

College Council Review Process: Policy and Procedure Review

5-11-2023

BP 3530 Weapons on Campus - Due for review as part of regular review cycle. This policy is legally required and there are no legal updates from CCLC but please note code revision based on CCLC model policy. Formatting updated.

BP 3710 Securing of Copyright - Review as part of the regular review cycle. Compared to the CCLC. This is a 10+1.

BP 4107 Health Science Programs - This policy was review as part of the regular review cycle. There is no corresponding CCLC model policy for comparison. There are no specific sections cited here and unclear what references may have been intended. This is a 10+1.

BP 4225 Course Repetition - Due for review as part of the regular review cycle. Format updated. Compared to CCLC model policy that is legally required. This is a 10+1.

BP 6580 Excavations Occurring in Native American Midden Areas - There is no corresponding CCLC policy. Formatting and font updated, with minor recommended revisions. Checked references and commented on those that may not be necessary for this policy.

BP 6700 Civic Center and Other Facilities Use - This legally required policy is due for review as part of the regular review cycle. Compared to the model CCLC policy with edits as noted. The last CCLC legal update was in 2016.

BP 6850 Bicycles, Skateboards, Roller Skates, Roller Blades on Campus - Reviewed as part of the regular review cycle. There is no corresponding CCLC model policy. Formatting updated and edits recommended as noted.

BP 7120 Employment Recruitment - This policy is legally required and due for review as part of the regular review process. Compared to CCLC model policy. This is a 10+1.

BP 7210 Academic Employees - This policy is due for review as part of the regular review process. Compared to the model CCLC policy. There were no legal updates. This is a 10+1.

BP 7400 Travel - Reviewed as part of the regular review cycle. This policy is legally required and was compared to the CCLC model policy.

AP 3530 Weapons on Campus - Due for review as part of regular review cycle. This procedure is suggested as good practice. Formatting updated. No new updates since 2017.

AP 3550 Drug and Alcohol-Free Environment - Reviewed in conjunction with AP 3570. Due for review as part of regular review cycle.

AP 3710 Securing of Copyright - This procedure reviewed as part of the regular review cycle. Compared to CCLC model procedure and legally advised. This is a 10+1.

AP 4225 Course Repetition Non-repeatable Courses - Due for review as part of the regular review cycle. Formatting updated and compared to the CCLC model policy. This procedure is legally required and there have been multiple CCLC updates since this was last reviewed and revised. This is a 10+1.

AP 4228 Course Repetition - Significant Lapse of Time - This legally advised procedure was reviewed as part of the regular review cycle and compared to the CCLC model procedure, with its last legal update in 2017. Reviewed in conjunction with *AP 4230 Grading and Academic Record Symbols*, currently under review by the Academic Senate, to ensure uniformity. This is a 10+1.

AP 5045 Student Records Challenging Content and Access Log - Reviewed as part of the regular review cycle. Formatting updated. This is a 10+1.

AP 6580 Excavations Occurring in Native American Midden Areas - There is no corresponding CCLC procedure and this procedure was reviewed as part of the regular review cycle. Formatting, font updated.

AP 6700 Civic Center and Other Facilities Use - Due for review as part of the regular review cycle. Compared to the CCLC model procedure. Formatting updated.

AP 6805 Controlled Access Hours - Reviewed as part of the regular review cycle. There is no model CCLC procedure for comparison.

AP 6850 Bicycles Roller Skates etc. - Reviewed as part of the regular review cycle. There is no corresponding CCLC model procedure. Formatting updated, bulleted numbering revised. Recommended edits as noted.

AP 7120 Employment Recruitment - Edits initiated by Human Resources as noted. Numbering added to D. Minimum Qualifications, III.E. Screening Process and III.F. and formatting updated.

AP 7400 Travel - Reviewed in conjunction with the corresponding policy to ensure the BP/AP are on the same cycle of review. References updated, revision related to Out of State Travel Ban (AB 1887), and formatting updated.

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

Status Update – Policies and Procedures Currently Under Review

Administrative – Under Review

AP 3434 Responding to Harassment Based on Sex under Title IX
AP 3435 Discrimination and Harassment Investigations
BP/AP 3715 Intellectual Property
BP/AP 3820 Gifts
AP 4100 Graduation Requirements for Degrees and Certificates
BP 6250 Budget Management Review
AP 7212 Temporary Faculty

Academic Senate – Under Review

AP 4040 Library and Other Instructional Support Services (NEW)
AP 4070 Auditing
BP/AP 4103 Work Experience
AP 4230 Grading and Academic Record Symbols
BP/AP 4300 Field Trips and Excursions
AP 5055 Enrollment Priorities

General Institution

Due for review as part of regular review cycle. This policy is legally required and there are no legal updates from CCLC but please note code revision based on CCLC model policy. Formatting updated. Mici 3-9-2023

Approved without changes. Eresa/Administrative Services 3-26-2023

Approved without changes. Jeff M./Campus Police 3-28-2023

BP 3530 WEAPONS ON CAMPUS

Reference:

Penal Code Sections 626.9 and 626.10 ~~626.7~~

Firearms or other weapons shall be prohibited on District property or in any facility of the District except for activities conducted under the direction of District officials or as authorized by an official law enforcement agency.

See AP 3530 Weapons on Campus

Date Adopted: March 17, 2009

Date Reviewed/Revised: December 8, 2015

Date Reviewed/Revised:

General Institution

Review as part of the regular review cycle. Compared to the CCLC. This is a 10+1. Mici 2-14-2023

Approved without changes. Mia 3-13-2023

To Jonathan/SLS 3-15-2023

Approved. Academic Senate 3-30-2023

BP 3710 SECURING OF COPYRIGHT**References:**

Education Code Sections 72207 and 81459;
17 United States Code Section 201

The Superintendent/President shall develop appropriate administrative procedures to implement the provisions of the Education Code which authorize the securing of copyright protection for works, including but not limited to registering copyrights and policing infringements, on behalf of the District. The procedures developed by the Superintendent/President shall assure that the District may use, sell, give, or exchange published materials and may license materials prepared by the District in connection with its curricular and special services.

In the development of these procedures, the Superintendent/President shall solicit the input of the proper representatives of the college community in accordance with the Board's policies regarding shared local decision-making. [See BP 3260 Making and AP 3260 Participation in Local Decision Making.](#)

The District shall comply with all current federal and state laws and regulations regarding the use of copyrighted material.

See the current UPM Collective Bargaining Agreement for detailed information regarding copyright of materials produced by faculty members.

Date Adopted: July 17, 2012 *(Replaced College of Marin Policies 2.0010 and 2.0020)*

Reviewed/Revised:

Academic Affairs

This policy was review as part of the regular review cycle. There is no corresponding CCLC model policy for comparison. This is a 10+1. Mici 3-10-2023

Revisions as noted. Jonathan/SLS 3-16-2023

Approved without changes. Academic Senate 4-6-2023

BP 4107 HEALTH SCIENCE PROGRAMS

References:

Title 22 Sections

Program Specific Policies and Procedures

~~The Many~~ Health Sciences ~~Pp~~programs have specialized program policies and procedures essential for consumer protection and/or required by accrediting/approval bodies to ensure students are prepared students for the workplace ~~that are essential for consumer protection~~. The coordinators of each program and the ~~Director of Health Sciences~~ appropriate academic administrator shall ensure ~~that~~ required program policies specific to each discipline are developed and implemented.

Each program ensures students are informed of the program-specific policies and procedures.

Clinical Agency Agreements

~~The Many~~ Health Sciences ~~Pp~~programs require that clinical affiliations with hospitals and agencies are developed and maintained. The District shall develop such affiliations as appropriate to the needs of the each Health Sciences ~~Pp~~programs. All new or continuing clinical affiliations containing substantive changes shall be approved by the Board.

Date Adopted: April 20, 2010 *(Replaced College of Marin Policies 2.0022 and 2.0014)*

Date Reviewed/Revised:

Academic Affairs

Due for review as part of the regular review cycle. Format updated. Compared to CCLC model policy that is legally required. This is a 10+1. Mici 1-31-2023

No revisions by 3-15-23 so moved forward for review as per preview process protocol.

Jonathan/Student Learning and Success & Jon H. Enrollment. 1-31-2023

Approved. Academic Senate 3-30-2023

BP 4225 COURSE REPETITION

References:

Title 5 Code Sections 55040, 55041, 55042, 55044, 55253, and 58161

Students may repeat credit courses in which substandard grades (less than "C," and including "FW" and "NP") were earned.

When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

Under special circumstances, students may repeat courses in which a "C" or better grade was earned. The special circumstances shall be defined in administrative procedures.

Date Adopted: March 18, 2008

Date Reviewed/Revised:

Business and Fiscal Affairs

There is no corresponding CCLC policy. Formatting and font, with minor recommended revisions.
Checked references and commented on those that may not be necessary for this policy.

