources available to resolve the unsafe work condition.

It is the responsibility of all employees to immediately report threats, acts of violence, intimidation, or any other behavior which deliberately hurts or harms another person in the District to their immediate supervisor and the District Police Department. Such reports will be promptly and thoroughly investigated.

### **Crisis Intervention Team**

The Crisis Intervention Team is established to provide regular training and advice to individuals and departments. Training activities may include, but not be limited to, skill development in conflict resolution, communication, anger management, and early identification of any threat to personal safety.

Team advising activities may include individual consultations, peer mediation, conflict resolution services, and referral to outside sources.

Immediately upon notification of an act of violence or threat of violence or intimidation involving an employee, the team member notified will initiate Crisis Intervention Team procedures as stated below.

In the event of an act or threat of violence or intimidation, the team will investigate the incident and forward the results of the completed investigation to the Human Resources Office for consideration. Law enforcement will take appropriate action if the incident involves injuries or criminal activity.

The team will coordinate available resources to provide intervention, consultation, or referral which may include arranging for counselors to work with victims and observers of the incident.

### **Restraining Orders/Court Orders**

An employee shall notify law enforcement of any restraining orders/court orders when named as a plaintiff and provide a copy of the order to District Police Department. In the event the supervisor is informed by an employee of a restraining order, the supervisor will contact the District Police Department to ensure they are aware of it and that they have a copy of the restraining order on file.

*Office of Primary Responsibility: ~~College Operations~~ Finance and Operations*

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Date Approved: February 12, 2009

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Date Reviewed/Revised: May 21, 2013

**Date Reviewed/Revised:**

## General Institution

CCLC 46 updated this procedure to clarify requirements for sex offenders to register.

Mici 6-26-2025

Approved. Nikki/HR 7-10-2025

Approved. Raul/Campus PD 11-17-2025

Copy to Eresa/F&A 10-14-2025

**AP 3516 REGISTERED SEX OFFENDER INFORMATION****References:**

Education Code Section 87405;  
Penal Code Sections 290, 290.01, and 290.95;  
34 Code of Federal Regulations Section 668;  
42 U.S. Code Section 14071j;  
20 U.S. Code Section 1092(f)(1)(I) and 20 U.S. Code Section 1232g(b)(7)(A) (Campus Sex Crimes Prevention Act)

The District shall include in its Annual Security Report a statement advising the campus community where information pertaining to registered sex offenders may be obtained.

Sex offenders are required to register with the police in the jurisdiction in which they reside. ~~and at institutions of higher learning if they are~~ Sex offenders who are District students, there or if they work there as employees, contractors, or volunteers must register with the District police department. A sex offender who is a student, employee or volunteer in the District must disclose their status as a registrant upon their application or acceptance of the position if they:

- 1) would be working directly and in an unaccompanied setting with minor children on more than an incidental and occasional basis or have supervision or disciplinary power over minor children or
- 2) would be working directly and in an accompanied setting with minor children and their work would require touching minor children on more than an incidental basis.

A sex offender who must register for committing a crime against a minor victim under the age of 16 is prohibited from serving as an employer, employee, contractor, or volunteer in any capacity in which the sex offender would be working directly and in an unaccompanied setting with minor children on more than an incidental and occasional basis or involving having supervision or disciplinary power over minor children.

Sex offenders who may be required to register should do so at the **District Police Department located at 700 College Avenue, Police Department, Kentfield, CA 94904.**

Any student sex offender who only takes online classes shall complete and mail the 8040C form to the attention of the College of Marin Police Department, 700 College Avenue, Kentfield, CA 94904.

Any student sex offender taking classes in-person, shall complete the 8102S form, at the Campus Police Department, before registering for classes. At that time the Police Department may take their photo, fingerprint, and then update their CSAR (California Sex and Arson Registration) file.

Information concerning registered sex offenders can be obtained from the District Police Department located at 700 College Avenue, Police Department, Kentfield, CA 94904.

The District's Police Department shall not release information regarding a sex offender, unless the person seeking the information has signed a statement, on a form provided by the Department of Justice, stating that they are not a registered sex offender, that they understand the purpose of the release of information is to allow members of the campus community to protect themselves and their children from sex offenders, and that they understands it is unlawful to use the information received to commit a crime against any registered sex offender or to engage in illegal discrimination or harassment of a registered sex offender. The department will maintain the signed statement in its records for a period of five years.

The District's Police Department will release the following information regarding a registered sex offender:

1. full name
2. known aliases
3. gender
4. race
5. physical description
6. photograph
7. date of birth
8. crimes resulting in registration and
9. The date of last registration or re-registration

*Office of Primary Responsibility:* ~~Administrative Services~~ Finance and Operations, Student Services, and Campus Police

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Date Approved: February 17, 2009

Date Reviewed/Revised: December 5, 2017; April 16, 2024

**Date Revised:**

**General Institution**

CCLC 46 updated this legally required procedure to revise a reference to AP 3434 Responding to Sexual Harassment under Title IX pursuant to a ruling invalidating the 2024 Title IX regulations in the U.S. District Court for the Eastern District of Kentucky litigation. The Service also updated this procedure to revise the usage note.