Mici 3-9-2023

Approved without changes. Eresa/Administrative Services 3-26-2023

Revisions as noted. Mia/General Counsel 3-29-2023

BP 6580 EXCAVATIONS OCCURRING IN NATIVE AMERICAN MIDDEN AREAS**References:**

Government Code section 65092;

Government Code section 65351, ~~65352, 65352.3, 65352.4, 65562.5~~

~~Government Code section 65352;~~

~~Government Code sections 65352.3-65352.4;~~

Government Code section 65560;

~~Government Code section 65562.5;~~

Health and Safety Code section 7050.5

Public Resources Code section s 5097.7, 5097.95

The Board is aware that Native American burial grounds and other archaeological sites exist on portions of the Kentfield and Indian Valley campuses as evidenced by rich midden and residual artifacts discovered in various locations around the campuses. The Superintendent/President or their designee is ~~designated the responsibility to~~ for notifying Native American tribal representatives, archaeologists, and other appropriate parties to the extent required by law prior to authorizing any excavation on either campus.

The Superintendent/President or designee also is ~~also designated the responsibility to~~ responsible for developing and implementing procedures for excavation activities that comply with current legal requirements.

Date Adopted ~~by Board~~: February 17, 2009 (*Replaced College of Marin Policy 8.0025*)

Date Reviewed:

Business and Fiscal Affairs

This legally required policy is due for review as part of the regular review cycle. Compared to the model CCLC policy with edits as noted. The last CCLC legal update was in 2016. Mici 3-9-2023
Approved without changes. Eresa/Administrative Services 3-29-2023

BP 6700 CIVIC CENTER AND OTHER FACILITIES USE

References:

Education Code Sections 82537, ~~and~~ 82542, ~~and~~ 82544
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 for purposes that discriminate on the basis of race, color, religion, ancestry, national origin, disability, sex (i.e., gender), or sexual orientation, or the perception that a person has one or more of the foregoing characteristics.~~

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).) 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:

Business and Fiscal Affairs

Reviewed as part of the regular review cycle. There is no corresponding CCLC model policy. Formatting updated. Recommended edits. Mici 3-9-2023

Approved without changes. Eresa/Administrative Services 3-27-2023

Approved without changes. Jeff M/Campus Police 3-28-2023

**BP 6850 BICYCLES, SKATEBOARDS, ROLLER SKATES, ROLLER BLADES, SCOOTERS AND OTHER
SIMILAR DEVICES ON CAMPUS**

References:

Vehicle Code Sections ~~4000.1~~ and 21113(f)

~~The Board of Trustees delegates to the Superintendent/President the authority to regulate the use of bicycles, skateboards, roller skates, roller blades, scooters and other similar devices on District property.~~

The use of bicycles, skateboards, roller skates, roller blades, scooters, hover boards, and other similar devices on District property is a cause of concern in that unsupervised use presents an unwarranted risk of harm not only to those who use bicycles, skateboards, roller skates, roller blades, scooters, hover boards but also to other people who may be present while such use takes place.

The Board of Trustees delegates to the Superintendent/President the authority to regulate the use of bicycles, skateboards, roller skates, roller blades, scooters, hover boards, and other similar devices on District property.

Date Adopted: March 17, 2009 (*Replaced College of Marin Policy 8.0010*)

Date Reviewed/Revised: April 19, 2016

Date Reviewed/Revised:

Human Resources

This policy is legally required and due for review as part of the regular review process. Compared to CCLC model policy. Please see optional recommended language. This is a 10+1.

Mici 2-16-2023

Edits as noted. Nikki 2-16-2023

Approved without changes. Academic Senate 4-6-2023

BP 7120 EMPLOYMENT RECRUITMENT**References:**

Education Code Sections 70901.2, 70902 subdivisions (b)(7) & (d), 87100 et seq., ~~87360, 87400;~~ and 87458;

Title 5 Sections 53000 et seq. and 51023.5;

ACCJC Accreditation Standard III.A.1.

The District's recruitment and hiring procedures will demonstrate a commitment to diversity, equity, and inclusion in order to achieve the District's mission and support students in achieving their educational goals. The District's recruitment and hiring procedures will allow the District to engage in diversity hiring that increases the representation of underrepresented communities in the District's workforce. Diversity hiring includes a hiring process that mitigates unconscious bias and eliminates irrational barriers to employment to allow the District to hire the best candidate regardless of the candidate's protected classes. Underrepresented communities consist of individuals holding identities broadly underrepresented in the District's workforce in comparison to their representation in the field or job category within the state of California or nationally in higher education.

The Superintendent/President shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria.

An Equal Employment Opportunity plan shall be implemented according to Title 5 and BP 3420 ~~titled~~ Equal Employment Opportunity.

The District's Equal Employment Opportunity plan will document the multiple measures that capture the broad array of strategies and actions the District uses or will use to ensure equal employment opportunity. The Superintendent/President or designee will provide the Board with an annual report regarding the District's Equal Employment Opportunity Plan.

Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors of the California Community College System.

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with Board Policies and Administrative Procedures and in accordance with the Academic Senate's role in local decision making and comply with the MCCD-UPM/AFT Collective Bargaining Agreement.

The criteria and procedures for hiring classified employees shall be established after first affording the Classified Senate an opportunity to participate in the decisions under the Board's policies regarding local decision making.

Also see AP 7120 Employment Recruitment and BP/AP 3420 Equal Employment Opportunity

Date Adopted: June 22, 2010 *(Replaced College of Marin Policies 5.0003, 5.0005, and 5.0006.1)*

Date Reviewed/Revised: June 20, 2017

Date Reviewed/Revised:

Human Resources

This policy is due for review as part of the regular review process. Compared to the model CCLC policy.
There were no legal updates. This is a 10+1. Mici 2-16-2023
Revisions as noted. Nikki/Human Resources 2-28-2023
Approved without changes. Academic Senate 4-6-2023

BP 7210 ACADEMIC EMPLOYEES

Education Code Sections 87400 et seq., 87600 et seq., and 87482.8;
Title 5 Section 51025

College of Marin employs, for academic positions, persons who possess the qualifications prescribed by regulation of the California Community College's Board of Governors, including qualifications required for specific disciplines by the California Code of Regulations, Commissions and State Law.

Also see, AP 7120 Academic Employees

Office of Primary Responsibility: Human Resources

Date Adopted: June 22, 2010 (*Replaced College of Marin Policy 5.0007*)

Date Reviewed/Revised:

Human Resources

Reviewed as part of the regular review cycle. This policy is legally required and was compared to the CCLC model policy. Mici 3-9-2023

Approved without changes. Nikki 3-9-2023

Approved without changes. Eresa/Administrative Services 3-29-2023

BP 7400 TRAVEL

References:

Education Code Sections ~~32435 and~~ 87032;
Government Code Section 11139.8

The Superintendent/President is authorized to attend conferences, meetings, and other travel-related activities that are appropriate to the functions of the District.

The Superintendent/President shall establish procedures regarding the attendance of other employees at conferences, meetings, or travel-related activities. The procedures shall include authorized expenses, advance of funds, and reimbursement.

All travel outside the United States must be approved in advance by the Board of Trustees.

All travel outside the state of California must be approved in advance by the Superintendent/ President.

Also see BP 2725 ~~titled~~ Board Member Travel

Date Adopted: June 19, 2012 (*Replaced College of Marin Policy 6.0009*)

Date Reviewed: January 17, 2017

Date Reviewed/Revised:

General Institution

Due for review as part of regular review cycle. This procedure is suggested as good practice. Formatting updated. No new updates since 2017. Mici 3-9-2023

Approved without changes. Eresa/Administrative Services 3-26-2023

Approved without changes. Jeff M./Campus Police 3-28-2023

AP 3530 WEAPONS ON CAMPUS**Reference:**

Penal Code Sections 626.9, ~~626.9(h)~~ and 626.10

Firearms, knives, explosives, or other dangerous objects, including but not limited to any facsimile firearm, knife, or explosive, are prohibited on all District property. The prohibition of firearms on any District campus, District center, or in any District facility includes both loaded and unloaded firearms, and applies to persons holding a valid license to carry a concealed firearm.

Activities involving firearms or other weapons conducted under the direction of District officials or as authorized by an official law enforcement agency shall be reported to the District Police before taking place.

Any person who believes that he/she/~~they~~ may properly possess a firearm or other weapon on campus or in a District center or other facility of the District must promptly notify the Superintendent/President or designee, and obtain written permission from the Superintendent/President or designee, to possess a firearm or other weapon on campus.

~~Beginning January 1, 2016 and Pursuant to Penal Code § 626.9(h), individuals may not possess a firearm on campus without the written approval of the Superintendent/President or designee even if in possession of a valid permit to carry a concealed weapon, with the following exceptions:~~

- The weapon is possessed by a peace officer carrying out official duties
- The weapon is possessed by an honorably retired peace officer authorized to carry a concealed weapon
- The weapon is possessed by an authorized security guard

Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2 1/2 inches upon District property, unless the person is authorized to possess such a weapon in the course of his/her/~~their~~ employment, has been authorized by the Superintendent/President or designee to have the knife, or is a duly appointed peace officer, who is engaged in the performance of his/her/~~their~~ duties, is prohibited on any District campus or at any District Center, or in any facility of the District. Any student or employee who the Superintendent/President or designee has authorized to have a knife, including kitchen knives, must exercise caution in using and storing the knife.

Office of Primary Responsibility: ~~College Operations~~ Administrative Services

Date Approved: February 17, 2009

Date Reviewed/Revised: May 21, 2013; November 17, 2015; December 5, 2017

Date Reviewed/Revised:

General Institution

Reviewed in conjunction with AP 3570. Due for review as part of regular review cycle.

Mici 3-23-2023

Minor revision. Greg/Admin. Svcs. 3-23-2023

Revision to add availability of Med-Project kiosk and disposal of controlled medication. Jeff M./Chief 3-23-2023

Revisions as noted. Human Resources 4-5-2023

Approved without changes. Sadika 4-7-2023

**AP 3550 DRUG AND ALCOHOL-FREE ENVIRONMENT AND DRUG AND ALCOHOL ABUSE
PREVENTION PROGRAM (DAAPP)**

References:

Drug Free Schools and Communities Act Amendment of 1989 (20 U.S. Code Section 1145g);
41 U.S. Code Section 702;
34 Code of Federal Regulations Sections 86.1 et seq.;
Federal Drug-Free Workplace Act of 1988

The District is committed to providing its employees and students with a drug and alcohol-free workplace and campus environment. It emphasizes prevention and intervention through education.

- Employees will be referred to programs and services by the Human Resources Department.
- Students will be referred to programs and services by Student Health Services and/or Counseling.

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.

The District maintains a website where more information on the health risks associated with alcohol, drugs and/or the mixing of alcohol and drugs, college resources and referral for those affected by alcohol or substance abuse may be found. The page may be found by searching DAAPP on the College's website.

The District provides educational activities and opportunities to learn more about the risks associated with drug and alcohol abuse. For more information, please contact Student Health Services or Student Activities and Advocacy.

The District provides a Med-Project kiosk and individuals may dispose of unused or expired prescription medication here at the Kentfield Campus Police Department. The District provides a Med-Project kiosk at the Kentfield Campus Police Department. Only scheduled II-V controlled and non-controlled substances that are lawfully possessed by the ultimate user are acceptable to be placed in the kiosk.

Prohibition of Drugs and Alcohol

State and federal law prohibits the unlawful manufacture, distribution, dispensing, possession, or use of alcohol or any controlled substance on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the District. Passage of Proposition 64 in November 2016, legalizing the use of recreational marijuana among people over the age of 21, does not permit any person to possess or use recreational marijuana on a community college campus or while in operation of any District owned equipment, including vehicles. Using and possessing marijuana is still illegal under federal law. The federal Drug Free Schools and Communities Act and 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.

Violation of this prohibition will result in appropriate action up to and including termination of employment, expulsion, and referral for prosecution, or, as permitted by law, may require satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.

As a condition of employment, employees must notify the District within five calendar days of any conviction for violating a criminal drug statute while in the workplace. The District is required to inform any agencies that require this drug free policy within ten days after receiving notice of a workplace drug conviction.

Distribution of Drug and Alcohol Abuse Prevention Program (DAAPP) Materials

All current students and employees shall receive information annually on College of Marin's DAAPP via the following methods, and others as warranted.

1. A web page has been created under Consumer Information on the College's website to establish relevant information and links.
2. A DAAPP oversight team will meet regularly to ensure progress on program objectives, including timely distribution of materials to students and employees.
3. Information dissemination by means of the content on the DAAPP link will be distributed in the following ways:
 - Provided to new employees
 - Semester by semester consumer information e-mail to students;
 - Enhanced content incorporated into new student orientation;
 - Revised admission letter sent to new and returning students;
 - Information/link via college catalog and semester class schedules;
 - Annual notice to students and employees on October 1, per college master calendar.

Offices of Primary Responsibility: Human Resources, Student Activities and Advocacy, ~~Student Services,~~ Campus Police and College Operations Administrative Services ~~(District Police Department)~~

Date Approved: November 16, 2010

Date Reviewed/Revised: March 14, 2017

Date Reviewed/Revised:

General Institution

This procedure is under review as the regular review cycle. Compared to CCLC model procedure and legally advised. This is a 10+1. Mici 2-14-2023

Approved without changes. Mia 3-14-2023

Approved without changes. Jonathan E/ SLS 3-15-2023

Approved without changes. Academic Senate 3-30-2023

AP 3710 SECURING OF COPYRIGHT**References:**

Education Code Sections 72207 and 81459;
17 U.S. Code Section 201

Material subject to copyright in the form of books, musical or dramatic compositions, architectural designs, paintings, sculptures, or other works of comparable type developed by employees shall be the property of the author unless the material is prepared by means of a District grant or an externally funded grant or contract to the District. Prior to securing a copyright for the materials, the employee shall reimburse the District for all direct costs. Provisions of any external funding agency regarding copyright shall be followed. Materials produced during sabbatical leave do not constitute an exception and shall be the property of the author unless special funding provisions described above are applicable.

Performance Rights

The District shall pay a licensing fee to the appropriate performing rights agency as required. Public performances that require a license from a performing rights agency will follow the guidelines established by the Performing Arts Department.

A recording of a copyrighted work performed by the District may be made for classroom instructional use. Any public performance of this recording requires written authorization by the performing rights agency.

The District shall comply with all current federal and state laws and regulations regarding the use of copyrighted material.

See the current UPM Collective Bargaining Agreement for detailed information regarding copyright of materials produced by faculty members.

Office of Primary Responsibility: ~~Office of~~ Student Learning and Success

Date Approved: June 19, 2012 *(Replaced College of Marin Procedure 2.0020 DP.1)*

Reviewed/Revised:

Academic Affairs

Due for review as part of the regular review cycle. Formatting updated. Compared to CCLC model policy.
This procedure is legally required. There have been multiple CCLC updates since this was last reviewed
and revised. This is a 10+1. Mici 1-31-2023
No revisions noted by 3-15-2023. Moved forward as per review process procedure. Jonathan/Student
Learning and Success and Jon H./Enrollment 1-31-2023
Approved. Academic Senate 3-30-2023

AP 4225 COURSE REPETITION – NON REPEATABLE COURSES**References:**

Education Code Section 76224;

Title 5 Sections 55024, 55040-5504~~35~~, 55253, 56029, 58161, ~~58508~~ and 58509

Non-Repeatable Courses (Substandard Grades or the “W” Symbol)

Students are allowed a maximum of three enrollments in a non-repeatable course in which the final grade has resulted in either a substandard grade of below a “C”, “NP,” or “NC” or the “W” symbol as outlined below:

1. A student who receives a substandard grade or the “W” symbol on the first attempt of a non-repeatable course taken at College of Marin, may enroll in that course one more time without a petition in an effort to successfully complete the course with a passing grade.
2. After receiving any combination of two substandard grades or the “W” symbol in the course, a student may submit a petition to the Office of Enrollment Services to enroll in the course for a third enrollment providing there is verifiable documentation that extenuating circumstances occurred. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.
3. For the petition to be reviewed, the student is required to meet with a counselor to complete the petition.
4. All supporting verifiable documents must be attached to the petition at the time of submission to the Office of Enrollment Services.
5. With an approved petition, the student must wait one week after the start of new and returning student registration to register for the course.

When a student repeats a class to alleviate substandard academic work, only the first two substandard grades and units shall be disregarded in the computation of the cumulative grade point average (GPA).

Courses granted Academic Renewal will not be included for course repetition limits. (~~See~~ BP/AP 4240 ~~titled~~ Academic Renewal for specific requirements.)

Students may also petition to repeat under the following circumstances:

- **Legally Mandated Training**

Students may repeat a course any number of times where it is required for a student to meet a legally mandated training requirement as a condition of continued paid or volunteer employment, regardless of whether the student recorded substandard work.

- **Significant Change in Industry or Licensure Standards**

Students may petition to repeat a course needed for employment or licensing because of a significant change in the industry or licensure standards. Students may take these courses any number of times.

- **Extenuating Circumstances and Extraordinary Conditions (Title 5 Sections 55045 and 58509)**

Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student.

Extraordinary conditions are those which would justify the District providing the student a refund.