Mici 6-26-2025

Approved with edits. Nikki/HR 7-14-2025

Copy to Sadika and Ryan/SAS 10-14-2025

Copy to Dana/SLS 10-14-2025

Copy to Mia/General Counsel 10-14-2025

Approved. Raul/Campus PD 11-18-2025

**AP 3540 SEXUAL AND OTHER ASSAULTS ON CAMPUS AND IN CAMPUS PROGRAMS****References:**

Education Code Sections 67385, 67385.7, and 67386;  
20 U.S. Code Section 1092 subdivision (f) (Jeanne Clery Act);  
34 Code of Federal Regulations Section 668.46 subdivision (b) (11) (Institutional Security Policies and Crime Statistics)

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District facilities or at another location, or on an off-campus site or facility maintained by the District or on grounds or facilities maintained by a student organization, is a violation of Board policies and administrative procedures and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (Also see AP 3433 Prohibition of Sexual Harassment under Title IX, AP 3434 Responding to Sexual Harassment ~~Discrimination Based on Sex~~ under Title IX, and AP 5520 Student Discipline and Due Process)

“Sexual assault,” “dating violence,” “domestic violence” and “stalking” are defined in Administrative Procedure 3434 – Responding to ~~Sex Discrimination~~ Sexual Harassment under Title IX.

It is the responsibility of each person involved in sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. Consent must be given without coercion, provocation, force, threats or intimidation. Consent cannot be given when a person is incapacitated or when his or her understanding is affected by a mental or physical impairment.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. If affirmative consent is withdrawn, the sexual activity must immediately stop.

These written procedures and protocols are designed to ensure that victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, also see AP 3500 Campus Safety, AP 3510 Workplace Violence Plan, and AP 3515 Reporting of Crimes).

All students, faculty members, or staff members who allege they are the victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Vice President ~~Executive Director~~ of Human Resources or designee, who shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Vice President ~~Executive Director~~ of Human Resources or designee is authorized to release such information. Situations that fall under the auspices of mandated reporting shall be addressed according to appropriate laws and regulations. In instances involving District employees, District Police shall work with Human Resources as appropriate.

The Vice President ~~Executive Director~~ of Human Resources or designee shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- A copy of the Board Policy (BP) and Administrative Procedure (AP) regarding domestic violence, dating violence, sexual assault, or stalking.
- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents. (Vice President ~~Executive Director~~ of Human Resources or designee)
- Information about the importance of preserving evidence and the identification and location of witnesses.
- Available services, and the persons on campus available to provide those services if requested. Services and those responsible for providing or arranging them include:
  - transportation to a hospital if necessary via emergency services - 911 or college police;
  - counseling provided by the College's mental health counselors in the Counseling department;
  - referral to *Community Violence Solutions* (for sexual assault) and *Center for Domestic Peace* (domestic violence issues) for off campus resources;
  - a list of other appropriate campus and off-campus resources and referrals into the community (available via publication and website).
- The victim's option to:
  - notify proper law enforcement authorities, including on-campus and local police;
  - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
  - decline to notify such authorities.
- The rights of the victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court.
- Information about how the District will protect the confidentiality of victims.
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations. If requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
- A description of each of the following options:
  - counselors and support services for victims;
  - criminal prosecution;

- civil prosecution (i.e., lawsuit);
- District disciplinary procedures, both student and employee;
- modification of class schedules;
- tutoring, if necessary-;
- alternative dispute resolution or other accountability processes;
- alternative housing assignments; and
- academic assistance alternatives.

The ~~Vice President Executive Director~~ of Human Resources or designee should be available to provide assistance to the District's law enforcement unit employees regarding how to respond appropriately to reports of sexual violence.

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3434 Responding to ~~Sex Discrimination~~ Sexual Harassment under Title IX, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the ~~Vice President Executive Director~~ of Human Resources or designee of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality consistent with state and federal law.

A Complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the Complainant consented to the sexual activity under either of the following circumstances.

- The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the Complainant affirmatively consented

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the Complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- The Complainant was asleep or unconscious.
- The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity.
- The Complainant was unable to communicate due to a mental or physical condition.



The District shall maintain the identity of any alleged victim witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence consistent with state and federal law, unless the alleged victim witness, or third-party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on District property shall be referred to the Superintendent/President's office, which shall work with the Vice President Executive Director of Human Resources or designee and District Police to assure that all confidentiality rights are maintained consistent with state and federal law.

Additionally, the Annual Security Report will include a statement regarding the District's programs to prevent sexual assault, domestic violence, dating violence, and stalking and procedures that should be followed after an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any District proceeding arising from such a report. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- Information about how the District will protect the confidentiality of victims;
- Information for students about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance or other student services for victims;
- Written notification to victims about options for, and available assistance in changing academic, living, transportation, and working situations, if requested, and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus policy or local law enforcement.
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking including a clear statement that:
  - Such proceedings shall provide a prompt, fair, and impartial resolution;
  - Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
  - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
  - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault, or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any changes to the results that occur prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final

determination with respect to the domestic violence, dating violence, sex offense, sexual assault, or stalking and any sanction that is imposed against the accused.

- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

### **Sexual Assault and Domestic Violence Counselors**

Sexual assault and domestic violence counselors shall be independent from the Title IX office, and shall, at a minimum, meet the qualifications defined in Sections 1035.2 and 1037.1 of the Evidence Code, respectively.