- **Cooperative Work Experience (general work experience and occupational work experience) –**
Students may repeat a cooperative work experience course pursuant to District policy any number of times as long as they do not exceed the limits on the number of units of cooperative work experience set forth in Title 5 Section 55253(a). Also see AP 4227 titled Repeatable Courses.

- **Students with Disabilities –**
Students with disabilities can repeat a special class for students with disabilities any number of times when an individualized determination verifies that such repetition is required as a disability-related accommodation for the student for one of the reasons specified in Title 5 Section 56029. Also see AP 4227 titled Repeatable Courses.

- **Due to Significant Lapse of Time** - See AP 4228 titled Course Repetition – Significant Lapse of Time
Circumstances under which the student may repeat courses in which a “C” or better grade was earned. Such course repetition requires a finding that extenuating or extraordinary circumstances exist which justify such repetition.

With an approved petition, the student must wait one week after the start of returning student registration to register for the course. Grades and Non-Progress (NPG) percentages awarded for courses repeated under these provisions are included when calculating a student’s GPA grade point average.

Nothing can conflict with Education Code Section 76224 pertaining to the finality of grades assigned by instructors, or with Title 5 or District procedures relating to retention and destruction of records.

Annotating the permanent academic record shall be done in a manner that all work remains legible, ~~insuring~~ ensuring a true and complete academic history.

Office of Primary Responsibility: ~~Vice President of~~ Student Learning and Success

Date Approved: December 9, 2008

Dates Reviewed/Revised: February 19, 2009; June 22, 2010; June 28, 2011; February 18, 2014; July 21, 2015

Date Revised:

Academic Affairs

This legally advised procedure was reviewed as part of the regular review cycle. Compared to the CCLC model procedure, with last legal update in 2017. Reviewed in conjunction with *AP 4230 Grading and Academic Record Symbols*, currently under review by the Academic Senate, to ensure uniformity. This is a 10+1. Mici 3-10-2023

Approved without changes. Jonathan/SLS and Jon H./Enrollment 3-10-2023

Approved without changes. Academic Senate 4-6-2023

AP 4228 COURSE REPETITION – SIGNIFICANT LAPSE OF TIME**Reference:**

Title 5 Section 55040, 55043, ~~and 55045~~

Students may be permitted or required to repeat courses in which a “C” or higher grade, “CR or P” was earned where there was a significant lapse of time of not less than 36 months since the grade was earned and either:

1. A recency prerequisite for a course or program has been established which the student cannot satisfy without repeating the course; or
2. An institution of higher education to which a student seeks to transfer has established a recency requirement that the student cannot satisfy without repeating the course. When course repetition is necessary for transfer to an institution of higher education, the student may be allowed to repeat the course where less than three years have elapsed.

Under these provisions:

- With an approved petition, students must wait one week after the start of returning student registration to register for the course.
- Students requesting to repeat for number 1 above must submit verifiable documentation with the petition.
- Students requesting to repeat for number 2 above, are only allowed one repeat for each course and all verifiable documentation from the transfer institution must be attached to the petition at the time of submission to the Office of Enrollment Services.
- When a course is repeated due to a significant lapse of time, the previous grade and units will be disregarded and the current grade will be used when computing a student’s cumulative grade point average (GPA).
- Students receiving a substandard grade (grades below “C,” “FW,” “NC,” and “NP,” or the “W” symbol) in the repeated course may not petition to alleviate the substandard grade under Course Repetition-Non Repeatable Courses (AP 4225).

Annotating the permanent academic record shall be done in a manner that all work remains legible, insuring a true and complete academic history.

Office of Primary Responsibility: ~~Office of~~ Student Learning and Success

Date Approved: June 28, 2011

Reviewed/Revised: June 19, 2012; December 11, 2012; April 16, 2013; February 18, 2014; July 21, 2015

Reviewed/Revised:

Student Services

Reviewed as part of the regular review cycle. Formatting updated. This is a 10+1. Mici 3-10-2023

Approved without changes. Jonathan/SLS and Jon H./Enrollment 3-16-2023

Revisions added reference to Administrative Procedure 5520 Student Discipline and Due Process.

Sadika 3-24-2023

Approved without changes. Academic Senate 4-6-2023

AP 5045 STUDENT RECORDS – CHALLENGING CONTENT AND ACCESS LOG

References:

Education Code Sections 76222 and 76232;
Title 5 Section 54630

Challenging Content

Any student may file a written request with the Dean of Enrollment ~~Services Management~~ to correct or remove information recorded in his/her/their student records that the student alleges to be:

1. inaccurate;
2. an unsubstantiated personal conclusion or inference;
3. a conclusion or inference outside of the observer's area of competence; or
4. not based on the personal observation of a named person with the time and place of the observation noted.

Within 30 days of receipt of the request, the Dean of Enrollment ~~Services Management~~ shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the District. The Dean of Enrollment ~~Services Management~~ shall then sustain or deny the allegations.

If the Dean of Enrollment ~~Services Management~~ sustains any or all of the allegations, he/she/they shall order the correction or removal and destruction of the information. If the Dean of Enrollment Management denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the College Petitions Committee.

Within 30 days of receipt of an appeal, the College Petitions Committee shall, in closed session with the student and the employee who recorded the information in question, determine whether to sustain or deny the allegations. If the College Petitions Committee sustains any or all of the allegations, it shall order the Superintendent/ President or his/her/their designee, to immediately correct or remove and destroy the information. The decision of the College Petitions Committee shall be final.

If the final decision is unfavorable to the student, the student shall have the right to submit a written statement of his/her/their objections to the information. This statement shall become a part of the student's record until the information objected is corrected or removed.

Whenever there is included in any student record information concerning any disciplinary action, [per Administrative Procedure 5520 Student Discipline and Due Process](#), the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.

Whenever there is included in any student record information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

Access Log

A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing need not include any of the following:

- Students seeking access to their own records;
- Parties to whom directory information is released;
- Parties for whom written consent has been executed by the student;
- Officials or employees having a legitimate educational interest.

The log or record shall be open to inspection only by the student and the Dean of Enrollment [Management Services](#) or any other responsible academic or student development administrator, and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and state educational authorities as a means of auditing the operation of the system.

Office of Primary Responsibility: ~~Admissions and Records~~ [Enrollment Services and Student Services, Activities and Advocacy](#)

Date Approved: May 18, 2010 (*Replaced portions of College of Marin Procedure 4.0003 DP.1*)

Date Reviewed/Revised:

Business and Fiscal Affairs

There is no corresponding CCLC procedure. Formatting, font updated. Mici 3-9-2023

To Greg/Eresa/Administrative Services 3-9-2023

Approved without changes. Mia/General Counsel 3-29-2023

AP 6580 EXCAVATIONS OCCURRING IN NATIVE AMERICAN MIDDEN AREAS**References:**

Health and Safety Code Section 7050.5;

Procedures and practices to protect Native American burial grounds and other archaeological sites shall include at least the following:

- The Superintendent/President or designee will notify Native American tribal representatives, archaeologists, and other appropriate parties prior to authorizing any excavation on either campus. Excavation shall be defined as any action that disturbs existing soil more than six inches below the surface, or more than one inch in areas determined to be extremely sensitive.
- A licensed archaeologist shall assess the potential impact of any proposed excavation, and shall submit a written report to the District within ten days from the notification by the Superintendent/President. If it is determined that there is no significant archaeological impact of the proposed work, this shall be confirmed in writing by the archaeologist and excavation may proceed. If it appears that there is a significant archaeological impact, this shall be documented, and specific mitigation measures shall be developed and implemented in 45 days.
- If deposits of prehistoric or historical archaeological materials are discovered during project activities, all work within 25 feet of the discovery will be redirected until the archaeologist can assess the finds and provide recommendations.
- Project personnel will not collect or move any archaeological material. Adverse effects to such deposits must be avoided by project activities. If avoidance is not feasible, the deposits should be evaluated for their eligibility for listing in the California Register. If the resources are not eligible for listing, avoidance is not necessary. If the resources are eligible, they will need to be avoided by adverse effects or such effects must be mitigated.
- The District will observe Health and Safety Code Section 7050.5 which states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Office of Primary Responsibility: Administrative Services

Date Approved: May 13, 2008
Date Reviewed/Revised:

Business and Fiscal Affairs

Due for review as part of the regular review cycle. Compared to the CCLC model procedure. Formatting updated. Mici 3-9-2023

Approved without changes. Eresa/Administrative Services 3-29-2023
To Lindsay/Facilities

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 for discussion of matters of general or public interest, subject to these rules and regulations.

The groups identified in Education Code Section 82542(a) will be permitted 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 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 of District facilities. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid 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 on forms provided by the District. 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 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.

No person applying for use of District property shall be issued a key to District facilities.

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, 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. Student clubs and organizations
2. Fundraising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the District
3. Parent-teachers' associations
4. School-community advisory councils
5. Camp Fire Girls, Girl Scout troops, and Boy Scout troops
6. Senior citizens' organizations
7. Other public agencies
8. Organizations, clubs, or associations organized for cultural activities and general character building or welfare purposes (such as folk and square dancing)

9. 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: ~~College Operations~~ Administrative Services

Date Approved: April 21, 2009 (*Replaces College of Marin Procedure 3.0010 DP.1*)

Date Reviewed/Revised:

Business and Fiscal Affairs

Reviewed as part of the regular review cycle. There is no model CCLC procedure for comparison. Mici 3-9-2023

Approved without changes. Eresa/Administrative Services 3-27-2023

Approved without changes. Jeff M/Campus Police 3-28-2023

AP 6805 CONTROLLED ACCESS HOURS

In order to protect the safety of personnel on District property and the security of District facilities, including the prevention of accidents and fire, the Board has authorized the Superintendent/President to establish the following controlled access procedure for all employees.

The weekday hours of 10:30 P.M. to 6:30 A.M., weekends and all holidays are designated as controlled access hours. A schedule of weekend classes and events will be provided to the District Police Department at the beginning of each semester. Employee and student rights to access facilities may be restricted during controlled access hours if deemed necessary by District administration.

Employees who need to use District facilities during controlled access hours on a regular or anticipated basis must notify their manager/supervisor in writing prior to access, giving the location and an estimated duration of use. The manager/supervisor will forward the notification to the District Police Department. A new request needs to be submitted each semester. Employees who need to use District facilities during controlled access hours on an irregular or unanticipated basis must notify the District Police Department upon arrival, as specified below.

Prior to or at the time of access, the employee is to contact the District Police Department and provide the following information:

1. name
2. area of access
3. telephone number in access area
4. estimated duration of access

If an employee needs to extend the access hours beyond the original estimate, the employee should call the District Police Department to advise them of the new departure time.

Office of Primary Responsibility: ~~College Operations~~ Administrative Services

Date Approved: February 16, 2016 (*Taken from AP 6800 to highlight the information*)

Date Reviewed/Revised:

Business and Fiscal Affairs

Reviewed as part of the regular review cycle. There is no corresponding CCLC model procedure.

Formatting updated, bulleted numbering revised. Recommended edits. Mici 3-9-2023

Approved with very minor typo. Eresa/Administrative Services 3-27-2023

Approved without changes. Jeff M/Campus Police 3-28-2023

**AP 6850 BICYCLES, SKATEBOARDS, ROLLER SKATES, ROLLER BLADES, SCOOTERS AND
OTHER SIMILAR DEVICES ON CAMPUS**

References:

Vehicle Code Sections ~~4000.1 and~~ 21113(f)

The operation of bicycles, skateboards, roller skates, roller blades, scooters, hover boards, and other similar devices on any property maintained or controlled by this District are restricted as follows:

1. Bicycles, skateboards, roller skates, roller blades, scooters, hover boards, and other similar devices may be used on pedestrian pathways, roadways, and in parking lots only for the purpose of transportation.
2. Bicycles, skateboards, roller skates, roller blades, scooters, hover boards, and other similar devices shall not be used for trick riding or recreational performance.
3. Bicycles, skateboards, roller skates, roller blades, scooters, hover boards, and other similar devices shall not be operated in a reckless manner.
4. For the purpose of this section, reckless shall mean operation of a bicycle, skateboard~~s~~, roller skates, roller blades, scooters, a hover board, and other similar devices~~s~~ in willful or wanton disregard for the safety of persons or property and specifically includes, but is not limited to, the following specific conduct:
 - a. Operation at a speed greater than reasonable or prudent; having undue regard for weather, visibility, pedestrian and vehicular traffic and the condition of the ~~vehicle-bicycle, skateboards, roller skates, roller blades, scooters, a hover board,~~ and other similar devices.
 - b. Operation in such a manner as to result in a collision or accident involving any vehicle, property, or pedestrian.
 - c. Operation in such a manner as to result in loss of control of the ~~vehicle-bicycle, skateboards, roller skates, roller blades, scooters, a hover board,~~ and other similar devices.
 - d. Operation in such a manner as to endanger life, limb, or property of any person.
 - e. Operation in such a manner as to cause damage to facilities controlled by this District.
5. Bicycles shall not be allowed inside District buildings. Skateboards, roller skates, roller blades, scooters, hover boards, and other similar devices shall not be ridden, operated, or stored on any stairs, plant~~er~~ boxes, benches, handrails, walls, building ramps, breezeways, roofs, inside any building, or unauthorized unpaved areas controlled by this District.
6. Any person riding a bicycle, skateboard, roller skates, roller blades, scooters~~s~~, hover board, and other similar devices shall yield the right of way and not interfere with pedestrian traffic.

The Chief of Police is directed to post appropriate signs advising all persons that the use of bicycles, skateboards, roller skates, roller blades, scooters and other similar devices are restricted. Such signs shall cite the California Vehicle Code section or sections. 21113(f) and 4000.1

~~Violations of this resolution shall be punishable by a fine as authorized by section 4000.1 of the California Vehicle Code.~~

Violations of this procedure may be punishable by fine as proscribed in the appropriate vehicle code section.

Office of Primary Responsibility: ~~College Operations~~ Administrative Services

Date Approved: February 12, 2009 *(Replaced College of Marin Policy 8.0010)*

Date Reviewed: April 19, 2016

Date Reviewed/Revised:

Human Resources

Edits as noted. Numbering added to D. Minimum Qualifications, III.E. Screening Process and III.F. and formatting updated. Human Resources. 3-2-2023
Approved. Academic Senate 4-6-2023

AP 7120 EMPLOYMENT RECRUITMENT

References:

Education Code Sections [80435](#), 87100 et seq., 87360, 87400, 87408-87408.6, 88003, and 88021;
Title 5 Code Sections 53021-53024; [53406](#)
ACCJC Accreditation Standard III.A.1. (*formerly III.A.*)

I. General Provisions

The District's recruitment and hiring procedures shall demonstrate a commitment to diversity, equity, and inclusion in order to achieve the District's mission and support students in achieving their educational goals. The District's recruitment and hiring procedures allow the District to engage in diversity hiring that increases the representation of underrepresented communities in the District's workforce. Diversity hiring includes mitigating unconscious bias and eliminating irrational barriers to employment to allow the District to hire the best candidate regardless of the candidate's protected classes. Underrepresented communities consist of individuals holding identities broadly underrepresented in the District's workforce in comparison to their representation in the field or job category within the state of California or nationally in higher education.

A. Equal Employment Opportunity (EEO)

Commitment to Diversity: In all phases of recruitment and hiring, equal opportunity shall be afforded to all employees and applicants for employment without discrimination on the basis of national origin, immigration status, religion, age, family and medical care leave, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth), military and veteran status or because he/she/they is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

The District's EEO plan will document the multiple measures that capture the broad array of strategies and actions the District uses or will use to ensure equal employment opportunity. The Superintendent/President shall provide the Board of Trustees with an annual report regarding the District's EEO Plan.

Equal employment opportunity issues are further addressed in *BP/AP 3420 Equal Employment Opportunity* and the District's *EEO Plan*.

B. Permanent Academic, Management, and Classified Employees

Human Resources will have primary responsibility for implementing Administrative Procedures for the employment of permanent academic and classified employees. Such procedures for employment include provisions for assuring adequate candidate screening by a screening committee, including faculty, administration, and staff participation as appropriate; equal employment opportunity review; and necessary forms and guidelines. Applicants for all positions must demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students in a manner specific to the position.

II. Recruitment Methods for Management and Classified Positions

A. Position Authorization

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

B. Screening Committee Structure

1. The Superintendent/President or designee may appoint the manager(s) for the committee and committee members. Classified employees will be appointed by the Classified Senate through the Classified Professionals Liaison Committee. Academic employees will be appointed by the Academic Senate.
2. Every effort will be made to ensure the diversity of screening committees. If the Executive Director of Human Resources, or designee, does not approve of the Academic and Classified Senate appointments to screening committee due to lack of diversity, they will take necessary steps to remedy the representation.
3. The Superintendent/President's *Standards of Decorum* shall be read and distributed at each convening, which reminds committee members of the shared governance model under which we operate, highlights current needs in response to legislation and social issues, delineates processes for complaints and concerns, and creates an atmosphere of collegiality and collaboration so that members feel free to participate in the process and offer up opinions for debate.
4. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, diversity and the search/screening process.
5. The committee will have District-wide representation, including a combination of administrators, faculty and classified staff, for the purpose of screening, interviewing, and recommending candidates to the Superintendent/President or designee (See Human Resources Screening Committee Composition Guidelines). Every effort will be made to fulfill the composition guidelines.
6. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.

7. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited from releasing any information which relates to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

C. Position Announcement

1. The position announcement will describe the duties and responsibilities of the position based upon the approved job description. The announcement shall be reviewed by the appropriate administrator.
2. The advertising/announcement phase shall be long enough to allow for a comprehensive search, typically four (4) weeks for management positions and three (3) weeks for classified positions, and shall be in conformance with the District's EEO Plan and state and federal regulations.
3. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include, as appropriate, regional and national outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
4. Recruitment for all open positions shall include, but not be limited to, placement of job vacancy announcements in diversity websites and publications.

D. Minimum Requirements

1. Applications and applicable materials shall be submitted using the District's website. Human Resources will conduct the initial review of the applications to ensure minimum requirements for the position are met.
2. All ~~position classified staff~~ descriptions or announcements must include language that requires states: "Demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students and the campus community."
3. All management descriptions or announcements must include language that requires "Demonstrated commitment to equity-minded practices in support of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students we serve and sensitivity to and knowledge and understanding of groups historically underrepresented, and groups who may have experienced discrimination."
4. If an educational administrator applicant has applied for a minimum qualification equivalency or Human Resources is unable to determine if a candidate meets the minimum qualifications for a position, the application materials may be sent to the Academic Senate's designee(s).
5. In compliance with the California Code of Regulations, degrees and college level coursework that are required of an academic position must be authenticated via an official transcript or verification-of-true-copy transcript from an institution accredited by an agency recognized by either the U.S. Department of Education or the Council on Postsecondary Accreditation. Further, applicants with foreign degree credentials must submit a Foreign Credential Evaluation (FCE) for degrees obtained outside the U.S. in order to demonstrate their U.S. equivalent. The College accepts FCEs from evaluation agencies approved by the State of California Commission for Foreign Transcript Evaluation.

E. Screening Process

1. Screening criteria may be formulated by the committee for the purpose of identifying the best qualified applicants.
2. Screening criteria must include equity-minded, job-related qualifications that enhance equity, diversity, inclusion and reinforce the Knowledge, Skills and Abilities (KSAs) needed for the position. At least one screening criterion must be diversity/equity/inclusion related.
3. Applicant Screening: Human Resources will provide the screening committee with access to view the application and applicable materials for all candidates who meet the minimum requirements for the position. Committee members shall individually review each qualified applicant's application materials using the previously agreed upon screening criteria. Following the screening, the committee shall develop consensus regarding the pool of applicants to be invited to interview. Every effort should be made to screen in and interview as many candidates as possible for each position.
4. The hiring administrator/designee or Human Resources will schedule the selected candidates' interviews and make necessary arrangements.
5. Interview Process: The screening committee will formulate questions to be used during the interview process and may, at its discretion, require pre-screening activities and/or assessments of the candidate's effectiveness as appropriate to the position. Interviews will be conducted using the previously agreed upon interview questions. All interview questions should be equity-minded (per the adopted definition), and at least two diversity/equity/inclusion questions and one technology-related question must be included when developing interview questions. Screening committee members shall individually evaluate each candidate based on their responses to the questions, the demonstration/presentation, and/or other type of performance indicator exercise(s), if applicable. Following the last interview, the screening committee will deliberate the candidates' strengths and areas for growth and while consensus on finalist recommendations is desired, the purpose of a diverse screening committee is to bring different perspectives to the hiring process. As such, when consensus cannot be found, the screening committee may forward a summary of why consensus was not obtained to the next level interviewer(s) for consideration. The screening committee will prepare written documentation of these conclusions to Human Resources. If the committee cannot reach a consensus on a finalist(s), the position may be reposted and the screening process restarted. At the conclusion of the interview process, all application and interview materials used and completed by the screening committee shall be returned to and retained by Human Resources.
6. Notification of Candidates: Human Resources will notify applicants who will not move forward to interview or will not move forward as finalists of their status.
7. Recommendations and Finalization of Selection
 - a. Management Positions
 - i. Finalists will be recommended to the Superintendent/President or designee. The committee may send comments or a statement of reservation about the candidates along with their recommendation.
 - ii. At the discretion of the Superintendent/President or designee, the finalists will be invited for an interview with the Superintendent/President and/or designees.

- iii. If the Superintendent/President or designee does not agree with the committee's recommendations, they will request that the search be extended or suspended.
- iv. The name(s) of the finalist(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
- iv. The Superintendent/President or designee will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment and employment agreement.
- v. If there is not an acceptable candidate, the Superintendent/President or designee may request that the search be extended or suspended.
- vi. Upon written acceptance of the offer of employment and employment agreement, the finalist's name will be submitted to the Board of Trustees for approval. If for any reason the selected finalist refuses the offer, the matter may be referred back to the screening committee by Human Resources.
- vii. Notification of Candidates: The Superintendent/President or designee or Human Resources will notify the finalists not selected for the position of their status.

b. Classified Positions

- i. The screening committee will recommend a finalist(s). Second interviews are appropriate in the event the supervisor or manager is unable to participate in the initial interview.
- ii. The names of the finalists will be forwarded to the appropriate administrator or Human Resources for reference checking.
- iii. The appropriate administrator or Human Resources will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment.
- iv. If there is not an acceptable candidate, the supervisor or manager may request that the search be extended or suspended.
- v. Upon written acceptance of the offer of employment, the finalist's name will be submitted to the Board of Trustees for approval. If for any reason the selected finalist refuses the offer, the matter may be referred back to the screening committee by Human Resources.

8. The action of the Board of Trustees will be communicated to the candidates.

F. Reference Checks

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

~~**G. Pre-employment Health Examinations**~~

- ~~1. Certificated employees who have not previously been employed in an academic position in California will be required upon hire to provide a medical certificate from a licensed physician showing that the candidate is free from any communicable disease unfitting the candidate to~~

~~instruct or associate with students. The medical exam shall have been conducted not more than six months before submission of the certificate and shall be at the expense of the candidate.~~

- ~~2. For positions for which a pre-employment medical examination has been deemed appropriate (e.g., Police Officer), said examinations may only be required after a conditional job offer has been made, and no candidate shall be required to participate in such an examination solely on the basis of the candidate's age or disability. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.~~
- ~~3. District procedures for pre-employment examinations may require any employee to undergo a physical or mental examination where such a fitness for duty exam is job related and consistent with business necessity. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.~~

III. Recruitment Methods for Full-Time Faculty Positions

- A. **Vacancy:** Recruitment for a permanent faculty position will be conducted whenever the District determines that a permanent faculty position will meet the need of the District or the mandates of the State Chancellor's Office, or to comply with the MCCD-UPM/AFT Collective Bargaining Agreement.
- B. **Screening Committee Structure:**
 1. The Superintendent/President or designee may appoint the manager(s) for the committee and committee members. Classified employees will be appointed by the Classified Senate through the Classified Professionals Liaison Committee. Academic employees will be appointed by the Academic Senate.
 2. Every effort will be made to ensure the diversity of screening committees. If the Executive Director of Human Resources, or designee, does not approve of the Academic and Classified Senate appointments to screening committee due to lack of diversity, they will take necessary steps to remedy the representation.
 3. The Superintendent/President's *Standards of Decorum* shall be read and distributed at each convening, which reminds committee members of the shared governance model under which we operate, highlights current needs in response to legislation and social issues, delineates processes for complaints and concerns, and creates an atmosphere of collegiality and collaboration so that members feel free to participate in the process and offer up opinions for debate.
 4. Training: All members of the screening committee shall be trained in the relevant State and Federal provisions for equal employment opportunity, diversity, and the search/screening process.
 5. To ensure all screening committee members' voices and opinions are heard during the deliberation process, a faculty member may volunteer to co-facilitate along with the hiring manager. The co-facilitator may ask specific questions to the screening committee members related to additional input they may have during the committee's discussions during the recruitment process. For the sake of uniformity across screening committees, the questions the co-facilitator will ask will be enumerated in the committee materials and documents.
 6. The committee will have District-wide representation, including a combination of administrators, faculty, and classified staff, for the purpose of screening, interviewing, and recommending candidates to the Superintendent/President (see Human Resources

Screening Committee Composition Guidelines). Every effort will be made to fulfill the composition guidelines.

7. The Superintendent/President or designee may appoint other than District employees to participate in the recruitment process.
8. Members of the screening committee are acting as agents for the District and are participating in a confidential process. Committee members are prohibited from releasing any information which relates, to the recruitment process. Committee members may be held personally responsible for any unauthorized disclosure of information.