Services provided by sexual assault and domestic violence counselors, including, but not limited to, securing alternative housing assignments and academic assistance alternatives, shall not be contingent on a victim's decision to report to the Title IX office or law enforcement.

A sexual assault or domestic violence counselor shall obtain specific permission from the victim before disclosing the identity of the victim, or any information that could reasonably be expected to reveal the identity of the victim, to the university or any other authority, including law enforcement, unless otherwise required to do so by applicable state or federal law.

### **Education and Prevention Information**

The Director of Student Services – Student Activities and Advocacy or designee in collaboration with the Dean of Enrollment Services or designee shall:

- Provide as part of the Kentfield and Indian Valley campuses' established on-campus orientation program, education, prevention, and outreach information about domestic violence, dating violence, sexual assault and stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies including education and information programs on victim prevention, primary prevention, bystander intervention, risk reduction and awareness raising campaigns.

The outreach programming included as part of an incoming student's orientation must include, at a minimum, all of the following:

- The warning signs of intimate partner and dating violence.
  - Campus policies and resources relating to intimate partner and dating violence.
  - Off-campus resources and centers relating to intimate partner and dating violence.
  - A focus on prevention and bystander intervention training as it relates to intimate partner and dating violence.
- Post sexual violence prevention and education information on the campus internet website and student orientation (Education Code Section 67385.7) regarding domestic violence, dating violence, sexual assault and stalking.

Offices designated for providing information: Human Resources (overall charge and staff education), Administrative Services (Campus Police – Clery Act), Student Learning and Success (Student Services – Student Activities and Advocacy).

*Also see* BP and AP 3430 Prohibition of Harassment, AP 3500 Campus Safety, AP 3510 Workplace Violence Plan, and AP 3515 Reporting of Crimes

*Offices of Primary Responsibility:* ~~Administrative Services~~ Finance and Operations, Human Resources, and Student Learning and Success

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Date Approved: April 19, 2011

Date Reviewed/Revised: March 3, 2012; September 15, 2015; May 11, 2021; September 19, 2023; September 17, 2024

**Date Revised:**

**Student Services**

The Service updated this legally required policy to align with the Clery Act and clarify requirements related to working with local law enforcement agencies (CCLC 44). Note: This policy is legally required even if your District has no officially recognized student organizations with off-campus locations.

Mici 9-23-24; resent 10-20-25

No changes noted. Raul/Campus Safety and Police 11-24-2025

**BP 5510 OFF-CAMPUS STUDENT ORGANIZATIONS**

**Reference:**

34 Code of Federal Regulations Section 668.46 subdivision (b)(7)

The District shall work with local law enforcement agencies to monitor and assess record criminal activity ~~in which students engage~~ at off-campus locations ~~of~~ owned or controlled by student organizations officially recognized by the District or used to support the District's educational purpose.

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Date Adopted: April 17, 2012

Date Reviewed/Revised: March 9, 2021

**Date Reviewed/Revised:**

**Business and Fiscal Affairs**

CCLC 46 updated this policy to add a percentage amount of unrestricted reserves recommended by the Government Finance Officers Association and the California Community Colleges Chancellor's Office. Note: *The Government Finance Officers Association and the California Community Colleges Chancellor's Office recommended that unrestricted reserves comprise a minimum of two months, or 16.7%, of expenditures.* COM currently has a reserve of unrestricted funds at 8%. Mici 4-7-2025

To Tony/Fiscal 4-9-2025

Copy to Eresa/F&O 4-9-2025

**The Board Policy Review Committee requested staff review this policy, along with the referenced procedures to ensure they are current. I have highlighted a specific area the BPRC asked to pay attention to. Mici 11-24-2025**

Approved with updates. Eresa/F&O 12-3-2025

**BP 6250 BUDGET MANAGEMENT****References:**

Title 5 Sections 58307 and 58308

The budget shall be managed in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. Budget revisions shall be made only in accordance with these policies and as provided by law.

The District's will strive to maintain unrestricted general fund reserves ~~shall be no less than 8 percent of at least 16.7%~~ of the total expenditures budget, ~~with annual escalators per fiscal year. Each year, the base percentage shall grow based on a prescribed schedule and annual review of the Board of Trustees.~~ Revenues accruing to the District in excess of amounts budgeted shall be added to the District's reserve for contingencies. They are available for appropriation only upon a resolution of the Board of Trustees that sets forth the need according to major budget classifications in accordance with applicable law.

Board approval is required for changes between major expenditure classifications. Transfers from the reserve for contingencies to any expenditure classification must be approved by a two-thirds vote of the members of the Board. Transfers between expenditure classifications must be approved by a written resolution by a majority of the members of the Board.

Also see AP 6250 Budget Management and AP 6251 Reserve Fund Management

Office of Primary Responsibility: Administrative Services Finance and Operations

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Date Adopted: May 12, 2009

Date Reviewed/Revised: November 15, 2016; May 16, 2023; December 12, 2023

**Date Revised:**

**Business and Fiscal Affairs**

The Board Policy Review Committee respectfully requests a close review of this procedure to ensure it is up-to-date and consistent with the goals of the board and BP/AP 6250. Mici 11-24-2025

Approved with updates. Eresa/F&O 12-3-2025

**AP 6251 RESERVE FUND MANAGEMENT**

The District sets forth the following principles governing the establishment and maintenance of reserve funds. A reserve fund is an established fiscal management tool which buffers cash flow fluctuations and provides a resource for contingencies and reasonable yet unforeseen operational needs.

These principles are built upon the expectation that:

1. the District's annual budget is reflective of a sound and reasonable estimate of actual revenues and expenditures;
2. any significant increase or decrease in reserves will be purposeful, deliberate, and transparent;
3. transfers in and out of the reserve fund will be transparent and reflected as an action item in the monthly agenda; and
4. all elements of the reserve will support and advance the mission of the District.

The District shall have four (4) reserves established:

1. Unrestricted General Fund Reserve
2. Capital Maintenance Reserve
3. Equipment Reserve
4. Bond Reserves

**The Unrestricted General Fund Reserve**

- ~~8%, with annual escalators per fiscal year. Each year the base percentage shall grow based on a prescribed schedule and annual review of the Board of Trustees.~~ The District will strive to maintain unrestricted general fund reserves of at least 16.7% of the total expenditures budget.

**The Capital Maintenance and Equipment Reserves**

- The Board of Trustees has established a minimum base reserve. This base funding is designated as a minimum fund level within the specific reserve; however, it may be allocated if necessary for the intended purposes of the fund. The reserves can be funded from utility savings that occur annually, PG&E rebates, direct allocation to the fund via board action, or other items as approved by board resolution.
  - Capital maintenance fund and equipment: \$1 million base reserve.
  - Any transfer in or out of this fund must be approved by the Board of Trustees in a regularly scheduled meeting.

## The Bond Reserves Fund

- The District will allocate any interest earned from bond proceeds, any state or other matching money, and any savings from any specific project to a "bond reserve" to be spent only with authorization of the Governing Board. Each bond project has a budget associated with it, and that budget may not be exceeded without authorization of the Governing Board.

The Superintendent/President shall:

- ~~Add revenues accruing to the District in excess of amounts budgeted to the District's unrestricted reserve for contingencies on an annual basis equal to or greater than 0.5% per annum until the reserve meets a 12% threshold or Fiscal Year 2022, whichever comes first, but not to exceed 18%. The Board of Trustees will review this escalator annually on the basis of the current budget and economy.~~
- ~~Maintain the unrestricted general fund reserve at/or above the following levels:~~
  - ~~10.5% for 2021/2022~~
  - ~~11% for 2022/2023~~
  - ~~11.5% for 2023/2024~~
  - ~~12% for 2024/2025~~
  - ~~12.5% for 2025/2026~~
  - ~~13% for 2026/2027~~
- Maintain and identify additional restricted reserves specific to short and long-term liabilities specific to CERBT Fund, PARS Fund (Both 115 Trust Accounts), and ongoing increases to CalSTRS and CalPERS.
- Require 6 of the 7 members of the Governing Board to approve transfers from the reserve for contingencies to any expenditure classification.
- Review the levels of reserve annually in the tentative budget, in percentages, to ensure the District is planning for economic indicators and long-term institutional planning accordingly.

Office of Primary Responsibility: ~~Administrative Services~~ Finance and Operations

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Date Adopted: October 18, 2016

Date Revised: April 18, 2023

**Date Reviewed:**

**Business and Fiscal Affairs**

CCLC 46 updated this procedure to reflect updated monetary limits to the permissible informal and formal bidding procedures under UPCCAA and to update the definition of 'public projects.'

Mici 7-3-2025

Copy Eresa 10-28-2025

No changes noted. Klaus 12-4--2025

Copy to Sam/Fiscal 12-4-2025

**AP 6345 BIDS AND CONTRACTS - UPCCAA****References:**

Education Code Sections 81641 et seq.;

Labor Code Sections 1770 et seq.;

Public Contract Code Sections 20110 et seq., 20650 et seq., 22000 et seq. (Uniform Public Construction Cost Accounting Act (Act))

**Informal and Formal Bidding Procedures under the Uniform Public Construction Cost Accounting Act, adopted by resolution by the Board of Trustees**

Public Projects are defined in Public Contract Code (PCC) Section 22002 subdivision (c) as construction, reconstruction, erection, alteration, renovation, improvement, demolition, installation, repair work, or painting or repainting of or involving any publicly owned, leased, or operated facility. Public projects estimated to cost up to \$~~175,000-220,000~~<sup>1</sup> shall be let to contract by procedures described below.

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

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

Public Projects funded by the Kindergarten-University Public Education Bond Acts of 2002 and 2004 and any future State Bond funds require that the District initiate and enforce a labor compliance program pursuant to Labor Code Section 1771.5.

**Procedures Not Covered by this Administrative Procedure**

When this procedure does not establish a process for bidding Public Projects, the procedures described in AP 6430 titled Bids and Contracts shall govern.

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<sup>1</sup> The California Uniform Construction Cost Accounting Commission (Commission) may recommend that the State Controller amend these amounts. Public Contract Code ~~s~~Section 22032 authorized public projects of \$~~4560,000~~ or less be performed by District employees by force account, by negotiated contract, or by purchase order. Public projects up to \$~~175,000-220,000~~ may be let to contract by informal procedures. Public projects in excess of \$~~175,000-220,000~~, with limited exceptions, shall be let to contract by formal bidding procedure. Public Contract Code 22032



**Contractors List**

Lists of contractors shall be developed and maintained.

**Award to Low Bidder; No Bids**

All contracts must be awarded to the lowest responsible bidders. If two or more bids are the same and lowest, the District may accept the one it chooses. When no bids are received, the District may perform Public Projects with District employees or through a negotiated contract without further complying with this procedure.

**Notice Inviting Informal Bids**

When a Public Project anticipated to cost less than ~~175,000-220,000~~ is to be performed, the District shall prepare a notice of the opportunity to bid. The notice must describe the project in general terms, state the time and place for the submission of bids and describe how to obtain more detailed information about the Project. The District shall mail the notice to all contractors for the category of work to be bid, as shown on the Contractors List. The District may also mail the notice to all construction trade journals. Other contractors ~~and~~/or construction trade journals may also be notified at the discretion of the department soliciting bids. Mailing shall be completed at least ten days before bids are due.

**Award of Informally-Bid Contracts**

The Superintendent/President or designee for the District, is authorized to award informal contracts (defined as contracts for less than ~~175,000-220,000~~), except those contracts described below.

**Bids Exceed Informal Bidding Limit**

If all informal bids received exceed ~~175,000-220,000~~, and the District determines that the cost estimate was reasonable, the District may award the contract at up to ~~\$187,500~~ 235,000 to the lowest responsible bidder. The contract must be approved by Resolution receiving a four-fifths (4/5) vote of the Board of Trustees.

**Bid Documents for Formal Bids**

The Superintendent/President or designee, will see that plans, specifications and working details for all Public Projects estimated to cost more than ~~\$175,000-220,000~~ are adopted.

**Notice Inviting Formal Bids**

When a Public Project, which is anticipated to cost in excess of ~~\$175,000-220,000~~ is to be performed, the District shall publish a notice inviting formal bids in a newspaper of general circulation. The notice shall be published at least 14 calendar days before the date of bid opening. The notice shall also be sent electronically, if available, by facsimile or electronic mail and mailed to all construction trade journals. The notice to construction trade journals shall be sent at least 15 calendar days before the date of bid opening. Other contractors ~~and~~/or construction trade journals may also be notified, at the discretion of the department soliciting bids. Mailing shall be completed at least 30 days before the date of bid opening.

**When Contractors List Has Not Been Prepared: Proprietary Product or Service**

Notwithstanding the above:

- If the District has not prepared a list of contractors for the particular category of work to be performed, the notice inviting bids shall be sent to each of the construction trade journals.
- If the product or service is proprietary in nature, such that it can be legally obtained only from a certain contractor(s) pursuant to Public Contract Code Section 3400, the notice inviting informal bids may be sent exclusively to such contractors.

#### **Contracts for Maintenance Work**

Contracts for Maintenance Work may be bid pursuant to the Informal Bidding Procedures described above. Maintenance Work is routine, recurring work done for the preservation or protection of a public facility; minor repainting; landscape maintenance including mowing, watering, trimming, pruning, planting or replacement of plants, and servicing of irrigation systems; work performed to keep, operate, or maintain publicly owned water, power, or waste disposal systems.

#### **Rejection of Bids; Re-solicitation; Use of District Employees**

If the District intends to reject all bids, it must mail the apparent low bidder a written notice of the District's intent to reject the bid at least two business days prior to the hearing at which the bids will be considered.

After rejecting all bids, the District may:

- abandon the project;
- re-advertise the project; or
- perform the work with District employees, after passing a resolution by a four-fifths (4/5) majority of the Board of Trustees declaring that the project can be performed more economically by District employees.

#### **Emergency Procedures**

When an emergency necessitates repair or replacement, contracts shall be awarded pursuant to the procedures described in AP 6340 titled Bids and Contracts.

*Office of Primary Responsibility: Finance and Operations*

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Date Adopted: June 20, 2017 ~~(New AP)~~

**Date Revised:**

**Business and Fiscal Affairs**

The CCLC service updated this procedure to remove a legal reference. The last paragraph was from language recommended by the CCLC in 2003 and not adopted. Please determine whether to include the language. Mici 7-3-2025

Copy to Sam/Fiscal 10-28-2025

Approved with recommendation to have IT review. Klaus/M&O 10-29-2025

Edits as noted. Scott Conrad/IT 12-2-2025

CCLC recommended language approved, in case the District decides to go in that direction.

Samantha/Fiscal 12-2-2025

Copy Eresa/Finance and Operations 12-2-2025

**AP 6360      CONTRACTS – ELECTRONIC SYSTEMS AND MATERIALS****References:**

Education Code Sections 81641 et seq. ~~and 81651~~;

Public Contract Code Sections 20651 et seq.

[Educause Higher Education Community Vendor Assessment Toolkit](#)

The District may contract with any vendor who has submitted one of the three lowest responsible competitive proposals or competitive bids on the basis of best value for the purchase or maintenance of electronic data-processing systems and equipment (hardware), electronic telecommunication equipment, supporting software, and related materials, goods, and services in support of the District's electronic communications, data processing, and multimedia needs.

Except as otherwise stated here, bids shall be solicited and contracts shall be awarded in accordance with AP 6340 ~~titled~~ Bids and Contracts.

Criteria to determine what constitutes a responsive bid shall be established by the Information Technology Department. [All bids for any software product and/or hardware product that connects to the internet should include a completed copy of the latest HECVAT form regarding cybersecurity, accessibility, and privacy compliance.](#)

Supplemental software packages or Single Source materials may be purchased without taking estimates or advertising for bids.

[Sale and leaseback of data-processing equipment or another major item of equipment is permissible if the purchaser agrees to lease the item back to the district for use by the District following the sale. The Governing Board shall first adopt a resolution finding that the sale or leaseback is the most economical means for providing electronic data-processing equipment or other major items of equipment to the District.](#)

Office of Primary Responsibility: ~~College Operations~~ [Finance and Operations](#)

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Date Approved: April 21, 2009

**Reviewed/Revised:** March 12, 2019

Revised:

**Business and Fiscal Affairs**

CCLC 46 updated this procedure to remove an outdated reference. Mici 4-16-2025  
Finance and Operations approved the update, but will revise the procedure to reflect local rules with specificity and in alignment with regulations. A more up-to-date version will be ready in the spring of 2026. Eresa/Lindsay 12-2-2025

**AP 6700 CIVIC CENTER AND OTHER FACILITIES USE****References:**

Education Code Sections 82537 and 82542;  
Public Resources Code Section 42648.3;  
Title 5 Sections 59601 et seq.;  
Clark v. Community For Creative Non-Violence (1984) 468 U.S. 288, 104 S.Ct. 3065, 82 L.Ed.2d 221

**General Provisions**

District facilities are available for community use when such use does not conflict with District programs and operations. Facility use shall be limited to places and time identified by the Chief Business Officer, but shall be sufficiently frequent, and available on specific dates and times, so as to allow meaningful use by outside groups. Except as provided in these procedures, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken during the use.

The Chief Business Officer is responsible for the coordination and implementation of these procedures. Fees shall be charged according to the current District Fee Schedule.

All users (including individual users and/or groups) shall be required to sign the District's hold harmless and indemnification agreement acknowledging that they will be financially responsible for any losses, damages, or injuries incurred by any person as a result of their use of the facilities. All users (including individual users and/or groups) shall also be required to provide proof of insurance with limits acceptable to the District ~~and~~/or other proof of financial responsibility acceptable to the District.

**Civic Centers**

Eligible persons or groups may use District buildings or grounds for public, literary, scientific, recreational, or educational meetings, or public agency meetings, or for discussion of matters of general or public interest, subject to these rules and regulations.

The groups identified in Education Code Section 82542 subdivision (a) will be permitted, "when an alternative location is not available," as described in the statute, to use District facilities upon payment of the following:

- the cost of opening and closing the facilities, if no District employees would otherwise be available to perform that function as a part of their normal duties;

- the cost of a District employee's presence during the organization's use of the facilities if it is determined that the supervision is needed, and if that employee would not otherwise be present as part of ~~his or her~~ their normal duties;
- the cost of custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian's normal duties; and
- the cost of utilities directly attributable to the organization's use of the facilities.

Except as provided herein, other groups shall be charged an amount not to exceed the direct costs or not to exceed the fair rental value of District facilities and grounds under its control. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees and contracted workers, and salaries and benefits paid to District employees necessitated by the organization's use of District facilities.

Additionally, except for classroom-based programs that operate after school hours and organizations retained by the District to provide instruction or instructional activities to students during school hours, direct costs shall also include the costs for maintenance, repair, restoration, and refurbishment of college facilities and grounds used by the group.

The District shall maintain a fee schedule adopted by the Board that includes the hourly fee for each specific school facility and grounds.

The following shall be charged fair rental value for the use of District facilities:

- Any church or religious organization for the conduct of religious services for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.
- Entertainments or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the District or for charitable purposes.

The American Red Cross or other public agencies may use District facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies that affect the public health and welfare, and the District will cooperate with these agencies in furnishing and maintaining services mutually deemed necessary to meet the needs of the community.

### **Rules for Facilities Use**

Requests for use of District facilities must be made at least thirty (30) days in advance of the first date of use being requested. Requests shall be made through the District's Facilities Rental webpage. Permission to use facilities shall be subject to approval by the Chief Business Officer or designee.

Permission to use District facilities shall not be granted for a period to exceed one fiscal year. No person or organization may be granted a monopoly on any facility.

Any person applying for use of District property on behalf of any group shall be a member of that group and, unless ~~he or she is~~ they are an officer of that group, must present written authorization to represent it. Each person signing an application shall, as a condition of use, agree to be held financially responsible in the case of loss or damage to District property.

The District may require security personnel as a condition of use whenever it is deemed to be in the District's best interests.

Subsequent facility requests may be denied on grounds including, but not limited to, abuse or misuse of District property and failure to pay promptly for any damage to District property.

No alcoholic beverages, intoxicants, or controlled substances in any form shall be brought onto the property of the District, without proper authorization and permits as required by law. Persons under the influence of alcohol, intoxicants, or controlled substances shall be denied participation in any activity. The District is a smoke-free environment and no tobacco *in any form* may be used on District property.

Overnight camping on District facilities, including in the designated public forum areas, is prohibited. No person or organization may use any District facility for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making any fire, or using any tents or other structure for sleeping, or doing any digging or earth breaking, or carrying on cooking activities.

No structures, electrical modifications, or mechanical apparatus may be erected or installed on District property without specific written approval by the Chief Business Officer.

All decorative materials, including but not limited to draperies, hangings, curtains, and drops shall be made or treated with flame-retardant processes approved by the State Fire Marshall.

#### **Recycling: Large Venues and Events**

"Large venue" means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the District per day of operation of the venue facility.

"Large event" means an event that charges an admission price, or is operated by a local agency and serves an average of more than 2,000 individuals per day of operation of the event.

Biennially, **and** by July 1, the District shall meet with recyclers and with the solid waste enterprise that provides solid waste handling services to the large venue or large event to determine the solid waste reduction, reuse, and recycling programs that are appropriate for the large venue or large event. In determining feasible solid waste reduction, reuse, and recycling programs, the operator may do any of the following:

- Develop solid waste reduction, reuse, and recycling rates and a solid waste reduction, reuse, and recycling plan that would achieve those solid waste reduction, reuse, and recycling rates.
- Determine a timeline for implementation of the solid waste reduction, reuse, and recycling plan and solid waste reduction, reuse, and recycling rates.

#### **Priority for the Use of District Facilities**

Priority for the use of District facilities will be as follows:

1. College credit, non-credit, and not-for-credit classes
2. College events
3. Student clubs and organizations
4. Fundraising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the District
5. Parent-teachers' associations
6. School-community advisory councils

7. Camp Fire Girls, Girl Scout troops, and Boy Scout troops
8. Senior citizens' organizations
9. Other public agencies
10. Organizations, clubs, or associations organized for cultural activities and general character building or welfare purposes (such as folk and square dancing)
11. Public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

*Office of Primary Responsibility:* ~~Administrative Services~~ Finance and Operations

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Date Approved: April 21, 2009; May 16, 2023

Date Revised: May 21, 2024

**Date Revised:**



**Business and Fiscal Affairs**

CCLC 46 updated this procedure to revise the usage note. See highlighted language below. Mici 7-3-2025

Copy to Eresa/Finance and Ops 10-28-2025

See recommendation as noted to add local process. Klaus/M&O and Sam/Fiscal 10-30-2025

**AP 6750      PARKING****References:**

Education Code Section 76360;

Vehicle Code Section 21113

Parking procedures are intended to promote safe and orderly movement of traffic within District property for the safe and orderly parking of vehicles and bicycles.

All applicable provisions of the California Vehicle Code are expressly applicable both on and off paved roadways.

Parking of motor vehicles and bicycles is limited to specially designated areas. Permits are required. Vehicles or bicycles parked in violation of the provisions of state and local codes are subject to citation, fines, towing, or impoundment.

All persons who enter District property are charged with knowledge of the provisions of this procedure and are subject to the penalties for violations of such provisions.

Detailed parking and permitting regulations are developed and maintained by the District Police Department and will be posted on the District website.

[Daily parking permits can be purchased through parking permit dispensers located throughout Campus parking lots, or can be purchased online through the iPARQ system. Enrolled students may purchase a semester pass online or in person at the Bursar's office.](#)

[Parking citations are managed by the Marin Parking Authority, and includes a payment plan option.](#)

No person may leave any vehicle on the campus of the College of Marin without the approval of Campus Police.

In the event anyone leaves a vehicle on campus contrary to the posted signs or written statement, the Campus Police Department is authorized to cite the owner for a violation of the Vehicle Code. The owner may be subject to fines, penalties, towing, and impound fees.

In accordance with Vehicle Code Section 21113, the District will enforce these procedures by issuing citations.

Office of Primary Responsibility: ~~College Operations~~ Finance and Operations

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Date Approved: December 9, 2008

Reviewed/Revised: June 20, 2017

**Reviewed:**

## Human Resources

CCLC 47 - The Service updated this procedure to provide more detail about required disclosures from applicants for academic, athletic, or administrative positions, including volunteer positions in athletics pursuant to a change in the Education Code. Mici 10-29-2025  
To Nikki/HR 10-29-2025

**AP 7126      APPLICANT BACKGROUND CHECKS****References:**

15 U.S. Code Sections 1681 et seq. (Fair Credit Reporting Act);  
Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;  
Education Code Sections 67459 and 87604.5

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

Applicants for academic, athletic, or administrative positions, including volunteer positions in athletics, who meet the minimum qualifications for the position, shall disclose whether they have been subject to a final administrative decision or final judicial decision, issued within the last seven years from the date of submission of the application, determining that the applicant committed sexual harassment. The District will permit applicants to disclose if they have filed an appeal with the previous employer or, if applicable, with the United States Department of Education. Applicants for such positions shall sign a release authorizing the District to request and receive information from the applicant's previous employers concerning any substantiated allegations of misconduct, in order to permit the District to evaluate the released information with respect to the criteria for a potential job placement. The District shall make a reasonable attempt to obtain this information about a finalist applicant prior to making a final hiring decision.

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

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

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Date Approved: July 19, 2011

**Date Reviewed/Revised:** October 16, 2018; July 2025 (legal cite only)

Date Revised:

## Human Resources

This policy is due for review as part of the regular cycle of review. Formatting updated. Also compared CCLC model language for this procedure included below. This procedure got stuck in the review process in 2022. **NOTE:** *This procedure is **optional** depending on whether or not the Board has adopted a policy allowing for catastrophic leave. Local practice may be inserted. Catastrophic leave procedures are a mandatory subject of bargaining for employees that are represented by an exclusive representative. Procedures for other employees are at District discretion. The language here reflects the minimum requirements excerpted from statute.*

Mici 11-5-2025

Approved. Nikki/HR review folder 11-5-2025

Copy to Mia/General Counsel

## AP 7345 CATASTROPHIC LEAVE

## Reference:

Education Code Section 87045

The District has established a catastrophic leave program to permit employees of the District to donate eligible leave credits to an employee when that employee suffers from a catastrophic illness or injury.

For the purposes of this procedure, the following terms are defined as follows:

- "Catastrophic illness" or "injury" means an illness or injury that is expected to incapacitate the employee for an extended period of time, or that incapacitates a member of the employee's family requiring the employee to take time off from work for an extended period of time to care for that family member, and taking extended time off work creates a financial hardship for the employee because he/she/they has exhausted all of his/her/their sick leave and other paid time off.
- "Eligible leave credits" means vacation leave and sick leave accrued to the donating employee.

Eligible leave credits may be donated to an employee for a catastrophic illness or injury if all of the following requirements are met:

- The employee who is , or whose family member is, suffering from a catastrophic illness or injury requests that eligible leave credits be donated and provides verification of catastrophic injury or illness.
- The Chief Human Resources Officer determines that the employee is unable to work due to the employee's or his/her/their family member's catastrophic illness or injury.
- The employee has exhausted all accrued paid leave credits. If the transfer of eligible leave credits is approved, any employee within the same employee group may, upon written notice, donate eligible leave credits at a minimum of eight (7-58) hours, and in hour increments thereafter.
- The maximum amount of time for which donated leave credits may be used shall not exceed use for a maximum period of twelve (12) consecutive months.
- Verification of catastrophic injury or illness shall be required.
- All transfers of eligible leave credit shall be irrevocable.

- An employee who receives paid leave pursuant to this procedure shall use any leave credits that he/she/they continues to accrue on a monthly basis prior to receiving such leave.

See the collective bargaining agreements as applicable.

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Date Approved: December 13, 2011

**Date Reviewed:**

## Human Resources

This policy is due for review as part of the regular cycle of review. There have been no CCLC updates.

Mici 11-5-2025

Approved. Nikki/HR review folder 11-18-2025

For discussion, changes will be noted for the BPRC meeting, if any. 12-4-2025

Minor edit as noted. Mia/General Counsel 12-4-2025

**BP 7365 DISCIPLINE AND DISMISSAL – CLASSIFIED EMPLOYEES****References:**

Education Code Section 88013;  
Government Coded Sections 3300 et seq.

The Superintendent/President shall enact procedures for the disciplinary proceedings applicable to permanent classified employees of the District. Such procedures shall conform to the requirements of the Education Code and applicable collective bargaining agreements.

The Board's determination of the sufficiency of the cause for disciplinary action of a classified employee shall be conclusive.

No disciplinary action shall be taken for any cause that arose prior to the employee becoming permanent, or for any cause that arises more than two years preceding the date of the filing of any charge against the employee, unless the cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District.

A permanent member of the classified service shall be subject to disciplinary action, including, but not limited to, oral reprimand, written reprimand, reduction in pay, demotion, suspension, or discharge, for any of the following grounds:

- Fraud in securing employment or making a false statement on an application for employment.
- Incompetence, i.e., inability to comply with the minimum standard of an employee's position for a significant period of time.
- Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of an employee in the position.
- Willful disobedience and insubordination, a willful failure to submit to duly appointed and acting supervision, conform to duly established orders or directions, or insulting or demeaning the authority of a supervisor or manager.
- Dishonesty involving employment.
- Being impaired by or under the influence of alcohol or illegal drugs or narcotics while on duty, which could impact the ability to do the job.
- Excessive absenteeism.
- Unexcused absence without leave.
- Abuse or misuse of sick leave.

- The conviction of either a misdemeanor or a felony involving moral turpitude shall constitute grounds for dismissal of any employee. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. A plea or verdict of guilty, or a conviction showing a plea of *nolo contendere* made to charge a felony or any offense involving moral turpitude, is deemed to be a conviction within the meaning of this section.
- Discourteous treatment of the public or other employees.
- Improper or unauthorized use of District property.
- Refusal to subscribe to any oath or affirmation which is required by law in connection with District employment.
- Any willful act of conduct undertaken in bad faith, either during or outside of duty hours which is of such a nature that it causes discredit to the District, the employee's department or division.
- Inattention to duty, tardiness, indolence, carelessness, or negligence in the care and handling of District property.
- Mental or physical impairment which renders the employee unable to perform the essential functions of the job without reasonable accommodation or without presenting a direct threat to the health and safety of self or others.
- Acceptance from any source of a reward, gift, or other form of remuneration in addition to regular compensation to an employee for the performance of his or her official duties.
- The refusal of any officer or employee of the District to testify under oath before any court, grand jury, or administrative officer having jurisdiction over any then pending cause of inquiry in which the District is involved. Violation of this provision may constitute of itself sufficient ground for the immediate discharge of such officer or employee.
- Willful violation of policies, procedures and other rules which may be prescribed by the District, college(s) or departments.
- Working overtime without authorization.

See ~~Also~~: AP 7365 Discipline and Dismissal - Classified Employees and applicable collective bargaining agreements

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Date Adopted: January 17, 2012

Date Reviewed/Revised: April 16, 2019

**Date Reviewed:**