C. Position Announcement:

1. In collaboration with the appropriate administrator and department chair, Human Resources will develop the position announcement to include:
 - a. a description of the teaching/counseling/librarian/nursing, or other non-teaching responsibilities;
 - b. representative courses to be taught, if applicable;
 - c. minimum qualifications that:
 - i. conform to the California Community College Chancellor's Office's Minimum Qualifications for Faculty and Administrators in California Community Colleges;
 - ii. include "Demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds and learning styles of community college students and staff;
 - iii. include desirable "Knowledge, Skills and Abilities" which shall serve as the basis for the screening criteria, in conjunction with other required application materials.
2. The advertising/announcement phase shall be long enough to allow for a comprehensive search, typically four (4) weeks for full-time faculty, management positions and three (3) weeks for classified positions, and shall be in conformance with the District's EEO Plan and state and federal regulations.
3. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include, as appropriate, regional and national outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
4. Recruitment for all open positions shall include, but not be limited to, placement of job vacancy announcements in diversity websites and publications.

D. Minimum Qualifications:

1. Applications and applicable materials shall be submitted using the District's website. Human Resources will conduct the initial review of the applications to ensure minimum qualifications for the position are met.
2. All position announcements must include language that requires: "demonstrated sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students and the campus community."
3. Academic employees shall also possess the minimum qualifications prescribed for their positions by the Board of Governors of the California Community College System.

4. If the applicant has applied for a minimum qualification equivalency or Human Resources is unable to determine if a candidate meets the minimum qualifications for a position, the application materials will be sent to the Academic Senate's designee(s). An Equivalence Committee, made up of the Academic Senate president or designee(s) and one or two discipline faculty, will review applications to determine equivalency. (See AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies)
5. In compliance with the California Code of Regulations, degrees and college level coursework that are required of an academic position must be authenticated via an official transcript or verification-of-true-copy transcript from an institution accredited by an agency recognized by either the U.S. Department of Education or the Council on Postsecondary Accreditation. Further, applicants with foreign degree credentials must submit a Foreign Credential Evaluation (FCE) for degrees obtained outside the U.S. in order to demonstrate their U.S. equivalent. The College accepts FCEs from evaluation agencies approved by the State of California Commission for Foreign Transcript Evaluation.

E. Screening Process*

1. Screening criteria may be formulated by the committee for the purpose of identifying the best qualified applicants.
2. Screening criteria must include equity-minded, job-related qualifications that enhance equity, diversity, inclusion and reinforce the Knowledge, Skills and Abilities (KSAs) needed for the position. At least one screening criterion must be diversity/equity/inclusion related.
3. Applicant Screening: Human Resources will provide the screening committee with access to view the application and applicable materials for all candidates who meet the minimum requirements for the position. Committee members shall individually review each qualified applicant's application materials using the previously agreed upon screening criteria. Following the screening, the committee shall develop consensus regarding the pool of applicants to be invited to interview. Every effort should be made to screen in and interview as many candidates as possible for each position.
4. The hiring administrator/designee or Human Resources will schedule the selected candidates' interviews and make necessary arrangements.
5. Interview Process: The screening committee will formulate questions to be used during the interview process and may, at its discretion, require pre-screening activities and/or assessments of the candidate's effectiveness as appropriate to the position, such as teaching demonstrations and presentations. Interviews will be conducted using the previously agreed upon interview questions. All interview questions should be equity minded (per the adopted definition), and at least two diversity/equity/inclusion questions and one technology-related question must be included when developing interview questions. Screening committee members shall individually evaluate each candidate based on their responses to the questions, the demonstration/presentation, and/or other type of performance indicator exercise(s), if applicable. Following the last interview, the screening committee will deliberate the candidates' strengths and areas for growth. The screening committee will prepare written documentation of these conclusions to Human Resources. If the committee cannot reach a consensus on a finalist(s), the position may be reposted and the screening process restarted. At the conclusion of the interview

process, all application and interview materials used and completed by the screening committee shall be returned to and retained by Human Resources.

6. Notification of Candidates: Human Resources will notify applicants not moved forward to interview or not moved forward as finalists of their status.
7. Recommendations and Finalization of Selection:
 - a. Finalists will be recommended to the Superintendent/President or designee. The committee may send comments or a statement of reservation about the candidates along with their recommendation.
 - b. At the discretion of the Superintendent/President or designee, the finalists will be invited for an interview with the Superintendent/President or designees.
 - c. If the Superintendent/President or designee does not agree with the committee's recommendations, they will request that the search be extended or suspended.
 - d. The name(s) of the successful finalist(s) will be forwarded to the appropriate administrator or Human Resources for reference checking.
 - e. The Superintendent/President or designee will extend a conditional, verbal offer of employment. Upon the finalist's verbal acceptance, Human Resources will submit a conditional, written offer of employment.
 - f. If there is not an acceptable candidate, the Superintendent/President or designee may request that the search be extended or suspended.
 - g. Upon written acceptance of the offer of employment the finalist's name will be submitted to the Board of Trustees for official approval. If for any reason the selected finalist declines the offer, the matter may be referred back to the screening committee by Human Resources.
 - h. Notification of Candidates: The Superintendent/President or designee or Human Resources or designee will notify the finalists not selected for the position of their status.
8. The action of the Board of Trustees will be communicated to the candidates.

F. Reference Checks:

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

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- ~~3. District procedures for pre-employment examinations may require any employee to undergo a physical or mental examination where such a fitness for duty exam is job related and consistent with business necessity. Such medical examinations shall be at the District's expense and shall be conducted by a physician chosen by the District.~~

IV. Methods to Address Any Underrepresentation

To demonstrate its commitment to Equal Employment Opportunity and create a diverse workforce, the District will employ the following additional methods to identify and address underrepresentation in the recruitment process:

- A.** For any job category where continuing under-representation exists, the District will apply the recruitment procedures set forth in Title 5, section 53021 to conduct full and open recruitment for all vacancies and will not invoke the provisions for in-house interim appointments or the exception under 53021 (c) (7) for engaging an administrator through a professional services contract without first notifying the Superintendent/President in writing of the compelling reasons to do so. If the Superintendent/President determines that an exception to a full and open recruitment is warranted, the EEO Advisory Council will be notified.
- B.** Screening committee members must adhere to the Superintendent/President's *Standards of Decorum* (SOD) for screening committees. The purpose of the SOD is to ensure screening committee members are participating equally and actively throughout the recruitment process. Members are also asked to provide equitable consideration and treatment of all candidates throughout the process, uphold EEO law and Marin Community College District (MCCD) Board policies, and recognize and disclose potential biases or conflicts of interest to the committee chair.
- C.** All screening criteria and materials must be approved by Human Resources for compliance with equal employment opportunity.
- D.** Monitoring by Human Resources for adverse impact will occur throughout the recruitment process.
- E.** The Superintendent/President shall make all hiring decisions based upon careful review of the candidate(s) recommended by the screening committee. This includes the right to reject all candidates and to order further review or to reopen the position where necessary to achieve the objectives of the EEO Plan or to ensure equal employment opportunity.
- F.** The District will review the pattern of its hiring decisions over time, and if it determines that those patterns do not meet the objectives of the EEO Plan, the District will request the EEO Advisory Council to recommend new recruitment methods to meet the EEO Plan objectives, or if necessary, to modify the EEO Plan to ensure equal employment opportunity.

For Temp Pool recruitment methods see AP 7212 Temporary Faculty

Also see [BP 7120 Employment Recruitment](#), AP 7126 Applicant Background Checks, AP 7210 Academic Employees, ~~ABP~~ BP 7230 Classified Employees, [BP 7250 Educational Administrators](#), [BP 7260 Classified Supervisors and Managers](#), ~~and~~ [BP/AP 7330 Communicable Disease](#), BP 7335 Health Examinations, ~~and~~

~~the BP/AP 3420 Equal Employment Opportunity, BP/AP 3410 Nondiscrimination, and BP/AP 7310 Nepotism. Equal Employment Opportunity Plan 2020-2023.~~

Office of Primary Responsibility: Human Resources

Date Approved: June 28, 2011

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

Reviewed/Revised: May 16, 2017; October 20, 2020; May 17, 2022

Reviewed/Revised:

Human Resources

Reviewed in conjunction with the corresponding policy to ensure BP/AP are on the same cycle of review.

References updated, minor edits and formatting updated. Mici 3-9-2023

Approved without changes. Nikki/Human Resources 3-9-2023

Approved without changes. Eresa/Administrative Services 3-29-2023

Approved without changes. Eresa/Fiscal Services 3-29-2023

Revised. General Counsel 4-27-2023

AP 7400 TRAVEL

Reference:

Education Code Section 87032;

[Government Code Section 11139.8;](#)

[2 Code of Federal Regulations Part 200.474](#)

The District may reimburse, to the extent possible within necessary financial constraints, expenses incurred in travel, conferences, and meetings (e.g. professional associations, educational organizations, and associations). Employees are expected to travel in the most economically prudent manner possible. Prior to travel, employees must obtain approval for travel to conferences, training, and similar activities by submitting a written request to their appropriate manager or designee(s). Managers may or may not approve an employee's travel request as it fits within their respective budgets.

Pursuant to AB1887, The District requires that all District employees must adhere to the [Out of State Travel Ban \(AB 1887\)](#) policy, and must ensure compliance with the terms of the Out of State Travel Ban prior to submitting a travel request. The District recognizes the exceptions to the Out of State Travel Ban under AB 1887. In addition, the Assistant Superintendent/Vice President of Student Learning and Success may authorize an exception for travel with students when the learning outcomes in a course outline of record reasonably cannot be met without travel to a state on the Out of State Travel Ban list.

District employees performing District services, regardless of funding sources, will be reimbursed, as provided by Education Code Section 87032 for authorized actual and necessary expenses incurred. Travel allowances will be limited to Education Code requirements, contractual agreements, necessity of travel, and this administrative procedure.

1. The Headquarters for claiming travel allowances is the location assigned by the immediate supervisor.

The assigned headquarters is the location to and from which mileage reimbursement is authorized. For employees who spend more than fifty percent of their assigned days at one location, that location will be designated the headquarters location. For employees with less than fifty percent of their assigned days in one location, a centralized location in the most predominantly traveled area will be designated the headquarters location.

2. Automobile Travel

In cases where authorized travel is by District-owned automobile, actual and necessary travel expense will not include mileage expense. Travel reimbursement will be made for travel to/from the job location and headquarters when an employee uses his/her own vehicle for official District

business in the performance of regularly assigned duties.

If an employee is directed to begin or end their work day at a work site that is not the headquarters, reimbursement would only be authorized for the additional increment beyond the normal commute to headquarters.

When work requires more than one trip to the work location or headquarters on a normal work day, travel expenses will be paid for all additional travel.

The District's insurance does not provide primary coverage for the owner of privately-owned vehicle for claims or losses while he/she/they is operating his/her/their own vehicle on District business. For travel associated with field trips, see BP/AP 4300 ~~titled~~ Field Trips and Excursions.

All operators of vehicles must have a valid California driver's license appropriate for the use of the vehicle used on District business. In order to collect private auto mileage reimbursement, proof of current insurance coverage must be on file with the District.

Ferry, bridge, or toll charges may be claimed in addition to mileage allowances.

Mileage shall be reimbursed at the established Internal Revenue Service (IRS) standard mileage reimbursement rate.

3. Automobile Rental

The use of rental vehicles is limited to situations where District vehicles or commercial transportation either are not available, or their use impractical as determined by the Superintendent/President or designee(s). The use of the most economical vehicle will be required, if available and otherwise appropriate. Employees are encouraged to carpool in rented vehicles when possible. Rental car expenses must be supported by receipts. The District insurance does not cover physical loss of, or damage to, rental vehicles. Rental agencies normally provide full coverage insurance for a nominal fee and may be purchased and included in the expense reimbursement.

4. Public Carrier Travel

The expense of traveling by public carrier (rail, bus, airplane, etc.) will be allowed on the basis of actual cost. All travelers will be expected to use the most economical mode of transportation where practical and in the best interest of the District. If the requestor uses a more expensive mode of transportation, the District will only reimburse at the most economical travel rate. Direct expense and the employee's time will be considered in the choice of method of transportation.

5. Lodging

Reasonable and necessary lodging will be reimbursed as supported by receipts. All lodging must be in the geographical area of the conference or meeting and must be approved in writing in advance by the Superintendent/President or designee(s). When a traveler shares lodging with a non-District traveler (spouse/partner, members of a family, friends, etc.), a reimbursement to the traveler is limited to the rates for the District traveler only. Except in extenuating circumstances, lodging will not be paid when the conference or meeting is within commuting distance (fifty-mile radius of the District offices). The District traveler should always request the government/conference/most economical rate and request that the Transient Occupancy Tax be waived at the time of the reservation and/or check-in. Overnight lodging for employees living within the geographical area of

the conference or meeting, shall be approved on a case-by-case basis. Exceptions may be approved, in writing, by the Superintendent/President or designee.

6. Conference Fees

Reasonable and necessary registration fees will be reimbursed for pre-approved attendance and as supported by receipts. Participant must be authorized to represent the District and conference/meeting must be in the best interest of the District.

7. Meals

The actual and necessary cost of meals during the travel event, plus reasonable and customary gratuities, will be paid upon submission of original, itemized receipts. If meals are included in the cost of a conference, workshop, or other travel event, charges for additional meals that substitute for the included meals will not be reimbursed. When meals are charged to an employee's hotel room, the original itemized receipt for the meal must be provided – a line-item charge on the hotel bill will not be sufficient. Credit card receipts which do not itemize the contents of meals purchased will not be reimbursed.

Meals will not be reimbursed for travel that begins and ends on the same day unless travel is greater than 60 miles. Exceptions may be considered on a case-by-case basis by the unit budget manager.

The maximum allowance for meals shall be \$10 for breakfast, \$15 for lunch, and \$25 for dinner OR **a maximum of \$50 per day for all meals (including reasonable/customary gratuities and applicable local tax)** Any expenses in excess will not be reimbursed by the District.

8. Miscellaneous Expenses

Certain miscellaneous expenses related to official District business will be allowed if identified, such as transportation, parking fees, internet access, taxi service, reasonable/customary gratuities, and telephone calls. Receipts will be obtained when reasonably possible. Expenses must be individually itemized in order to be eligible for reimbursement.

9. Non-Reimbursable Items

The District will not provide reimbursement for parking or traffic violations, personal services, valet and laundry services, auto repairs when using personal automobile, entertainment, trip insurance, or any expenses considered to be excessive.

The traveler will not be reimbursed for non-District travelers (spouse/partner, members of a family, friends, other conference participants, etc.). The District will not allow reimbursement for alcoholic beverages (nor taxes and tips related to alcohol purchases), tobacco-related products, movies (at a theater or in room), laundry, non-District travelers' meals, car washes, fuel for the employee's personal vehicle, additional hotel rooms or costs of any kind for non-District travelers who accompany employee, or any other expenses determined by the District to be unreasonable, excessive, non-business related, or a misuse of public funds.

10. Emergency Contact Information While Traveling

It will be the responsibility of the District traveler to inform his/her/their immediate supervisor of his/her/their contact information while traveling. This is necessary so that the employee can be contacted in case of emergency.

11. Approval Authorization - Conference Leaves

a. United Professors of Marin (UPM) Collective Bargaining Members

Requests for conference leave shall be made in accordance with the collective bargaining agreement. Travel reimbursements shall be in accordance with District procedures.

b. All Other Employees

Request for conference leave shall be made to and approved by the employee's supervisor/manager on the specified forms. Travel reimbursements shall be in accordance with District procedures.

The Superintendent/President has the final authority to approve travel requests.

12. Approval Authorization – Out-of-State

Out-of-state travel for all District employees shall be approved in advance by the Superintendent/President.

All travel outside the United States must be approved in advance by the Board of Trustees.

13. Procedure for Claiming Expense Reimbursement

Reimbursement of expenses for authorized travel shall be submitted on the Claim for Reimbursement Form as follows:

- a. Claims shall be submitted within 60 calendar days following completion of travel.
- b. The only exception to item (a) above is at fiscal year-end, the claim form must be turned in not later than July 6.
- c. Travel expense claims will be signed by the traveler and approved by the appropriate person (see section on Approval Authorization).
- d. Each claim will be itemized by date, nature of expense, and the amount for which reimbursement is claimed. Claims will be for "actual and necessary" expenses and supported by receipts when applicable.

The Superintendent/President reserves the right to make exceptions to the above regulations.

14. Travel Advance

Travel advances are entirely discretionary and, in most instances, will only be authorized to cover meals and incidental costs for approved travel. All travel advances must be approved in writing by the Superintendent/President or designee(s). Advances will be adjusted upon the filing of a Claim for Reimbursement Form of actual and necessary expenses incurred in accordance with this procedure. Advances will not be paid more than 30 calendar days prior to travel. Employees who receive a cash travel advance, and then are unable to attend the travel event, must reimburse the entire travel advance to the District within ten calendar days of the original dates of travel. Failure to do so may result in a payroll deduction of the entire amount of the advance from the next occurring pay period. Abuse of travel advance privileges may result in denial of future travel advance requests and shall be considered a misappropriation of funds by the employee. No such advance shall be considered for any purpose as a loan to such employee.

Also see BP 2725 ~~titled~~ Board Member Travel

Office of Primary Responsibility: ~~College Operations~~ Administrative Services, Fiscal Services

Date Approved: June 19, 2012 (*Replaced College of Marin Procedure 6.0009 DP.1*)

Date Reviewed/Revised: March 12, 2020

Date Reviewed/Revised: