



College Coordinating Council Meeting

November 13, 2019
 A124 – President’s Conference Room
 9:00 a.m. – 10:00 a.m.

Type of Meeting: Regular
Note Taker: Patty McClure
Please Review/Bring: Agenda, Minutes

Committee Members:
 Van Rider, Academic Senate
 Jack Danielson, Associated Student Organization
 Ed Knudson, President
 Pamela Ford & Wade Saari, Classified Union
 Michelle Hernandez, Confidential/Management/Supervisory/Administrators
 LaDonna Trimble, Deans
 Dr. Scott Lee, Faculty Union
 Dr. Les Uhazy, Interim Vice President of Academic Affairs
 John Hutak, Interim Vice President of Human Resources
 Dr. Erin Vines, Vice President of Student Services

AGENDA

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of October 9, 2019.	All		
II. Constituent Reports	All		
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. EMC Membership Addition	LaDonna	1 minute	
IV. BP & AP 3100 – Organizational Structure	Ed	1 minute	Returned from constituent review and September 25, 2019 CCC meeting.
V. BP & NEW AP 3280 – Grants	Ed	1 minute	Returned from constituent review and September 25, 2019 CCC meeting.
VI. BP & AP 3300 - Public Records	Ed	1 minute	
VII. BP & AP 3310 – Records Retention	Ed	1 minute	
VIII. BP & AP 3410 – Nondiscrimination	Ed	1 minute	
IX. BP & AP 3420 – Equal Employment Opportunity	Ed	1 minute	
X. BP & AP 3430 – Prohibition of Harassment	Ed	1 minute	
XI. AP 3435 Discrimination & Harassment Complaints and Investigations	Ed	1 minute	
XII. BP & AP 3440 Service Animals	Ed	1 minute	

XIII.	BP & AP 3500 – Campus Safety	Ed	1 minute	
XIV.	BP & AP 3501 – Campus Security & Access	Ed	1 minute	
XV.	BP & AP 3504 – Minors on Campus	Ed	1 minute	
XVI.	BP & AP 3505 – Emergency Response Plan	Ed	1 minute	
XVII.	AP 3506 – Campus and Site Closures	Ed	1 minute	
XVIII.	BP & AP 3510 – Workplace Violence	Ed	1 minute	
XIX.	BP & AP 3515 – Reporting of Crimes	Ed	1 minute	
XX.	AP 3516 – Registered Sex Offender Information	Ed	1 minute	
XXI.	BP & AP 3518 – Child Abuse Reporting	Ed	1 minute	
XXII.	BP & AP 3520 – Local Law Enforcement	Ed	1 minute	
XXIII.	BP & AP 3530 – Weapons on Campus	Ed	1 minute	
XXIV.	BP & AP 3540- Sexual and Other Assaults on Campus	Ed	1 minute	
XXV.	BP & AP 3550 – Drug-Free Environment and Drug Prevention Program	Ed	1 minute	
XXVI.	BP & AP 3560 – Alcoholic Beverages	Ed	1 minute	
XXVII.	NEW BP & AP 3570 – No Smoking and Tobacco-Free Environment	Ed	1 minute	
XXVIII.	BP & AP 3600 – Auxiliary Organizations	Ed	1 minute	
XXIX.	BP & AP 3710 – Securing of Copyright for District Materials	Ed	1 minute	
XXX.	BP & AP 3715 – Intellectual Property	Ed	1 minute	
XXXI.	BP & AP 6100 – Delegation of Authority	Diana	1 minute	
XXXII.	BP & AP 6150 – Designation of Authorized Signatures	Diana	1 minute	
XXXIII.	BP & AP 6200 – Budget Preparation	Diana	1 minute	
XXXIV.	BP & AP 6300 – Fiscal Management	Diana	1 minute	
XXXV.	NEW AP 6305 - Reserves	Diana	1 minute	
XXXVI.	AP 6307 - Debt Issuance and Management	Diana	1 minute	
XXXVII.	AP 6310 – Accounting	Diana	1 minute	

XXXVIII.	AP 6315 – Warrants	Diana	1 minute	
XXXIX.	BP & AP 6320 – Investments	Diana	1 minute	
XL.	AP 6322 – Employee Indemnity Bonds	Diana	1 minute	
XLI.	BP & AP 6330 – Purchasing	Diana	1 minute	
XLII.	BP & AP 6340 – Bids and Contracts	Diana	1 minute	
XLIII.	BP & AP 6500 – Property Management	Diana	1 minute	
XLIV.	BP & AP 6520 – Security for District Property	Diana	1 minute	
XLV.	AP 5011 – Admission and Concurrent Enrollment of High School and Other Young Students	Erin	1 minute	Returned from constituent review and September 25, 2019 CCC meeting.
XLVI.	AP 5013 – Students in the Military	Erin	1 minute	Returned from constituent review and September 25, 2019 CCC meeting.
XLVII.	BP & AP 5015 – Residence Determination	Erin	1 minute	Returned from constituent review and September 25, 2019 CCC meeting.
XLVIII.	New AP 5017 – Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information	Erin	1 minute	Returned from constituent review and September 25, 2019 CCC meeting.
XLIX.	BP & AP 5020 – Nonresident Tuition	Erin	1 minute	Returned from constituent review and September 25, 2019 CCC meeting.
L.	BP & AP 5030 – Fees	Erin	1 minute	Returned from constituent review and September 25, 2019 CCC meeting.
LI.	AP 5075 – Course Adds and Drops	Erin	1 minute	Returned from constituent review and October 9, 2019 CCC meeting.
LII.	BP & AP 5130 – Financial Aid	Erin	1 minute	Returned from constituent review and October 9, 2019 CCC meeting.
LIII.	BP & AP 7110 – Delegation of Authority, Human Resources	John	1 minute	
LIV.	BP & AP 7120 – Recruitment and Hiring	John	1 minute	
LV.	AP 7121 – Faculty Internship	John	1 minute	
LVI.	AP 7125 – Verification of Eligibility for Employment	John	1 minute	
LVII.	AP 7126 – Applicant Background Checks	John	1 minute	
LVIII.	BP & AP 7130 – Compensation	John	1 minute	
LIX.	BP 7140 – Collective Bargaining	John	1 minute	
LX.	AP 7145 – Personnel Files	John	1 minute	
LXI.	AP 7150 – Evaluation	John	1 minute	
LXII.	BP & AP 7160 – Professional Development	John	1 minute	
LXIII.	BP & AP 4010 – Academic Calendar	Les	1 minute	
LXIV.	BP & AP 4050 – Articulation	Les	1 minute	

LXV.	BP & AP 4070 – Course Auditing and Auditing Fees	Les	1 minute	
LXVI.	BP & AP 4100 – Graduation Requirements for Degrees and Certificates	Les	1 minute	
LXVII.	BP & AP 4220 – Standards of Scholarship – Delegation	Les	1 minute	
LXVIII.	BP & AP 4226 – Multiple and Overlapping Enrollments	Les	1 minute	
LXIX.	BP & AP 4235 – Credit by Examination	Les	1 minute	
LXX.	BP & AP 4240 – Academic Renewal	Les	1 minute	
LXXI.	BP & AP 4260 – Prerequisites, Co-requisites, Advisories, and Limitations on Enrollment	Les	1 minute	
LXXII.	BP & AP 4400 – Community Services Programs	Les	1 minute	
FUTURE AGENDA ITEMS:				
NEXT MEETING DATE:				
November 27, 2019				



College Coordinating Council Minutes

October 9, 2019
A124 – President’s Conference Room
9:00 a.m. – 10:00 a.m.

Type of Meeting: Regular
Note Taker: Patty McClure - **ABSENT**
Please Review/Bring: Agenda, Minutes

Committee Members:
Van Rider, Academic Senate - **ABSENT**
Jack Danielson, Associated Student Organization
Ed Knudson, President
Pamela Ford & Wade Saari, Classified Union
Michelle Hernandez, Confidential/Management/Supervisory/Administrators
LaDonna Trimble, Deans - **ABSENT**
Dr. Scott Lee, Faculty Union
Dr. Les Uhazy, Interim Vice President of Academic Affairs - **ABSENT**
John Hutak, Interim Vice President of Human Resources
Dr. Erin Vines, Vice President of Student Services

MINUTES

Items	Person(s) Responsible	Time	Action
STANDING ITEMS:			
I. Approval of Previous Minutes of September 25, 2019.	All		The minutes were approved as presented.
II. Constituent Reports	All		Pamela announced that the Classified Union Craft Fair would be held on Saturday, November 9 th . Scott stated that the Faculty union would be sending out ballots for elections. Michelle stated that she received a 6 million grant.
INFORMATION/DISCUSSION/ACTION ITEMS:			
III. BP & NEW AP 2100 – Board Elections	Ed	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
IV. BP & AP 2105 – Election of Student Trustee 1200 – District Mission	Ed	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
V. BP & AP 2345 – Public Participation at Board Meetings	Ed	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
VI. BP & NEW AP 2360 – Minutes	Ed	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
I. BP & AP 2610 – Presentation of Initial Collective Bargaining Proposals	Ed	2 minutes	There was some discussion regarding the need to negotiate this BP & AP.
II. BP 2725 – Board Member Compensation	Ed	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting

III.	BP 2730 – Board Member Health Benefits	Ed	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
IV.	AP 2712 – Conflict of Interest Code	Ed	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
VII.	BP & AP 5040 – Student Records, Directory Information, and Privacy	Erin	2 minutes	It was agreed to go out to the constituent groups and return back at the November 13 th CCC meeting.
VIII.	AP 5041 Official Communication to Students	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
IX.	AP 5045 – Student Records – Challenging Content and Access Log	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
X.	BP & AP 5050 – Student Success and Support Program	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
XI.	BP & AP 5052 – Open Enrollment	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
XII.	BP & AP 5055 – Enrollment Priorities	Erin	2 minutes	It was agreed to go out to the constituent groups and return back at the November 13 th CCC meeting.
XIII.	BP & AP 5060 – Enrollment Unit Load	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
XIV.	AP 5070 – Attendance	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
XV.	AP 5071 – Online Attendance	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
XVI.	AP 5075 – Course Adds and Drops	Erin	2 minutes	It was agreed to go out to the constituent groups and return back at the November 13 th CCC meeting.
XVII.	BP & AP 5110 – Counseling	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
XVIII.	BP & AP 5120 – Transfer Center	Erin	2 minutes	It was agreed to go to the November 12, 2019 Board Meeting
XIX.	BP & AP 5130 – Financial Aid	Erin	2 minutes	It was agreed to go out to the constituent groups and return back at the November 13 th CCC meeting.
FUTURE AGENDA ITEMS:				
NEXT MEETING DATE:				
October 23, 2019				



BP 3100 Organizational Structure

Reference:

Education Code **Section** 72400

The Superintendent/President shall establish organizational charts that delineate the lines of responsibility and fix the general duties of employees within the District.

~~See Administrative Procedure #3100~~ Also see AP 3100 Organizational Structure.

Adopted: 11/7/05
Reviewed: 11/14/16
Revised: 10/14/19



AP 3100 Organizational Structure

References:

Education Code Section 72400;
Title 5, Section 53200

The District's organizational structure shall be:

3100.1 ORGANIZATIONAL DIVISIONS, DEPARTMENTS AND OFFICES

(See Appendix I – Organizational Charts)

3100.2 President's Executive Council-Level Administration

President's Executive Council level administration consists of those officials and functions that control the organization and operation of the college system, or employees whose responsibilities extend over a major administrative division of the college.

In the Antelope Valley Community College District, President's Executive Council-level administration shall consist of the President; Vice President Academic Affairs; Vice President Student Services, Vice President of Human Resources and Employee Relations; Executive Director of Business Services; Executive Director of Information Technology Services, Executive Director of Facilities; Dean of Institutional Effectiveness, Research and Planning; Executive Director of Marketing and Public Information and Executive Director of the Foundation.

3100.3 Line of Responsibility (~~EG~~ Education Code Section 70902)

Each District employee shall be responsible to the Board of Trustees through the Superintendent/President. Supervision of District employees shall be exercised by personnel to whom such responsibility has been specifically delegated.

District personnel shall refer matters requiring administration action to the administrative officer having immediate responsibility of the area in which the problem arises.

Administrative officers shall refer such matters to the next higher authority if circumstances warrant.



All District employees have the right to appeal any decision made by an administrative officer to the next higher authority and, through appropriate successive steps, to the Board of Trustees.

3100.4 President's Executive Council

Purpose

It is the desire of the Board of Trustees that democratic working relationships be maintained among the personnel of the administrative staff, and to maintain a free flow of communications involving College Administration and District employees.

Meetings

Regular meetings shall be held at periodic intervals as determined by the Superintendent/President. The Superintendent/President may also call special meetings as conditions may warrant.

Responsibilities

The President's Executive Council shall function in an advisory capacity to the Superintendent/President on matters related to District policies, administrative problems, collective bargaining issues or any issue related to the District's education program or school operation.

The President's Executive Council shall also serve as a channel of communication in the administrative organization of the District.

3100.6 Administrative Council

In an endeavor to promote communications with middle management and supervisory officials, the Superintendent/President may establish an Administrative Council whose membership shall consist of management personnel.

The responsibilities of the Administrative Council shall be communication and operation.

Meetings shall be held at the discretion of the Superintendent/President.

PROCEDURE FOR CHANGING THE ORGANIZATIONAL STRUCTURE OF THE COLLEGE

This procedure describes the organizational units at Antelope Valley College, which persons or groups can initiate a review of the current organizational structure, the steps for reaching recommendations for proposed changes, and who has the authority to



implement proposed changes. The goal of such reviews shall be to improve efficiency and/or cost effectiveness of services, programs, learning outcomes or operational outcomes:

A. Organizational Units: Antelope Valley College is organized into four (4) structural levels.

1. **College**
2. **Offices:** Superintendent/President; Academic Affairs; Human Resources and Employee Relations; **Student Services**; Business Services; Information Technology Services; Marketing & Public Information; Facilities; Institutional Effectiveness, Research and Planning; AVC Foundation.
3. **Areas/Divisions:** (these synonymous terms for subdivisions of offices are used for instructional divisions and non-instructional areas, e.g. Health Sciences Division.
4. **Departments** (subdivisions of areas/divisions)

B. Initiation of a review

1. The Superintendent/President may initiate a review of any of the organizational units.
2. The College Coordinating Council (CCC) and Strategic Planning Committee may request a review of any organizational unit by sending a request for a review to the Superintendent/President.
3. The administrative head of any office, area/division, or department may request a review for his/her own organizational unit by sending a request for a review to the Superintendent/President through the administrative structure.
4. All requests for a review must be in writing and state the rationale and provide data that support the goals of such reviews.
5. The Superintendent/President will inform the President's Executive Council and CCC of any requests for a review.
6. The Superintendent/President has the final authority to initiate a review of an organizational unit.
7. The Superintendent/President will initiate a review by sending a memo to notify all constituencies that a review is being implemented. This memo will appoint an administrator to oversee the review, set forth the rationale and data that justify the review, and establish a timeline for the formulation of proposed changes.



C. Process for proposing organizational changes

Intra-divisional changes

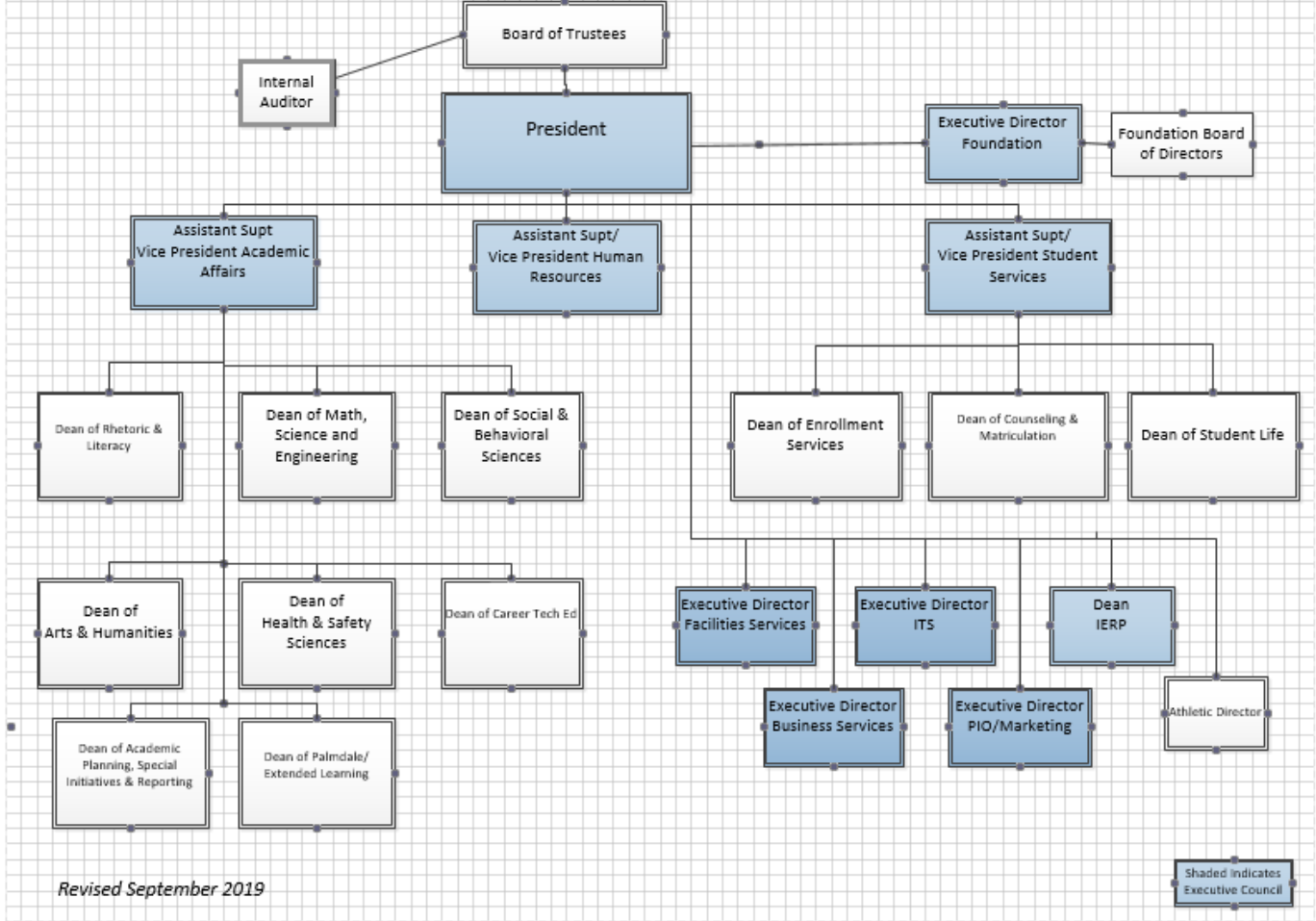
Intra-divisional Academic department re-organization will be completed within the division, with approval of the majority of the faculty in the division, the division dean, and the Vice President overseeing the division. Information of the change and the rationalization will be provided to the Academic Senate for information only.

Other organizational changes

1. The administrator in charge of the review will solicit input from all employees in the organizational unit(s) affected by the review, including any not identified in the initial review that might be impacted as a result of proposed changes.
2. Based on this input, the administrator will formulate proposed changes through dialogue/discussion with the affected organizational units.
3. A written summary of the proposed changes will go out to the entire campus allowing two (2) weeks for discussion. During that period, administrators and employees should evaluate any adverse impact that might arise from the proposed change.
4. The campus community will give input/feedback to the administrator overseeing the review.
5. The administrator overseeing the review will present the proposed changes and a summary of campus feedback to CCC for discussion.
6. The Superintendent/President will make the final decision on proposed changes based on feedback from the campus community and the discussion at CCC.
7. This final version of the proposed changes will go out to the entire campus for discussion/feedback for at least one (1) week.
8. The Superintendent/President will take the final changes to the Board of Trustees for information.
9. The Superintendent/President will communicate the final changes to the appropriate vice presidents, deans, directors, and employees and follow up with implementation.

Approved: 11/7/05
Revised: 10/9/06
Revised: 4/9/07
Revised: 6/11/07
Revised: 6/14/10
Revised: 11/14/16
Revised: 5/8/17
Revised: 10/14/19

Antelope Valley College General Organizational Chart





BP 3280 Grants

Reference:

Education Code Section 70902

The Board **of Trustees** will be informed about all grant applications made and grants received by the District.

The Superintendent/President shall establish procedures to assure timely application and processing of grant applications and funds, and ensure that the grants that are applied for directly support the purposes of the District. Those procedures shall include, but not be limited to, coordination with the Executive Council.

~~See Administrative Procedure #3280~~

Also see AP 3280 Grants.

Adopted: 11/7/05
Revised: 11/14/16
Revised: 10/14/19



AP 3280 Grants

Reference:

Education Code Section 70902

Prior to applying for any grant, the grant submission initiator must prepare a Grant Application Form describing the problem or need that the grant would address; a description of the project; the mission and goals of the project; how the grant supports the District mission; the funding source and whether it is federal, state, local, or private; the amount being requested; matching funds and resource requirements and source; performance period; name of Project Director; name of Project Administrator; and any other relevant characteristics or requirements that may impact the decision to submit the grant application. The Grant Application Form must be submitted to the President's Executive Council.

Following approval by the President's Executive Council, within one (1) month, the grant application is to be forwarded to the appropriate Vice-President. Once completed, the grant application shall be submitted to the funding agency.

When notification of a grant award is received, the appropriate Vice-President shall prepare a board agenda item requesting acceptance of funding. The agenda item must include background information in support of the grant, a detailed activity budget, project management and evaluation budget, and a Board resolution establishing the grant budgets from District funding sources, as applicable.

Adopted: 11/11/19



BP 3300 Public Records

References:

Government Code Sections 6250 et seq.

The Superintendent/President shall establish procedures for records management, including access by the public that comply with the requirements of the California Public Records Act.

~~See Administrative Procedure #3300.~~ Also see AP 3300 Public Records and BP/AP 3310 Records Retention and Destruction.

Adopted: 11/7/05
Reviewed: 11/14/16
Reviewed: 12/12/16
Revised: 12/9/19



AP 3300 Public Records

References:

Government Code Section 6250 et seq.

Members of the public may request to inspect or copy public records. A request by a member of the public may be delivered by mail or in person to the Office of the Superintendent/President or designee.

Any request shall identify with reasonable specificity the records that are sought. If additional information is needed, the Superintendent/President or designee may request it be provided in writing.

Any request to inspect records shall be made sufficiently in advance of the date of inspection to allow staff time to assemble the records and identify any records that may be exempt from disclosure.

Records that are exempt from disclosure under the Public Records Act or any other provision of law may not be inspected or copied by members of the public. Social security numbers must be redacted from records before they are disclosed to the public.

Members of the public shall be assisted in identifying records or information that may respond to their request. Assistance that will be provided includes: the information technology and physical location in which the records exist; practical suggestions for overcoming denial of access to the records or information; and the estimated date and time when the records will be made available.

Within ten (10) days, the Superintendent/President or designee will determine whether or not the records can be produced and will communicate the determination to the member of the public requesting the record(s).

The most common exemptions for community colleges include:

- Student records (Education Code Section 76243)
- Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, provided that the public interest in withholding the records clearly outweighs the public interest in disclosure. (Government Code Section 6254 **subdivision** (a))



- Records pertaining to pending litigation or to claims until the pending litigation or claim has been finally adjudicated or otherwise settled. (Government Code Section 6254 **subdivision** (b))
- Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code Section 6254 **subdivision** (c))
- Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination [except for standardized tests provided for by Education Code Sections 99150 et seq.]. (Government Code Section 6254 **subdivision** (g))
- The contents of real estate appraisals or engineering or feasibility estimates and evaluations relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained. (Government Code Section 6254 **subdivision** (h))
- Internet posting of home address or telephone numbers of local elected officials (Government Code Section 6254.21)
- Home addresses, **and** home telephone number, **cellular phone number, and date of birth** of employees of a school **d**istrict or county office of education (other than to an agent or family member of the employee, to an officer of another school **d**istrict when necessary, to an employee organization, or to an agency or employee of a health benefit plan (Government Code Section 6254.3)
- **Personal email addresses (other than to an agent or family member of the employee, to an officer of another school district when necessary, to an employee organization, or to an agency or employee of a health benefit plan) unless the email address is used by the employee to conduct public business, or necessary to identify a person in an otherwise disclosable communication. (Government Code Section 6254.3 subdivision (b))**
- Records regarding alternative investments (i.e. an investment in a private equity fund, venture fund, hedge fund, or absolute return fund; limited partnership, limited liability company or similar legal structure) involving public investment funds, unless already publicly released by the keeper of the information.
- Information security records, if disclosure of these records would reveal vulnerabilities to, or otherwise increase the potential for an attack on, the District's information technology system.



- Identification number, alphanumeric character, or other unique identifying code that a district uses to identify a vendor or contractor, or an affiliate of a vendor or contractor, unless the identification number, alphanumeric character, or other unique identifying code is used in a public bidding or an audit involving the public agency. (Government Code Section 6254.33.)

The Public Records Guidelines can be viewed at:

https://www.avc.edu/sites/default/files/information/Guidelines_Record_Request.pdf

Also see BP 3300 Public Records; BP/AP 5040 Student Records, Directory Information, and Privacy; AP 5045 Student Records – Challenging Content and Access Log; and AP 7145 Personnel Files.

Approved: 11/7/05
Revised: 5/8/06
Revised: 5/12/08
Revised: 10/10/11
Revised: 12/12/16
Revised: 12/9/19



BP 3310 Records Retention and Destruction

References:

~~Education Code Sections 3015, 3018, 76210, et seq.;~~

Title 5 Sections 59020 ~~et seq~~

Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45

The Superintendent/President ~~or designee~~ shall establish administrative procedures to assure the retention and destruction of all District records, including electronically stored information (ESI) as defined by the Federal Rules of Civil Procedure, in compliance with Title 5. Such records shall include, but not be limited to student records, employment records, and financial records.

~~See Administrative Procedure #3310~~ Also see BP/AP 3300 Public Records and AP 3310 Records Retention and Destruction.

Adopted: 11/7/05
Revised: 9/10/07
Reviewed: 12/12/16
~~Revised: 12/9/19~~



AP 3310 Records Retention and Destruction

References:

Title 5 Sections 59020 et seq.;

Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

“Records” means all records, maps, books, papers, data processing output, and documents of the District required by Title 5 to be retained, including but not limited to records created originally by computer and “electronically stored information” (“ESI”), as that term is defined by the Federal Rules of Civil Procedure.

The Superintendent/President or designee shall supervise the classification and destruction of records and ESI. The District must preserve ESI and ESI that is relevant to actual or potential litigation pursuant to the Federal Rules of Civil Procedure. The District shall comply with the Federal Rules of Civil Procedure and produce relevant ESI in the form in which it is ordinarily maintained or readily usable. **An annual report shall be made to the Board of Trustees regarding the classification and destruction of records and ESI.**

Records shall be classified as required by Title 5 and other applicable statutes, federal and state regulations.

Records shall annually be reviewed to determine whether they should be classified as Class 1 – Permanent, Class 2 – Optional, or Class 3 – Disposable (as defined in Title 5).

Class 3 – disposable records shall be maintained for the period required by applicable law or regulation, but in any event shall be retained for at least three college years after the year in which they were originally created.

Destruction is by any method that assures the record is permanently destroyed, e.g. shredding, burning, pulping.

Also see BP 3310 Records Retention and Destruction and BP/AP 3300 Public Records.

Approved: 11/7/05
Revised: 9/10/07
Revised: 5/12/08
Reviewed: 12/12/16
Revised: 12/9/19



BP 3410 Nondiscrimination

References:

Education Code Sections 66250 et seq., 72010 et seq. and 87100 et seq.;
Title 5 Sections 53000 et seq.; and 59300 et seq.;
Penal Code Section 422.55;
Government Code 12926.1 and 12940 et seq
Title 2 Sections 10500 et seq.;
Labor Code Section 1197.5;
ACCJC Accreditation Eligibility Requirement 20 and ACCJC Accreditation Standard
Catalog Requirements

The District is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The District, and each individual who represents the District, shall provide access to its services, classes, and programs without regard to national origin, religion, age, gender, gender identity, gender expression, race, or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/ ~~or~~ she 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 Superintendent/President shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with the Title 5 regulations and those of other agencies that administer state and federal laws regarding nondiscrimination.

No District funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the District or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, gender, gender identity, gender expression, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, or military and veteran status, or because he/ ~~or~~ she is perceived to have one or more of the foregoing characteristics, or because of his/ ~~or~~ her association with a person or group with one or more of these actual or perceived characteristics.

Notice of this policy will be circulated to all units of the District on an annual basis and incorporated into teacher and student handbooks. It will also be distributed to all organizations in the community having cooperative agreements with the college district. Failure to comply with this policy may result in termination of the cooperative agreement.



~~See Administrative Procedure #3410~~ Also see AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, BP/AP 3430 Prohibition of Harassment, AP 3435 Discrimination and Harassment Complaints and Investigations, and BP/AP 5140 Disabled Student Programs and Services.

Adopted: 11/7/05
Revised: 5/8/06
Revised: 1/8/07
Revised: 2/9/09
Revised: 8/13/12
Revised: 10/10/16
Revised: 8/13/18
Revised: 12/9/19



AP 3410 Nondiscrimination

Nondiscrimination References for Education Programs:

Education Code Sections 200 et seq 66250 et seq. and 72010 et seq.;
Penal Code Section 422.55 et seq.; Title 5 Section 59300 et seq.,
Accreditation Eligibility Requirement 20 and **AGCJC** Accreditation Standard
Catalog Requirements (~~formerly H.B.2.e~~)

It shall be a violation of this **policy procedure** for any District employee or student through conduct or communications to commit an act of discrimination as defined in BP 3410 **Nondiscrimination**.

Education Programs

The District shall provide access to its services, classes and programs without regard to, national origin, religion, age, gender, gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy, **Vietnam Military** Veteran status, or because he/~~or~~ she 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.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, “gender” means sex, and includes a person’s gender identity and gender expression. “Gender expression” means a person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

The District shall not prohibit any student from enrolling in any class or course on the basis of gender.

Academic staff, including but not limited to counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of gender.

Insofar as practicable, the District shall offer opportunities for participation in athletics equally to male and female students.

Nondiscrimination References for Employment:

Education Code Sections 87100 et seq.,
Title 5 Sections 53000 et seq.;
Government Code Sections 11135 et seq. and 12940 et seq.
Title 2 Sections 10500 et seq.;
Labor Code Section 1197.5



Employment

The District shall provide equal employment opportunities to all applicants and employees regardless of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or ~~status as a military and veteran~~ status.

All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria as well as be responsive to the District's needs.

The District shall from time to time as necessary provide professional and staff development activities and training to promote understanding of diversity.

It is unlawful to discriminate against a person who serves in an unpaid internship or any other limited-duration program to provide unpaid work experience in the selection, termination, training, or other terms and treatment of that person on any the basis of their race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

Any person who alleges discrimination by any employee or student in the college district may file a grievance under the discrimination complaint procedures contained in the Antelope Valley College Complaint Procedure for Allegations of Discrimination or Sexual Harassment document that can be obtained in the Human Resources Office.

Also see BP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, BP/AP 3430 Prohibition of Harassment, AP 3435 Discrimination and Harassment Complaints and Investigations, BP 4030 Academic Freedom, and BP/AP 5140 Disabled Student Programs and Services.

Approved: 11/7/05
Revised: 5/8/06
Revised: 1/8/07
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Revised: 7/9/12
Revised: 3/10/14
Reviewed: 9/12/16
Revised: 8/13/18
Revised: 12/9/19



BP 3420 Equal Employment Opportunity

References:

Education Code Sections 87100 et seq.

Title 5 Sections 53000 et seq.

~~AGCJC~~ Accreditation Standard III.A.~~11~~ 12

The Board of Trustees supports the intent set forth by the California Legislature to assure that effort is made to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of faculty and staff from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony, and suitable role models for all students. The Board of Trustees therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program.

The Superintendent/President shall develop, for review and adoption by the Board of Trustees, a plan for equal employment opportunity that complies with the Education Code and Title 5 requirements as from time to time modified or clarified by judicial interpretation.

Also see AP 3420 Equal Employment Opportunity, BP/AP 3410 Nondiscrimination, and BP/AP 7100 Commitment to Diversity.

Adopted: 11/7/05

Revised: 6/13/16

Revised: 11/12/19



AP 3420 Equal Employment Opportunity

References:

Education Code Sections 87100 et seq.;
Title 5 Sections 53000 et seq. and 59300 et seq.
~~ACCJC~~ Accreditation Standard III.A.11 12
20 U.S. Code Sections 1681 et seq.;

The **Equal Employment Opportunity (EEO) P**lan shall be a **D**istrict-wide, written plan that implements the District's EEO program, includes the definitions contained in Title 5 Section 53001 and addresses the following:

- Submission of plans and revisions to the **state California Community Colleges** Chancellor's Office for review and approval as required
- The designation of the District employee or employees who have been delegated responsibility and authority for implementing the **P**lan and assuring compliance with the requirements of this **p**Procedure;
- The procedure for filing complaints and the person with whom such complaints are to be filed;
- A process for notifying all District employees of the provisions of the **P**lan and the policy statement required;
- A process for ensuring that District employees who are to participate on screening or selection committees receive, prior to their participation, training on the requirements of the applicable **T**itle 5 regulations and of state and federal nondiscrimination laws, the educational benefits of workforce diversity, the elimination of bias in hiring decisions, and best practices in serving on a screening or selection committee;
- A process for providing annual written notice to appropriate community-based and professional organizations concerning the District's **P**lan and the need for assistance from such organizations in identifying qualified applicants for openings within the District;
- An analysis of the number of persons from "monitored groups", as defined by Title 5 Section 53001 **subdivision** (i), who are employed in the District's work force and those who have applied for employment in each of the job categories listed below
- An analysis of the degree to which monitored groups are underrepresented in comparison to the numbers of persons from such groups whom the **state California Community Colleges** Chancellor's Office determines to be available and qualified to perform the work required for each such job category and whether or not the under-representation is significant;
- The steps the District will take to promote diversity in its work force;
- Methods for addressing any discrimination that is detected in the District's hiring practices, and;



- Additional steps to address any significant under-representation of monitored groups identified in the Pplan.
- The Pplan shall be a public record.

The District shall make a continuous good faith effort to comply with the requirements of the Pplan.

Annual Evaluation

The Office of Human Resources will annually survey the District's workforce composition and shall monitor applicants for employment on an ongoing basis to evaluate the District's progress in implementing the EEO Plan, to provide data needed for the reports required by the Plan and to determine whether any monitored group is underrepresented. The District will annually report to the California Community Colleges Chancellor the results of its annual survey of employees. At least every three (3) years the Plan will be reviewed and, if necessary, revised based on an analysis of the ethnic group identification, gender, and disability composition of existing staff and of those who have applied for employment in each of the following identified job categories:

- executive/administrative/managerial
- faculty and other instructional staff
- professional non-faculty
- secretarial/clerical
- technical and paraprofessional
- skilled crafts; and
- service and maintenance.

For purposes of the survey and report, each applicant or employee will be afforded the opportunity to voluntarily identify her/ or his gender, ethnic group identification and, if applicable, her/ or his disability. Persons may designate as many ethnicities as they identify with, but shall be counted in only one ethnic group for reporting purposes. This information will be kept confidential and will be separated from the applications that are forwarded to the screening/selection committee and hiring administrator(s).

The District shall review the annually collected demographic data to determine if significant underrepresentation of a monitored group may be the result of non-job-related factors in the employment process. For the purposes of this subdivision, the phases of the employment process include but are not limited to recruitment, hiring, retention, and promotion. The information to be reviewed shall include, but need not be limited to:

- longitudinal analysis of data regarding job applicants to identify whether over multiple job searches, a monitored group is disproportionately failing to move from the initial applicant pool, to the qualified applicant pool; and analysis of data regarding potential job applicants, to the extent provided by the Chancellor of the



California Community Colleges, which may indicate significant underrepresentation of a monitored group.

EEO Advisory Committee

The District has established an Equal Employment Opportunity Advisory Committee to assist the District in implementing its EEO Plan. The committee may also assist in promoting an understanding and support of equal opportunity and nondiscrimination policies and procedures. The committee may sponsor events, training, or other activities that promote equal employment opportunity, nondiscrimination, retention and diversity. The committee shall include a diverse membership whenever possible. The committee will be composed of the EEO Officer, Human Resources Director, two (2) members from the Academic Senate, one administrative council member, two (2) ASO representatives, two (2) classified union representatives, one member of the confidential/management/supervisory unit, one (1) member from the Office of Students with Disabilities, and one (1) member from the faculty union. Ex-officio members shall include the Human Resources Vice President and the EEO Officer, if different from the Human Resources Vice President. The Equal Employment Opportunity Advisory Committee shall hold a minimum of four (4) meetings per fiscal year, with additional meetings if needed to review EEO and diversity efforts, programs, policies, and progress. When appropriate, the advisory committee shall make recommendations to the Board of Trustees, the Superintendent/President, and EEO Officer. The advisory committee shall receive training in all the following: applicable Title 5 regulations and of state and federal nondiscrimination laws; the educational benefits of workforce diversity, the identification and elimination of bias in hiring decisions; and the role of the advisory committee in carrying out of the District's EEO Plan.

Employment Procedures

Job Analysis and Validation: The Assistant Superintendent/Vice President of Human Resources or designee shall assure that a proper job analysis is performed for every job filled by the District to determine and validate the knowledge, skills, abilities and characteristics an employee must possess to perform the job satisfactorily.

A statement of bona fide essential functions and minimum qualifications shall be developed for all positions.

Job Description: Every job description shall provide a general statement of job duties and responsibilities.

Job specifications shall include functions and tasks; knowledge; skills; ability; and jobrelated personal characteristics, including but not limited to sensitivity to and understanding of the diverse academic, socioeconomic, cultural, linguistic, disability, and ethnic backgrounds of community college students.



Recruitment

- Recruitment must be conducted actively within and outside of the District work force.
- Open recruitment is mandated for all new full-time and part-time positions, except under limited circumstances.
- Recruitment must utilize outreach strategies designed to ensure that all qualified individuals, from all monitored groups, are provided the opportunity to seek employment with the District.
- Recruitment for administrative and faculty positions (full and part-time) may include advertisement in appropriate professional journals, job registries and newspapers of general circulation; distribution of job announcements to the EEO Registry, K-12 districts, two and four year colleges, and graduate schools where appropriate candidates might be enrolled; recruitment at conferences, fairs, and professional meetings; notices to institutions and professional organizations that primarily serve members of monitored groups that are underrepresented in the District.
- Recruitment for classified positions shall include notice to all District personnel; notice to Employment Development Department; and advertising in area newspapers of general circulation.

Applicant Pools

- The application for employment shall afford each applicant an opportunity to identify himself/ ~~or~~ herself voluntarily as to gender, ethnicity and, if applicable, his/ ~~or~~ her disability. This information shall be maintained in confidence and shall be used only for research, validation, monitoring, evaluation of the effectiveness of the Plan, or as authorized by law.
- After the application deadline has passed, the initial applicant pool shall be analyzed to determine whether the projected representation has been achieved for monitored groups. If these projections have not been met, the District shall immediately determine whether the failure to meet the projected representation of monitored groups in the initial pool was due to discriminatory practices. If not, the hiring process may continue to the next level. If, however, the District determines that discriminatory practices caused the under-representation, the District may immediately, and before the selection process continues, consult with legal counsel to determine what, if any, corrective action is required by law.
- Once the qualified pool is formed, the pool must again be analyzed. If this analysis reveals adverse impact against any monitored group, the District may immediately, and before the selection process continues, consult with legal counsel to determine what, if any, corrective action is required by law.

Screening and Selection



Screening, selecting and interviewing candidates for all positions shall include thorough and fair procedures that are sensitive to issues of diversity. Procedures to be used must address or include that:

- Hiring procedures will be provided to the ~~state~~ California Community Colleges Chancellor's Office on request.
- All tests conform to generally applicable legal standards for uniformity.
- A reasonable number of candidates are identified for interview.
- Screening and selection committees are developed that are representative of the District community and campus; include a diverse membership when possible; and exclude applicants, persons who have written letters of recommendation, family members, and relatives.
- Every screening and selection committee includes an EEO representative trained to monitor conformance with EEO requirements. The Vice President of Human Resources assures that the screening and selection process conforms to accepted principles and practices, including preparation of job-related questions in advance; maintains records of screening checklists and rating scales, which shall be signed and kept on file; maintains notes for all interviews and records relevant factual reasons stating why a candidate was not hired or was not invited to interview; and monitors the hiring process for adverse impact.
- Selection shall be based solely on the stated job criteria.
- For faculty and administrative positions, candidates shall be required to demonstrate sensitivity to diversity in ways relevant to the specific position.

If the District determines that a particular monitored group is significantly underrepresented with respect to one or more job categories, the District shall take the following additional steps:

- review its recruitment procedures;
- consult with counsel to determine whether there are other, additional measures that may be undertaken that are required and/or permitted by law;
- consider various other means of reducing the under-representation which do not involve taking monitored group status into account and implement any such techniques that are feasible;
- If significant under-representation persists:
 - monitor on an on-going basis;
 - review each locally-established job qualification to determine if it is job related and consistent with business necessity;
 - discontinue the use of any non-job-related local qualification;
 - and continue using job-related local qualifications only if no alternative standard is reasonably available.
 - Consider the implementation of additional measures designed to promote diversity.



Delegation of Authority

The Board of Trustees delegates to the Assistant Superintendent/Vice President of Human Resources the responsibility for ongoing implementation of the Plan and for providing leadership in supporting the District's equal employment opportunity policies and procedures. The Vice President of Human Resources shall also serve as the Equal Employment Opportunity Officer who is responsible for the day-to-day implementation of the Plan. If a complaint involves the Equal Employment Opportunity Officer, the complaint may be filed with the Superintendent/President.

Complaint Procedure

The process for filing a complaint alleging that the equal employment opportunity regulations have been violated is outlined in the EEO Plan. In addition, the District has adopted procedures for complaints alleging unlawful discrimination or harassment. The District's discrimination and sexual harassment complaint procedures are attached to the EEO Plan.

The District must identify to the public and to the California Community Colleges Chancellor's Office an individual described in Title 5 as the "responsible District officer," responsible for receiving complaints. Informal charges of unlawful discrimination should be brought to the attention of the responsible District officer. The responsible District officer shall oversee the informal resolution process. The actual investigation of complaints may be assigned to other staff or to outside persons or organizations under contract. An outside investigator must be used when the responsible District officer is named in the complaint or implicated by the allegations in the complaint.

When a person brings charges of unlawful discrimination the officer must:

- Undertake efforts to resolve the charge informally;
- Advise the complainant that he/she need not participate in an informal resolution of the complaint;
- Notify the complainant of the procedures for filing a formal complaint;
- Notify the complainant that he/she may file a complaint with the Office of Civil Rights of the U.S. Department of Education.
- If the complainant, a student or an employee, files a formal complaint, the responsible District officer must also forward a copy of the complaint to the California Community Colleges Chancellor's Office.

A formal complaint not involving employment, must be processed if it is filed within one (1) year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation.

A formal complaint alleging discrimination in employment must be filed within one hundred-eighty (180) days of the date of the alleged unlawful discrimination, unless the complainant



first obtained knowledge of the facts of the alleged violation after the expiration of the initial one hundred-eighty (180) days.

The complaint must be filed by someone who alleges that he/she has personally suffered unlawful discrimination, or by someone who has learned about unlawful discrimination in his/her official capacity.

When a proper complaint is received, the District will begin an impartial fact-finding investigation, and notify the complainant and the California Community Colleges Chancellor's Office that it is doing so.

When the investigation is done, the results must be set forth in a written report. The written report must include a description of the circumstances giving rise to the complaint, a summary of the testimony of each witness, an analysis of any relevant data or other evidence collected during the investigation, a specific finding as to whether discrimination did or did not occur with respect to each allegation in the complaint, and any other appropriate information.

In any case that does not involve employment discrimination, the District must provide the California Community Colleges Chancellor's Office with a copy of the investigative report within ninety (90) days from the date the District received the complaint. The District must also provide the complainant with a copy or summary of the investigative report within ninety (90) days from the date the District received the complaint. The California Community Colleges Chancellor's Office and the complainant must also be provided with a written notice setting forth the determination of the Assistant Superintendent/Vice-President of Human Resources as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the complainant's right to appeal to the District's Board of Trustees and the California Community Colleges Chancellor's Office.

In any case that involves employment discrimination, the District must provide the complainant with a copy or summary of the report, and with written notice setting forth the determination of the Assistant Superintendent/Vice-President of Human Resources as to whether discrimination did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and the complainant's right to appeal to the District's Board of Trustees and to file a complaint with the Department of Fair Employment and Housing (DFEH).

If the complainant is not satisfied with the results of the administrative determination, the complainant must be given the opportunity to submit a written appeal to the Board of Trustees within fifteen (15) days from the date of the notice of the administrative determination. The Board of Trustees must review the original complaint, the investigative



report, the administrative determination, and the appeal and must issue a final District decision within forty-five (45) days of receiving the appeal.

In any case not involving employment discrimination, a copy of the final District decision must be promptly forwarded to the complainant and the California Community Colleges Chancellor's Office. The complainant must be notified of his/her right to appeal. In any case involving employment discrimination, a copy of the final District decision must be promptly forwarded to the complainant. The complainant must be notified of his/her right to file a complaint with the DFEH.

Where the Board does not act within forty-five (45) days the administrative determination must be deemed approved and must become the final District decision. The District shall promptly notify the complainant and in cases not involving employment discrimination, the California Community Colleges Chancellor's Office, that the Board of Trustees took no action and the administrative determination becomes the final District decision. In cases not involving employment discrimination, the complainant must be informed of his/her right to appeal the District's decision to the California Community Colleges Chancellor's Office. In cases involving employment discrimination, the complainant shall be notified of his/her right to file a complaint with the DFEH.

In cases not involving employment discrimination, the complainant must be given the right to file a written appeal with the California Community Colleges Chancellor's Office within thirty (30) days after the Board of Trustees issues the final District decision, permits the administrative decision to become final or from the date that notice of the District's final decision was provided to the complainant pursuant to Title 5 Section 59338 subdivisions (b) or (d), whichever is later.

The District should retain and make available the original complaint, and copies of the final decision or a statement indicating the date on which the administrative determination became final, the notice given to complainant, the complainant's appeal of the District's administrative determination, the investigative report and any other information the California Community Colleges Chancellor's Office may require.

Job Announcements

All job announcements shall contain a statement in substantially the following form: The District is an equal opportunity employer. The policy of the District is to encourage applications from ethnic and racial minorities, women, persons with disabilities, and Vietnam-era veterans. No person shall be denied employment because of ethnicity or race, color, sex or gender, gender identity, age, religion, marital status, disability, sexual orientation, national origin, medical conditions, status as a Vietnam-era veteran, ancestry, or political or organizational affiliation.

Dissemination and Revision of the Plan



The EEO Plan and subsequent revisions will be distributed to the Board of Trustees, the President, administrators, the Academic Senate President, faculty and classified union presidents, and members of the District Equal Employment Opportunity Advisory Committee. The Plan will be available on the District's website, and when appropriate, may be distributed by e-mail.

Statements of nondiscrimination shall be posted at locations where applications for employment are distributed.

Such plans shall be reviewed at least every three (3) years and, if necessary, revised and submitted to the California Community Colleges Chancellor's Office within ninety (90) days of the effective date of the revision or amendment(s). If the California Community Colleges Chancellor's Office determines that the District's policies are not in compliance with Title 5 Sections 59300 et seq., the California Community Colleges Chancellor's Office may require the District to modify its policies.

Accountability and Corrective Action

The District shall certify annually to the State California Community Colleges Chancellor that they have timely:

- Recorded, reviewed and reported the data required regarding qualified applicant pools;
- Reviewed and updated, as needed, the Strategies Component of the District's EEO Plan; and
- Investigated and appropriately responded to formal harassment or discrimination complaints filed pursuant to subchapter 5 (commencing with section 59300) of chapter 10 of this division.

Also see BP 3420 Equal Employment Opportunity, BP/AP 3410 Nondiscrimination, and BP/AP 7100 Commitment to Diversity.

Approved: 4/14/08
Revised: 5/9/16
Revised: 12/9/19



BP 3430 Prohibition of Harassment

References:

Education Code Sections 212.5 44100, 66252 and 66281.5;
Government Code Sections 12923, 12940 and 12950.1;
Civil Code Section 51.9;
Title 2 Sections 10500 et seq.;
Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. § U.S. Code Annotated Section 2000e

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence. It shall also be free of other unlawful harassment, including that which is based on any of the following statuses: race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation of any person, ~~Vietnam Veteran~~, or ~~military and veteran status~~, or because he/ ~~or~~ she is perceived to have one or more of the foregoing characteristics.

The District seeks to foster an environment in which all employees, students, unpaid interns, and volunteers feel free to report incidents of harassment without fear of retaliation or reprisal.

Therefore, the District also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the District determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, employee, unpaid intern, or volunteer who believes that he/ ~~or~~ she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 ~~Discrimination and Harassment Complaints and Investigations~~. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity.



In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the Superintendent/President shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize and/or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The Superintendent/President shall establish procedures that define harassment on campus. The Superintendent/President shall further establish procedures for employees, students, unpaid interns, volunteers and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the District, its employees, students, and agents.

~~Notice of t~~This policy and related written procedures including the procedure for making complaints, shall be widely published and publicized to administrators, faculty, staff, students, unpaid interns, and volunteers particularly when they are new to the institution. They shall be available for students, employees, unpaid interns and volunteers in all administrative offices, and shall be posted on the District's website.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion. Unpaid interns who violate this policy and related procedures may be subject to disciplinary measures up to and including termination from the internship or other unpaid work experience program.

Also see AP 3430 Prohibition of Harassment, BP/AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, and AP 3435 Discrimination and Harassment Complaints and Investigations.

Adopted: 11/7/05
Revised: 8/13/12
Revised: 10/9/17
Revised: 5/13/19
Revised: 11/12/19



AP 3430 Prohibition of Harassment

References:

Education Code Sections 212.5, 44100 and 66281.5;
Government Code Sections 12940 and 12923
Civil Code Section 51.9;
Title 2 Sections 10500 et seq.;
Title IX, Education Amendments of 1972;
Title 5 Sections 59320 et seq.;
Title VII of the Civil Rights Act of 1964,
42 U.S. ~~C.A.~~ **Code Annotated Section** 2000e

The District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District.

This **procedure and the related** policy protects students, employees, unpaid interns and volunteers in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, District bus, or at a class or training program sponsored by the District at another location.

Definitions

General Harassment. Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, ~~or~~ sexual orientation of any person, military and veteran status, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his/ ~~or~~ her ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:



- **Verbal:** Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race, nationality, sexual orientation or other protected status.
- **Physical:** Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.
- **Visual or Written:** The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.
- **Environmental:** A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his or her immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.



Sexual Harassment. In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from, or in, the work or educational setting when:

- submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, progress, internship, or volunteer activity;
- submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment (as more fully described below); or
- submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.

This definition encompasses two (2) kinds of sexual harassment:

- **"Quid pro quo"** sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.
- **"Hostile environment"** sexual harassment occurs when unwelcome conduct based on a person's gender alters the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it unreasonably interfered with the person's academic or work performance or created an intimidating, hostile, or offensive learning or working environment.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty or staff members and students are discouraged. There is an



inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

Academic Freedom

No provision of this **a**Administrative **p**Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California antidiscrimination laws.

Also see BP 3430 Prohibition of Harassment, BP/AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, and AP 3435 Discrimination and Harassment Complaints and Investigations.

Approved: 11/7/05
Revised: 8/13/12
Revised: 5/9/16
Revised: 5/13/19
Revised: 11/12/19



AP 3435 Discrimination and Harassment Complaints and Investigations

References:

Education Code Sections 212.5, 231.5, 66281.5, and 67386;
Government Code ~~Section 12923 and~~ 12950.1; Title 5, Sections 59320, 59324, 59326, 59328, and 59300 et seq.; Title 2 Sections 11023 and 11024
20 ~~U.S.C. U.S. Code~~ Sections 1681 et seq. 34 ~~C.F.R. Section Code of Federal Regulations Part~~ 106.8 ~~subdivision~~ (b);

ANTELOPE VALLEY COLLEGE COMPLAINT PROCEDURE FOR ALLEGATION OF DISCRIMINATION* OR SEXUAL HARASSMENT

Complaints

The law prohibits coworkers, supervisors, managers, and third parties with whom an employee comes into contact from engaging in harassment, discrimination, or retaliation. Any person who has suffered harassment, discrimination, or retaliation may file a formal or informal complaint of harassment, discrimination, or retaliation.

A formal complaint is a written and signed statement filed with the District or the ~~State California Community Colleges~~ Chancellor's ~~O~~office that alleges harassment, discrimination, or retaliation in violation of the District's ~~b~~Board ~~p~~Policies, ~~a~~Administrative ~~p~~Procedures or in violation of state or federal law. An informal complaint is any of the following: (1) An unwritten allegation of harassment, discrimination, or retaliation; (2) a written allegation of harassment, discrimination, or retaliation that falls outside the timelines for a formal complaint; or (3) a written complaint alleging harassment, discrimination, or retaliation filed by an individual who expressly indicates that he/ ~~or~~ she does not want to file a formal complaint.

Informal Complaint

Any person may submit an informal complaint to the ~~Assistant Superintendent/Vice President of Human Resources~~ or any other District or college administrator. Administrators receiving an informal complaint shall immediately notify the Vice President of Human Resources in writing of all pertinent information and facts alleged in the informal complaint.

Upon receipt of an informal complaint, the ~~Assistant Superintendent/Vice President of Human Resources~~ or designee will notify the person bringing the informal complaint of his/ ~~or~~ her right to file a formal complaint, if the incident falls within the timeline for a formal complaint, and explain the procedure for doing so. The complainant may later decide to file a formal complaint, if within the timelines to do so. If the individual chooses not to file a



formal complaint, or if the alleged conduct falls outside the timeline to file a formal complaint, the **Assistant Superintendent**/Vice President of Human Resources or designee shall consider the allegations contained in the informal complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter, or a fact-finding investigation.

Investigation of an informal complaint will be appropriate if the **Assistant Superintendent**/Vice President of Human Resources or designee determines that the allegation(s), if proven true, would constitute a violation of the District policy prohibiting harassment, discrimination, or retaliation. The **Assistant Superintendent**/Vice President of Human Resources or designee will explain to any individual bringing an informal complaint that the **Assistant Superintendent**/Vice President of Human Resources or designee may decide to initiate an investigation, even if the individual does not wish the Vice President of Human Resources or designee to do so. The **Assistant Superintendent**/Vice President of Human Resources or designee shall not disregard any allegations of harassment, discrimination, or retaliation solely on the basis that the alleged conduct falls outside the deadline to file a formal complaint.

Formal Complaints

Formal Complaints must be filed with the **State Chancellor of the California Community Colleges** or the **Assistant Superintendent**/Vice President of Human Resources or designee unless the party submitting the Formal Complaint alleges discrimination, harassment, or retaliation against the responsible District officer, in which case it should be submitted directly to the Superintendent/President or the **State Chancellor of the California Community Colleges**.

Formal Complaints should be submitted on the form prescribed by the **State Chancellor of the California Community Colleges**. A copy of the form will be available at the Human Resources Office and on the college's/district's website.

If any party submits a written allegation of harassment, discrimination, or retaliation not on the form described above, the District will seek to have the individual complete and submit the form. However, if the individual chooses not to do so, the District will attach the written allegation(s) to the form and treat it as a Formal Complaint. In no instance will the District reject a written allegation of harassment, discrimination, or retaliation on the basis that it was not submitted on the proper form.

A Formal Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;



- The complainant must sign and date the Formal Complaint;
- The complainant must file any Formal Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation(s) of discrimination, harassment, or retaliation.
- The complainant must file any Formal Complaint alleging discrimination, harassment, or retaliation in employment within **one hundred eighty** (180) days of the date of the alleged discriminatory, harassing, or retaliatory conduct, except that this period shall be extended by no more than **ninety** (90) days following the expiration of the **one hundred eighty** (180) days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the **one hundred eighty** (180) days.

If the Formal Complaint does not meet the requirements set forth above, the **Assistant Superintendent**/Vice President of Human Resources or designee will promptly return it to the complainant and specify the defect. If the sole defect is that the Formal Complaint was filed outside the applicable proscribed timeline, the **Assistant Superintendent**/Vice President of Human Resources or designee will handle the matter as an informal complaint.

Oversight of Complaint Procedure

The **Assistant Superintendent**/Vice President of Human Resources is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned by the **Assistant Superintendent**/Vice President of Human Resources to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the **Assistant Superintendent**/Vice President of Human Resources is named in the complaint or implicated by the allegations in the complaint or if it is deemed more appropriate to have an outside investigator involved.

Who May File a Complaint

Any student, employee, or third party who believes he/she has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

A student, employee, or third party who believes he/she has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing.

Where to File a Complaint



If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the District, he/she must file the complaint on a form prescribed by the [State California Community Colleges](#) Chancellor's Office. These approved forms are available from the Human Resources Office and at the [State California Community Colleges](#) Chancellor's [Office](#) website.

The completed form must be filed with any of the following:

- The [Assistant Superintendent](#)/Vice President of Human Resources or designee;
- The [Assistant Superintendent](#)/Vice President of Student Services
- Superintendent/President
- The [State California Community Colleges](#) Chancellor's Office.

Employment-Related Complaints

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

Complaints filed with the EEOC or the DFEH should be forwarded to the [State California Community Colleges](#) Chancellor's Office.

Any District employee who receives a harassment or discrimination complaint shall notify the [Assistant Superintendent](#)/Vice President of Human Resources immediately.

Filing a Timely Complaint

Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The District also strongly encourages the filing of such complaints within **thirty** (30) days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity or if the harassing conduct interferes with or limits a student's or employee's ability to participate in or benefit from the school's programs or activities.

Communicating that the Conduct is Unwelcome

Although it is not required, the District encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste or inappropriate.



Intake and Processing of the Complaint

Upon receiving notification of a harassment or discrimination complaint, the **Assistant Superintendent/Vice President of Human Resources** or designee shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules; obtaining apologies; providing informal counseling, training, etc.
- Advise the complainant that he/she need not participate in an informal resolution of the complaint, as described above, and has the right to end the informal resolution process at any time. Mediation in all cases is permitted as long as all parties agree.
- Advise a student complainant that he/she may file a complaint with the Office of Civil Rights of the U.S. Department of Education and employee complainants may file a complaint with the Department of Fair Employment and Housing. All complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is also a criminal act. The District must investigate even if the complainant files a complaint with local law enforcement. In addition, the District should ensure that complainants are aware of any available resources, such as counseling, health, and mental health services. The **Assistant Superintendent/Vice President of Human Resources** or designee shall also notify the **State California Community Colleges** Chancellor's Office of the complaint.
- Take interim steps to protect a complainant from coming into contact with an accused individual, especially if the complainant is a victim of sexual violence. The **Assistant Superintendent/Vice President of Human Resources** should notify the complainant of his/ ~~er~~ her options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, the District may prohibit the accused individual from having any contact with the complainant pending the results of the investigation. When taking steps to separate the complainant and accused individual, the District shall minimize the burden on the complainant. For example, it is not appropriate to remove complainants from classes or housing while allowing accused individuals to remain.

Investigation

The **Assistant Superintendent/Vice President of Human Resources** shall:

- Authorize the investigation of the complaint, and supervise or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where complainants opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal



complaint, the investigation will include interviews with the complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.

- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.

Investigation of the Complaint

The District shall promptly investigate every complaint and claim of harassment or discrimination. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location. The District shall promptly investigate complaints of harassment or discrimination that occur off campus if the alleged conduct creates a hostile environment on campus.

As set forth above, where the complainant opts for an informal resolution, the **Assistant Superintendent/** Vice President of Human Resources or designee may limit the scope of the investigation, as appropriate. The District will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the District may weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the complainant if it cannot maintain confidentiality.

Investigation Steps

The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps:



- Interview the complainant(s).
- Interview the accused individual(s).
- Identify and interview witnesses and evidence identified by each party.
- Identify and interview any other witnesses.
- If needed; remind all individuals interviewed of the District's no-retaliation policy.
- Consider whether any involved person should be removed from the campus pending completion of the investigation.
- Review personnel/academic files of all involved parties as warranted.
- Reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion.
- When the District evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

Timeline for Completion

The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within **ninety (90)** days of the District receiving the complaint.

Cooperation Encouraged

All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed. No employee will be retaliated against as a result of lodging a complaint or participating in any workplace investigation.

Written Report



The results of the investigation of a complaint shall be set forth in a written report that will include at least **all of the following information**:

- A description of the circumstances giving rise to the Formal Complaint;
- A summary of the testimony provided by each witness interviewed by the investigator;
- An analysis of relevant evidence collected during the course of the investigation;
- A specific finding as to whether there is probable cause to believe that discrimination, harassment, or retaliation occurred with respect to each allegation in the complaint; and
- Any other information deemed appropriate by the District.

Confidentiality of the Process

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a “need-to-know-basis” is essential to a thorough investigation and to protect the rights of Accused students and employees during the investigation process and any ensuing discipline.

Administrative Determination

- In any case not involving employment discrimination, within **ninety** (90) days of receiving a formal complaint, the District shall complete its investigation and forward a copy of the investigative report to the **State Chancellor of the California Community Colleges**, a copy or summary of the report to the complainant, and written notice setting forth all of the following to both the complainant and the Chancellor **of the California Community Colleges**:
 - The determination of the **Assistant Superintendent/Vice President of Human Resources** or designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
 - A description of actions taken, if any, to prevent similar problems from occurring in the future;
 - The proposed resolution of the complaint; and



- The complainant's right to appeal to the **District governing Board of Trustees** and the Chancellor **of the California Community Colleges**.
- In any case involving employment discrimination, within **ninety** (90) days of receiving a formal complaint, the District shall complete its investigation and forward a copy or summary of the report to the complainant, and written notice setting forth all the following to the complainant:
 - The determination of the **Assistant Superintendent/Vice President of Human Resources** or designee as to whether there is probable cause to believe discrimination occurred with respect to each allegation in the complaint;
 - A description of actions taken, if any, to prevent similar problems from occurring in the future;
 - The proposed resolution of the complaint; and
 - The complainant's right to appeal to the **District governing Board of Trustees** and to file a complaint with Department of Fair Employment and Housing or the U.S Equal Employment Opportunity Commission.

Discipline and Corrective Action

If harassment, discrimination or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the accused and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense. Remedies for the complainant might include, but are not limited to:

- Providing an escort to ensure that the complainant can move safely between classes and activities;
- Ensuring that the complainant and alleged perpetrator do not attend the same classes or work in the same work area;
- Preventing offending third parties from entering campus;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;



- Arranging for a student-complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record; and
- Reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined.

If the District imposes discipline, the nature of the discipline will not be communicated to the complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the complainant; for example, the District may inform the complainant that the harasser must stay away from the complainant.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The District shall also take reasonable steps to protect the complainant from further harassment, or discrimination, and to protect the complainant and witnesses from retaliation as a result of communicating the complaint or assisting in the investigation. The District will ensure that complainants and witnesses know how to report any subsequent problems, and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District's ability to investigate and respond effectively to the complaint.

If the District cannot take disciplinary action against the accused individual because the complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

Appeals and District Final Decision

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the complainant is not satisfied with the results of the administrative determination, the complainant may, within fifteen (15) days, submit a written appeal to the **District governing Board of Trustees**. The **governing Board of Trustees** shall review the original complaint, the investigative report, the administrative determination, and the appeal and issue a final **District decision** in the matter within forty-five (45) days after receiving the appeal. A copy of the final **District decision** rendered by the **governing Board of Trustees** shall be



forwarded to the complainant and to the Chancellor of the California Community Colleges. The complainant shall also be notified of his/her right to appeal this decision.

If the governing Board of Trustees does not act within forty-five (45) days, the administrative determination shall be deemed approved and shall become the final District decision in the matter.

In any case not involving employment discrimination, harassment, or retaliation, the complainant shall have the right to file a written appeal with the Chancellor of the California Community Colleges within thirty (30) days after the governing Board of Trustees issues the final District decision or permits the administrative determination to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350.

In any case involving an allegation of discrimination on the basis of race, color, national origin, sex, disability or age, in the provision of programs and services provided by the college, a complainant may also file a complaint with U.S. Department of Education. Complaints may also be filed with the Equal Employment Opportunity Commission or the Department of Fair Employment and Housing (addresses listed below):

Equal Employment Opportunity Commission

Roybal Federal Building
255 E. Temple Street, 4th Floor
Los Angeles, CA 90012
<http://www.eeoc.gov>

Office for Civil Rights (OCR)
United States Department of Education

50 Beale Street, Suite 7200
San Francisco, CA 94105
<http://www.ed.gov/offices/OCR>

Department of Fair Employment and Housing (DFEH)

611 West Sixth Street, Suite 1500
Los Angeles, CA 90017
<http://www.dfeh.ca.gov/default.asp>

Extension of Time

Within one hundred fifty (150) days of receiving a complaint, the District will forward the following to the Chancellor of the California Community Colleges:

- The original complaint;
- The report describing the nature and extent of the investigation conducted by the District;



- A copy of the notice sent to the complainant (pursuant to Government Code Section 59336);
- A copy of the final District decision rendered by the governing Board of Trustees or a statement indicating the date on which the administrative decision became final
- A copy of the notice to the complainant (pursuant to Government Code Section 59338);
- Such other information as the Chancellor of the California Community Colleges may require.

Extensions; Failure to Comply

If a District, for reasons beyond its control, is unable to comply with the one hundred fifty (150)-day deadline specified for submission of materials to the Chancellor of the California Community Colleges, the District may file a written request that the Chancellor of the California Community Colleges grant an extension of the deadline. The request shall be submitted no later than ten (10) days prior to the expiration of the deadline established and shall set the reasons for the request and the date by which the District expects to be able to submit the required materials.

A copy of the request for an extension shall be sent to the complainant who may file written objections with the Chancellor of the California Community Colleges within five (5) days of receipt.

The Chancellor of the California Community Colleges may grant the request unless delay would be prejudicial to the complainant.

If a District fails to comply with the requirements by the required deadline, including any extension granted, the Chancellor of the California Community Colleges may proceed to review the case based on the original complaint and any other relevant information then available.

File Retention

The District will retain on file for a period of at least three (3) years after closing the case copies of:

- The original complaint;
- The investigatory report;
- The summary of the report if one is prepared;
- The notice provided to the complainant, of the District's administrative determination and his/ or her right to appeal;
- Any appeal; and
- The District's final decision.



The District will make such documents available to the State Chancellor [of the California Community Colleges](#) upon request.

Where the complaint allegation consists of Sexual Misconduct, as defined by Title IX, the following applies:

▪ **Sexual Misconduct**

Sexual misconduct includes sexual harassment and sexual violence.

- Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or education setting.
- Sexual violence refers to physical sexual acts perpetrated against a person's will or when a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.
- Affirmative consent means an affirmative, conscious, and voluntary agreement to engage in sexual activity.

Sexual misconduct creates a hostile environment if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the District's program. A single or isolated incident may create a hostile environment if the incident is sufficiently severe.

Complaint Procedure

Where the complaint involves a minor, the District will comply with California mandated reporting requirements.

All responsible employees are required to report all actual or suspected sexual misconduct to the Title IX Coordinator immediately. A responsible employee is any employee who has the authority to take action to redress sexual misconduct, who has been given the duty of reporting incidents of sexual misconduct to the Title IX Coordinator or **Assistant Superintendent**/Vice President of Human Resources or designee, or whom a student or employee could reasonable believe has this authority or duty. The District is on notice if a responsible employee knew, or in the exercise of reasonable care should have known, about the sexual misconduct.

Any person may make a complaint by contacting the Title IX Coordinator directly. The District's Title IX Coordinator is the **Assistant Superintendent**/Vice President of Human Resources. The Title IX Coordinator will receive all relevant details about the alleged sexual misconduct reported to the District responsible employee in order to determine what occurred and how to resolve the situation. This includes the names of alleged victim and



alleged perpetrator (if known), and the date, time, and location of the alleged sexual misconduct.

Privileged or Confidential Reporting

A responsible District employee should, whenever possible, before a student or employee reveals information that he/ ~~er~~ she may wish to keep confidential, ensure that the person making the report understands the employees obligations to report to the Title IX Coordinator, the victims option to request confidentiality, which the District will take into consideration, and the victims ability to share the information confidentially with designated District employees.

Professional, licensed, mental health counselors, and pastoral counselors, who provide mental-health counseling to members of the District community, or interns, graduate students, and others supervised by professional licensed counselors, are not required to report any information to the title IX Coordinator.

Non-professional counselors who work or volunteer in health center, victim advocacy office, women’s center, etc., including front desk personnel and student employees in the course of their duties, may maintain confidentiality. They are not required to report actual or suspected sexual misconduct to the Title IX Coordinator in a way that identifies the student without the victim’s consent.

Authority over Parties

The District has authority over students, employees, and third parties for alleged violations of this policy that occur on District property. The District has authority over District employees and students for alleged violations of this policy that occur at District activities or events. The District may exercise authority over events that occur off-campus to determine if the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus education program or activity.

Standard of Proof

The District will use a “preponderance of the evidence” standard of proof in determining whether there has been a violation of this policy. This standard of proof is also known as “more likely than not” standard.

Upon Receiving the Complaint – Health and Safety

The Title IX Coordinator or designee, will make an immediate assessment concerning the health and safety of the victim and campus community as a whole. The District will provide the reporting party and responding party with immediate, interim measures necessary to protect his/ ~~er~~ her health and safety. These immediate interim measures may include:

- Providing an escort
- Ensuring that the victim and perpetrator do not attend the same classes or work in the same area



- Preventing offending third parties from entering campus
- Providing counseling services or a referral to counseling services
- Providing academic support services

Where the District determines that there is a substantial threat to the campus community, it will issue a timely warning. The District will issue the warning according to District **a**Administrative **p**Procedures. The District will not to disclose the victim's name or other identifying information when issuing the warning.

Communicating that the Conduct is Unwelcome

The employee or student may, but is not required to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste, or inappropriate.

Intake and Processing of the Complaint

If the District determines that a sexual misconduct complaint is appropriate for informal resolution, it may permit an informal resolution, including mediation. All parties, including the complainant and respondent, must receive full disclosure of the allegations and information about options for formal resolution before voluntarily agreeing to participate in an informal resolution. If parties agree to an informal resolution, the District does not have to complete a full investigation and adjudication of a report of sexual misconduct.

Confidentiality

Where the victim requests confidentiality regarding a reportable incident the District will take all reasonable steps to comply with the victim's request or inform the victim when it cannot ensure confidentiality. The District will not disclose the name of the victim unless the victim provides written consent after being informed of his/her right to have the information withheld. Where the victim insists that the District not disclose his/ ~~er~~ her name or other identifiable information to the alleged perpetrator, the District will inform the victim that its ability to respond will be limited. The District will evaluate this request in the context of its responsibility to provide a safe and nondiscriminatory environment for all employees and students. When weighing a request for confidentiality against the seriousness of the alleged harassment, the Title IX Coordinator will take the factors listed above into consideration.

Fact-Finding Investigation

Where the victim has filed a criminal complaint with local law enforcement, the District will consider what information the District is able to share, pursuant to state and federal law, to ensure that victims are not unnecessarily required to give multiple statements about a traumatic event. The District will continue to conduct its own thorough, reliable, prompt, and impartial investigation. The District will normally complete its sexual misconduct investigation within **ninety** (90) days of receiving the complaint, unless extended by the Title IX Coordinator for good cause. The Title IX Coordinator will notify the victim and accused in writing of the reason for the extension and the projected new timeline.



The victim and accused will have equal opportunity to present relevant witnesses and other evidence to the District investigator. The District will provide the same opportunities to the victim and accused, for example if the District permits the victim or accused to have a lawyer or other advisor present, it must do so for the other party. Any District imposed restrictions on the ability of a lawyer or other advisor to speak or participate in the interview must also apply equally.

The results of the fact-finding investigation will be set out in a formal investigative report which will include the requirements listed above and a credibility determination of the victim, accused, and witnesses.

Reporting to [State California Community Colleges](#) Chancellor's Office

The District considers all sexual misconduct complaints to be formal complaints. The [Assistant Superintendent](#)/Vice President of Human Resources or designee must notify the [State California Community Colleges](#) Chancellor's Office of any sexual misconduct complaints. Upon completing the investigation, the District shall forward to the [California Community Colleges](#) Chancellor's Office a copy of the investigative report and administrative determination and to the complainant a copy or summary of the investigative report and administrative determination.

Dissemination of Policy and Procedures

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence. District policy and procedures will be provided to all students, faculty members, members of the administrative staff and members of the support staff, and will be posted on campus and on the District's website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

Supervisory Employee Training

By January 1, 2020, the District shall provide at least two (2) hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one (1) hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees. All new employees must be provided with the training and education within six months of their assumption of his/her position. After January 1, 2020, the District shall provide sexual harassment training and education to each employee once every two (2) years.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition



against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment, a review of “abusive conduct,” and harassment based on gender identify, gender expression, and sexual orientation. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

Supervisor’s harassment training must also address potential exposure and liability for employers and individuals, supervisor’s obligation to report sexual harassment, discrimination, and retaliation when they become aware of it, appropriate remedial measures to correct harassing behavior.

The District will maintain appropriate records of the training provided, including the names of the supervisory employees trained, the date of training, sign in sheets, copies of all certificates of attendance or completion issued, the type of training provided, a copy of all written or recorded training materials, and the name of the training provider. If the training is provided by webinar, the District will maintain a copy of the webinar, all written materials used by the training and all written questions submitted during the webinar, and document all written response or guidance the trainer provided during the webinar. The District will retain these records for at least three (3) years.

Staff Training

The District will also provide training to students who lead student organizations. The District should provide copies of the sexual harassment policies and training to all District law enforcement unit employees regarding the grievance procedures and any other procedures used for investigating reports of sexual violence.

In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update and/or receive a copy of the revised policies and procedures.

Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the District’s potential liability, or that they did not understand the policy and desire further training.

Education and Prevention for Students

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment



and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

Also see [BP/AP 3410 Nondiscrimination](#), [BP/AP 3430 Prohibition of Harassment](#), and [BP/AP 3420 Equal Employment Opportunity](#).

Approved: 4/14/08
Revised: 10/12/09
Revised: 3/10/14
Revised: 11/14/16
Revised: 5/14/18
Revised: 5/13/19
Revised: 12/9/19



BP 3440 Service Animals

References:

The Americans with Disabilities Act of 1990 -- 42 ~~U.S.C.~~ [§ United States Code Sections 12101 et seq.](#); 28 ~~CFR~~ [Code of Federal Regulations Part 35](#); 28 ~~CFR~~ [Code of Federal Regulations Part 36](#); 34 ~~CFR~~ [Code of Federal Regulations Part 104.44 subdivision \(b\)](#)

In order to prevent discrimination on the basis of disability, the District will allow an individual with a disability to use a service animal or miniature horse [or emotional support animal](#) in District facilities and on District campuses in compliance with state and federal law.

~~See Administrative Procedure #3440~~ Also see AP 3440 Service Animals.

Adopted: 12/12/11
Reviewed: 12/12/16
Revised: 12/9/19



AP 3440 Service Animals

References:

Civil Code ~~S~~sections 54 et seq.;

Penal Code Section 365.5;

The Americans with Disabilities Act of 1990 -- 42 ~~U.S.C.~~ § United States Code Sections 12101 et seq.; 28 ~~CFR~~ Code of Federal Regulations Part 35;

28 ~~CFR~~ Code of Federal Regulations Part 36; 34 ~~CFR~~ Code of Federal Regulations Part 104.44 subdivision (b)

The District will allow an individual with a disability to use a service animal in District facilities and on District campuses in compliance with state and federal law.

The District will allow an individual with a disability to use a miniature horse as a service animal in District facilities and on District campuses if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability and the District has determined, based on the assessment factors provided in this procedure, that a reasonable accommodation can be made.

The District will allow an individual with a disability to be accompanied by his/ ~~er~~ her service animal in all areas of the District's facilities where members of the public, invitees, clients, customers, patrons, or participants in services, programs or activities, as relevant, are allowed to go.

These procedures shall also be applicable to an individual who is training a service animal.

Service Animal Defined

A "service animal" ~~or emotional support animal~~ for purposes of this procedure means any dog (or miniature horse, as provided herein) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.



Exceptions

The District may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken.

If a service animal is excluded under one of these exceptions, the District will give the individual with a disability the opportunity to obtain goods, services, and accommodations or to participate in the service, program, or activity without having the service animal on the premises.

Assessment Factors for Miniature Horses

The District shall consider the following factors:

- The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- Whether the handler has sufficient control of the miniature horse;
- Whether the miniature horse is housebroken; and
- Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

Control

The service animal must have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

Care or Supervision

The District is not responsible for the care or supervision of the animal.

Inquiries by the District

The District may make two (2) inquiries to determine whether an animal qualifies as a service animal:

- Whether the animal is required because of a disability; and
- What work or task the animal has been trained to perform.

The District will not make either of these inquiries when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the



dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

An individual may choose to produce a county service dog license or identification tag as proof that the animal is a service animal. Licensure or certification is not required in order to meet the definition of service animal under this procedure. There are no licensing or certification requirements for miniature horses.

No Surcharge

The District will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the District normally charges individuals for damage caused by pets, an individual with a disability may be charged for damage caused by his/ ~~er~~ her service animal.

Also see BP 3440 Service Animals and BP/AP 5140 Disabled Student Programs and Services.

Approved: 11/14/11
Reviewed: 12/12/16
Revised: 12/9/19



BP 3500 Campus Safety

Reference:

Education Code [Section 67380 subdivision \(a\)\(4\)](#)

The Board [of Trustees](#) is committed to a safe and secure District work and learning environment. To that end, the Superintendent/President [or designee](#) shall establish a campus safety plan and ensure that it is posted or otherwise made available to students. The campus safety plan shall include availability and location of security personnel, methods for summoning assistance of security personnel, any special safeguards that have been established, any actions taken in the preceding [eighteen](#) (18) months to increase safety, and any changes in safety precautions to be made during the next [twenty-four](#) (24) months.

[See Administrative Procedure #3500](#) Also see AP 3500 Campus Safety, BP/AP 3505 Emergency Response Plan, and BP/AP 7600 College Police.

Adopted: 11/7/05
Reviewed: 12/12/16
[Revised: 12/9/19](#)



AP 3500 Campus Safety

References:

Education Code Section 212, 67380, and 87014;
Penal Code Section 245;20 ~~U.S.C.~~ U.S. Code Sections 1092 subdivision (f) and 1232g, ~~4292(f)~~;34 ~~C.F.R.~~ Code of Federal Regulations Part 668.46; 34 ~~C.F.R.~~ Code of Federal Regulations Part 99.31 subdivisions (a)(13), (14);
Campus Security Act of 1990

A campus safety plan shall be developed and distributed to students annually at the start of the fall semester via email, student handbook, and the college website.

The ~~Antelope Valley College Police Department~~ Los Angeles County Sheriff's Department (LASD) prepares and annually updates a report of all occurrences reported to the ~~Antelope Valley College Police Department~~ LASD of any and all arrests for crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication, and of all occurrences of non-criminal acts of hate violence reported to campus authorities. A written report will be submitted to the Board of Trustees.

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

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

Also see BP 3500 Campus Safety, BP/AP 3505 Emergency Response Plan, and BP/AP 7600 Campus Security Officers.

Approved: 11/7/05
Revised: 1/8/07
Revised: 7/9/12



Revised: 4/11/16
Revised: 12/9/19



BP 3501 Campus Security and Access

References:

34 ~~CFR~~ Code of Federal Regulations Part 668.46 subdivision (b)(3)
~~ACCJC~~ Accreditation Standard III.B.1

The Superintendent/President shall establish procedures for security and access to District facilities.

~~See Administrative Procedures #3501~~ Also see AP 3501 Campus Security and Access.

Adopted: 12/12/11
Revised: 6/13/16
Reviewed: 12/12/16
Revised: 12/9/19



AP 3501 Campus Security and Access

References:

Penal Code Section 469; 34 CFR Code of Federal Regulations Part 668.46 subdivision (b)(3) ACCJC Accreditation Standard III.B.1

During business hours, the District will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all District facilities is by key and/or access card, if issued, or by admittance via the Los Angeles County Sheriff's Department of Antelope Valley College. In the case of periods of extended closing, the District will admit only those with prior written approval to all facilities.

Keys or proximity cards are not issued to District hourly employees, volunteers, contractors, or students.

CAMPUS SHERIFF'S DEPARTMENT

1. Campus Access

- During business hours, the District will be open to students, parents, employees, contractors, guests and invitees. During non-business hours access to all District facilities is by key and access card, if issued, or by admittance via Antelope Valley College Sheriff's Department. In the cases of periods of extended or emergency campus closures, the District will admit only those with prior written approval from the College Superintendent/President to required facilities.

2. Campus Access During Emergencies

- Emergencies may necessitate changes or alterations to any posted facilities schedules. At the direction of the College Superintendent/President, Antelope Valley College Sheriff's Department may prohibit, or limit, campus access to all personnel as necessary to ensure the safety of all personnel and the Police of all facilities.

3. Campus Sheriff Reporting

- The Campus Sheriff sits on the safety committee with risk management and provides monthly updates regarding safety issues associated with landscaping, locks, alarms, lighting, and communications.

ACCESS TO CAMPUS FACILITIES



1. Employee Responsibility

- Antelope Valley Community College District (AVCCD) employees granted access authorization to district facilities are responsible for exercising the provided access authorization only for District activities and responsibilities. District keys or proximity cards assigned to an employee may not be loaned, transferred or used by any other individual. California law states: Under Penal Code Section 469, 'unauthorized making, duplicating or possession of Key or Proximity Access Card to public building. Any person who knowingly makes, duplicates, causes to be duplicated, or use, or has in his possession any key to a building or other area owned, operated, or controlled by the State of California, any state agency, board, or commission, a county, city, or any public school or community college district without authorization from the person in charge of such building or area or his designated representative and with knowledge of the lack of such authorization is guilty of a misdemeanor.'

2. Lost Keys/Access Cards

- Lost keys and/or access cards must be reported immediately to the Antelope Valley College Sheriff's Office (722-6399). Campus Police will contact the Facilities Services Maintenance Supervisor to assess appropriate risk mitigation actions.

3. Lost Key/Access Card Replacement Charge

- Loss of keys or proximity access cards can result in a serious breach of security potentially placing facilities, equipment, employees and students at risk. Required risk mitigation by management may require costly rekeying/reprogramming of District facilities. Monetary charges may be assessed by the district on employees and departments. The Superintendent/President has authorization to assess necessary charges.

Charges for lost key/access cards:

- **Employee Charge:** \$50 for first lost key/access card, \$50 for second lost key/access card, maximum charge \$100.
- **Department Charge:** \$50 up to \$1,000 per lost key/access card. There is no maximum cost for loss of a Building or Grand Master key.

4. District Facility Access Authorization Requirements

- The following personnel may be granted access authorization:
 - Permanent AVCCD employees
 - AVCCD Adjunct Faculty (Reauthorization required on regular basis as determined by District administration)



- The following personnel are not granted access authorization:
 - Temporary or substitute AVCCD employees
 - Students (including student workers)
 - Vendors, contractors or consultants
 - All non-AVCCD employees

Any exceptions require written justification and approval from the **Superintendent/President**.

Note: For any personnel listed above who require key(s) and/or proximity access card to complete **District** assignments/responsibilities, the responsible AVCCD manager may check out the necessary Key(s)/Card(s) on a daily basis to the respective individual. The responsible manager will maintain a log for controlling keys/cards and is responsible for all actions taken by personnel when exercising access authorization.

5. District Facility Access Request Form

- District facility access authorization is obtained with the approval of a **District** Facility Access Request form. The form can be found on the **District** website.
- Facilities Services is responsible for maintaining the form and for maintaining all approved access request records.
- All completed district Facility Access Request forms are submitted electronically via the Facilities Services request system.

6. Returning Keys/Access Cards

- **Employment Separation From District**

All district keys and access cards assigned to an employee must be returned to the Human Resources **Office** at the time of employee separation from the **District**.

Human Resources are to request and obtain a current facility access request record for the employee from Facilities Services prior to the employee exit interview.

- **During Employment**

Keys/access cards, no longer required by the employee, are to be returned to the Facilities Services **Office**.

Broken, worn or malfunctioning access cards are to be returned to the Student Development **Office** for replacement.

7. Authorized Area **of Access**



- Areas of access granted to any employee are authorized by employees responsible Dean/Director or responsible Administrator with concurrence from Facilities Services management. Written justification is required for all master keys, and 'Other' personnel access requests.

8. Authorized Level of Access

- Level of campus access for access cards is as follows:
 - **Standard** – All District employees; Monday through Sunday, 24/7
 - **Non-Standard Hours Reporting Procedure**
All District employees and non-district personnel with access authorization are required to check-in at the Campus Sheriff's Office when entering or present on the campus at a non-standard time. Non-standard time is Monday through Sunday, 11:31 p.m. to 4:59 a.m. All individuals who sign-in at the Campus Sheriff's Office must also sign-out at the Campus Sheriff's Office, regardless of the day or time leaving the campus. This procedure is intended to provide a safety measure for all personnel and enhance the security of the campus.

Exception: District personnel working regularly scheduled shifts between 11:30 p.m. and 5:00 a.m. are not required to check-in or check-out with Campus Sheriff's Office.

Facility Access Request form is available online. Facility Access Request process is attached.

Also see AP 3501 Campus Security and Access as well as BP/AP 6520 Security for District Property.

Approved: 11/14/11
Revised: 7/8/13
Revised: 3/10/14
Revised: 5/9/16
Reviewed: 12/12/16
Revised: 12/9/19



BP 3504 Minors on Campus

References:

Welfare and Institutions Code [Section 625](#)

Students, faculty, and staff are not permitted to bring minors on campus or other District facilities, except as follows:

- Minors enrolled in the Child Development Center or other instructional programs in the District.
- Minors attending public events.
- Minors accompanying an adult accessing student services, library facilities, or other services district wide.
- Minors participating in classes (at the request or with the approval of the instructor).

Occasional exceptions to this policy may be made for employees with good cause and with the approval of the employee's supervisor or instructional Dean. The employee shall provide adequate supervision for such minor(s) and ensure that there is no disruption of services as a result of their being on site.

Visitors to any District facilities are subject to all relevant District policies and regulations.

Parents and guardians must be aware that the ultimate responsibility for the safety of the minors in their care rests with them. No liability will be accepted by the District nor any of its agents or staff for the consequences of minors being on campus.

Minors are defined as any individual under the age of 14 and must be accompanied by an adult at all times.

[Also see AP 3504 Minors on Campus.](#)

Adopted: 3/8/10
Reviewed: 5/14/18
Revised: 12/19/19



AP 3504 Minors on Campus

References:

Welfare and Institutions Code Section 625

The District is committed to providing a physical environment which enhances teaching and learning while supporting the personal safety of all members of the District community. District policy states that bringing minors on campus while attending classes is not permitted, unless minors are enrolled in the Child Development Center or other instructional programs in the District. Minors referenced in this procedure are defined as any individual under the age of **fourteen** (14) years old or not emancipated from the care of parents or legal guardians. Minors are allowed on District sites occasionally if participating in a District-authorized event, or while accompanying an adult who is receiving college or District services.

District policy also states that employees may not bring minors to their worksite. Occasional exceptions to this policy may be made for good cause and with the approval of the employee's supervisor or instructional Dean. The employee shall provide adequate continuous supervision for such minor(s) and ensure that there is no disruption of services as a result of their being on site.

Parents and guardians are responsible for the safety of the minors in their care. No liability will be accepted by the District, or any of its agents or staff, for the consequences of minors being on campus. Minors may at no time be left unattended or unsupervised. It is not appropriate to request that staff supervise the minors of students or co-workers except when their job assignment relates to a formal program designed for minors.

Under no circumstances are minors to be admitted where dangerous substances or equipment are in use.

Classroom Settings

Minors are not allowed to participate in activity classes, laboratory sessions, or studio work, except as follows:

- Minors enrolled in the Child Development Center or other instructional programs in the District
- Minors participating in classes (at the request or approval of the instructor)

Settings Outside the Classroom



- Minors may occasionally accompany a student or employee to the District or college site for a brief visit. They must remain under the continuous supervision of the adult responsible for them and their presence should in no way obstruct or diffuse services or work duties in the area.
- An employee may request that minors or visitors leave the area should it be deemed necessary or appropriate.
- Visitors to all District facilities and events are subject to all relevant District policies and regulations.

Also see [BP 3504 Minors on Campus](#).

Approved: 2/8/10
Reviewed: 5/14/18
Revised: 12/9/19



BP 3505 Emergency Response Plan

References:

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

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

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

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

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

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

The Superintendent/President should ensure that a team is created to carry out compliance with NIMS and SEMS mandates. The responses to emergencies or natural disasters are organized by SEMS into five (5) categories: field response, local government, operational areas, regions, and state.



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

~~See Administrative Procedure #3505~~ Also see AP 3505 Emergency Response Plan and BP/AP 6520 Security for District Property.

Adopted: 12/12/11
Reviewed: 5/8/17
Revised: 12/9/19



AP 3505 Emergency Response Plan

References:

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

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

General information about the emergency response and evacuation procedures for the District are publicized each year as part of the District's Clery Act compliance efforts and that information is available at www.avc.edu.

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

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



In the event of a serious incident that poses an immediate threat to members of the campus community, the District has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus community. These methods of communication include network e-mails, emergency text messages that can be sent to a phone or Personal Digital Assistant (individuals can sign up for this service on the District website), phone calling trees, and District website. The District will post updates during a critical incident on the District website at www.avc.edu. Individuals can call the District's recorded information telephone line at (661) 722-6600 for updates.

RAVE has the ability to send text messages to the cell phones of faculty, staff and students who opt in to the system via our Web site or by use of their phones. (The opt in process requires that a subscriber simply enter his or her mobile phone number in the spaces provided in the **RAVE** area at the bottom of the Antelope Valley College website homepage at www.avc.edu. After entering this number, the person opting in clicks on the "Subscribe" button in the same area.) **RAVE** will be used in conjunction with broadcast phone messages, e-mails, Web postings and even news media alerts (when needed) to relay vital information to the campus.

The District's ~~Director of Public and Governmental Relations~~ **Public Information Officer** will be responsible for the dissemination of emergency information to the larger community through cell phone alerts, website announcements, radio, and TV alerts.

TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

An evacuation drill is coordinated by the Antelope Valley College Police Department two times per year for all facilities on campus. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation.

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

The District conducts numerous announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. The Antelope Valley College Police Department and District administration coordinate announced and unannounced evacuation drills two times per year, as described above, to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. For each test conducted, the Antelope Valley College Police Department will document a description of the exercise, the date, time, and whether it was announced or



unannounced. The District will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

PURPOSE

The Emergency Procedures are the District's planned responses to all hazards on or affecting the campus or surrounding community. The Emergency Procedures will be activated by the District superintendent/president or his/her delegated representative. The Emergency Procedures detail actions and responsibilities for all employees of the District.

RESPONSIBILITY

Government Code Sections 3100-3101 state that all employees of the District are declared civil defense workers during emergencies, subject to such defense activities as may be assigned to them. Federal and state regulations further state that all employees of the District must be trained and qualified in specified Federal Emergency Management Agency (FEMA) courses depending on an employee's emergency response responsibilities.

EMERGENCY COMMAND POSTS (CIVILIAN AND LAW ENFORCEMENT)

The Emergency Command Posts will be activated during emergency situations. The Superintendent's/President or his/her designated representative and the chief law enforcement officer on site will activate their respective Emergency Command Posts and maintain effective communications between the two Command Posts. The Emergency Command Post staffs will direct the District's response to the emergency situation, coordination with each other, coordination with outside agencies, and requests for outside support. The Emergency Command Post staffs will be aided in their duties by college and law enforcement staff personnel.

The Command Posts shall jointly:

- Declare a major emergency in the event of earthquake, explosion, flood, etc.
- Assess the overall disaster based on reports from area managers.
- Initiate the emergency notification chain (call back of employees) if necessary.
- Mobilize any additional staff to heavily damaged areas.
- Determine the — "All-Clear" when the disaster is over.

All press releases will be prepared by the ~~Director of Public and Governmental Relations~~ **Office of Public Information**. In absence of this person, the key administrator will designate an individual responsible for this function.

PREPAREDNESS



The District's preparedness is based on pre-staged supplies, training and awareness, and emergency drills. All employees of the District will receive training in responding to and managing emergency situations according to federal and state laws and regulations. The best response to emergency situations is preparedness.

EMERGENCY TELEPHONE LIST

Please see the Confidential Administrative Staff Directory (i.e. confidential telephone list) with administrative personnel (including Executive and Senior Administrative Assistants) home phone numbers, cell phone numbers, and office phone numbers. This list is in the possession of all Administrative Staff personnel and is not published in a public document.

EMERGENCY ASSEMBLY AREAS

Emergency Designated Assembly areas are shown on the Area Evacuation Map. Assembly areas will be subject to change during the construction period.

LEGAL RESPONSIBILITIES & DUTY ASSIGNMENTS

Legal responsibilities and duty assignments are listed in the Emergency Procedures.

EMERGENCY PROCEDURES

EMERGENCY NUMBERS

CAMPUS SECURITY (on-campus phones)	4444
CAMPUS SECURITY (on-campus pay phones)*80	
MEDICAL, FIRE, POLICE	911
POISON CONTROL	1 (800) 876-4766

NON-EMERGENCY NUMBERS

CAMPUS SECURITY	722-6399
FACILITIES & MAINTENANCE	722-6300, ext. 6480
AVC OPERATOR	0

ALARM SIGNAL

Evacuate building: Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. Refer to the Area Evacuation Map to determine your designated parking lot. Remember that security personnel may order an event-specific change in evacuation route and destination in order to avoid a hazard.

DO NOT RETURN TO THE BUILDING UNTIL TOLD TO DO SO.



Fire

1. Know the location of fire extinguishers in your area and know how to use them.
2. Drop and roll if you and/or your clothes catch on fire.
3. Immediately call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399. Give your name and describe the location and size of the fire.
4. If necessary, or if directed to do so by campus security personnel, activate the building alarm.
5. On large fires that are not immediately controllable, or after using the fire extinguisher, close all doors to confine the fire and reduce oxygen—but do not lock them.
6. Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. Refer to the Area Evacuation Map to determine your designated parking lot.
7. Do not return to the building until told to do so.

Medical & First Aid

1. In case a serious injury or illness occurs on campus, immediately call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399. Give the campus location of the injured or ill person, describe the nature of the medical problem and provide your name.
2. Quickly perform these six steps if your first aid training is current:
 - a. Ask the injured or ill person “Are you okay?” and “What is wrong?”
 - b. Call campus security or send someone to call campus security.
 - c. Tell the person you are first aid trained and ask “May I help you?”
 - d. Check airway, breathing, and circulation.
 - e. Treat the injured or ill person to the level of care within your scope of training.
 - f. Remain with the injured or ill person until help arrives.

NOTE: The public telephone directory contains specific first aid instructions.

3. If you have not been trained in first aid or if your first aid training is not current, call campus security and continue to aid the injured or ill person until help arrives by the following three steps:
 - a. If possible, determine extent of injury or probable cause of illness without moving the person.
 - b. Protect from all disturbance, reassure the person, and do not move him or her unless absolutely necessary.



- c. Look for emergency medical tags and bracelets, question witnesses, and give all information to campus security.
4. Campus security personnel will contact outside medical response services as necessary.
5. In case of a minor injury or illness, provide first aid care. Use the first aid materials that are available in the nearest department office.

Building Evacuation

1. Prior to any emergency, familiarize yourself with the evacuation route from your building and your building's evacuation assembly area by referring to the Area Evacuation Map.
2. Be aware of all marked exits from your area and building.
3. When you hear the evacuation alarm—leave the building immediately
4. Do not use elevators.
5. To activate the building alarm, pull the handle on one of the red fire alarm boxes.
6. When the building evacuation alarm is sounded or when you are ordered to leave by campus security personnel or college staff, walk quickly to the nearest marked exit and ask others to do the same.
7. Once outside, proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. Refer to the Area Evacuation Map to determine your designated parking lot.
8. Remain in your designated assembly area until your Instructor, supervisor, or sponsor determines that all of the people in the class, office, or other function have evacuated or if one or more people may not have left the building. The Instructor, supervisor, or sponsor will report this information up the chain of command so that rescue personnel can begin searching for the missing at their last known location.
9. To the best of your ability, and without re-entering the building, assist campus emergency response personnel or college staff in their attempt to determine that everyone has evacuated safely.
10. An emergency command post may be set up near the emergency site. Keep clear of the command post unless you have important information to report.
11. Do not return to the building until told to do so.

Hazardous Materials Incident/Exposure

1. Report any campus spillage or release of a dangerous chemical or substance immediately to campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399. Report the incident to your supervisor.



2. When reporting, be as specific as you can about the nature of the involved material and the location and approximate size of the spill or release. Campus security personnel will contact the on campus hazardous material personnel via the Maintenance Department (extension 6480). The hazardous material personnel will evaluate the spill or release and either properly contain it or clean it up or contact any necessary specialized authorities and/or outside clean up personnel.
3. Vacate the affected area at once and seal it off to prevent further contamination of others.
4. If you have come into contact with the spilled material or vapor emanating from it, you must avoid further contact, remain in the vicinity so that you do not spread the contaminant and you are readily available in the area to be helped, and notify campus security personnel of your contact with the contaminant.
5. If a room or an entire building is involved and either the building evacuation alarm is sounded or you are ordered to leave by campus security personnel, or college staff, evacuate the room or building by quickly walking to the nearest exit. Leave the elevators for the disabled and assist them as necessary.
6. Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. Refer to the Area Evacuation Map to determine your designated parking lot.
7. Do not return to the building until told to do so.

Violent or Criminal Behavior

Report all crimes and suspicious situations to campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.

1. Assist in making the campus a safe place by being alert to suspicious situations and by reporting them as outlined below. Do not take any unnecessary chances.
2. If you are the victim or are involved in any on-campus violation of the law such as assault, robbery, theft, unwanted sexual behavior, etc.:

Call campus security as soon as possible and supply them with the following information:

- a. Nature of the incident.
- b. Campus location of incident.
- c. Description of person(s) involved.
- d. Description of property involved.
- e. Your name.
- f. Your current location.
- g. Your contact telephone number.
- h. Any injuries including how many and extent of injury (if known).



3. If you witness an on-campus violation of the law, immediately call campus security and give them the information outlined in number 2 above.
4. Report to your departmental office anyone loitering or soliciting on campus. These people may be asked to leave if they do not have permission or a proper reason for being on campus. Call campus security if they refuse to leave when asked.
5. Call campus security for an escort to and from class or your workstation if you are concerned about your safety.
6. If in a room or building and you hear gunfire, lock your door(s) from the inside if the door(s) can be locked, call campus security to describe what you heard and give them your building name and room number, turn off room lights (whether day or night), and then take shelter so that you are not visible through a window to anyone outside of the window. Remain sheltered in place until campus security notifies you to take other action.

Earthquake

1. When the earth begins shaking, remember to DROP, COVER, and HOLD ON.
2. During an earthquake, remain calm and quickly follow the steps outlined below.
3. If indoors during an earthquake:
 - a. DROP to a position under a sturdy table or desk or, if there is no table or desk nearby, sit on the floor against an interior wall away from windows, bookcases, shelves, and heavy equipment.
 - b. COVER your eyes by pressing your face against your arm.
 - c. HOLD ON to a table, desk, or chair leg if one is near you to help brace yourself. Expect the table, desk, or chair to move.
4. If outdoors during an earthquake:
 - a. Move quickly away from buildings, trees, utility poles and power lines, and other structures.
 - b. DROP to the ground in a clear area.
5. After the shaking stops, evaluate the situation. If emergency help is necessary, call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399. Expect aftershocks and react to them by following the same procedures as you did for the initial earthquake.



6. Coordinate with your supervisor and begin turning off all potentially hazardous equipment such as gas and electric appliances.
7. Evacuate the building by quickly walking to the nearest exit and alert people as you go. Be aware of structural damage and help both the disabled and the injured. DO NOT USE ELEVATORS.
8. Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. Refer to the Area Evacuation Map to determine your designated parking lot.
9. Additional information is available on the Emergency Broadcast System (EBS) which, for Los Angeles County, is comprised of the regular AM and FM radio frequencies including:

XTRA 610 AM KLKX 93.5 FM
KNX 1070 AM KKZQ 100.1 FM
KAVC 1340 AM KTPI 103.1 FM
KWJL (news/talk) 1380 AM, Lancaster KOSS (Oasis) 105.5 FM
KUTY (Spanish–LaMera Mera) 1470 AM, Palmdale KGMX 106.3 FM
KCEL (Spanish–Radio Lazer) 106.9 FM

Additionally, AVC maintains an emergency message extension where employees can obtain recorded information related to campus closures or other emergency situations. The number is (661) 722-6600. One other possible means the College may employ to post messages is the “Campus Announcements” section of myAVC on the College Web site: www.avc.edu.

10. Do not return to the building until told to do so.

Explosion, Aircraft Crash or Similar Incident

If a volatile incident such as an explosion or aircraft crash occurs on campus and adversely affects your room or building, take the following actions:

1. Guard yourself against secondary explosions by immediately taking cover under a table or a desk that will provide protection against breaking glass and falling debris. Close your eyes and cover your ears with your hands.
2. After the concussion of the explosion or crash has subsided, call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399. Give your name and describe the location and nature of the emergency.
3. Activate the building alarm if necessary or if directed to do so by campus security personnel or college staff.



4. Evacuate the immediate area of the explosion or crash and notify your supervisor.
5. Do not touch or move any potentially volatile or suspicious object.
6. Help others, including the injured and the disabled, to evacuate the area. Remember that you can write a note to alert deaf or hard of hearing people to evacuate the area.
7. Proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. Refer to the Area Evacuation Map to determine your designated parking lot.
8. An emergency command post may be set up near the emergency site. Keep clear of the command post unless you have important information to report.
9. Do not return to the room or building until told to do so.

Utility Failure

1. If a major utility failure occurs (such as an electrical outage) during regular working hours, immediately call the Maintenance Department at (661) 722-6300, ext. 6480.
2. If there is potential danger to the building occupants or if the utility failure occurs after hours or on a weekend or holiday, call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.
3. If an evacuation is ordered by campus security personnel or college staff, walk quickly to the nearest marked exit and ask others to do the same.
4. Once outside, proceed to the designated parking lot for your building. Keep walkways clear for emergency vehicles. Refer to the Area Evacuation Map to determine your designated parking lot.
5. Without re-entering the building, assist campus security personnel or college staff in their attempt to determine that everyone has evacuated safely.
6. An emergency command post will be set-up near the emergency site. Keep clear of the command post unless you have important information to report.
7. Do not return to the building until told to do so.

ADDITIONAL INFORMATION & PROCEDURES FOR SPECIFIC FAILURES

Electrical/Light Failure: All major campus buildings have an emergency light system that will provide enough illumination in corridors and stairs for safe exiting. It may also be advisable for your department to have some flashlights available.

Elevator Failure: All campus elevators have emergency alarms. If you discover an elevator failure, call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399. Do not attempt to open elevator doors.



Plumbing Failure/Flooding: Cease using all electrical equipment, vacate the area, and call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.

Serious Gas Leak: Cease all operations, immediately vacate the area, and call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.

Ventilation: If smoke or the odor of burning materials comes from the ventilation system, call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80 or use a cell phone and dial (661) 722-6399.

Evacuation of Disabled

If there is an emergency that affects occupants of wheelchairs and other disabled persons, the following evacuation procedures should be adhered to:

1. All persons shall move toward the nearest marked exit. Remember the following:
 - a. Do not use elevators.
 - b. When a wheelchair occupant or other person with mobility impairment reaches an obstruction, such as a staircase, he/she should request help from others in the area. Yellow Evac-Chairs are located near the top of each stairwell and are to be used in assisting mobility-impaired persons down the stairs.
 - c. If help is not immediately available, the wheelchair occupant or other person with mobility impairment should stay in the area in front of the elevator or on the exit stairwells. He/she should continue to call for help until rescued.

Rescue personnel, campus security personnel, or the emergency response team will first check elevator lobby areas and exit stairwells for trapped persons. Once they have evacuated any trapped persons, they will then check restrooms, classrooms, offices, and all common use areas. They will use flashlights in addition to doing visual and verbal checks to alert deaf/hard of hearing persons.

2. Assist a hearing impaired person in an emergency as follows:
 - a. FLASH LIGHTS ON and OFF, wave, or tap the shoulder of a deaf or hard of hearing person to alert him/her to an emergency.
 - b. Face a deaf person directly and speak clearly and naturally. He/she may be trying to read your lips.



c. Have a pad and pencil available so that you can attempt to communicate in writing. Print clearly.

3. Assist a blind person in an emergency as follows:

Assign a “buddy” to help the blind person evacuate according to the regular procedures.

Bomb Threat

1. Any person receiving a phone call that an explosive device has been placed on campus should ask the caller the following questions and write down the answers:
 - a. When is the bomb going to explode?
 - b. Where is the bomb located?
 - c. What kind of bomb is it?
 - d. What does it look like?
 - e. Why did you place the bomb?
 - f. What is your name? Many times, the caller wants recognition for himself/herself or his/her organization and will provide this and other useful information.
 - g. Who do you represent?
2. Keep talking to the caller as long as possible while you write down the following:
 - a. Time of call.
 - b. Estimated age and gender of caller.
 - c. Speech pattern or accent of caller.
 - d. Emotional state of caller.
 - e. Background noises of caller’s location.
3. Immediately call campus security at ext. 4444 or 6399 from the nearest land line telephone or use a campus pay phone and dial *80 and supply them with the information outlined above. Do not use a cell phone or 2-way radio to make the call. Report to your supervisor as soon as it is practical to do so.
4. If the bomb threat or suspicious object is received by mail, do not further handle the letter, envelope, or package. Immediately proceed to the nearest land line telephone and call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80. Do not use a cell phone or 2-way radio to make the call. Report to your supervisor as soon as it is practical to do so.
5. If you see a suspicious object on campus that could contain or be an explosive device, do not handle the object. Immediately proceed to the nearest land line



telephone and call campus security at ext. 4444 or 6399 or use a campus pay phone and dial *80. Do not use a cell phone or 2-way radio to make the call. Report to your supervisor as soon as it is practical to do so.

6. Campus security personnel will conduct a detailed bomb search. Employees in the area(s) affected may be requested to make a brief inspection of their area(s) for out of place or suspicious objects that could contain or be an explosive device. Do not touch the object and remember to turn off cell phones and 2-way radios BEFORE beginning the inspection.
7. Campus security will assess the situation and determine if evacuation procedures are warranted.
8. If an evacuation is ordered, walk quickly to the nearest marked exit and, once outside, proceed to the OUTERMOST AREA of the designated parking lot for your building. Refer to the Area Evacuation Map to determine your designated parking lot.
9. An emergency command post will be set up a minimum of 300 feet from the emergency site. Keep clear of the command post unless you have important information to report.
10. Do not return to the building until told to do so.

Legal Responsibilities & Duty Assignments

Legal Responsibilities of Public Employees During an Emergency

The Government Code of the State of California (Title 1, Division 4, Chapter 8, Section 3101) has defined the term “public employees” to include all persons employed by the state or any county, city, city and county, state agency or public district, excluding aliens legally employed. It also defines the term “disaster service worker” to include all public employees.

State of California, Government Code Title 1, Division 4, Chapter 8, Section 3100:

It is hereby declared that the protection of the health and safety and preservation of the lives and property of the people of the state from the effects of natural, man-made, or war-caused emergencies which result in conditions of disaster or in extreme peril of life, property, and resources is of paramount state importance requiring the responsible efforts of public and private agencies and individual citizens. In furtherance of the exercise of the police power of the state in protection of its citizens and resources, all public employees are hereby declared to be



disaster service workers subject to such disaster service activities as may be assigned to them by superiors or by law.

CIVILIAN EMERGENCY COMMAND POST

The Civilian Emergency Command Post, from which the superintendent /president will direct operations, will be dictated by safety considerations and the superintendent's/president's choice as any one of the following: Administration Building, Campus Public Safety Office, Library Plaza, or other location necessitated by the emergency situation.

LAW ENFORCEMENT EMERGENCY COMMAND POST

The Law Enforcement Emergency Command Post, from which the director of security (or designee in the absence of the director of security) will direct law enforcement operations, will be dictated by safety considerations and the Superintendent's/President's choice as any one of the following: Administration Building, Campus Public Safety Office, Library Plaza, or other location necessitated by the emergency situation.

ASSIGNMENT OF DUTIES

Every staff member has a responsibility for performing certain duties in times of emergency. Specific assignments are outlined and additional assignments may be given via the chain of command.

The Superintendent/President of the Antelope Valley Community College District is responsible for the control and welfare of its students. The Superintendent/President (or designee in the absence of the Superintendent/President) directs the college staff in the implementation of EMERGENCY PROCEDURES and the assignment of duties as outlined. The Superintendent/President is the overall commander of any and all operations on the campus during normal and emergency operations. After the people present on campus have evacuated to an appropriate evacuation assembly area, the Superintendent/President will instruct the assistant superintendents/vice presidents, Director of Security and ~~Director of Public and Governmental Relations~~ (the ~~P~~ublic ~~I~~nformation ~~O~~fficer to meet him/her at the location of the Civilian Command Post where he/she will be briefed by them on their findings from their personnel after which he/she will give them direction for further activities. He/she will brief the Board of Trustees as necessary and to the extent possible on the state of affairs as the situation permits.

The administrator on duty will direct the college staff in the implementation of Emergency Procedures and the assignment of duties as outlined until the superintendent/president or his or her designee assumes control of the emergency situation. The administrator on duty will be contacted immediately and apprised of the emergency situation by Campus Security and will, in turn, report this information directly to the Superintendent/President or his/ ~~or~~ her designee and to the ~~Director of Public and Governmental Relations~~ (the ~~P~~ublic ~~I~~nformation ~~O~~fficer.



The assistant superintendents/vice presidents will instruct the deans and directors to meet them at the location of the Civilian Emergency Command Post where the assistant superintendents/vice presidents will be briefed by their respective deans and directors of any students, staff members, and/or visitors whose presence was not accounted for at their evacuation assembly area and the names of students, staff members, and visitors whose presence was noted at other than their evacuation assembly area. The main objective will be to determine who may be trapped or injured so severely that they cannot reach an evacuation assembly area and require rescue. The assistant superintendents/vice presidents will give the deans and directors instructions for further activities.

Deans and directors will proceed to the evacuation assembly areas designated for their personnel and confer with them to determine who may need rescue and the last known location(s) of the missing. The deans and directors will assign their personnel further activities which may include providing assistance to the injured, relocating groups of people, or responding to the Civilian Emergency Command Post to assist as necessary.

Faculty members, managers, and supervisors will escort their students, personnel, and visitors to their designated evacuation assembly areas and determine who did not arrive as well as seek medical attention for the injured and note any additional people who may be present in their evacuation assembly area. They will report this information and the last known location of the missing to their deans and directors. They will also report to their deans and directors other information they deem important such as hazards noted in their areas during their egress.

Community Emergency Response Team (CERT) trained personnel will report to the Law Enforcement Emergency Command Post after completing any other duties outlined herein. They may then be directed to perform a variety of activities including, but not limited to, the following:

1. Conduct search and rescue operations.
2. Evacuate and escort any remaining personnel from affected building(s).
3. Survey buildings for damage and re-entry.
4. Perform first aid.
5. Establish long-term care priorities.

Facilities Department personnel will be responsible for the use of emergency equipment, the handling of emergency supplies, and the safe use of available utilities. They will:

1. Survey the campus and report damage through their chain of command.



2. Assist in rescue operations as directed (examples: rig and operate lifting equipment and cutting torches to liberate victims trapped by or beneath structural components).
3. Assist in disaster fire suppression activities if trained and directed to do so.
4. Assist in controlling main shut-off valves for gas, water, and electricity.
5. Disburse emergency equipment as needed.

Clerical staff will help provide for the safety of essential school records and documents, operate telephones, and act as messengers and couriers when directed.

Cafeteria staff will make food stock and water available to campus emergency service providers whenever feeding becomes necessary during a disaster.

REPORTING EMERGENCIES NOT PREVIOUSLY COVERED:

- The quickest and easiest way to obtain professional help for any type of emergency not specifically covered by these procedures is to phone Campus Security for assistance. Dial extension 4444 or 6399 from on-campus phones or *80 from on-campus pay phones or (661) 722-6399 from your cell phone.
- When calling, stay calm and carefully explain the problem and location to the Dispatcher.
- Quickly notify the dean or immediate supervisor of the emergency and begin to take the appropriate action warranted by the situation.

REMAIN CALM – HELP OTHERS REMAIN CALM.

Also see [BP 3505 Emergency Response Plan](#) and [BP/AP 6520 Security for District Property](#).

Approved: 11/14/11
Revised: 4/11/16
Revised: 12/9/19



AP 3506 Campus and Site Closures and Re-Openings

Reference:

No specific references

The Manager of Maintenance & Operations (M&O) will confer with the Director of Risk Management, and a recommendation regarding closure or re-opening will be formulated. The Manager of M&O will communicate the recommendation to the Superintendent/President.

The Manager of M & O will contact the Superintendent/President immediately or by 10:00 PM the night prior to any day for which a foreseeable closure/re-opening decision needs to be made, and the recommendation and its rationale will be provided. The final decision will be made by the Superintendent/President.

Closed means closed with the ONLY exception being the emergency services personnel necessary to keep on site or to return on site for any given closure. These emergency services personnel consist of all personnel necessary to ensure safety for people and property and can vary from situation to situation. No faculty, students, staff, or administrators, including athletic teams or those involved in activities of any kind, will be exempt from the closure.

After a directive has been given by the Superintendent/President to re-open the campus, the Manager M & O will assign appropriate M&O personnel to restore the campus to safe/useable condition. Once restored, the Manager of M & O will contact the Superintendent/President who will initiate various methods of disseminating this information, including a communication tree which cascades down from supervisor (beginning at the Superintendent/President's level) to direct report(s) on each appropriate level.

All campus and site closure and re-opening directives will be communicated through the Office of Public Information through multiple outlets to ensure broadest possible coverage.

In the event the Superintendent/President is not available, a designee will be assigned.

Also see BP/AP 3500 Campus Safety, BP/AP 3501 Campus Security and Access, and BP/AP 3505 Emergency Response Plan.

Approved: 12/14/09

Revised: 2/11/19

Revised: 12/9/19



BP 3510 Workplace Violence

References:

Cal/OSHA: Labor Code ~~§§~~ Sections 6300 et seq;
8 ~~Cal. Code Regs. §~~ California Code of Regulations Section 3203;
"Workplace Violence Safety Act of 1994" (Code of Civil Procedure ~~§~~ Section 527.8 and Penal Code Section 273.6 ~~and 626.10.~~

The Board ~~of Trustees~~ is committed to providing a District work and learning environment that is free of violence and the threat of violence. The Board's priority is the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence.

The Superintendent/President shall establish administrative procedures that assure that employees are informed regarding what actions will be considered violent acts, and requiring any employee who is the victim of any violent conduct in the workplace, or is a witness to violent conduct to report the incident, and that employees are informed that there will be no retaliation for such reporting.

Also see AP 3510 Workplace Violence.

Adopted: 11/7/05
Revised: 6/13/16
Revised: 12/9/19



AP 3510 Workplace Violence

References:

Cal/OSHA; Labor Code Sections 6300 et seq.;
Title 8 Section 3203;
Code of Civil Procedure Section 527.8;
Penal Code Sections 273.6; 626.9, and 626.10

The Antelope Valley Community College District is committed to providing a safe work environment that is free of violence and the threat of violence.

Responding to Threats of Violence

The top priority in this process is effectively handling critical workplace incidents, especially those dealing with actual or potential violence.

Violence or the threat of violence against or by any employee of the District or any other person is unacceptable.

Should a non-employee on District property demonstrate or threaten violent behavior, he/she may be subject to criminal prosecution.

Should an employee, during working hours, demonstrate or threaten violent behavior he/she may be subject to disciplinary action.

The following actions are considered violent acts:

- Striking, punching, slapping, or assaulting another person.
- Fighting or challenging another person to fight.
- Grabbing, pinching or touching another person in an unwanted way whether sexually or otherwise.
- Engaging in dangerous, threatening, or unwanted horseplay.
- Possession, use, or threat of use, of a firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, on District property, including parking lots, other exterior premises, District vehicles, or while engaged in activities for the District in other locations, unless such possession or use is a requirement of the job.



- Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his/ ~~or~~ her employment, has been authorized by a District employee to have the knife, or is a duly appointed peace officer who is engaged in the performance of his/ ~~or~~ her duties.

Any employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a District employee or a non-employee, shall immediately report the incident to his/her supervisor or other appropriate person.

Referrals to the Antelope Valley College Campus Sheriff's Department or emergency services can be made in the following ways:

Antelope Valley College Campus Sheriff's Office:	(661) 722-6399 (Outside Line)
Antelope Valley College Campus Sheriff's Office:	6399 (Non-Emergency On-Campus Line)
Antelope Valley College Campus Sheriff's Office:	4444 (Emergency On-Campus Line)
Campus Sheriff; Team Lead:	3510(661) 722-6300 Extension: 6889
Off Campus Emergency:	Dial 911

No one, acting in good faith, who initiates a complaint or reports an incident under this policy will be subject to retaliation or harassment.

Any employee reported to be a perpetrator will be provided both due process and representation before disciplinary action is taken. In the event the District fears for the safety of the perpetrator or the safety of others at the scene of the violent act, the Antelope Valley Campus Sheriff's Office will call the appropriate law enforcement officials.

Also see BP 3510 Workplace Violence and BP/AP 3515 Reporting of Crimes.

Approved: 11/7/05
Revised: 4/15
Revised: 5/9/16
Revised: 12/9/19



BP 3515 Reporting of Crimes

Reference:

Education Code Section 67380

The Superintendent/President shall assure that, as required by law, reports are prepared for all occurrences reported to the Antelope Valley College Sheriff's Department of any arrests for crimes committed on or off campus that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication. The Superintendent/President shall further assure that required reports of non-criminal acts of hate violence are prepared. Such reports shall be made available as required by law.

~~See Administrative Procedure #3515~~ Also see AP 3515 Reporting of Crimes and AP 3516 Registered Sex Offender Information.

Adopted: 11/7/05
Revised: 6/13/16
Reviewed: 12/12/16
Revised: 11/12/19



AP 3515 Reporting of Crimes

References:

- Education Code Sections 212, 67380, 67383, and 87014;
- Penal Code Sections 245 and 422.55;
- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998;
- 20 ~~U.S.C.~~ § ~~United States Code Section~~ 1232g;
- 34 ~~C.F.R.~~ ~~Code of Federal Regulations Part~~ 668.46;
- 34 ~~C.F.R.~~ ~~Code of Federal Regulations Part~~ 99.31 ~~subdivisions~~ (a)(13), (14);
- Campus Security Act of 1990

Members of the Antelope Valley Community College District who are witnesses or victims of a crime should immediately report the crime to the Antelope Valley Community College Campus Sheriff's Office when and if that criminal act is committed within the jurisdiction of the College Campus Sheriff's Office. Members of the Antelope Valley Community College District who are witnesses or victims of a crime off campus and outside the jurisdiction of the Campus Sheriff's Office, should contact the Los Angeles County Sheriff's Department:

- In Lancaster contact: (661) 948-8466
- In Palmdale contact: (661) 267-4300

In the event an employee is assaulted, attacked, or menaced by a student, the employee shall notify his/ ~~or~~ her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted, or menaced shall assist the employee to promptly report the attack or assault to the Antelope Valley Community College Campus Sheriff's Office. The supervisor himself/ ~~or~~ herself shall make the report if the employee is unable or unwilling to do so. Reporting a complaint to local law enforcement will not relieve the District of its obligation to investigate all complaints of harassment.

The District will instruct members of the Antelope Valley Community College Campus Sheriff's Office to notify students and employees complaining of sexual violence of their right to file a sex discrimination complaint with the District in addition to filing a criminal complaint, and to report incidents of sexual violence to Human Resources if the complainant consents.

The District shall publish warnings to the campus community about crimes that are considered to represent a continuing threat to other students and employees in a manner that is timely and will aid in the prevention of similar crimes. The information shall be disseminated by the ~~Director of Public and Governmental Relations Office of Public Information~~ in a manner that aids the prevention of similar crimes.



The District shall publish warnings to the campus community about the following crimes:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;
- Domestic violence, dating violence, and stalking;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation;
- destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to Antelope Valley Sheriff Department and
- Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the Antelope Valley College Deputy and the ~~College~~ Superintendent/President or designee, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through the ~~college office of media and~~ Office of Public Information, e-mail system to students, faculty, and staff. The information shall be disseminated by the ~~Director Office~~ of Public Information in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the ~~Executive Director of Marketing and~~ Office of Public Information may also post a notice on the campus-wide electronic bulletin board on the Antelope Valley College Web Site, providing the community with more immediate notification. The electronic bulletin board is immediately accessible via computer by all faculty, staff, and students. Anyone with information warranting a timely warning should report the circumstances to the Antelope Valley College Campus Sheriff's Office, by phone extension 6399 or in person.



The District shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the District shall follow its emergency notification procedures.

The District shall annually collect and distribute statistics concerns crimes on campus. All college staff with significant responsibility for student and campus activities shall report crimes about which they receive information.

The District shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three (3) years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources and other matters. The District shall make the report available to all current students and employees. The District will also provide perspective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting the ~~offices of campus Media and Public Relations, Office of Public Information~~ or is published in the campus newspapers monthly.

If ~~you are the~~ an individual is a victim of a crime and does not want to pursue action within the District's System or the criminal justice system, ~~you the individual~~ may still want to consider making a confidential report. The purpose of a confidential report is to comply with ~~your wish the individual's desire~~ to keep the matter confidential, while taking steps to ensure the future safety of ~~yourself the individual~~ and others. With such information, the District can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The campus sheriff encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the campus sheriff's office cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified below.

The District may disclose the final results of disciplinary proceeding to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The District may also disclose to anyone, the final results of a disciplinary proceeding in which it concludes that a student violated school policy with respect to a



crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are

- Arson;
- Assault offenses;
- Burglary;
- Criminal homicide – manslaughter by negligence;
- Criminal homicide – murder and non-negligent manslaughter;
- Destruction, damage, or vandalism of property;
- Kidnapping or abduction;
- Robbery;
- Forcible sex offenses.

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The District shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his or her right to confidentiality.

To Report a Crime:

Contact sheriff's department at 661-722-6300 ext 6399 and dial 4-4-4 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the police department. In addition, **you crimes** may be reported **a-crime** to the following areas:

Vice President of Student Services – 661-722-6300 ext 6303

Vice President of Human Resources – 661-722-6300 ext 6120

Student Life – 661-722-6300 ext 6354

Required Reports to Local Law Enforcement Agency

Any report of willful homicide, forcible rape, robbery, aggravated assault, sexual assault, or hate crime, committed on or off campus, that is received by a campus security authority and made by the victim for the purposes of notifying the institution or law enforcement must be immediately, or as soon as practicably possible, disclosed to the local law enforcement agency. The report shall not identify the victim, unless the victim consents to being identified after the victim has been informed of his/her right to have his/her personally identifying information withheld. If the victim does not consent to being identified, the alleged assailant shall not be identified in the information disclosed to the local law enforcement agency unless the institution determines that both of the following apply, in which case the institution shall disclose the identity of the alleged assailant to the local law enforcement agency and notify the victim of the disclosure:



- The alleged assailant represents a serious or ongoing threat to the safety of students, employees, or the institution; and
- The immediate assistance of the local law enforcement agency is necessary to contact or detain the assailant.

Also see [BP 3515 Reporting of Crimes](#) and [AP 3516 Registered Sex Offender Information](#).

Approved: 11/7/05
Revised: 8/8/16
Revised: 12/12/16
Revised: 11/12/19



AP 3516 Registered Sex Offender Information

References:

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

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

Sex offenders are required to register with the police in the jurisdiction in which they reside and at institutions of higher learning if they are students there or if they work there as employees, contractors, or volunteers. A sex offender who is an employee or volunteer in the District must disclose his/ ~~or~~ her status as a registrant upon his/ ~~or~~ her application or acceptance of the position if he/ ~~or~~ she 1) would be working directly and in an unaccompanied setting with minor children on more than an incidental and occasional basis or have supervision or disciplinary power over minor children, or 2) would be working directly and in an accompanied setting with minor children and his/ ~~or~~ her work would require touching minor children on more than an incidental basis.

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

Sex offenders who may be required to register should do so at: the Antelope Valley College Police Department prior to registering or attending any classes. Sex offenders who wish to register at the Antelope Valley Community College District to attend classes must first be registered with their local law enforcement agency in the area in which they reside as required by state law.

Information concerning registered sex offenders can be obtained from the Megan's law computer terminal at the Lancaster and Palmdale stations of the Los Angeles County Sheriff's department:

- Lancaster Sheriff's Station:** 501 West Lancaster Blvd., Lancaster, ~~CA Calif.~~ 93534
- Palmdale Sheriff's Station:** 1020 East Palmdale Blvd., Palmdale, ~~CA Calif.~~ 93550

The Antelope Valley College Police Department shall not release information regarding a sex offender, unless the person seeking the information has signed a statement, on a form provided



by the Department of Justice, stating that he/ ~~or~~ she is not a registered sex offender, that he/ ~~or~~ she understands the purpose of the release of information is to allow members of the campus community to protect themselves and their children from sex offenders, and that he/ ~~or~~ she understands it is unlawful to use the information received to commit a crime against any registered sex offender or to engage in illegal discrimination or harassment of a registered sex offender. The department will maintain the signed statement in its records for a period of five (5) years.

The Antelope Valley College Police Department will release the following information regarding a registered sex offender: (1) full name; (2) known aliases; (3) gender; (4) race; (5) physical description; (6) photograph; (7) date of birth; (8) crimes resulting in registration; and (9) The date of last registration or reregistration.

[Also see BP/AP 3540 Sexual and Other Assaults on Campus.](#)

Approved: 11/7/05
Revised: 9/10/07
Revised: 4/11/16
Revised: 11/12/19



BP 3518 Child Abuse Reporting

References:

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3;

Welfare and Institutions Code Sections 300, 318, and 601;

Family Code Sections 7802, 7807, 7808, 7820-7829, 7890, and 7892.

The Superintendent/President shall establish procedures related to the responsibility of employees, within the scope of employment or in their professional capacity, to report suspected abuse and neglect of children.

~~See Administrative Procedure #3518~~ Also see AP 3518 Child Abuse Reporting.

Adopted: 11/7/05
Revised: 5/12/08
Reviewed: 12/12/16
Revised: 11/12/19



AP 3518 Child Abuse Reporting

References:

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3;
Welfare and Institutions Code Sections 300, 318, and 601;
Family Code Sections 7802, 7807, 7808, 7820-78297, 7890, and 7892.

The Antelope Valley Community College District recognizes the responsibility of its staff to report to the appropriate agency when there is a reasonable suspicion that an abuse or neglect of a child may have occurred. Mandated reporters include faculty, educational administrators and classified staff. Volunteers are not mandated reporters, but are encouraged to report suspected abuse or neglect of a child.

Child abuse is defined as physical abuse, neglect, sexual abuse and/or emotional maltreatment. This procedure addresses the sexual assault, sexual exploitation, and/or sexual abuse of a child; the willful cruelty or unjustifiable punishment of a child; incidents of corporal punishment or injury against a child; abuse in out-of-home care; and the severe and/or general neglect of a child (definitions contained in Penal Code Section 11165).

“Reasonable suspicion” occurs when “it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position drawing when appropriate on his/ ~~er~~ her training and experience, to suspect child abuse” (Penal Code Section 11166 **subdivision** [a]).

A child protective agency is a police or sheriff’s department, a county probation department, or a county welfare department. School district police, Community College Police departments, or security departments are not child protective agencies (Penal Code Section 11165.9).

Any person not mandated by law to report suspected child abuse has immunity unless the report is proven to be false and the person reporting knows it is false, or the report is made with reckless disregard of the truth or falsity of the incident (Penal Code Section 11172 **subdivision** (a)). Reporting is an individual responsibility. An employee making a report cannot be required to disclose his/ ~~er~~ her identity to the employer (Penal Code Section 11166 **subdivision** (h)). However, a person who fails to make a required report is guilty of a misdemeanor punishable by up to six (6) months in jail and/or up to a \$1,000 fine (Penal Code Section 11172 **subdivision** (e)).



Mandated reporters must report immediately any reasonable suspicion of child abuse to a local child protective agency and follow up with a written report within **thirty-six** (36) hours. Students who will receive college credit for coursework are mandated reporters while volunteers are not. The written report may be mailed or submitted by facsimile or electronic transmission.

Child abuse reporting forms are available in the Antelope Valley Community College Campus Sheriff's Office in the T800.

No mandated reporter who reports a known or suspected instance of child abuse shall be civilly or criminally liable for any report required or authorized by the Penal Code. Any person other than a child care custodian reporting a known or suspected instance of child abuse shall not incur any liability as a result of making any report of child abuse, unless it can be proven that a false report was made and the person knew that the report was false. (Penal Code Section 11172 **subdivision** (a))

When an official of AVC releases a minor pupil to a peace officer for the purpose of removing the minor from the campus, the district official shall take immediate steps to notify the parent or guardian regarding the release of the minor to the officer, and regarding the place to which the minor is reportedly being taken (Education Code Section 87044), except when a minor has been taken into custody as a victim of suspected child abuse, as defined in **Penal Code** Section 11165 ~~of the Penal Code~~, or pursuant to **Welfare and Institutions Code** Section 305 ~~of the Welfare and Institutions Code~~. In those cases, the official shall provide the peace officer with the address and telephone number of the minor's parent or guardian.

Non-accidental physical injury is considered to be a health and safety emergency, and parental consent is not required for release of student information under the Family Education Rights and Privacy Act, or the California Student Records Act (~~Ed~~ **Education Code** Sections 76200 et seq.).

Information relevant to the incident of child abuse may be given to an investigator from a child protective agency who is investigating the known or suspected cause of child abuse (Penal Code Section 11167 **subdivision** (b)).

The Antelope Valley Community College District shall provide a mandated reporter with a statement informing the employee that he/ ~~or~~ she is a mandated reporter and inform the employee of his/ ~~or~~ her reporting obligations under Penal Code Section 11166 and of his/ ~~or~~ her confidentiality rights under subdivision (d) of Penal Code Section 11167. The Antelope Valley Community College District shall provide a copy of Penal Code Sections 11165.7, 11166, and 11167 to the employee. Prior to commencing his/ ~~or~~ her employment and as a prerequisite to that employment, employee shall sign and return



the statement to the Antelope Valley Community College District. The signed statements shall be retained by the Antelope Valley Community College District (Penal Code Section 11166.5).

The District will distribute this procedure to all employees.

Also see BP 3518 Child Abuse Reporting.

Approved: 11/7/05
Revised: 5/8/06
Revised: 1/8/07
Revised: 4/14/08
Revised: 4/11/16
Reviewed: 12/12/16
Revised: 11/12/19



BP 3520 Local Law Enforcement

References:

Education Code Sections 67381 [and 67381.1](#);
34 Code of Federal Regulations Section 668.46 [subdivision \(b\)\(4\)](#)

The District, on behalf of each campus or center, shall enter into a written agreement with local law enforcement agencies. The agreement shall clarify operational responsibilities for investigations of Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault; [sexual assaults, including, but not limited to rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of any of these; and hate crimes as defined by law](#), occurring at each location.

The written agreement ~~shall~~ designates which law enforcement agency ~~shall have~~ has operational responsibility for violent crimes, [sexual assaults, and hate crimes](#), and delineates the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.

The written agreements required by this policy shall be public records and shall be made available for inspection by members of the public upon request [to Office of Superintendent/President. Written agreements shall be reviewed and updated, if necessary, every five \(5\) years.](#)

The Antelope Valley Community College District encourages accurate and prompt reporting of all crimes to the Antelope Valley College Campus Sheriff's Office and/or the appropriate police agencies. The Superintendent/President shall establish procedures that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Antelope Valley has a contract with the Los Angeles County Sheriff's Department for services and referred to as the Antelope Valley College Campus Sheriff's Office.

[See Administrative Procedure #3520](#) Also see AP 3520 Local Law Enforcement.

Adopted: 11/7/05
Revised: 5/9/16
Reviewed: 12/12/16
[Revised: 11/12/19](#)



AP 3520 Local Law Enforcement

References:

Education Code Sections 67381 and 67381.1;
34 Code of Federal Regulations Part 668.46

The Antelope Valley Community College District has a written agreement with the Los Angeles County Sheriff's Department and the California State University at Bakersfield. The agreement clarifies operational responsibilities for investigations of Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault, occurring at each location.

The written agreement designates which law enforcement agency has operational responsibility for violent crimes and delineates the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.

The written agreements required by the Board policy are public records and are made available for inspection by members of the public upon request to the Antelope Valley College Campus Sheriff's Office.

The District, on behalf of each campus or center, has a written agreement with local law enforcement agencies. The agreement clarifies operational responsibilities for investigations of: Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault; sexual assaults, including, but not limited to rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of any of these; and hate crimes as defined by law, occurring at each location.

The written agreement designates which law enforcement agency has operational responsibility for violent crimes, sexual assaults, and hate crimes, and delineates the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.

The written agreements required by the board policy are public records and are made available for inspection by members of the public upon request to Office of the Superintendent/President. Written agreements shall be reviewed and updated, if necessary, every five (5) years.

The Antelope Valley College Campus Sheriff's Office maintains a close working relationship with all other the law enforcement authorities as needed. Meetings may be held between the leaders of these agencies on both a formal and informal basis. The Antelope Valley College Campus Sheriff's Office communicates regularly on the scene of incidents that occur in and around the campus area. When incidents arise that require



joint investigative efforts, resources, crime related reports and exchanges of information, the Antelope Valley College Campus Sheriff's Office will work closely with all other law enforcement authorities. There is no written memorandum of understanding between the Antelope Valley College Campus Sheriff's Office and other law enforcement authorities.

In response to a call, the other law enforcement authorities will take the required action, dispatching an officer or asking the victim to file an incident report. All incident reports received by the other law enforcement authorities are forwarded to the Assistant Superintendent/Vice President Student Services for review and potential action. The Antelope Valley College Campus Sheriff's Office may investigate a report when it is deemed appropriate.

Crimes should be reported to the Antelope Valley College Campus Sheriff's Office to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Antelope Valley College Campus Sheriff's Office in a timely manner. To report a crime or an emergency on the Lancaster campus, Palmdale Center, Fox Field, and any other locations where courses are taught, call the Antelope Valley College Campus Sheriff's Office at (661) 722-6399. To report a non-emergency security or public safety related matter, call the Antelope Valley College Campus Sheriff's Office at (661) 722-6339.

The Antelope Valley College Campus Sheriff's Office have complete authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus. If minor offenses involving District rules and regulations are committed by a student, the Antelope Valley College Campus Sheriff's Office may also refer the individual to the Assistant Superintendent/Vice President of Student Services. Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the Antelope Valley College Campus Sheriff's Office to solve these serious felony crimes. Antelope Valley College Campus Sheriff's Office personnel work closely with local, state, and federal police agencies. The Antelope Valley College Campus Sheriff's Office is also a part of the local 911 Emergency System. Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Assistant Superintendent/Vice President of Student Services for any action or follow-up that may be required.

Campus "Pastoral Counselors" and Campus "Professional Counselors," when acting as such, are not considered to be a campus security officers and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being



counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

A Pastoral Counselor is a person who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

A Professional Counselor representative of the District whose official responsibilities include providing psychological counseling to members of the District's community and who is functioning within the scope of his or her license or certification.

Also see BP 3520 Local Law Enforcement.

Approved: 11/7/05
Revised: 4/11/16
Revised: 12/12/16
Revised: 11/12/19



BP 3530 Weapons on Campus

References:

Penal Code Sections 626.9 and 626.10

In reference to California Penal Code Section 626.9, the Antelope Valley Community College District is hereby known as a “Gun Free Zone”. Firearms or other weapons shall be prohibited on any college or District center 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 Administrative Procedure #3530~~ Also see [AP 3530 Weapons on Campus](#).

Adopted: 11/7/05
Revised: 11/9/09
Reviewed: 12/12/16
Revised: 11/12/19



AP 3530 Weapons on Campus

References:

Penal Code Section 626.9 and 626.10

The Antelope Valley Community College District shall be considered a “Gun Free Zone” in accordance with California Penal Code Section 626.9. The Antelope Valley Community College District shall also be known for a “Zero” tolerance ~~in~~ with regards to any weapons violations as stated in California ~~P~~penal Code Sections 626.9 and 626.10.

The Antelope Valley Community College District shall consider the following as “Zero” tolerance violations:

Firearms, knives, explosives or other dangerous objects, including but not limited to any facsimile firearm, knife or explosive, are prohibited on any District campus or at any District center, or in any facility of the District. **The prohibition of firearms on any District campus, District center, or in 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 Antelope Valley College Police Department before taking place.

Any person who believes that he/ ~~or~~ she 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 Antelope Valley College’s **Sheriff’s Department, and obtain written permission from Los Angeles Sheriff Department to possess a firearm or other weapon on campus.**

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

Also see BP 3530 Weapons on Campus.

Approved: 11/7/05
Revised: 10/12/09
Revised: 4/11/16



Reviewed: 12/12/16
Revised: 11/12/19



BP 3540 Sexual and Other Assaults on Campus

References:

- Education Code Sections 67382, 67385, and 67386;
- 20 ~~U.S.C.~~ § U.S. Code Section 1092 subdivision (f);
- 34 ~~C.F.R.~~ § Code of Federal Regulations Part 668.46 subdivision (b)(11)

Any sexual assault or physical abuse, including, but not limited to, rape, as defined by California law, whether committed by an employee, student, or member of the public that occurs on District property is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The Superintendent/President shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law.

The procedures shall meet the criteria contained in ~~EG~~ Education Code Sections 67385, 67385.7, 67386, and 34 ~~C.F.R.~~ § Code of Federal Regulations Part 668.46. The Antelope Valley Community College District shall adopt a “Zero” tolerance policy in regard to sexual assaults while upon ~~D~~istrict property.

~~See Administrative Procedure #3540~~ Also see AP 3540 Sexual and Other Assaults on Campus, BP/AP 3410 Nondiscrimination, and BP/AP 3430 Prohibition of Harassment.

Adopted: 11/7/05
Revised: 5/8/06
Revised: 1/8/07
Revised: 6/13/16
Revised: 11/12/19



AP 3540 Sexual and Other Assaults on Campus

References:

Education Code Section 67385, 67385.7, and 67386;

20 ~~U.S.C.~~ § U.S. Code Section 1092 subdivision (f);

34 ~~C.F.R.~~ § Code of Federal Regulations Part 668.46 subdivision (b)(11)

Any sexual assault or physical abuse, including, but not limited to: rape, domestic violence, **dating violence**, sexual assault, or stalking as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, in connection with all academic, educational, extra-curricular, athletic, and other programs of the District, whether those programs take place in the District facilities or at another location or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (See also AP 5500 ~~titled~~ Standards of Student Conduct)

“**Sexual assault**” includes but is not limited to: rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault.

“**Dating violence**” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

“**Domestic violence**” includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse of the victim;
- a person with whom the victim shares a child in common;
- a person who is cohabitating with or has cohabitated with the victim as a spouse;
- a person similarly situated to a spouse of the victim under California law; or
- any other person against an adult or youth victim who is protected from that person’s acts under California law.

“**Stalking**” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/ ~~or~~ her safety or the safety of others, or to suffer substantial emotional distress.

It is the responsibility of each person involved in sexual activity to ensure that he/ ~~or~~ she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent.



Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity.

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

All students, faculty members, or staff members who allege they are the victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the campus Police Department, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the campus Police Department is authorized to release such information by court order.

Sheriff personnel shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following, upon request:

- A copy of the District's policy and procedure regarding domestic violence, dating violence, sexual assault, or stalking;
- A list of personnel on campus who should be notified of the assault (see list below), and procedures for such notification, if the alleged victim consents;
- Information about the importance of preserving evidence and the identification and location of witnesses;
- A description of available services, and the persons on campus available to provide those services if requested;
 - The Vice President of Student Services for referral to a counseling center and other on or off-campus resources, student disciplinary procedures, modification of class schedules, and tutoring, if necessary.
 - The Vice President of Human Resources for employee disciplinary procedures



- The Antelope Valley College Sheriff's Department for transportation to a hospital, if necessary, and all other law enforcement matters.
- The victim's option to:
 - notify proper law enforcement authorities, including on-campus and local police;
 - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - decline to notify such authorities.
- Information about the participation of victim advocates and other supporting people;
- The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court;
- Information about how the District will protect the confidentiality of victims; and
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

A description of each of the following procedures:

- Criminal prosecution
- Civil prosecution (i.e., lawsuit);
- District disciplinary procedures, both student and employee;
- Modification of class schedules;
- Tutoring, if necessary.

The persons on campus who should be notified of the assault include:

- The President/Superintendent
- The Vice President of Student Services
- Sexual Assault Response Services (SARS) (661) 723-7273

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435 **Discrimination and**



Harassment Complaints and Investigations, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the Campus Sheriff's Department, or the Vice President of Student Services of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of **domestic violence, dating violence,** sexual assault, **or stalking** are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The District shall maintain the identity of any alleged victim, ~~or~~ witness, **or third-party reporter of domestic violence, dating violence,** ~~or~~ sexual assault, **or stalking** on District property, as defined above, in confidence unless the alleged victim, ~~or~~ witness, **or third-party reporter** specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged **domestic violence, dating violence,** sexual assaults, **or stalking** on District property shall be referred to the District's ~~Marketing and~~ Public Information Office, which shall work with the campus Police Sheriff Department and the Vice President of Student Services ~~Office~~ to assure that all confidentiality rights are maintained.

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

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

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

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



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

The District shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence unless the alleged victim, witness, or third-party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on District property shall be referred to the District's ~~Marketing and~~ Public Information Office, which shall work with the Human Resources Office to assure that all confidentiality rights are maintained.

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

The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's ~~option~~ right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- Information about how the ~~D~~istrict will protect the confidentiality of victims, ~~including how publicly available recordkeeping will be accomplished without the~~



~~inclusion of identifying information about the victim, to the extent permissible by law;~~

- Information for students about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance, or other services for victims;
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking including a clear statement that:
 - Such proceedings shall provide a prompt, fair, and impartial resolution;
 - Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault, or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any changes to the results that occurs prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses, domestic violence, dating violence, or stalking.

Education and Prevention Information



The Superintendent/President or designee shall:

- Provide, as part of the campus' established on-campus orientation program, education and prevention information about **domestic violence, dating violence, sexual assault, and stalking**. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.
- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault, and stalking.

Also see **BP 3540 Sexual and Other Assaults on Campus, BP/AP 3410 Nondiscrimination, BP/AP 3430 Prohibition of Harassment, and AP 3435 Discrimination and Harassment Complaints and Investigations.**

Approved: 11/7/05
Revised: 1/8/07
Revised: 5/9/16
Revised: 11/12/19



BP 3550 Drug-Free Environment and Drug Prevention Program

References:

Drug Free Schools and Communities Act, 20 ~~U.S.C.~~ U.S. Code Section ~~4445g~~ and 1011i;
34 ~~C.F.R.~~ Section Code of Federal Regulations Parts 86.1 et seq.;;
Drug Free Workplace Act of 1988, 41 ~~U.S.C.~~ U.S. Code Section ~~702~~ 8103

The Antelope Valley Community College District shall be known as a “Drug Free” District, and adopt a “Zero” tolerance policy in regards to any schedule I and Schedule II substance deemed unlawful by local, state, and federal laws.

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

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

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

The following are summaries of the major health risks of and common symptoms associated with alcohol and other drug use and abuse. This is not a complete listing but an overview. Each individual will experience the effects of alcohol and other drugs in a slightly different way given his/ ~~er~~ her tolerance, body size, family history, gender, and other physical and psychological factors. Abuse of alcohol and other drugs can lead to chemical dependency and can be harmful during pregnancy.

Alcohol

Health Risks: Alcohol in moderate amounts causes dizziness, dulling of the senses, impairment of coordination, reflexes, memory and judgment. Increased amounts of alcohol produce staggering, slurred speech, double vision, mood changes and, possibly, unconsciousness. Larger amounts result in death. Alcohol causes damage to the liver, heart and pancreas. It also may lead to malnutrition, stomach irritation, lowered resistance to disease and irreversible brain or nervous system damage.

Symptoms: Glazed eyes, obvious odor, pale and dry skin, broken blood vessels in facial area, slowed motor coordination and enlarged stomach.



Marijuana

Health Risks: Marijuana use leads to a substantial increase in heart rate. It impairs or reduces short-term memory and comprehension, and motivation and cognition are altered. With extended use it can produce paranoia and psychosis. Smoking marijuana damages the lungs and pulmonary system. Marijuana contains more cancer causing agents than tobacco. It also lowers male sex hormones, suppresses ovulation, and causes changes in the menstrual cycle and possibly causes birth defects.

Symptoms: Someone who uses marijuana may laugh inappropriately and have bloodshot eyes, dry mouth and throat, and a tell-tale odor of the drug, a poor sense of timing and increased appetite.

Cocaine and Crack

Health Risks: Cocaine and its derivative crack produce dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature. They may also cause insomnia, loss of appetite, tactile hallucinations, paranoia, seizure and death.

Symptoms: Someone using cocaine may experience muscle twitching, panic reactions, anxiety, numbness in hands and feet, loss of weight, a period of hyperactivity followed by a depression, a running or bleeding nose and sustained depression.

Barbiturates

Health Risks: In small doses, barbiturates produce calmness, relaxed muscles and lowered anxiety. Larger doses cause slurred speech, staggering gait and altered perception. Very large doses taken in combination with other central nervous system depressants (e.g., alcohol) cause respiratory depression, coma and sometimes death.

Symptoms: A person who uses barbiturates may have poor muscle control, appear drowsy or drunk, become confused, irritable, inattentive or have slowed reactions.

Amphetamines

Health Risks: Amphetamine use causes increased heart and respiratory rates, elevated blood pressure, and dilated pupils. Larger doses cause rapid or irregular heartbeat, tremors and physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, high fever and heart failure.



Symptoms: An individual using amphetamines might begin to lose weight, have periods of excessive sweating, and appear restless, anxious, moody and unable to focus. Extended use may produce psychosis, including hallucinations, delusions and paranoia.

Hallucinogens (including PCP, LSD, Mescaline, Peyote, Psilocybin)

Health Risks: PCP, or angel dust, interrupts the part of the brain that controls the intellect and impulsive behavior. PCP blocks pain receptors. Violent episodes, including self-inflicted injuries, are not uncommon. Chronic users report memory loss and speech difficulty. Very large doses produce convulsions, coma, heart and lung failure, or ruptured blood vessels in the brain. LSD, mescaline, peyote, etc. cause dilated pupils, elevated body temperature, increased heart rate and blood pressure, and tremors.

Symptoms: Someone using PCP might appear moody, aggressive or violent. Such an individual may become paranoid and experience hallucinations and have time and body movements slowed. LSD users may experience loss of appetite, sleeplessness, confusion, anxiety and panic. Flashbacks may also occur.

Narcotics (including Heroin, Codeine, Morphine, Opium, Percodan)

Health Risks: Because these narcotics are generally injected, the use of contaminated needles may result in AIDS and hepatitis. Symptoms of overdose include shallow breathing, clammy skin and convulsions. An overdose may result in a coma or even death.

Symptoms: Some signs of narcotic use are euphoria, drowsiness, constricted pupils and nausea. Other symptoms include itchy skin, needle or "track" marks on the arms and legs, nodding, loss of sex drive and appetite. When withdrawing from the drug, sweating, cramps and nausea occur.

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

See Administrative Procedure #3550 Also see AP 3550 Drug-Free Environment and Drug Prevention Program, BP/AP 3560 Alcoholic Beverages, and AP 6950 Drug and Alcohol Testing (U.S. Department of Transportation).

Adopted: 11/7/05
Revised: 1/11/10
Revised: 5/9/16
Revised: 11/12/19



AP 3550 Drug-Free Environment and Drug Prevention Program

References:

Drug Free Schools and Communities Act Amendment of 1989;
20 U.S. Code Section ~~1145g~~ 1011i; and
34 ~~C.F.R.~~ Code of Federal Regulations Parts 86.1 et seq.;
Federal Drug-Free Workplace Act, 1988;
41 U.S. Code Section ~~702~~ 8103

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

Antelope Valley College Police Department may make recommendations to the District Attorney's office for a "Drug Diversion" program for any offender of the District's "Drug Free" policy.

The following are summaries of the major health risks of and common symptoms associated with alcohol and other drug use and abuse. This is not a complete listing but an overview. Each individual will experience the effects of alcohol and other drugs in a slightly different way given his/ ~~er~~ her tolerance, body size, family history, gender, and other physical and psychological factors. Abuse of alcohol and other drugs can lead to chemical dependency and can be harmful during pregnancy.

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Symptoms: Glazed eyes, obvious odor, pale and dry skin, broken blood vessels in facial area, slowed motor coordination and enlarged stomach.

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altered. With extended use it can produce paranoia and psychosis. Smoking marijuana damages the lungs and pulmonary system. Marijuana contains more cancer-causing agents than tobacco. It also lowers male sex hormones, suppresses ovulation, and causes changes in the menstrual cycle and possibly causes birth defects.

Symptoms: Someone who uses marijuana may laugh inappropriately and have bloodshot eyes, dry mouth and throat, and a tell-tale odor of the drug, a poor sense of timing and increased appetite.

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Symptoms: Some signs of narcotic use are euphoria, drowsiness, constricted pupils and nausea. Other symptoms include itchy skin, needle or "track" marks on the arms and legs, nodding, loss of sex drive and appetite. When withdrawing from the drug, sweating, cramps and nausea occur.

Prohibition of Drugs

The unlawful manufacture, distribution, dispensing, possession or use of alcohol or any controlled substance is prohibited on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the District.

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 (5) 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 (10) days after receiving notice of a workplace drug conviction.

Also see BP 3550 Drug-Free Environment and Drug Prevention Program, BP/AP 3560 Alcoholic Beverages, and AP 6950 Drug and Alcohol Testing (U.S. Department of Transportation).

Approved: 11/7/05



Revised: 12/14/09
Revised: 4/11/16
Revised: 11/12/19



BP 3560 Alcoholic Beverages

References:

Business and Professions Code Section 25608;
34 [CFR Code of Federal Regulations Part 668.46 subdivision \(b\)](#)

The Superintendent/President is authorized to enact procedures as appropriate and permitted by law regarding serving alcoholic beverages on campus or at fund-raising events held to benefit non-profit corporations. Alcoholic beverages shall not be served on campus except in accordance with these procedures.

~~See Administrative Procedure #3560~~ Also see AP 3560 Alcoholic Beverages, BP/AP 3550 Drug-Free Environment and Drug Prevention Program, and AP 6950 Drug and Alcohol Testing (U.S. Department of Transportation).

Adopted: 11/7/05
Revised: 4/9/07
Revised: 11/14/11
Reviewed: 12/12/16
Revised: 1/13/20



AP 3560 Alcoholic Beverages

References:

Business and Professions Code Sections 24045.4, 24045.6, 25608, and 25658;
34 **CFR Code of Federal Regulations Part 668.46 subdivision (b)**

The possession, sale or the furnishing of alcohol on campus is governed by California state law and these procedures. The possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on campus is the primary responsibility of the Antelope Valley College Campus Sheriff's Office. The campus has been designated "Drug free" and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by Antelope Valley College Campus Sheriff's Office. Violators are subject to disciplinary action, criminal prosecution, fine, and imprisonment. It is unlawful to sell, furnish, or provide alcohol to a person under the age of **twenty-one** (21). The possession of alcohol by anyone under **twenty-one** (21) years of age in a public place or a place open to the public is illegal. It is also a violation of this **policy procedure** for anyone to consume or possess alcohol in any public or private area of campus without prior District approval. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the District.

Alcoholic beverages on campus are permitted if:

- The alcoholic beverage is beer and/or wine for use in connection with a course of instruction, **sponsored dinner**, or meal demonstration. ~~given as part of a culinary arts program at a community college campus, and the instructor or individual has been authorized to acquire, possess, use, sell, or consume it by the Vice President of Academic Affairs.~~
- The alcoholic beverage is wine **or beer** produced by a bonded winery owned or **brewery.** ~~operated as part of an instructional program in viticulture and enology or brewing.~~
- The alcoholic beverage is for use during a non-college event at a performing arts facility built on District property and leased to a nonprofit public benefit corporation.
- The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained under this division for special events held at the facilities of **a public community Antelope Valley College** during the special event. "Special event"



means events that are held with the permission of the governing board of the ~~community~~ college district that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the ~~public community~~ college and for which the principal attendees are members of the general public or invited guests and not students of the public community college.

- The alcoholic beverage is acquired, possessed, or used during an event sponsored by the district or the Antelope Valley College Foundation at a community college-owned facility. ~~in which any grade from kindergarten to grade 12, inclusive, is taught, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility.~~
- The alcoholic beverage is for use during a fundraiser held to benefit the Antelope Valley College Foundation that has obtained a license under the Business and Professions Code to do so provided that no alcoholic beverage can be acquired, possessed or used at a football game or other athletic contest sponsored by the District.
- The alcoholic beverage is acquired, possessed, or consumed pursuant to a license or permit obtained for special events held at facilities of ~~a community~~ the college district at a time when pupils are not on the grounds. “Facilities” includes, but are not limited to, office complexes, conference centers, or retreat facilities.

Also see BP 3560 Alcoholic Beverages, BP/AP 3550 Drug-Free Environment and Drug Prevention Program, and AP 6950 Drug and Alcohol Testing (U.S. Department of Transportation).

Approved: 11/7/05
Revised: 4/9/07
Revised: 9/10/07
Revised: 4/14/08
Revised: 5/14/12
Revised: 7/9/12
Revised: 4/11/16
Revised: 12/12/16
Revised: 1/13/20



BP 3570 No Smoking and Tobacco-Free Environment

References:

Education Code Sections 70902 and 76033 subdivision (e);
Government Code Sections 7596, 7597, 7597.1, and 7598;
Labor Code Section 6404.5;
Penal Code Sections 602 and 853.6;
Title 8 Section 5148

The District shall provide a safe learning and working environment for both students and employees. It is recognized that smoke from cigarettes, pipes, and/or cigars, vapor from e-cigarettes, and smokeless tobacco products are hazardous to health; therefore, the District prohibits smoking and the use of tobacco on all District property and all locations where District services are provided.

To enforce smoking and tobacco control regulations and procedures, the Superintendent/President is authorized to:

- Set enforcement standards for all District sites and campuses;
- Promote smoking and tobacco cessation treatment options.
- Direct that the District post signs stating its prohibition of smoking and tobacco use policy on District-owned and operated property.
- Inform employees and students of the tobacco use policy and enforcement measures.

Also, see AP 3570 No Smoking and Tobacco-Free Environment.

Adopted: 1/13/19



AP 3570 **No Smoking and Tobacco-Free Environment Use on Campus**

References:

Government Code Sections 7596, 7597, 7597.1, and 7598;
Labor Code Section 6404.5;
Health and Safety Code Section 104495;
Penal Code Sections 602 and 853.6;
Title 8 5, Section 5148

The Antelope Valley Community College District is a smoke and tobacco-free environment. Smoking, vaping, and the use of tobacco products is prohibited on all District property at all times. This administrative procedure applies to students, faculty, staff, administrators, visitors, and general members of the public.

This prohibition includes the use of all tobacco products, including but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, hookahs, and an electronic device that delivers nicotine or other vaporized liquids to a person inhaling from the device (e.g., e-cigarettes and vaporizers) may not be used on campus, or in a personal vehicle on campus, or in any college vehicle.

District property includes both indoor and outdoor areas of property that is owned, leased, or otherwise controlled by the District, including but not limited to: classrooms, offices, lobbies, lounges, waiting areas, stairwells, restrooms, walkways, sidewalks, lawns, athletic fields and viewing stands, parking lots, warehouses, storage yards, and District-owned or leased vehicles.

Signs stating “Smoke Free Campus” shall be posted on campus

Disciplinary measures to be taken against violators are listed here:

Enforcement of this procedure and the related policy will be the responsibility of Antelope Valley College Police Department personnel. All violators, including students, staff, faculty, and visitors, will be given a warning upon the first offense. A Field Investigation card will be completed with the violator’s contact information and filed for future reference. Students will be referred to the Vice President of Student Services’ office upon the second offense (please refer to AP 5520 for the discipline process). Upon the second offense for faculty and staff, refer to the appropriate collective bargaining agreement. Non-student, non-staff, non-faculty



visitors will be directed to leave the campus and not return upon the second offense.

Also see BP 3570 No Smoking and Tobacco-Free Environment.

Approved: 11/7/05
Revised: 9/10/07
Revised: 2/8/10
Revised: 9/10/12
Revised: 4/11/16
Revised: 12/11/17
Revised: 12/9/19



BP 3600 Auxiliary Organizations

References:

Education Code Sections 72670 et seq.;
Title 5 Sections 59250 et seq.

The Board of Trustees may recognize and approve auxiliary organizations established for the purpose of providing to the District any and all supportive services, specialized programs and functions identified in Title 5.

The Superintendent/President shall establish the administrative procedures necessary to fully comply with California law relating to auxiliary organizations, and to submit this policy and those procedures to the Chancellor for the California Community Colleges as required by law. At a minimum, the procedures shall address the subjects required by Title 5.

Recognition and establishment of auxiliary organizations shall include a public hearing on the recommendation to recognize or establish an auxiliary organization; Board approval of the auxiliary organization; and approval of a written agreement between the District and the auxiliary organization describing the services, programs or functions to be performed. All such written agreements shall comply fully with the requirements of Title 5 Section 59257 subdivision (j).

Any auxiliary organization recognized by the Board of Trustees shall conduct its business in accordance with the administrative procedures adopted by the Superintendent/President pursuant to this policy. Notwithstanding anything contained in the administrative procedures, any auxiliary organization recognized by the Board of Trustees shall comply with Education Code provisions regarding:

- the composition of a board of directors and the way in which it conducts its meetings;
- conducting an annual audit;
- employing its work force;
- expending and appropriating its funds, and
- keeping its records.

No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the District to any of its auxiliary organizations for the purpose of either avoiding laws or regulations that constrain community college districts or providing the District with an unfair advantage with respect to any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for disabled students.

[See Administrative Procedure #3600 Also see AP 3600 Auxiliary Organizations.](#)



Adopted: 11/7/05
Reviewed: 5/14/18
Revised: 12/9/19



AP 3600 Auxiliary Organizations

References:

Education Code Sections 72670 et seq;
Government Code Section 12580 et seq.;
Title 5 Sections 59250 et seq.

Definitions

Board of Directors – The term board of directors as used herein means the governing board of an auxiliary organization.

Board of Trustees – The term Board of Trustees as used herein means the Board of Trustees of the District.

Board of Governors – The term Board of Governors as used herein means the Board of Governors of the California Community Colleges.

Superintendent/President – The term Superintendent/President as used herein means the ~~Chancellor or~~ Superintendent of the District or designee.

District – The term District as used herein means the Antelope Valley Community College District.

Associated Student Body – The terms Associated Student Body, Associated Student Organization, Student Association, Student Organization, or ASB as used herein means an organization formed by any group of students from a ~~c~~College of the District in accordance with the provisions of Education Code Section 76060. All clubs and organizations recognized by an Associated Student Body or Organization shall be included in any auxiliary organization established by the Student Body or Organization.

Recognition and Establishment of Auxiliary Organizations

The Superintendent/President shall submit a recommendation to the Board of Trustees to establish an auxiliary organization when the organization will serve the District. The recommendation includes, but is not limited to, the following:

- The purpose(s) for which the auxiliary organization is to be established;
- Whether the proposed auxiliary organization will primarily serve the District or a particular division or department within the ~~D~~istrict;
- The functions which the auxiliary organization is intended to perform;



- The proposed bylaws and articles of incorporation for the auxiliary organization, including the size and composition of the bBoard of dDirectors; and
- The proposed written agreement between the auxiliary organization and the District, as required in Title 5 ~~See~~ Section 59259.

The process of recognition shall be as follows:

- When the Superintendent/President receives a request to establish an auxiliary organization, the Superintendent/President shall submit a recommendation concerning the establishment of said organization to the Board of Trustees within three (3) months.
- The Board of Trustees shall hold a public hearing on each recommendation concerning the establishment of an auxiliary organization.
- At a subsequent scheduled meeting after the public hearing, the Board of Trustees shall announce its decision concerning the establishment of the organization, and, if approved, authorize the functions it may perform, identify the number and category or categories of the Board of Directors and approve contractual arrangements.

At such time as the District recognizes an auxiliary organization, it shall submit to the ~~state~~ California Community Colleges Chancellor's Office any written agreements with the auxiliary organization, as well as the articles of incorporation, bylaws, or other governing instruments.

Recognized Services, Programs, and Functions

Auxiliary organizations may be recognized and established by the Board of Trustees to perform the following services, programs, and functions which are an integral part of the community college educational programs. The following supportive services and specified programs have been determined to be appropriate:

- Student organization activities;
- Bookstores;
- Food and campus services;
- Facilities and equipment, including parking;
- Loans, scholarships, grants-in-aid;
- Workshops, conferences, institutes and federal and specially funded projects;
- Alumni activities;
- Supplementary health services;
- Gifts, bequests, devises, endowments and trusts; and
- Public relations programs.



No auxiliary organization shall be authorized by the Board of Trustees to engage in any other function unless the Board of Governors amends **Title 5** Section 59259 ~~of Title 5~~ by adding said function to the list of approved functions of auxiliary organizations. This section shall not be construed to prohibit an auxiliary organization from performing the duties essential to satisfy the non-profit corporation or tax laws of the State of California or the Federal tax laws.

Operations of commercial services on a campus shall be self-supporting when operated by an auxiliary organization.

Authority and Responsibility of Auxiliary Organizations

Participation in workshops, conferences, or institutes offered by auxiliary organizations shall not be included in reports to the state for the purpose of receiving apportionment funding.

All services, programs and activities that may be undertaken by an auxiliary organization shall be maintained for the general benefit of the educational program of the District. Upon Board of Trustees approval, an auxiliary organization may assume any of the services, programs and activities listed in these procedures in order:

- To provide the fiscal means and the management procedures that allow the District to carry on educationally related activities not normally funded by State apportionment;
- To eliminate the undue difficulty that would otherwise arise under the usual governmental budgetary, purchasing and other fiscal controls except as expressly prohibited by the Education Code or Title 5, or the District's procedures; or
- To provide fiscal procedures and management systems that allow effective coordination of the auxiliary activities with the District in accordance with sound business practices.

Composition of Boards of Directors

The board of directors of each auxiliary organization shall have the following composition:

- **Student Associations or Organizations:** The ~~b~~Board of directors shall consist primarily of students. The Superintendent/President's designee may attend and participate in meetings of the ~~b~~Board of directors in order to advise on policy and to provide for the control and regulation required by Education Code Section 76060.
- **Other Auxiliary Organizations:** Any District approved auxiliary organization that is established pursuant to **Education Code** Sections 72670 et seq. **of the Education Code** shall have a board of directors appointed in accordance with the organization's articles of incorporation or bylaws and consisting of voting



membership from one or more of the following categories: **a**Administration, staff, members of the community, students.

The size of the **b**Board of directors of an auxiliary organization shall be at least large enough to accommodate the one or more categories from which board members are selected.

The board of directors shall have the advice and counsel of at least one attorney admitted to practice in California and at least one certified public accountant. Upon being notified of the certified public accountant selected by an auxiliary organization, the **D**istrict shall forward the applicable auditing and reporting procedures to the selected certified public accountant.

Conduct of Boards of Directors

No member of the **b**Board of directors of an auxiliary organization shall be financially interested in any contract or other transaction entered into by the **b**Board of which he/she is a member. Any contract or transaction entered into in violation of this section is void.

No contract or other transaction entered into by the **b**Board of directors of an auxiliary organization is void under the provisions of Education Code Section 72677; nor shall any member of such board be disqualified or deemed guilty of misconduct in office under such provisions, if pursuant to Education Code Section 72678 both of the following conditions are met:

- The fact of such financial interest is disclosed or known to the **b**Board of directors and noted in the minutes, and the **b**Board thereafter authorizes, approves, or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such financially interested member or members.
- The contract or transaction is just and reasonable as to the auxiliary organization at the time it is authorized or approved.

The provisions of Education Code Section 72678 above shall not be applicable if any of the following conditions are met:

- The contract or transaction is between an auxiliary organization and a member of the **b**Board of directors of that auxiliary organization.
- The contract or transaction is between an auxiliary organization and a partnership or unincorporated association of which any member of the governing board of that auxiliary organization is a partner or in which he/ ~~or~~ she is the owner or holder, directly or indirectly, of a proprietorship interest.
- The contract or transaction is between an auxiliary organization and a corporation in which any member of the **b**Board of directors of that auxiliary organization is the



owner or holder, directly or indirectly, of five percent (5%) or more of the outstanding common stock.

- A member of the **bBoard** of directors of an auxiliary organization is interested in a contract or transaction within the meaning of Education Code Section 72677 and without first disclosing such interest to the governing board at a public meeting of the board, influences or attempts to influence another member or members of the **bBoard** to enter into the contract or transaction.

It is unlawful for any person to utilize any information, not a matter of public record, which is received by the person by reason of his/her membership on the **bBoard** of directors of an auxiliary organization, for personal pecuniary gain, regardless of whether he/ ~~or~~ she is or is not a member of the **bBoard** at the time such gain is realized.

Bylaws

The bylaws of an auxiliary organization shall include, but not be limited to, specifying:

- The number of members of the **bBoard** of directors, the categories from which members shall be selected and the method by which they shall be selected.
- The size of the **bBoard** of directors.
- That at least one (1) public business meeting will be held each quarter.
- The timetable for the preparation and adoption of its program and annual budget and the submission of both for review to the Superintendent/President.
- That an attorney admitted to practice in this state and a licensed certified public accountant shall be selected to provide advice and counsel to the **bBoard** of directors. Each shall have experience appropriate to the responsibility and shall have no financial interest in any contract or other transaction entered into by the **bBoard** which he/she serves. Neither the attorney nor the certified public accountant needs to be a member of the **bBoard** of directors.
- The procedures for approving expenditures.
- The procedures for accepting gifts, donations, bequests, trusts and specially funded grants and other income. All such gifts, donations, bequests, trusts and specially funded grants must be accepted through the Antelope Valley College Foundation.

Master Agreement between District and Auxiliary Organizations

In the recognition and establishment of an auxiliary organization, there shall be a written agreement between the District and the auxiliary organization which sets forth the



purposes of the auxiliary organization as permitted under this **Regulation procedure**, and Title 5 Section 59259.

Should an auxiliary organization provide more than one (1) service, program or function, such service, program or function may be authorized in one (1) of more written contracts with the District. Such services, programs and functions thereby performed by an auxiliary organization may also be part of a joint powers agreement in accordance with Education Code Section 72671 and Government Code Section s 6500 et seq.

An auxiliary organization shall provide only those services, programs or functions authorized by a written agreement. No other service, program or function shall be permitted or performed unless a written agreement between the District and the auxiliary organization is amended to provide otherwise.

The agreement shall include, but is not limited to, the following provisions:

- The services, programs, or functions the auxiliary organization is to manage, operate or administer.
- A statement of the reasons for administration of the functions by the auxiliary organization instead of by the District under usual District procedures.
- The areas of authority and responsibility of the auxiliary organization and the District or College.
- The facilities and services to be made available by the District to permit the auxiliary organization to perform the services, programs, or functions specified in the written agreement.
- The charge or rental to be paid to the District by the auxiliary organization for the facilities used or services provided in connection with the performance of its function. The charge or rental specified shall be identified in sufficient time before it is incurred so that the organization may determine to what extent it is liable.
- Full reimbursement to the District for services performed by the District or by District employees in support of the auxiliary organization. No more than **fifty percent** (50%) of the reimbursement may be made in the form of non-monetary benefits that the auxiliary organization provides to the District, such as increased community awareness or other such benefits that are agreed upon by authorized District officials and the auxiliary organization. The District shall assign a good-faith reimbursement value to such non-monetary benefits. This does not preclude financial support for operational functions of the **D**istrict in support of the college. Student body auxiliary organizations may be exempt from reimbursing all or any



portion of the costs for such services. Methods of proration where services are performed by District employees for the organization shall be as mutually determined.

- A mutually agreed upon method of determining in advance to what extent the organization shall be liable for indirect costs relating to specially funded programs (including federally sponsored programs.).
- The responsibility for maintenance and payment of operating expenses.
- Proposed expenditures for public relations or other purposes which would serve to augment District appropriations for operation of the District. With respect to these expenditures, the auxiliary organization may expend funds in such amount and for such purposes as are approved by the **b**Board of directors of the auxiliary organization. The **b**Board of directors shall file with the Superintendent/President a statement of such policy on accumulation and use of public relations funds. The statement shall include the policy and procedure on solicitation of funds, source of funds, amounts, and purpose for which the funds will be used, allowable expenditures, and procedures of control.
- The disposition to be made of net earnings derived from the operation of the auxiliary organization, including earnings derived from facilities owned or leased by the auxiliary organization, and provisions for reserves.
- The disposition to be made of net assets and liabilities on dissolution of the auxiliary organization or cessation of the operations under the agreement.
- The covenant of the auxiliary organization to maintain its organization and to operate in accordance with **Education Code** Sections 72670 through 72682 ~~of the Education Code~~ and with the regulations contained in Title 5 Sections 59250 et seq. as well as District **b**Board **p**Policy.
- The understanding that the auxiliary organization shall obtain the services and counsel of an attorney admitted to practice in the State of California whenever the need arises.
- The understanding that the auxiliary organization shall not enter into any contract or other business arrangement involving real property either by lease involving payments of more than \$25,000 per annum and duration terms of more than one **(1)** year, or by purchase without prior notification and consultation with the Superintendent/President.

Personnel



Each auxiliary organization shall develop general regulations to govern its operations, including policies and regulations concerning the salaries, working conditions and benefits of its employees.

The aforesaid regulations shall not conflict with the implementing policies adopted by the Board of Trustees or with these procedures.

Except as otherwise provided in any board rules, the **b**Board of directors of each auxiliary organization shall, pursuant to Education Code Section 72672, provide salaries, working conditions and benefits for its full-time employees that are comparable to those provided District employees performing substantially similar services. For those full-time employees who perform services that are not substantially similar to the services performed by District employees, the salaries established shall be comparable to the salaries prevailing in other educational institutions in the area or commercial operations of like nature in the area.

Regular District employees may be employed by the auxiliary organization. District employees must resign or request a personal leave of absence from the District in order to accept employment with the auxiliary organization. District officers and employees who are required by the **D**istrict's Conflict of Interest Code (AP 2712) to file disclosure of financial information are responsible to determine whether or not they are eligible to accept employment with the auxiliary organization immediately upon resignation from the **D**istrict.

- **Educational Administrators or other Management Employees** may be granted a personal leave of absence for two **(2)** semesters, which may be extended to a maximum of ten **(10)** consecutive semesters.
- **Classified management employees** may be granted a personal leave of absence for up to one **(1)** year. This leave may not be extended beyond one **(1)** year without the employee first having returned to active duty.
- **Academic (faculty) employees** may be granted personal leave of absence for two **(2)** semesters. The leave may be extended for not more than six **(6)** consecutive semesters.
- **Classified employees** may be granted a personal leave of absence for up to one **(1)** year. This leave may not be extended beyond one **(1)** year without the employee first having returned to active duty.

The board of directors of each auxiliary organization may provide retirement benefits different from those provided comparable District employees and may withhold retirement benefits or permanent status benefits or both from temporary employees. For the purposes of this **p**Procedure, a temporary employee is:



- An employee employed for a specific research project, workshop, institute or other special project funded by any grant, contract or gift; or
- An employee whose contract of employment is for a fixed term not exceeding three (3) years.

The board of directors of each auxiliary organization may withhold permanent status benefits from executive employees. For the purposes of this Procedure, an executive employee is any management employee with responsibility for the development and execution of the auxiliary organization's policies and includes, but is not limited to, general managers, managers, directors and the like, as determined by the Board of directors of each auxiliary organization.

Should retirement benefits be provided, they may but need not be provided by the Public Employees' Retirement System. Any newly created auxiliary organization is exempted from the requirement of providing retirement benefits for a period not to exceed three (3) years from the date on which the Board of Trustees recognizes the establishment of such auxiliary organization.

An auxiliary organization may contract with the District for the services of a District employee and reimburse the District for that portion of the employee's full-time assignment (and corresponding benefits) that is spent in providing said services.

Accounting and Reporting for Auxiliary Organizations

The fiscal year of the auxiliary organization shall coincide with that of the District.

Each auxiliary organization shall develop an accounting system that is in accordance with generally accepted accounting principles.

The auxiliary organization shall implement financial practices that will assure its fiscal viability. Such standards shall include professional management, adequate working capital, adequate reserve funds for current operations, capital replacements, contingencies and adequate provisions for new business requirements.

Each auxiliary organization serving the District shall submit its programs and budgets for review at a time and in a manner specified by the Superintendent/President.

Funds derived from indirect cost payments shall only be appropriated with the specific approval of the Superintendent/President. All uses of such funds shall be regularly reported to the ~~district governing board~~ Board of Trustees.

Should the Superintendent/President determine that any program or appropriation planned by an auxiliary organization is not consistent with District policy, the program or



appropriation shall not be implemented. Further, should a program or appropriation which has received approval, upon review, be determined by the Superintendent/President to be operating outside the acceptable policy of the Board of Governors or the District, then that program or appropriation shall be discontinued by direction of the Superintendent/President until further review is accomplished and an appropriate adjustment is made.

The board of directors of an auxiliary organization shall approve all expenditure authorizations.

If the auxiliary organization receives or accrues in any fiscal year gross revenue of two million dollars (\$2,000,000) or more, it shall also:

- Include in its bylaws an audit committee appointed by the board of directors. The audit committee may include persons who are not members of the board of directors, but the member or members of the audit committee shall not include any members of the staff, including the president or chief executive officer and the treasurer or chief financial officer. If the auxiliary committee has a finance committee, it must be separate from the audit committee. Members of the audit committee shall not receive any compensation from the corporation in excess of the compensation, if any, received by members of the board of directors for service on the board and shall not have a material financial interest in any entity doing business with the corporation. Subject to the supervision of the board of directors, the audit committee shall be responsible for recommending to the board of directors the retention and termination of the independent auditor and may negotiate the independent auditor's compensation, on behalf of the board of directors.
- The audited financial statements shall be available for inspection by the Attorney General and shall be made available to members of the public.
- The board of directors, or an authorized committee of the board, shall review and approve the compensation, including benefits, of the President or Chief Executive Officer and the Treasurer or Chief Financial Officer to assure that it is just and reasonable. This review and approval shall occur initially upon the hiring of the officer, whenever the term of employment, if any, of the officer is renewed or extended, and whenever the officer's compensation is modified. Separate review and approval shall not be required if a modification of compensation extends to substantially all employees.

Records and Annual Report of Auxiliary Organizations

Personnel and payroll records shall be maintained as permanent records by each auxiliary organization.



Adequate records of all other transactions of an auxiliary organization shall be maintained for a minimum of five (5) years. Transactions of the organization include, but are not limited to, purchases, disbursements, and investments.

An annual report shall be submitted to the Board of directors of the auxiliary organization and to the Superintendent/President by September 15. The report shall include, but is not limited to:

- All financial statements required to be filed with the state California Community Colleges Chancellor's Office
- A comparison of budgeted and actual expenditures
- A description of major accomplishments of the organization
- A description of improvements proposed for operation of the organization

Records maintained by an auxiliary organization shall be available to the public to inspect or copy at all times during the office hours of the auxiliary organization, pursuant to and with the exceptions provided in Education Code Sections 72690 et seq.

Annual Audit

Each auxiliary organization shall have an annual fiscal audit of any and all funds. The audit shall be performed by a certified public accountant in accordance with procedures prescribed by the Chancellor of the California Community Colleges. Copies of the annual audit report shall be submitted to the Board of Trustees and to the state California Community Colleges Chancellor's Office within thirty (30) days after it is received by the auxiliary organization. Thereafter, it shall be a public record, except as otherwise provided by law. Such audits may be conducted as part of a fiscal audit of the District itself.

Auxiliary organizations shall annually publish an audited statement of their financial condition, which shall be disseminated as widely as feasible and be available to any person on request. A reasonable fee may be charged to cover the costs of providing a copy. An auxiliary organization shall comply with this requirement by:

- Publishing the audited financial statement in a campus newspaper; or
- Publishing a notice in a campus newspaper indicating the on-campus location where copies of the financial statement may be obtained or reviewed; or
- Publishing or noticing the audited statement in a campus bulletin or other appropriate medium if a campus newspaper is unavailable.

Insurance

Unless otherwise defined by the master agreement between the auxiliary organization and the District, an auxiliary organization shall secure and maintain insurance adequate



to protect its operations from catastrophic losses and as required by law, including but not limited to, the following:

- Comprehensive liability;
- Property and extended coverage, when applicable;
- All risks, money, and securities;
- Fidelity and performance bonds covering its chief fiscal officer;
- Automotive liability when applicable; and
- Workers' Compensation

In any insurance policy secured by the auxiliary organization, the District shall be named as additional insured.

A copy of each policy or endorsement or insurance certificates setting forth the coverage and limits shall be provided to the District within **thirty** (30) days from the receipt of the document.

In obtaining the insurance coverage, the auxiliary organization may secure the insurance directly through its own broker or through the District.

Auxiliary Organizations: Use of Facilities

Facilities may be made available by the District to an auxiliary organization to perform the functions specified in these regulations or in an agreement, under the following circumstances:

- The auxiliary organization may occupy, operate and use such District facilities as are mutually identified as appropriate for the functions and/or activities that have been undertaken by the auxiliary organization.
- Unless otherwise defined by the master agreement between the auxiliary organization and the **D**istrict, the auxiliary organization shall pay to the District a charge or rental for the District facilities to be used by it in connection with the performance of its function or functions.
- The charge or rental to be paid by the auxiliary organization shall not require involved methods of computation, and shall be identified by the District and the auxiliary organization in sufficient time before it is incurred so that the auxiliary organization may determine to what extent it shall be liable.
- The charge or rental to be incurred by an auxiliary organization for use of District facilities in excess of five **(5)** days shall be incorporated into the agreement between the parties.
- An auxiliary organization shall provide full reimbursement to the District for any services performed by District employees under the direction of the auxiliary



organization. Methods of proration where services are performed by District employees for the auxiliary organization shall be simple and equitable.

List of Auxiliary Organizations in Good Standing

Each year, the Superintendent/President shall provide to the Board of Trustees a list of all auxiliary organizations in good standing. All auxiliary organizations which, after periodic review in the manner specified hereinafter in these regulations, are found to be in compliance with applicable laws, policies, and regulations shall be included in the list.

When the Superintendent/President has reason to believe that a particular organization should be removed from the list of auxiliary organizations in good standing, a conference shall be held to determine whether such grounds for removal do in fact exist. The Board of directors of such organization shall be entitled to participate in this conference, and shall have a minimum of one (1) month notice to prepare response to the issues which have been raised.

Based upon such conference, the Superintendent/President shall decide whether the particular organization shall be removed from the list of auxiliary organizations in good standing.

An organization so removed shall not be permitted to do any of the following:

- Use the name of the District;
- Have as a director any official in the District acting in his/her official capacity;
- Operate a commercial service for the benefit of the District or any of its Colleges; and
- If the auxiliary organization is dissolved or ceases operations upon removal from the list of organizations in good standing, its net assets and liabilities shall be distributed according to the terms of the written agreement between the organization and the District.

Limitation on Transfer of Funds to Auxiliary Organizations

No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the District to any of its auxiliary organizations for the purpose of either avoiding laws or regulations which constrain community college districts or providing the District with an unfair advantage with respect to the application of any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for disabled students.

Compliance Review by Superintendent/President

All auxiliary organization procedures and practices shall be reviewed to determine compliance with Education Code Sections 72670 et seq., and the policies, rules and



regulations of the Board of Governors, and of the District. The Superintendent/President shall designate the individual to conduct this review, which shall be conducted at the end of the first complete fiscal year after its establishment and at least once every three (3) years thereafter.

When the Superintendent/President's designee determines, after inspection and review, that certain auxiliary organization procedures and practices are not in compliance with policies, rules and regulations of the Board of Governors and the District, a recommendation concerning the items of noncompliance shall be communicated in writing to the Superintendent/President and to the **b**Board of directors of the auxiliary organization. The **b**Board of directors shall reply in writing within one (1) month, either describing the actions, which will be taken, including timetable, to bring said procedures and practices into compliance; or describing the reasons why the **b**Board considers the procedures already to be in compliance.

If the Superintendent/President's designee considers the proposed corrective actions to be acceptable, the auxiliary organization shall be so informed. A second compliance review shall be held at the end of the time agreed to and the results communicated in writing to the Superintendent/President and to the board of directors.

When the auxiliary organization fails to provide an acceptable proposal for corrective actions or fails to implement successful corrective actions within the agreed upon time, the Superintendent/President shall inform the **b**Board of directors of such further action as he/she considers appropriate, which may include a recommendation to the Board of Trustees for termination of the contract.

Revision of Rules and Procedures and Reports to the ~~CCC System~~ California Community Colleges Chancellor's Office

Rules and procedures for the administration of auxiliary organizations may be revised as necessary by the Superintendent/President or designee. The **b**Board of directors of each auxiliary organization in good standing shall be promptly notified in writing of such revisions and be informed of the date by which any changes in the organization's procedures must be accomplished.

Any such revisions shall be submitted to the ~~state System~~ California Community College Chancellor's Office for approval.

The District shall report, as may be required from time to time, on the operation of its auxiliary organizations.

Also see BP 3600 Auxiliary Organizations.



Approved: 11/7/05
Revised: 5/8/06
Revised: 4/14/08
Reviewed: 4/10/17
Revised: 12/9/19



BP 3710 Securing of Copyright for District Materials

References:

Education Code Sections 72207 and 81459
17 [United States U.S. Code Section 201](#)

The Superintendent/President is directed to develop appropriate administrative procedures to implement the provisions of the Education Code that 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 the procedures, the Superintendent/President shall solicit the input of the proper representatives of the college community in accordance with the board policy and administrative procedure regarding participation in local decision-making \(BP/AP 2510\).](#)

These procedures shall not infringe upon the rights established through collective bargaining as described in Article XIX of the Faculty Collective Bargaining Agreement titled "Intellectual Property Rights."

[See Administrative Procedure #3710 Also see AP 3710 Securing of Copyright, BP/AP 3715 Intellectual Property, AP 3750 Use of Copyrighted Material, and the most current version of the Faculty Collective Bargaining Agreement.](#)

Adopted: 11/7/05
Reviewed: 5/14/18
Revised: 12/9/19



AP 3710 Securing of Copyright for District Materials

References:

Education Code Sections 72207 and 81459;
17 U.S. Code Section 108;
17 United States Code Section 201

The Superintendent/President, through legal counsel, shall initiate the process for securing copyright for any materials the District is entitled to ownership and for which the District wishes to obtain copyright protection to safeguard its rights of using, selling, giving or exchanging and licensing of those materials. Through legal counsel, the Superintendent/President shall initiate action to protect the District's copyrights against infringement.

These procedures shall not infringe upon the rights established through collective bargaining as described in Article XIX of the Faculty Collective Bargaining Agreement titled "Intellectual Property Rights."

Copyright Issues in the Library (17 USC U.S. Code Section 108)

Interlibrary Loan

Lending

The library may make one copy of an article from a periodical or chapter of a book in order to fulfill a request for this material from another library through interlibrary loan.

- The copy must become the property of the requestor.
- The copy must have a notice of copyright.
- The copy must be for private educational purposes.

Interlibrary Loan/Reserve Photocopy Notice

Notice: This material may be protected by copyright law. (Title 17 U.S. Code)

Borrowing

Issues surrounding the borrowing of materials are complex. It is considered appropriate to follow the CONTU Guidelines on Photocopying and Interlibrary Loan Arrangements.

- The library may only receive in any calendar year five (5) copies of an article or articles from any one (1) particular journal or periodical published within the last



five (5) years prior to the date of the request. This is known as “The Rule of Five”. (17 U.S. Code Section ~~Subsection~~ 108 subdivision (g)(2))

- The Rule of Five does not apply to works prior to the last five (5) years.
- The requested copies must become the property of the requestor.
- The copies may be used only for “private study, scholarship or research.”
- The library shall keep records of all requests “until the end of the third (3rd) complete calendar year after the end of the calendar year in which the respective request shall have been made”. (CONTU Guidelines 4)
- The “Warning of Copyright” must be printed on the interlibrary loan request form and be prominently displayed at the place where interlibrary loan requests are taken.

"Warning of Copyright" Notice

Notice Warning Concerning Copyright Restrictions

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under Certain Conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be “used for any purpose other than private study, scholarship, or research.” If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of “fair use”, that user may be liable for copyright infringement.

This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.

Photocopy Machines

Photocopy Machine Liability

General Exemptions. Clause (1) of subsection (f) specifically exempts a library or archives or its employees from liability for the unsupervised use of reproducing equipment located on its premises, provided that the reproducing equipment displays a notice that the making of a copy may be subject to the copyright law. Clause (2) of subsection (f) makes clear that this exemption of the library or archives does not extend to the person using such equipment or requesting such copy if the use exceeds fair use. Insofar as such person is concerned the copy or phonorecord made is not considered “lawfully” made for purposes of sections 109, 110 or other provisions of the title.



Photocopy Machine Notice

Notice: The copyright law of the United States (Title 17 U.S. Code) governs the making of photocopies or other reproductions of copyrighted material. The person using this equipment is liable for any infringement.

Other Library Copyright Issues (17 USC U.S. Code Section 108)

Replacement of Damaged Copy

Subsection (c) authorizes the reproduction of a published work duplicated in facsimile form solely for the purpose of replacement of a copy or phonorecord that is damaged, deteriorating, lost or stolen, if the library or archives has, after a reasonable effort, determined that an unused replacement cannot be obtained at a fair price. The scope and nature of a reasonable investigation to determine that an unused replacement cannot be obtained will vary according to the circumstances of a particular situation. It will always require recourse to commonly-known trade sources in the United States, and in the normal situation also to the publisher or other copyright owner (if such owner can be located at the address listed in the copyright registration), or an authorized reproducing service.

Out-of-Print Works

Subsection (e) authorizes the reproduction and distribution of a copy or phonorecord of an entire work under certain circumstances, if it has been established that a copy cannot be obtained at a fair price. The copy may be made by the library where the user makes his request or by another library pursuant to an interlibrary loan. The scope and nature of a reasonable investigation to determine that an unused copy cannot be obtained will vary according to the circumstances of a particular situation. It will always require recourse to commonly-known trade sources in the United States, and in the normal situation also to the publisher or other copyright owner (if the owner can be located at the address listed in the copyright registration), or an authorized reproducing service. It is further required that the copy become the property of the user, that the library or archives have no notice that the copy would be used for any purpose other than private study, scholarship, or research, and that the library or archives display prominently at the place where reproduction requests are accepted, and include on its order form, a warning of copyright in accordance with requirements that the Register of Copyrights shall prescribe by regulation.

Multiple Copies and Systematic Reproduction

Subsection (g) provides that the rights granted by this section extend only to the "isolated and unrelated reproduction of a single copy or phonorecord of the same material on separate occasions." However, this section does not authorize the related or concerted reproduction of multiple copies or phonorecords of the same material, whether made on



one occasion or over a period of time, and whether intended for aggregate use by one individual or for separate use by the individual members of a group. With respect to material described in subsection (d)--articles or other contributions to periodicals or collections, and small parts of other copyrighted works--subsection (g)(2) provides that the exemptions of section 108 do not apply if the library or archive engages in "systematic reproduction or distribution of single or multiple copies or phonorecords." This provision in S. 22 provoked a storm of controversy, centering around the extent to which the restrictions on "systematic" activities would prevent the continuation and development of interlibrary networks and other arrangements involving the exchange of photocopies. After thorough consideration, the Committee amended section 108(g)(2) to add the following proviso:

- Provided, that nothing in this clause prevents a library or archives from participating in interlibrary arrangements that do not have, as their purpose or effect, that the library or archives receiving such copies or phonorecords for distribution does so in such aggregate quantities as to substitute for a subscription to or purchase of such work.

Also see [BP 3710 Securing of Copyright](#), [BP/AP 3715 Intellectual Property](#), and [AP 3750 Use of Copyrighted Material](#).

Approved: 11/7/05

Revised: 12/9/19



BP 3715 Intellectual Property

References:

- 17 ~~USC~~ U.S. Code Sections 101 et seq.;
- 35 ~~USC~~ U.S. Code Sections 101 et seq.; **and**
- 37 ~~CFR~~ Code of Federal Regulations Parts 1.1 et seq.

The rights, interests, protection, and transfer of intellectual property created by District employees are defined and determined through the collective bargaining process for faculty and classified staff. For other certificated, administrators, or students, the Superintendent/President ~~will~~ **shall** develop procedures that define the rights, interests, protection, **and transfer** of intellectual property **created by District employees not covered by collective bargaining agreements and students.**

~~See Administrative Procedure #3715~~ Also see AP 3715 Intellectual Property, BP/AP 3710 Securing of Copyright, AP 3750 Use of Copyrighted Material, and the most current versions of employee collective bargaining agreements.

Adopted: 11/7/05
Revised: 2/11/19
Revised: 12/9/19



AP 3715 Intellectual Property

References:

- 17 ~~USC~~ U.S. Code Sections 101 et seq.;
- 35 ~~USC~~ U.S. Code Sections 101 et seq.; and
- 37 ~~CFR~~ Code of Federal Regulations Parts 1.1 et seq.

The following intellectual property procedure shall be interpreted consistent with other District policies, including, but not limited to, the District's policy on academic freedom (BP 4030) and federal and state statutes/regulations. This procedure shall also be interpreted consistent with all collective bargaining agreements, specifically Article XIX of the AVCFT Collective Bargaining Agreement: "Intellectual Property Rights."

Definitions

For the purposes of this procedure, the following definitions apply to the following words or phrases:

"Administrative Activity" means the execution of the District's management or administrative functions such as preparing budgets, policies, contracts, personnel management, printing course materials and catalogues, maintenance of computer data, long range planning, and keeping inventories of equipment. Teaching and academic endeavors are not administrative activities.

"Author" or "Creator" means an individual who alone or as part of a group of other creators, invent, author, discover, or otherwise create intellectual property.

"District Resources" means all tangible resources including buildings, equipment, facilities, computers, software, personnel, and funding.

"Course Materials" means materials prepared for use in teaching, fixed or unfixed, in any form, including, but not limited to, digital, print, audio, visual, or any combination thereof. Course materials include, but are not limited to, lectures, lecture notes, and materials, syllabi, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, web-ready content, and educational software.

"Course Syllabus" means a document that includes information about the outline, standards for student evaluation, and additional information which reflects the academic work of the faculty member.

"Digital Encoded Work" means a work (on a bit-sequence) that can be stored on computer-readable media, manipulated by computers, and transmitted through data networks.



“Employee” means an individual employed by the District, and shall include full-time and part-time faculty, classified staff, student employees, appointed personnel, persons with "no salary" appointments, and academic professionals, who develop intellectual property using District resources, unless there is an agreement providing otherwise.

“Intellectual Property” means works, products, processes, tangible research property, copyrightable subject matter, works of art, trade secrets, know how, inventions and other creations the ownership which are recognized and protected from unauthorized exploitation by law. Examples of intellectual property include scholarly, artistic, and instructional materials.

“Student” means an individual who was or is enrolled in a class or program at the District at the time the intellectual property was created.

“Student Employee” means a student who is paid by the District, and may include students participating in a work study program or who receive stipends while they are acting within the scope of their employment at the District at the time the intellectual property was created.

“Substantial Use of District Resources” means use of District resources beyond the normal professional, technology, and technical support generally provided by the District and extended to an individual or individuals for development of a product, project or program. The use of District resources must be important and instrumental to the creation of the intellectual property. The following do not constitute substantial use of the District’s resources: (1) incidental use of District resources and/or (2) extensive use of District resources commonly available to District employees. A substantial use of the District’s resources may be implicated in situations where the creator spends such time and energy in the creation of a work that results in a great reduction of the creator’s teaching activity.

“Work” means an “original work of authorship fixed in a tangible medium” as used in the Copyright Act.

Ownership of Intellectual Property

The ownership rights to a creation at the District shall be determined generally as set forth below, unless ownership is modified by an agreement.

Employee Intellectual Property Rights

A District employee who is the creator of an academic work in his/her field of expertise owns the copyright in that work. Academic works include textbooks, lecture notes and other course materials, literary works, artistic works, musical works, architectural works and software produced with no more than nominal or incidental use of the District’s



resources. Academic works described in this paragraph are owned by the employee even though such works may have been developed within the employee's scope of employment.

Intellectual property unrelated to an individual's employment responsibilities at the District, and that is developed on an individual's own time and without the District's support or use of District facilities is the exclusive property of the creator and the District has no interest in any such property and holds no claim to any profits resulting from such intellectual property.

District Intellectual Property Rights

The District owns all other intellectual property, including but not limited to patentable inventions, such as computer software, created by its employees under the following circumstances:

- 1) If intellectual property is created through the District's administrative activities by an employee working within his/her scope of employment; or
- 2) If intellectual property is created by an employee executing a duty or specific assignment designated by the District; or
- 3) If intellectual property is created through the substantial use of District resources; or
- 4) If intellectual property is commissioned by the District pursuant to a signed contract; or
- 5) If intellectual property is produced within one of the nine categories of works considered works for hire under copyright law pursuant to a written contract, or
- 6) If intellectual property is produced from research specifically supported by state or federal funds or third party sponsorship.

Where circumstances give rise to District intellectual property rights, as described above, the creator of the potential intellectual property will promptly disclose the intellectual property to the District. The District and the creator may enter into a written agreement whereby the creator executes documents assigning intellectual property rights to the District.

The Superintendent/President may waive the District's interests in its intellectual property by executing a written waiver.

Student Intellectual Property Rights

District students who created a work are owners of and have intellectual property rights in that work. District students own the intellectual property rights in the following works created while they are students at the District:

- 1) intellectual property created to meet course requirements using college or District resources, and



- 2) intellectual property created using resources available to the public. Intellectual property works created by students while acting as District employees shall be governed under provisions for employees.

Modification of Ownership Rights

The general provisions for ownership of intellectual property rights set forth in Section II may be modified by the parties as follows:

Sabbatical Works

Generally, intellectual property created by District employees during a sabbatical is defined as an academic work. However, where a work to be created as part of an approved sabbatical plan requires resources beyond those normally provided to other employees during a sabbatical (substantial use District resources), the parties may enter into a written agreement to define the District and employee's intellectual property rights in the sabbatical work.

Assignment of Rights

When the conditions outlined in the sections on employee intellectual property rights or student intellectual property are met, ownership will reside with the employee or student responsible for creating the intellectual property. In these circumstances, the creator may pursue intellectual property protection, marketing, and licensing activities without involving the District. If such a decision is made, the creator is entitled to all revenues received.

Any person may agree to assign some or all of his/her intellectual property rights to the District. In the event the creator offers to share or assign intellectual property rights in the creation to the District, the District may support and finance application for intellectual property protection (trademark, patent, or copyright) or it may enter into an agreement for other exploitation of the work, including management, development and commercialization of the property under terms and conditions as may be agreeable to the parties. After evaluating the creator's offer, the District may or may not decide to become involved in a joint investment agreement. A negative response from the District will be communicated in writing to the creator. An affirmative response from the District will be summarized as an offer to enter into a written contract. If the creator accepts the District's proposed contract, any revenues received from commercialization of the intellectual property will be distributed as defined in the contract.

Sponsorship Agreements

A sponsored work is a work first produced by or through the District in the performance of a written agreement between the District and a sponsor. Sponsored works generally include interim and final technical reports, software, and other works first created in the performance of a sponsored agreement. Sponsored works do not include journal articles, lectures, books or other



copyrighted works created through independent academic effort and based on the findings of the sponsored project, unless the sponsored agreement states otherwise. Ownership of copyrights to sponsored works shall be with the District unless the sponsored agreement states otherwise. Where a sponsorship agreement does not define ownership of the intellectual property, ownership shall be determined under applicable law. Any sponsorship agreement that provides for ownership of the work by one other than the District generally shall provide the District with a nonexclusive, world-wide license to use and reproduce the copyrighted work for education and research purposes.

Collaboration/Partnership Agreements

The District may participate in projects with persons/organizations that result in the creation of intellectual property. Ownership rights of such intellectual property will be defined by the collaboration/partnership agreement, or shall be determined under applicable law.

Special Commissions

Intellectual property rights to a work specially ordered or commissioned by the District from a faculty member, professional staff member, other District employee, or other individual or entity, and identified by the District, as a specially commissioned work at the time the work was commissioned, shall belong to the District. The District and the employee shall enter into a written agreement for creation of the specially commissioned work.

Use of Substantial District Resources

In the event the District provides substantial resources to an employee for creation of a work and the work was not created under an agreement (such as a sponsorship agreement, individual agreement, or special commission) the District and the creator shall own the intellectual property rights jointly in proportion to the respective contributions made.

Encoded Works/Software for Administrative Activities

The District may hire an individual or entity to develop software or other encoded works, to be used in the District's administrative activities. The District shall maintain ownership of the intellectual property rights in such encoded works. Similarly, the District shall have ownership of the intellectual property rights in encoded works created by an employee, even where the work was created out of the employee's own initiative, if the work is related to the employee's job responsibilities. For example, if an employee in the student records office creates a software program, on his/her own initiative, that will organize student records, such work is related to the employee's job duties and will belong to the District. Where an employee creates a program that does not relate to his/her job duties,



and that program was created on the employee's own time, the work belongs to the employee.

Collective Bargaining Agreement

In the event the provisions of these procedures and the provisions of any operative collective bargaining agreement conflict, the collective bargaining agreement shall take precedence.

Jointly Created Works

Ownership of jointly created works shall be determined by separately assessing which of the above categories applies to each creator, respectively. Rights between joint owners of a copyright shall be determined pursuant to copyright law.

Work Acquired by Assignment or Will

The District may acquire copyrights by assignment or will pursuant to the terms of a written agreement or testament. The terms of such agreements should be consistent with District policies and these procedures.

Materials Implicating Third Party Rights

District employees and students must comply with District policies and state and federal laws, including copyright and privacy laws, in creating works. District employees and students must obtain all required licenses, consents, and releases necessary to avoid infringing the rights of third parties. District employees and students with questions or concerns regarding third party rights should direct all inquiries to Superintendent/President.

Intellectual Property Coordinator

The Assistant Superintendent/Vice President, Academic Affairs shall be the District's Intellectual Property Coordinator. The coordinator shall administer this procedure and will implement the District's Intellectual Property Policy. The Intellectual Property Coordinator will also monitor the development and use of the District's intellectual property. Any questions relating to the applicability of the District Intellectual Property or this procedure may be directed and answered by the Intellectual Property Coordinator.

Preservation of Intellectual Property Right

Protection of Rights

The District shall undertake such efforts, as it deems necessary to preserve its rights in original works for which the District is the sole or joint owner of intellectual property rights. The District may apply for a patent, for trademark registration, for copyright



registration, or for other protection available by law on any new work in which it maintains intellectual property rights.

Payment of Costs

The District may pay some or all costs required for obtaining a patent, trademark, copyright, or other classification on original works for which it exclusively owns intellectual property rights. If the District has intellectual property rights in a jointly owned work, the District may enter into an agreement with the joint owners concerning payment of such costs.

Commercialization of Intellectual Property

Right of Commercialization

The District may commercialize its Intellectual Property using its resources or it may enter into agreements with others to commercialize the work as authorized by law.

Distribution of Proceeds

An employee who creates a work and retains an intellectual property interest in such work in which the District maintains intellectual property rights is entitled to share in royalties, licenses, and any other payments from commercialization of the work in accordance with applicable agreements and applicable laws. All expenses incurred by the District in protecting and promoting the work including costs incurred in seeking patent or copyright protection and reasonable costs of marketing the work, shall be deducted and reimbursed to the District before the creator is entitled to share in the proceeds.

Intellectual Property Account

The District shall deposit all net proceeds from commercialization of intellectual property in its own general intellectual property account. The Superintendent/President or designee may use the account to reimburse expenses related to creating or preserving the District's intellectual property rights or for any other purpose authorized by law and District policy including the development of intellectual property.

Notification

The Intellectual Property Coordinator shall provide a copy of these Intellectual Property Procedures to persons upon request. The District shall arrange training on a periodic basis for faculty, staff and/or other persons who are covered by this Intellectual Property Procedure.

The same procedures apply to certificated administrators, managers and students as apply to faculty. Intellectual property rights of faculty are defined and determined in accord with ARTICLE XIX, "Intellectual Property Rights," in the Faculty Collective Bargaining Agreement.



Also see BP 3715 Intellectual Property, BP/AP 3710 Securing of Copyright, and AP 3750 Use of Copyrighted Material.

Approved: 11/7/05
Revised: 2/11/19
Revised: 12/9/19



BP 6100 Delegation of Authority, Business and Fiscal Affairs

References:

Education Code Sections 70902 **subdivision** (d), 81655, **and** 81656

The Board **of Trustees** delegates to the Superintendent/President the authority to supervise the general business procedures of the District to assure the proper administration of property and contracts; the budget, audit and accounting of funds; the acquisition of supplies, equipment and property; and the protection of assets and persons. All transactions shall comply with applicable laws and regulations, and with the California Community Colleges Budget and Accounting Manual.

No contract shall constitute an enforceable obligation against the District until it has been approved or ratified by the Board **of Trustees**. (See **Board PolicyBP 6340 Bids and Contracts**).

The Superintendent/President shall make appropriate periodic reports to the Board **of Trustees** and shall keep the Board **of Trustees** fully advised regarding the financial status of the District.

Also see AP 6100 Delegation of Authority, Business and Fiscal Affairs.

Adopted: 5/8/06
Revised: **11/12/19**



AP 6100 Delegation of Authority, Business and Fiscal Affairs

References:

Education Code Sections 70902 subdivision (d), 81644, 81655, and 81656;
Public Contract Code Sections 20651, 20658, and 20659

The Chief Business Officer is delegated authority from the Superintendent/President to supervise budget preparation and management; oversee fiscal management of the District; and contract for, purchase, sell, lease, or license real and personal property, in accordance with board policy and law. Responsibility for the development of internal policies and procedures consistent with the provision of this regulation remains with the Chief Business Officer. This delegated authority is subject to the condition that certain of these transactions be submitted to the Superintendent/President for review and approval from time to time as determined by the Superintendent/President.

When transactions do not exceed the dollar limits established in the Public Contract Code, the Education Code or other laws pertaining to the taking of competitive bids, the Chief Business Officer may contract for goods, services, equipment and rental of facilities so long as the transactions comply with law and any limitations or requirements set forth therein. Furthermore, the Chief Business Officer may amend the terms and conditions of any contractual arrangement so long as the total expenditure of funds and period of contract do not exceed the limitations set forth in applicable law or regulation.

Approved: 8/13/20



BP 6150 Designation of Authorized Signatures

References:

Education Code Sections 85232 and 85233

Authority to sign orders and other transactions on behalf of the Board of Trustees is delegated to the Superintendent/President and other officers appointed by the Superintendent/President.

~~The authorized signatures shall be filed with the Los Angeles County Office of Education.~~

~~See Administrative Procedure #6150~~ Also see AP 6150 Designation of Authorized Signatures.

Adopted: 5/8/06
Revised: 12/9/19



AP 6150 Designation of Authorized Signatures

References:

Education Code Sections 85232 and 85233

The ~~Vice President of Business Services~~ District Disbursing Officer is hereby designated as the District officer authorized to sign warrants on behalf of the District.

~~Proper documentation regarding signing District warrants shall be filed with the county superintendent of schools.~~

The ~~Vice President of Business Services~~ District Disbursing Officer will withhold approval of District warrants when:

- Disbursement of the funds will result in the total amounts expended in any major account classification to exceed the amount budgeted.
- Established procedures have not been followed to permit verification of authenticity of the expenditure.

Approved: 5/8/06
Revised: 12/9/19



BP 6200 Budget Preparation

References:

Education Code Section 70902 **subdivision** (b)(5);
Title 5 **Sections** 58300 et seq.
Accreditation Standard III.D

Each year, the Superintendent/President shall present to the Board of **Trustees** a budget, **developed with the Chief Business Officer, and** prepared in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. The schedule for presentation and review of budget proposals shall comply with state law and regulations, and provide adequate time for Board study.

Budget development shall meet the following criteria:

- The annual budget shall support the District's master and educational plans.
- Assumptions upon which the budget is based are presented to the Board of **Trustees** for review.
- A schedule is provided to the Board of **Trustees** each year that includes dates for presentation of the tentative budget, required public hearing(s), Board study session(s), and approval of the final budget. At the public hearings, interested persons may appear and address the Board of **Trustees** regarding the proposed budget or any item in the proposed budget.
- The Board of Trustees adopted minimum requirement is **8-12%** for the unrestricted reserve.
- Changes in the assumptions upon which the budget was based shall be reported to the Board of **Trustees** in a timely manner.
- Budget projections address long-term goals and commitments.

~~See Administrative Procedure #6200~~ Also see AP 6200 Budget Preparation, BP/AP 3250 Budget Management, BP/AP 6300 Fiscal Management, AP 6305 Reserves, AP 6310 Accounting, and AP 6315 Warrants.

Adopted: 5/8/06
Revised: 12/14/15
Revised: 12/9/19



AP 6200 Budget Preparation

References:

Education Code Section 70902 **subdivision** (b)(5);
Title 5 Sections 58300 et seq;
ACCJC Accreditation Standard III.D

The budget process will include consultation with appropriate groups and will link resource allocations to institutional planning.

The District will have a goal to maintain a **fifteen percent (12-15%)** reserve in any current budget year to pay obligations, or **sixty (60)** days of cash on hand in the unrestricted fund, whichever is greater.

A budget calendar that includes presentation of the tentative and final budgets will be distributed with the annual budget call. The tentative budget shall be presented no later than July 1 [Title 5 Section 58305 **subdivision** (a)], and the final budget no later than September 15 [Title 5 Section 58305 **subdivision** (c)]. A public hearing on the budget shall be held on or before September 15 [Title 5 Section 58301].

Two **(2)** copies of the adopted budget to be submitted to the California Community College Chancellor's Office on or before September 30 [Title 5 Section 58305 **subdivision** (d)].

Submission of appropriate financial reports to include upcoming budgets will be submitted to the California Community College Chancellor's Office via the CCFS311 Report.

Also see BP 6200 Budget Preparation, BP/AP 6250 Budget Management, BP/AP 6300 Fiscal Management, AP 6305 Reserves, AP 6310 Accounting, and AP 6315 Warrants.

Approved: 5/8/06
Revised: 8/13/16
Revised: 4/8/19
Revised: 12/9/19



BP 6300 Fiscal Management

References:

Education Code Section 84040 **subdivision** (c);

Title 5 Section 58311;

ACGJC Accreditation Standard III.D

2 Code of Federal Regulations Parts 200.302 subdivision (b)(6)-(7), 200.305, and 200.400 et seq.

The Superintendent/President shall establish procedures to assure that the District's fiscal management is in accordance with the principles contained in Title 5 Section 58311, including:

- Adequate internal controls exist.
- Fiscal objectives, procedures, and constraints are communicated to the Board of **Trustees** and employees.
- Adjustments to the budget are made in a timely manner, when necessary.
- The management information system provides timely, accurate, and reliable fiscal information.
- Responsibility and accountability for fiscal management are clearly delineated.

The Superintendent/President shall also establish procedures that satisfy the U.S. Education Department General Administrative Regulations (EDGAR) Second Edition for any federal funds received by the District.

The books and records of the District shall be maintained pursuant to the California Community Colleges Budget and Accounting Manual.

As required by law, the Board of **Trustees** shall be presented with a quarterly report showing the financial and budgetary conditions of the District.

As required by the California Community Colleges Budget and Accounting Manual, expenditures shall be recognized in the accounting period in which the liability is incurred, and shall be limited to the amount budgeted for each major classification of accounts and to the total amount of the budget for each fund.

Also see BP/AP 6200 Budget Preparation, BP/AP 6250 Budget Management, AP 6300 Fiscal Management, AP 6305 Reserves, AP 6310 Accounting, and AP 6315 Warrants.

Adopted: 5/8/06

Revised: 12/14/15



Revised: 12/9/19



AP 6300 Fiscal Management

References:

Education Code Section 84040 **subdivision** (c);
Title 5 Section 58311;
ACCJC Accreditation Standard III.D.9 (~~formerly III.D.2~~)

The **D**istrict uses the following minimum standards as principles for sound fiscal management in Title 5, to ensure that procedures comply with requirements. In addition, the **D**istrict shall use commonly accepted auditing standards as criteria for fiscal management procedures.

- Provide for responsible stewardship of available resources.
- Provide for safeguarding and managing District assets to ensure ongoing effective operations; maintenance of adequate cash reserves; implementation and maintenance of effective internal controls; determination of sources of revenues prior to making short- term and long-term commitments; establishment of a plan for the repair and replacement of equipment and facilities.
- Provide for an organizational structure that incorporates a clear delineation of fiscal responsibilities and staff accountability.
- Provide that appropriate administrators keep the Board **of Trustees** current on the fiscal condition of the District as an integral part of policy and decision-making.
- Provide for development and communication of fiscal policies, objectives and constraints to the **B**oard **of Trustees**, staff, and students.
- Provide for an adequate management information system that gives timely, accurate and reliable fiscal information for planning, decision making and budgetary control.
- Provide for appropriate fiscal policies and procedures and adequate controls to ensure that established fiscal objectives are met.
- Provide a process to evaluate significant changes in the fiscal environment and make necessary, timely, financial and educational adjustments.
- Provide both short term and long-term goals and objectives, and broad-based input coordinated with District educational planning.
- **Provide an annual review of the California Community College Sound Fiscal**



Management Self-assessment Checklist.

The California Community College’s Budget and Accounting Manual shall be used by the District as the official accounting manual.

Also see BP/AP 6200 Budget Preparation, BP/AP 6250 Budget Management, BP 6300 Fiscal Management, AP 6305 Reserves, AP 6310 Accounting, and AP 6315 Warrants.

- Adopted:** 5/8/06
- Revised:** 11/9/15
- Revised:** 12/9/19



AP 6305 Reserves

Reference:

Budget and Accounting Manual, Chapter 5; Appendix A

The District shall have as a high budget priority the appropriation in the final budget of an uncommitted reserve in the unrestricted general fund. The Board of Trustees recognizes the need for cash-flow management and the necessity of considering financial uncertainties in the development of the District budget. To this end, the following reserve accounts shall be included in the final budget:

General Reserves

The final budget shall include an unappropriated reserve to ensure that the District will be in a positive cash position at the end of the fiscal year. This reserve shall be (at a minimum) fifteen percent (15%) of unrestricted general fund revenues and beginning fund balance and shall not be available for appropriations during the fiscal year.

Reserve for Emergencies

The District budget shall also include an appropriation for reserve for economic uncertainties to cover:

1. unanticipated emergencies;
2. unanticipated declines in property tax revenues or other sources of funds;
3. additional program development activities not considered prior to budget adoption. This reserve shall be (at a minimum) three percent (3%) of total unrestricted general fund revenues and beginning fund balance.

The Superintendent/President is authorized to utilize funds from the emergency fund for urgent situation upon verbal notification to the President of the Board of Trustees or, if he/she cannot be reached, any other member of the Board. Any such use of the reserve shall be reported to the Board of Trustees in the next regularly scheduled open session.

Approved: 12/9/19



AP 6307 Debt Issuance and Management

References:

Government Code Section 8855;
Title 4 Sections 6000 et seq.

No later than thirty (30) days prior to the sale of any debt issue, the District shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission through the Commission's online submittal system. The report of the proposed debt issuance shall include a certification by the District that it has adopted local debt policies concerning the use of debt and that the contemplated debt issuance is consistent with those local debt policies.

No later than twenty-one (21) days after the sale of the debt, the District shall submit a report of final sale to the California Debt and Investment Advisory Commission through the Commission's online submittal system. A copy of the final official statement for the issue shall accompany the report of final sale. If there is no official statement, the District shall provide each of the following documents, if they exist, along with the report of final sale:

- Other disclosure document.
- Indenture.
- Installment sales agreement.
- Loan agreement.
- Promissory note.
- Bond purchase contract.
- Resolution authorizing the issue.
- Bond specimen.

The District shall submit an annual report for any issue of debt for which it has submitted a report of final sale on or after January 21, 2017. The annual report shall cover a reporting period from July 1 to June 30, inclusive, and shall be submitted no later than seven months after the end of the reporting period. The annual report shall consist of the following information:

- Debt authorized during the reporting period, which shall include the following: (1) Debt authorized at the beginning of the reporting period; (2) Debt authorized and issued during the reporting period; (3) Debt authorized but not issued at the end of the reporting period; and (4) Debt authority that has lapsed during the reporting period.



- Debt outstanding during the reporting period, which shall include the following: (1) Principal balance at the beginning of the reporting period; (2) Principal paid during the reporting period; and (3) Principal outstanding at the end of the reporting period.

The use of proceeds of issued debt during the reporting period, which shall include the following: (1) Debt proceeds available at the beginning of the reporting period; (2) Proceeds spent during the reporting period and the purposes for which it was spent; and (3) Debt proceeds remaining at the end of the reporting period.

~~The Executive Director of Business Services, Chief Business Official, Chief Business Officer (CBO) shall establish procedures to ensure District is professionally managing its debt and fulfills its annual debt issuance reporting requirements to the California Debt and Investment Advisory Commission.~~

Article I Purpose and Goals

~~This Policy procedure provides a framework for debt management and capital planning by the District. This Policy procedure has been developed to meet the following goals:~~

- ~~1. Identifying the purposes for which the debt proceeds may be used.~~
- ~~2. Identifying the types of debt that may be issued.~~
- ~~3. Describing the relationship of the debt to, and integration with, the District's capital improvement program.~~
- ~~4. Establishing policy goals related to the District's planning goals and objectives.~~
- ~~5. Implementing internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use upon completion of the issuance.~~

Article II Purposes for Which Debt Proceeds May be Used

Section 2.01. Authority and Purposes of the Issuance of Debt

~~The laws of the State of California (the "State") authorize the District to incur debt to make lease payments, contract debt, borrow money, and issue bonds for school improvement projects. The District is authorized to contract debt to acquire, construct, reconstruct, rehabilitate, replace, improve, extend, enlarge, and equip such projects; to refund existing debt; or to provide for cash flow needs.~~

Section 2.02. State Law

~~Section 18 of Article XVI of the State Constitution contains the "debt limitation" formula~~



applicable to the District.

~~There are a number of State laws that govern the issuance of general obligation bonds (“GO Bonds”) by community college districts. Sections 1(b)(2) (Proposition 46) and 1(b)(3) of Article XIII A (Proposition 39) of the State Constitution allow the District to issue GO Bonds. The statutory authority for issuing GO Bonds is contained in Education Code Section 15000 et seq. Additional provisions applicable only to Proposition 39 GO Bonds are contained in Education Code Sections 15264 et seq. An alternative procedure for issuing GO Bonds is also available in Government Code Sections 53506 et seq.~~

~~The statutory authority for issuing Tax and Revenue Anticipation Notes (“TRANS”) is contained in Government Code Sections 53850 et seq. Authority for lease financings is found in Education Code Sections 17455 et seq. and additional authority is contained in Education Code Sections 17400 et seq., 17430 et seq. and 17450 et seq. The District may also issue Mello-Roos bonds pursuant to Government Code Sections 53311 et seq.~~

Section 2.03. Debt Issued to Finance Operating Costs

~~The District may deem it necessary to finance cash flow requirements under certain conditions. Such cash flow borrowing must be payable from taxes, income, revenue, cash receipts and other moneys attributable to the fiscal year in which the debt is issued.~~

~~General operating costs include, but are not limited to, those items normally funded in the District’s annual operating budget.~~

~~The District’s Superintendent/President, or CBO Executive Director of Business Services, Chief Business Official (“CBO”), will review potential financing methods to determine which method is most prudent for the District. Potential financing sources include tax and revenue anticipation notes, temporary borrowing from the Los Angeles County Treasurer and Tax Collector, and internal temporary interfund borrowing.~~

Article III Types of Debt That May be Issued

Section 3.01. Types of Debt Authorized to be Issued

- ~~A. **Short-Term:** The District may issue fixed-rate and/or variable rate short-term debt, which may include TRANS, when such instruments allow the District to meet its cash flow requirements. The District may also issue bond anticipation notes (“BANs”) to provide interim financing for bond projects that will ultimately be paid from GO Bonds.~~

- ~~B. **Long-Term:** Debt issues may be used to finance essential capital facilities, projects and certain equipment where it is appropriate to spread the cost of the projects over more than one budget year. Long term debt should not be used to fund District~~



operations.

~~Long term debt in the form of GO Bonds may be issued under Article XIII A of the State Constitution, either under Proposition 46, which requires approval by at least a two-thirds (66.67%) majority of voters, or Proposition 39, which requires approval by at least 55% of voters, subject to certain accountability requirements and additional restrictions.~~

~~The District may also enter into long term leases and/or COPs for public facilities, property, and equipment.~~

- ~~C. **Lease Financing:** Lease purchase obligations are a routine and appropriate means of financing capital equipment and certain capital facilities. However, lease obligations may impact on budget flexibility.~~
- ~~D. **Use of General Obligation Bonds:** A significant portion of the District's capital projects are projected to be funded by GO Bond proceeds. Projects financed by the GO Bonds will be determined by the constraints of applicable law and the project list approved by voters.~~

~~Article IV Relationship of Debt to and Integration with District's Capital Improvement Program or Budget~~

~~Section 4.01. Impact on Operating Budget and District Debt Burden~~

~~In evaluating financing options for capital projects, both short and long term debt amortization will be evaluated when considering a debt issuance, along with the potential impact of debt service, and additional costs associated with new projects on the operating budget of the District. The cost of debt issued for major capital repairs or replacements may be judged against the potential cost of delaying such repairs.~~

~~Section 4.02. Capital Improvement Program~~

~~The CBO and the facilities staff have responsibility for the planning and management of the District's capital improvement program subject to review and approval by the Board of Trustees. Staff will, as appropriate, supplement and revise any applicable Facilities Master Plan in keeping with the District's current needs for the acquisition, development and/or improvement of District's real estate and facilities. Such plans may include a summary of the estimated cost of each project, schedules for the projects, the expected quarterly cash requirements, and annual appropriations, in order for the projects to be completed.~~

~~Section 4.03. Refunding and Restructuring Policy~~



A. Considerations for Refunding.

1. ~~**District's Best Interest.** Whenever deemed to be in the best interest of the District, the District shall consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility.~~
2. ~~**Net Present Value Analysis.** The CBO shall review a net present value analysis of any proposed refunding in order to make a determination regarding the cost-effectiveness of the proposed refunding.~~
3. ~~**Maximization of Expected Net Savings.** Another consideration in deciding which debt to refinance and the timing of the refinancing shall be maximization of the District's expected net savings over the life of the bonds.~~
4. ~~**Comply with Existing Legal Requirements.** The refunding of any existing debt shall comply with all applicable State and Federal laws governing such issuance.~~

~~**Article V Policy Goals Related to District's Planning Goals and Objectives**~~

~~In following this Policy procedure and the related policy (BP 6307 Debt Issuance and Management), the District shall pursue the following goals:~~

1. ~~The District shall strive to fund capital improvements from voter-approved GO Bond issues to preserve the availability of its General Fund for District operating purposes and other purposes that cannot be funded by such bond issues.~~
2. ~~The District shall endeavor to attain the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements.~~
3. ~~The District shall take all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues.~~
4. ~~The District shall, with respect to GO Bonds, remain mindful of its statutory debt limit in relation to assessed value growth within the school district and the tax burden needed to meet long-term capital requirements.~~
5. ~~The District shall consider market conditions and District cash flows when timing the issuance of debt.~~



- ~~6. The District shall determine the amortization (maturity) schedule which will fit best within the overall debt structure of the District at the time the new debt is issued.~~
- ~~7. The District shall match the term of the issue to the useful lives of assets funded by that issue whenever practicable and economic, while considering repair and replacement costs of those assets to be incurred in future.~~
- ~~8. The District shall, when planning for the issuance of new debt, consider the impact of such new debt on overlapping debt of local, state and other governments that overlap with the District.~~
- ~~9. The District shall, when issuing debt, assess financial alternatives to include new and innovative financing approaches, including whenever feasible, categorical grants, revolving loans or other State/federal aid, so as to minimize the encroachment on the District's General Fund.~~
- ~~10. The District shall, when planning for the sizing and timing of debt issuance, consider its ability to expend the funds obtained in a timely, efficient and economical manner.~~

~~**Article VI**~~
~~**Internal Control Procedures for Issuance of Debt**~~
~~**to Ensure Intended Use of Proceeds**~~

~~**Section 6.01. Structure of Debt Issues**~~

~~A. **Maturity of Debt:** The duration of a debt issue shall be consistent, to the extent possible, with the economic or useful life of the improvement or asset that the issue is financing. Accordingly, the average life of the financing shall not exceed one hundred twenty percent (120%) of the average life of the assets being financed. In addition, the District shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.~~

~~**B. Debt Structure:**~~

~~**1. GO Bonds:**~~

~~a. **New Money Bond Issuances:** For new money bond issuances, the District shall size the bond issuance consistent with the "spend-down" requirements of the Internal Revenue Code and within any limits approved by the District's voters. To the extent possible, the District will also consider credit issues, market factors (e.g. bank qualification) and tax law when sizing the District's bond issuance.~~

~~b. **Refunding Bond Issuances:** The sizing of refunding bonds will be determined by the amount of money that will be required to cover the principal of, accrued interest~~



~~(if any) on, and redemption premium for the bonds to be defeased on the call date and to cover appropriate financing costs.~~

~~e. **Maximum Maturity:** All bonds issued by the District shall mature within the limits set forth in applicable provisions of the Education Code or the Government Code. The final maturity of bonds will also be limited to the average useful life of the assets financed or as otherwise required by tax law.~~

~~2. **Lease-Purchase Obligations:** The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed.~~

~~C. **Debt Service Structure:** The District shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, provide flexibility, and, as practical, to recapture or maximize its debt capacity for future use.~~

Section 6.02. Use of Proceeds

~~The District shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred. In furtherance of the policy this procedure, and in connection with the issuance of all GO Bonds:~~

- ~~1. As required by Government Code Section 53410, the District shall only use GO Bond proceeds for the purposes approved by the District's voters; and~~
- ~~2. The CBO shall have the responsibility, no less often than annually, to provide to the District's Board of Trustees a written report which shall contain at least the following information:~~
 - ~~i. The amount of the debt proceeds received and expended during the applicable reporting period; and~~
 - ~~ii. The status of the acquisition, construction, or financing of the school facility projects, as identified in any applicable bond measure, with the proceeds of the debt.~~

~~These reports may be combined with other periodic reports which include the same information, including but not limited to, periodic reports made to the California Debt and Investment Advisory Commission, or continuing disclosure reports or other reports made in connection with the debt. These requirements shall apply only until the earliest of the following: (i) all the debt is redeemed or defeased, but if the debt is refunded, such provisions shall apply until all such refunding bonds are redeemed or defeased, or (ii) all proceeds of the debt, or any investment earnings thereon, are fully expended.~~

- ~~3. The District shall post on the District website the Annual Report of the District's~~



~~Independent Bond Oversight Committee which has been given the responsibility to review the expenditure of GO Bond proceeds to assure the community that all GO Bond funds have been used for the construction, renovation, repair, furnishing and equipping of school facilities, and not used for teacher or administrator salaries or other operating expenses.~~

- ~~4. The District shall hire an independent auditor to perform an annual independent financial and performance audit of the expenditure of GO Bond proceeds, and to post such audits on the District website.~~

Adopted **Approved:** 7/10/17
Revised: 1/13/20



AP 6310 Accounting

Reference:

Budget and Accounting Manual, Chapters 3 and 4

The Budget and Accounting Manual (**BAM**) published by **the** California Community Colleges **Chancellor's Office** shall be used by the **D**istrict as the official accounting manual.

Approved: 5/8/06
Reviewed: 8/13/18
Revised: 12/9/19



AP 6315 Warrants

References:

Education Code Sections 85230 et seq.

Payroll (A Warrants)

Employment schedules shall be prepared by the Office of Human Resources and approved by the Board of Trustees prior to any payment for services rendered.

Each administrator or other designated supervisory personnel shall sign time sheet reports verifying services rendered for himself/ herself and each person under his/her jurisdiction.

Time sheet reports shall be submitted to the Human Resources Office by the end of the pay period. Payroll records shall include the following information:

- a. Employee's name
- b. Anniversary date
- c. Gross salary
- d. Deductions
- e. Net salary
- f. Amount of sick leave used and accrued
- g. Overtime record, including authorization

Payment for Materials and Equipment (B Warrants)

Prior to rendering payment for materials and equipment received, the ~~Vice President~~ Business Office shall require signed receiving slips from persons accepting goods. Receiving slips shall be checked for accuracy with purchase orders and invoices before payment is rendered.

Also see AP 6150 Designation of Authorized Signatures.

Approved: 5/8/06

Revised: 12/9/19



BP 6320 Investments

References:

Government Code Sections 53600 et seq.

The Superintendent/President is responsible for ensuring that the funds of the District are invested that are not required for the immediate needs of the District. Investments shall be in accordance with law, including California Government Code Sections 53600, et seq.

Investments shall be made based on the following criteria:

- The preservation of principal shall be of primary importance.
- The investment program must remain sufficiently flexible to permit the District to meet all operating requirements.
- Transactions should be avoided that might impair public confidence.

~~See Administrative Procedure # 6320~~ Also see AP 6320 Investments.

Adopted: 5/8/06
Reviewed: 8/13/18
Revised: 12/9/19



AP 6320 Investments

References:

Government Code Sections 53600 et seq.

The ~~Executive Director of Business Services~~ Chief Business Officer is responsible for investing the funds of the District that are not required for the immediate needs of the District. Funds so invested shall follow the investment policy approved by the governing ~~Board of Trustees~~ in accordance with the Government Code Sections cited above and the following:

- Funds that are not required for the immediate needs of the District shall be prudently invested in order to earn a return on such investment.
- The preservation of principal is of primary importance. Each transaction shall seek to ensure that capital losses are avoided, whether from securities or erosion of market value.
- The investment program should remain sufficiently flexible to enable the District to meet all operating requirements that may be reasonably anticipated in any fund. After preservation of principal, liquidity is the objective.
- In managing District investments, District officials should avoid any transactions that might impair public confidence.
- Investments should be made with precision and care, considering the probable safety of the capital as well as the probable income to be derived. (See Government Code Section 53600.6 regarding solvency and creditworthiness.)

District funds maintained by the County Treasurer that are not required for the immediate needs of the District may be invested as follows:

- **County Treasurer's Investment Pool.** Investment of District funds may be delegated to the County Treasurer. In accordance with county procedures, District funds may be pooled with other local agencies and invested by the County Treasurer in accordance with the investment guidelines specified by Government Code **Section** 53635 and investment policies adopted by the County Board of Supervisors.
- **State's Local Agency Investment Fund** (Government Code Sections 16429.1-16429.3). District funds not required for immediate needs of the District may be remitted to the State Local Agency Investment Fund (LAIF) for the purpose of



investment (Government Code **Section** 16429.1). District funds deposited with the LAIF shall be invested by the State Treasurer in securities prescribed by Government Code **Section** 16430, or the Surplus Money Investment Fund and as determined by the Local Investment Advisory Board (Government Code **Section** 16429.2).

- **Other Investments** - Other investments as permitted by Government Code Section 53600 et seq., and in particular Government Code **Sections** 53601, **53601.8, and** 53635, **and 53635.8,*** may be made by ~~Vice President of Business Services~~ **Chief Business Officer** subject to prior approval of the ~~governing~~ **Board of Trustees**.

**Government Code Sections 53601, 53601.8, and 53605, and 53635.8 permit many very specific investments. Questions should be referred to financial advisors or legal counsel.*

Approved: 5/8/06
Revised: 8/13/18
Revised: 12/9/19



AP 6322 Employee Indemnity Bonds

Reference:

Title 5 Section 58318

Each employee of the District whose duty it is to handle District funds shall be bonded under a suitable bond indemnifying the District against loss.

At the discretion of the Chief Business Official, employees of the District whose duty it is to handle district property may be required to be bonded to indemnify the District against loss.

Approved: 12/9/19



BP 6330 Purchasing

References:

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

The Superintendent/President is delegated the authority to purchase supplies, materials, apparatus, equipment and services as necessary to the efficient operation of the District. No such purchase shall exceed the amounts specified by **Public Contract Code** Section 20651 ~~of the California Public Contract Code~~ as amended from time to time.

All such transactions shall be reviewed by the Board **of Trustees** every ~~30~~ **sixty (60)** days.

All purchase orders shall be approved or ratified by the Board **of Trustees** and recorded in the official Board minutes. Purchases which meet one or more of the following criteria may be submitted for ratification.

- a. Items which, in the judgment of the ~~Executive Director of Business Services~~ **Chief Business Official**, are required for immediate use in the instructional program or for the immediate repair of buildings or equipment.
- b. Items on a standard list for which bids/quotations have been secured and approved by the Board **of Trustees**.
- c. Equipment items which have prior approval of the Board **of Trustees**.
- d. Expenditures from the Revolving Cash Fund.
- e. Purchase orders of \$25,000 or less.

~~See Administrative Procedures # 6330~~ Also see AP 6330 Purchasing.

Adopted: 5/8/06
Revised: 11/13/06
Revised: 8/13/18
Revised: 12/9/19



AP 6330 Purchasing

References:

Education Code Sections 81656, et seq.;
Public Contracts Code Sections 20650, et seq.

The objective of the Purchasing Department is to obtain the maximum, cost-effective value in procuring goods and services, which supports the District's educational mission and goals. Purchasing activities shall be performed within the limitations prescribed by California law and in accordance with ~~Board Policy~~ BP 6330 Purchasing. To accomplish this result, the decisions on purchases shall be based on:

- Specifications which stress good quality within limitations of the budget;
- The lowest cost within adherence to the specifications;
- Consideration for the quality of service and track record of the vendor/supplier; and
- Promptness of delivery.

Every transaction between a buyer or seller and the District shall be by purchase order or formal contract signed by the Superintendent/President, ~~Executive Director of Business Services~~ Chief Business Officer, or his/her designee. When deemed advisable to obtain the best pricing or when required by law, the District shall adhere to competitive, well-advertised, and well noticed purchasing processes to ensure that the District receives advantageous pricing for proper and necessary goods and services. The ~~Executive Director of Business Services~~ Chief Business Officer or Purchasing Director or designee shall establish administrative procedures for purchasing, and contract awards and management.

The District shall not conduct business (including purchasing from, or selling to) with any District employee or Board member. (see AP 2710 ~~titled~~ Conflict of Interest and AP 2712 ~~titled~~ Conflict of Interest Code)

The Chief Business Officer shall approve all purchase orders which are prepared within the line- staff organization of the College, or District operations including reasonable expenditures of District funds to;

1. purchase food and beverages as refreshments for attendees at District sponsored events which further the legitimate purposes of the District,
2. purchase commemorative awards and gifts in recognition of service to the District by non- employees when the purpose is to promote services to the District; and
3. purchase awards for students, excluding gift cards. Gift cards are considered to be the equivalent of cash and therefore are not allowed to be used as awards or payments for goods or services.



Please contact the purchasing department for specific procedures relating to the following:

- Required Approvals
- Purchase Requisition and Purchase Orders
- Pre-Payment
- Reimbursements
- Unauthorized Purchases
- Procurement Card Program
- District Credit Cards
- Department of Industrial Relations (DIR)
- Public Works
- Change Orders

Also see [BP 6330 Purchasing](#), [BP/AP 6340 Bids and Contracts](#), [AP 6345 Bids and Contracts Under the UPCCAA](#), [AP 6350 Contracts – Construction](#), [AP 6355 Contracts – Job Order Contracts](#), [AP 6360 Contracts – Electronic Systems and Materials](#), [AP 6365 Contracts – Accessibility of Information Technology](#), [AP 6370 Contracts – Personal Services](#), and [AP 6380 Vendors](#).

Approved: 5/8/06
Revised: 11/13/18
Revised: 12/9/19



BP 6340 Bids and Contracts

References:

Education Code Sections 81641, et seq.;
Public Contracts Code Sections 20650, et seq.;
Government Code Section 53060;
Accreditation Standard III.D.16;
2 Code of Federal Regulations Part 200.318

The Board of Trustees delegates to the Superintendent/President the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

- Contracts are not enforceable obligations until they are ratified by the Board of Trustees.
- Contracts for work to be done, services to be performed or for goods, equipment, or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contracts Code Section 20651 shall require prior approval by the Board of Trustees.
- When bids are required according to Public Contracts Code Section 20651, the Board of Trustees shall award each such contract to the lowest responsible bidder who meets the specifications published by the District and who shall give such security as the Board of Trustees requires, or reject all bids.
- When the District determines that, according to Public Contract Code Section 20651.7, it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may select and award the contract based on best value in accordance with AP 6340 Bids and Contracts. The bidder shall give such security as the Board requires and may reject all bids.

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

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



See Administrative Procedures #6340 Also see AP 6340 Bids and Contracts.

Adopted: 5/8/06
Revised: 1/13/20



AP 6340 Bids and Contracts

References:

Education Code Sections 81641 et seq.;

Public Contracts Code Sections 20103.7, 20112, and 20650 et seq., and 22000 et seq.;

Labor Code Sections 1770 et seq.;

Government Code Section 53060;

ACCJC Accreditation Standard III.D.16.;

2 Code of Federal Regulations Part 200.318

Contracts or purchase orders that exceed the Public Contracts Code bid limits will not be issued without required competitive bids and notifications unless an emergency, as defined in Public Contract Code Section 20654 exists.

When bids are required according to Public Contracts Code Section 20651, the Board shall award contracts to the lowest responsible bidder who meets the specifications published by the District and who shall give such security as the Board of Trustees requires, or the District shall reject all bids.

The Superintendent/President or his/her designees are empowered to execute and file a "Notice of Completion and Acceptance of Work" on behalf of the District. Such notices shall be approved in advance by the Board of Trustees.

When utilizing a "Piggyback" or Cooperative Contract per PCC Public Contract Code Section 20652, the District shall communicate via Consent Item to the Board of Trustees when the dollar amount is between \$25,000 and the bid limit. The District shall communicate via Formal Action when the dollar amount is over the bid limit.

Limits

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

- Purchase of goods or services up to the limits set by the Board of Governors as required by the Public Contracts Code will require documented quotes as noted on the District's Purchasing Website (located from the Business Services link). <https://www.avc.edu/administration/busserv/Purchasing>
- Purchase of goods or services in excess of the limits set by the Board of Governors as required by the Public Contracts Code will require formal advertised bids.

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



the Board of Trustees prior to award.

Note: The bid minimums are subject to adjustment each year by the Board of Governors as required by Public Contracts Code Section 20651 subdivision (d); The current bid minimum can be found with the California Department of Education website. at <http://www.cde.ca.gov/gf/ac/co/>. (~~<https://www.cde.ca.gov/gf/ac/co/bidthreshold2019.asp>~~)

Bid Specifications

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

Notice Calling for Formal Advertised Bids

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

Bid and contract forms shall be prepared and maintained by ~~the~~ Purchasing and Contract Services. All applicable statutory provisions and board policies shall be observed in preparation of the forms.

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

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

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

~~The~~ Purchasing and Contract Services shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and materiel personnel may examine the specifications and drawings.



The Purchasing and Contract Services shall provide an electronic copy of the plans and specifications and other contract documents to a contractor plan room service at no charge upon request from that contractor plan room.

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

Awarding of Bids and Contracts

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

- Any and all bids and contract proposals may be rejected by the District.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
- Bid and contract award recommendations to the Board shall show a tabulation of the bids received in reasonable detail.
- Selection and Award to Lowest Responsible Bidder:
 - Bid and contract awards shall be made to the lowest responsible bidder substantially meeting the requirements of the specifications.
- Selection and Award Based on Best Value:
 - For the purposes of bid evaluation and selection when the District determines that it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may provide for the selection of the lowest responsible bidder on the basis of best value.
 - "Best value" means the most advantageous balance of price, quality, service, performance, and other elements, as defined by the Board, achieved through methods in accordance with this section and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.
 - The District will consider all of the following in a best value selection and award:
 - Price and service level proposals that reduce the District's overall operating costs, including end-of-life expenditures and impact.
 - Equipment, services, supplies, and materials standards that support the District's strategic acquisition and management program direction.
 - A procedure for protest and resolution in the request for proposal.
 - The District may also consider any of the following in a best value selection and award:



- The total cost to of its purchase, use, and consumption of equipment, supplies, and materials.
- The operational cost or benefit incurred by the District.
- The added value to the District, as defined in the request for proposal, of vendor-added services.
- The quality and effectiveness of equipment, supplies, materials, and services.
- The reliability of delivery and installation schedules.
- The terms and conditions of product warranties and vendor guarantees.
- The financial stability of the vendor.
- The vendor's quality assurance program.
- The vendor's experience with the provisions of equipment, supplies, materials, and services within the institutional marketplace.
- The consistency of the vendor's proposed equipment, supplies, materials, and services with the District's overall supplies and materials procurement program.
- The economic benefits to the local community, including, but not limited to, job creation and retention.
- The environmental benefits to the local community.
- The District will award a contract to the lowest responsible bidder, whose proposal offers the best value to the District based solely on the criterial set forth in the request for proposal. The District shall document its determination in writing.
- The District shall issue a written notice of intent to award supporting its contract award and stating in detail the basis of the award. The notice of the intent to award and the contract file must be sufficient to satisfy an external audit.
- The District shall publicly announce its award, identifying the bidder to which the award is made, the price proposal of the contractor awarded the contract, and the overall combined rating on the request for proposal evaluation factors. The announcement shall also include the ranking of the contractor awarded the contract in relation to all other responsive bidders and their respective price proposals and summary of the rationale for the contract award.
- The District shall ensure that all businesses have a fair and equitable opportunity to compete for, and participate in, district contracts and shall also ensure that discrimination on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation, does not occur in the award and performance of contracts.



Purchase without Advertising for Bids

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

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

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

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

Duration of Continuing Contracts for Services and Supplies

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

Emergency Repair Contracts without Bid

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

Unlawful to Split Bids

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

Record Retention

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

- Industrial Relations or any successor agency that is responsible for the oversight of employee wage and work hour laws.

Information on the following items may be found at on the District's Purchasing Webpage under the Business Services link:
<https://www.avc.edu/administration/busserv/purchasing>:

- Bid Specifications
- Notice Calling for Formal Advertised Bids Awarding of Bids and Contracts Awards



Purchase without Advertising for Bids

- Continuing contracts for work or services furnished to the District are not to exceed five (5) years. Contracts for materials and supplies are not to exceed three (3) years.

Emergency Repair Contracts without Bid

Unlawful to Split Bids

Also see BP/AP 6330 Purchasing, AP 6345 Bids and Contracts Under the UPCCAA, AP 6350 Contracts – Construction, AP 6355 Contracts – Job Order Contracts, AP 6360 Contracts – Electronic Systems and Materials, AP 6365 Contracts – Accessibility of Information Technology, AP 6370 Contracts – Personal Services, and AP 6380 Vendors.

Approved: 5/8/06
Revised: 1/8/07
Revised: 9/10/07
Revised: 11/13/18
Revised: 1/13/20



BP 6500 Property Management

References:

Education Code Sections 81300, et seq.

The Superintendent/President is delegated the authority to act as the Board's negotiator regarding all property management matters that are necessary for the benefit of the District. No transaction regarding the lease, sale, use or exchange of real property by the District shall be enforceable until acted on by the Board **of Trustees** itself.

The Superintendent/President shall establish such procedures as may be necessary to assure compliance with all applicable laws relating to the sale, lease, use, or exchange of real property by the District.

~~See Administrative Procedures # 6500~~ Also see AP 6500 Property Management and BP/AP 6700 Civic Center and Other Facilities Use.

Adopted: 5/8/06
Reviewed: 8/13/18
Revised: 12/9/19



AP 6500 Property Management

References:

Education Code Sections 70902; and 81300 et seq.

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

Approved: 5/8/06
Revised: 8/13/18
Revised: 12/9/19



BP 6520 Security for District Property

References:

Education Code Sections 81600 et seq.;
Accreditation Standard III.B.1

The Superintendent/President shall establish procedures necessary to manage, control, and protect the assets of the District, including but not limited to ensuring sufficient security to protect property, equipment, and information from theft, loss, or significant damage.

~~See Administrative Procedures #6520~~ Also see BP/AP 3501 Campus Security and Access, BP/AP 6540 Insurance, and AP 6520 Security for District Property.

Adopted: 5/8/06
Reviewed: 8/13/18
Revised: 12/9/19



AP 6520 Security for District Property

Reference:

Accreditation Standard III.B.1

WAREHOUSING AND INVENTORY

Warehousing

The District shall maintain a system of warehousing which includes provisions for receiving, shipping, storing, and distribution of supplies and equipment.

A standard supply catalogue of supplies and equipment utilized by the District shall be maintained and made available to District personnel.

All items purchased by the District shall be delivered to the warehouse. No deliveries shall be made to individual locations or offices, without permission from the ~~Vice President, Business Services Chief Business Official~~.

INVENTORY

General Provisions

The Office of Business Services is responsible for the inventory of all District movable equipment.

Definition of Movability

Inventory items must be movable. Attachment to buildings by screws or bolts does not violate movability.

Heavy shop machines may have an elaborate foundation and still be considered "movable.";

WAREHOUSE

Inventory

A perpetual inventory shall be maintained on all items stored in the District warehouse. Precautionary measures will be taken to safeguard inventories against casualty losses.

Inventory records will be maintained in such a manner as to facilitate purchase of supplies and equipment, and to provide for an equitable adjustment of claims attributed to casualty loss.

Keys

Keys shall be issued by the Facilities Office. Duplicates of all keys shall be kept on file in the



Facilities Office. Master keys shall be issued by the ~~Executive Director of Facilities Planning~~ Chief Facilities Officer.

Also see BP/AP 3501 Campus Security and Access, BP/AP 6540 Insurance, BP 6520 Security for District Property, and BP/AP 6535 Use of District Equipment.

Approved: 5/8/06
Revised: 8/13/18
Revised: 12/9/19



AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students

References:

Education Code Sections 48800, 48800.5, 76001, 76002, and 76004

Admission Criteria and Procedures for Younger Students Special Admission Packets
Special full-time and part-time students as defined in **Board Policy BP 5010 Admission and Concurrent Enrollment** are required to complete a special admit enrollment packet consisting of an admission application, special admit authorization form, and information pertaining to the guidelines and requirements for special admit students.

Summer-school students as defined in **Board Policy BP 5010 Admission and Concurrent Enrollment** are required to complete a special admit enrollment packet consisting of an admission application, special admit authorization form, and information pertaining to the guidelines and requirements for special admit students.

Special Part-time Student Admission

To be considered for admittance as a special part-time student, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001.

All part-time special admission students taking courses at Antelope Valley College shall have their enrollment fees waived. All special admission students admitted as fulltime students will be assessed enrollment fees. Full-time special admit students may be considered for a Promise Grant Fee Waiver. Admission is subject to seat availability. The student must submit:

- district application for admission;
- written and signed parental or guardian consent;
- written and signed approval of his/ or her principal (**Note:** a parent or guardian of a pupil who is not enrolled in a public or private school may petition directly without the signature of a principal.);
- documentation to demonstrate that the student is capable of profiting from instruction. The Dean of Counseling and Matriculation has the authority to make the final decision whether a student can benefit from instruction.

Special Full-time Student Admission

To be considered for admission as a special full-time student, the student must meet the eligibility standards as established in Education Code Section 48800.05.

Admission is subject to seat availability. The student must submit:



- district application for admission;
- written and signed parental or guardian consent;
- written and signed acknowledgment of his/ or her principal. (**Note:** a pupil who is not enrolled in a public or private school does not need to provide written acknowledgment from his/her school principal.);
- documentation to demonstrate that the student is capable of profiting from instruction;
- written approval of the governing board of the school district of attendance. The Dean of Counseling and Matriculation has the authority to make the final decision whether a student can benefit from instruction.

Special Summer Session Student Admission

To be considered for admission as a special summer session student, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001. Students will not be admitted unless they have availed themselves of all opportunities to enroll in equivalent courses at their school of attendance.

The student must submit:

- written and signed parental or guardian consent;
- written and signed approval of his/ or her principal that the student has availed himself/ or herself of all opportunities to enroll in an equivalent course at his/ or her school of attendance; and
- documentation to demonstrate that the student has adequate preparation in the disciplines to be studied.

All required documents shall be sent to the Dean of Enrollment Services).

High School Student Admission

For students attending high school, the Admissions & Records Office will review the materials and determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the Dean of Counseling and Matriculation shall be final. This determination may be made by applying one or more of the following criteria:

- a review of the materials submitted by the student;
- meeting with the student and his/ or her parent or guardian;
- consultation with College Counselors;
- consideration of the welfare and safety of the student and others; and/or
- consideration of local, state, and/or federal laws.

Special admit students who are **fifteen (15)** years of age and/or have completed the **eighth (8th)** grade may be eligible to take PE courses.



Middle and Lower School Student Admission

For students attending middle and lower schools, the admission determination shall be made by Dean of Counseling and Matriculation. The school must provide transcripts and a letter signed by the principal indicating how in his/ or her opinion the student can benefit from instruction. The Dean of Counseling and Matriculation will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college, and that the student's safety and that of others will not be affected. The decision of the Dean of Counseling and Matriculation shall be final. Once a decision has been made, the student, his/ or her parent or guardian and the school principal shall be informed of the decision. This determination may be made by applying one or more of the following criteria:

- a review of the materials submitted by the student;
- meeting with the student and his/ or her parent or guardian;
- consultation with Dean of Counseling and Matriculation;
- consideration of the welfare and safety of the student and others;
- consideration of local, state, and/or federal laws;
- review of the content of the class in terms of sensitivity and possible effects on the minor;
- requirements for supervision of the minor; and/or
- times the class(es) meet and the effect on the safety of the minor.

Other Special Admission Regulations

Students will not be admitted unless they have availed themselves of all opportunities to enroll in equivalent courses at their schools of attendance. Courses in which high school and other young students are permitted to enroll will be open to the entire college population (with the exception of Dual Enrollment courses), and will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline. Enrollment priority status for special admission students is conducted in accordance with AP 5500 **Standards of Student Conduct**. Special admission students begin registration during the open registration period.

Records of enrollment of these students for apportionment purposes will be maintained in the Admissions & Records Office. All claims for state apportionment for K-12 students must meet all of the following criteria; the class is open to the general public and is advertised in one or more of the following:

- The college catalog
- The regular schedule of classes
- An addenda to the catalog or schedule

If the decision to offer a class on a high school campus is made after publication of the district's regular schedule of classes, and the class is only advertised to the general public through electronic media, the class must be advertised for a minimum of **thirty (30)**



continuous days prior to the first meeting of the class.

With the exception of Dual Enrollment courses, if the class is offered on a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the school board.

If the class is a physical education class, no more than 10 percent (10%) of the enrollment of the class may consist of special part-time or full-time students.

ALL concurrent students will receive college credit for completed courses.

If a request for special part-time or full-time enrollment is denied for a pupil who has been identified as highly gifted, the Board of Trustees shall provide written findings and reasons for the denial within sixty (60) days. A recommendation regarding the request for admission, and the denial, shall be submitted to the Board of Trustees at a regularly scheduled meeting that falls at least thirty (30) days after the request for admission has been submitted.

College and Career Access Pathways (CCAP)

The governing board has adopted all the legal requirements of Education Code Section 76004 in order to participate in the College and Career Access Pathways (CCAP) partnership with the governing board of a school district for the purpose of offering or expanding dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

The District may enter into a CCAP partnership with a school district partner that is governed by a CCAP partnership agreement approved by the governing boards of both districts. As a condition of, and before adopting, a CCAP partnership agreement, the governing board of each district, at an open public meeting of that board, shall present the dual enrollment partnership agreement as an informational item. The governing board of each district, at a subsequent open public meeting of that board, shall take comments from the public and approve or disapprove the proposed agreement.

The CCAP partnership agreement shall be filed with the office of the Chancellor of the California Community Colleges and with the department before the start of the CCAP partnership, and shall:

- outline the terms of the CCAP partnership and shall include, but not necessarily be limited to, the total number of high school students to be served and the total number of full-time equivalent students projected to be claimed by the community college district for those students; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses.



- establish protocols for information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses.
- identify a point of contact for the participating community college district and school district partner.
- certify that any community college instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in Education Code Section 87010 or any controlled substance offense as defined in Education Code Section 87011.
- certify that any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus.
- certify that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering community college campus.
- include a certification by the participating community college district of all of the following:
 - A community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering community college campus;
 - A community college course that is oversubscribed or has a waiting list shall not be offered in the CCAP partnership; and
 - Participation in a CCAP partnership is consistent with the core mission of the community colleges pursuant to Education Code Section 66010.4, and that pupils participating in a CCAP partnership will not lead to enrollment displacement of otherwise eligible adults in the community college.
- certify that both the school district and community college district partners comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching a CCAP partnership course offered for high school credit.
- specify both of the following:
 - Which participating district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education; and
 - Which participating district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.
- certify that any remedial course taught by community college faculty at a partnering high school campus shall be offered only to high school students who do not meet their grade level standard in math, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering school district, and shall involve a collaborative effort between high school and community college faculty to deliver an innovative remediation course as an intervention in the student's junior or senior year to ensure the student is prepared for college-level work upon graduation.



A community college district participating in a CCAP partnership shall not provide physical education course opportunities to high school pupils or any other course opportunities that do not assist in the attainment of at least one of the following goals:

- developing seamless pathways from high school to community college for career technical education or preparation for transfer;
- improving high school graduation rates; or
- helping high school pupils achieve college and career readiness.

The District will not enter into a CCAP partnership with a school district within the service area of another community college district, except where an agreement exists, or is established, between those community college districts authorizing that CCAP partnership.

A high school pupil enrolled in a course offered through a CCAP partnership shall not be assessed any fee that is prohibited by Education Code Section 49011.

The District may assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school as described in Education Code Section 11300 and consistent with middle college high school provisions in Education Code Section 76001.

The District may limit enrollment in a community college course solely to eligible high school students if the course is offered at a high school campus during the regular school day and the community college course is offered pursuant to a CCAP partnership agreement.

The District may allow a special part-time student participating in a CCAP partnership agreement established pursuant to this article to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied:

- The units constitute no more than four community college courses per term;
- The units are part of an academic program that is part of a CCAP partnership agreement established pursuant to this article; and
- The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

The governing board of the District exempts special part-time students from the following fee requirements:

- Student representation fee (Education Code Section 76060.5)
- Nonresident tuition fee and corresponding permissible capital outlay fee and/or processing fee (Education Code Section 76140)
- Transcript fees (Education Code Section 76223)
- Course enrollment fees (Education Code Section 76300)
- Apprenticeship course fees (Education Code Section 76350)



- Child development center fees (Education Code Section 79121)

The District shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment.

The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to this section is authorized attendance for which the community college shall be credited or reimbursed pursuant to Education Code Section 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity.

For each CCAP partnership agreement entered into pursuant to this section, the district shall report annually to the office of the Chancellor of the California Community Colleges, the Legislature, the Director of Finance, and the Superintendent all of the following information:

- The total number of high school pupils by school site enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.
- The total number of community college courses by course category and type and by school site enrolled in by CCAP partnership participants.
- The total number and percentage of successful course completions, by course category and type and by school site, of CCAP partnership participants.
- The total number of full-time equivalent students generated by CCAP partnership community college district participants.

Also see BP 5010 Admission and Concurrent Enrollment, AP 5010 Admissions, AP 5012 International Students, AP 5013 Students in the Military, BP/AP 5020 Nonresident Tuition, BP/AP 5052 Open Enrollment, BP/AP 5055 Enrollment Priorities, and BP/AP 4226 Multiple and Overlapping Enrollments.

Approved: 2/6/06
Revised: 5/6/06
Revised: 10/8/18
Revised: 11/12/19



AP 5013 Students in the Military

References:

Education Code Sections 68074, 68075, 68075.5, and 68075.7;
Title 5, Section 55023, 55024, 54041, 54042, 54050, and 58620;
Military and Veterans Code Section 824;
38 U.S. Code Section ~~3670~~ 3679

Residence Determinations for Military Personnel and Dependents

A student who is a member of the armed forces of the United States stationed in California ~~on active duty~~, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.

An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty **and is in attendance at, or has been admitted to, the District** shall be entitled to resident classification. Such student shall retain resident classification if he/she is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.

A veteran who was discharged or released from at least **ninety (90)** days of active service less than three **(3)** years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran's state of residence is entitled to resident classification.

An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California ~~and enrolls in the community college within three years of the Service Member's death in the line of duty following a period of active duty service of 90 days or more~~ is entitled to resident classification.

~~An individual who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their relationship to a member of the uniformed services who is serving on active duty is entitled to resident classification.~~

A parent who is a federal civil service employee and his or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least **one hundred (100)** employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public



higher education.

A student claiming the residence classifications provided for in this procedure must provide a statement from the student's commanding officer or personnel officer providing evidence of the date of the assignment to California, and that the assignment to active duty in California is not for educational purposes. A student claiming the residence classifications provided for here for the dependent of military personnel shall provide a statement from the military person's commanding officer or personnel officer that the military person's duty station is in California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5, Sections 54041; and 54042)

Withdrawal Policies for Members of the Military

A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A withdrawal symbol may be assigned which may be a "W" or a "MW." Military withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals. In no case may a military withdrawal result in a student being assigned an "FW" grade. In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

- Approved: 2/6/06
- Revised: 1/8/07
- Revised: 12/10/07
- Revised: 5/14/12
- Revised: 1/8/18
- Revised: 11/12/19



BP 5015 Residence Determination

References:

Education Code Sections 68040; 68086, and 76140;
Title 5, Sections 54000, et seq.

Except for students seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, students shall be classified at the time of each application for admission or registration as a resident or nonresident student.

A resident is any person who has been a bona fide resident of California for at least one (1) year on the residence determination date. The residence determination date shall be the day immediately preceding the first (1st) day of a semester or summer session for which the student applies to attend.

Residence classification shall be made for each student at the time their application for admission is accepted or registration occurs and whenever a student has not been in attendance for more than one (1) semester. A student previously classified as a nonresident may be reclassified as of any residence determination date.

The Superintendent/President shall enact procedures to assure that residence determinations are made in accordance with Education Code and Title 5 regulations.

~~See Administrative Procedure #5015~~ Also see BP 5010 Admissions and Concurrent Enrollment, AP 5010 Admissions, AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students, AP 5012 International Students, AP 5013 Students in the Military, AP 5015 Residence Determination, BP/AP 5020 Nonresident Tuition, and BP/AP 5052 Open Enrollment.

Adopted: 2/6/06

Revised: 11/12/19



AP 5015 Residence Determination

References:

Education Code Sections 68000 et seq., 68130.5, 68074-68075.7, and 68086;
Title 5, Sections 54000 et seq;
38 U.S. Code Section 3679

Residence Classification.

Residency classifications shall be determined for each student at the time of each registration and whenever a student has not been in attendance for more than one (1) semester. Residence classifications are to be made in accordance with the following provisions:

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

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

A student seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, shall not be subject to this residency classification requirement.

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

Rules Determining Residence

- A student who has resided in the state for more than one (1) year immediately preceding the residence determination date is a resident.
- A student who has not resided in the state for more than one (1) year immediately preceding the residence determination date is a nonresident.

The residence of each student enrolled in or applying for enrollment in any class or classes maintained by this District shall be determined in accordance with the Education Code which states that every person has, in law, a residence. In determining the place of residence, the following rules are to be observed:



- Every person who is married or eighteen (18) years of age, or older, and under no legal disability to do so, may establish residence.
- A person may have only one (1) residence.
- A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
- A residence cannot be lost until another is gained.
- The residence can be changed only by the union of act and intent.
- A man or a woman may establish his/ or her residence. A woman's residence shall not be derivative from that of her husband.
- The residence of the parent with whom an unmarried minor child maintains his/her place of abode is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last place of abode was maintained, provided the minor may establish his/her residence when both parents are deceased and a legal guardian has not been appointed.
- The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control.

Determination of Resident Status

A resident is a student who has been a bona fide resident of the state for one (1) year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:

- A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.
- A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one (1) year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/ or she has resided in the state the minimum time necessary to become a resident.



- A student who has not been an adult for one (1) year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one (1) year of California residence.
- A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school District in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:
 - He/ or she holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.
 - He/ or she holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.
 - He/ or she is enrolled in courses necessary to fulfill the requirements for a fifth (5th) year of education prescribed by subdivision (b) of Education Code Section 44259.
 - A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one (1) year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.
- A student who is a full-time employee of the California State University, the University of California or a community college, or of any state agency or a student who is a child or spouse of a full-time employee of the California State University, the University of California or a community college, or of any state agency may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident.
- A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty and is attendance at, or has been admitted to the District shall be entitled to resident classification. If the member of the armed forces of the United States later transfers on military orders to a place outside this state, or retires as an active



member of the armed forces of the United States, the student dependent shall not lose his/ or her resident classification so long as he/ or she remains continuously enrolled in the District.

- A student who is a member of the armed forces of the United States stationed in this state ~~on active duty~~, except a member of the Armed Forces assigned for educational purposes to a state- supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. **If the student later transfers on military orders to a place outside this state, the student shall not lose his/her resident classification, so long as he/she remains continuously enrolled in the District.**
- A veteran who was discharged or released from at least **ninety (90)** days of active service less than three **(3)** years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran's state of residence is entitled to resident classification.
- An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California. ~~and enrolls in the community college within three years of the Service Member's death in the line of duty following a period of active duty service of 90 days or more.~~
- **An individual who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their relationship to a member of the uniformed services who is serving on active duty.**
- A student who is a minor and resides with his/ or her parent in a district or territory not in a district shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one **(1)** year prior to the residence determination date for the semester, quarter or term for which the student proposes to attend.
- A student who is a Native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.
- A student who is a federal civil service employee and his/ or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least **one hundred (100)** employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.



- A student who resides in California and is **nineteen (19)** years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system, or was served by California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until he/ or she has resided in the state the minimum time necessary to become a resident.
- A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two **(2)** preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his/her state or federal personal income tax return if he/ or she has sufficient income to have personal income tax liability shall be entitled to resident classification.
- A student who demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of that deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three **(3)** or more years, and upon enrollment, will be in his/ or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he/ or she intends to establish residency in California as soon as possible.
- A student who has a special immigrant visa that has been granted status under Section 1244 of Public Law 110-181 or under Public Law 109-163, or is a refugee admitted to the United States under Section 1157 of Title 8 of the United States Code, and who, upon entering the United States, settled in California, shall be exempt from paying the nonresident tuition fee required by Education Code Section 76140 for the length of time he/she lives in this state up to the minimum time necessary to become a resident.

~~Resident Student Exceptions~~ (From current board policy)

~~A student who has been entirely self-supporting and actually present in California for one year and one day immediately preceding the residence determination date, with the intention to remain in California, shall be entitled to resident classification.~~

~~A student shall be entitled to resident classification if, immediately prior to enrolling at the College, the student has lived with and been under the continuous direct care and control of any adult or adults, other than a parent, for a period of not less than two years, providing that such adults have been domiciled in California during the year immediately prior to the residence determination date.~~



~~A student who is a member of the armed forces of the United States stationed in California on active duty, shall be entitled to resident classification.~~

~~A student who is a natural or adopted child, stepchild, or spouse and who is a dependent of a member of the armed forces of the United States stationed in California on active duty shall be entitled to resident classification.~~

~~A student who is an adult alien shall be entitled to resident classification if the student has been lawfully admitted to the United States for permanent residence, provided the parent has had residence in California for more than one (1) year after such admission prior to the residence determination date.~~

~~A student who is a minor alien shall be entitled to resident classification if both he/she and his/her parents have been lawfully admitted to the United States for permanent residence, provided that the parents have had residence in California for more than one year after such admission prior to the residence determination date.~~

~~A student who is a full-time employee of the College or a student who is a child or spouse of a full-time employee of the College is entitled to resident classification.~~

~~A student holding a valid credential authorizing service in the public schools of this State who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls shall be entitled to resident classification if the student meets requirements specified in California Administrative Code, Title V, Sec. Title 5 Section 5404. (This Title 5 Section citation appears to be missing a digit).~~

~~A student who is at least 16 years of age and who has entered into a written agreement called an "apprentice agreement" with an employer or his/her agent, an association of employers, or an organization of employees, or a joint committee representing both and which meets provisions of Labor Code Sec. Section 3078.~~

~~A student who has not been an adult resident of California for more than one year and is a dependent child of a California resident who has had residence in California for more than one year prior to the residence determination date, shall be entitled to resident classification. This exception shall continue until the student has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at the college.~~

~~Students who are holders of valid A, E, O, I, K, L, or H-1 visas and refugees may be eligible for residence classification for fee payment purposes.~~



Right To Appeal.

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

Appeal Procedure.

The appeal is to be submitted to Admissions & Records Office which must forward it to the Dean of Enrollment Services within five **(5)** working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

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

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

Reclassification.

A student previously classified as a non-resident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

Petitions are to be submitted to the Admissions and Records Office.

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

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

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

A student shall be considered financially independent for purposes of residence



reclassification if the applicant meets all of the following requirements:

- Has not and will not be claimed as an exemption for state and federal tax purposes by his/ or her parent in the calendar year prior to the year the reclassification application is made;
- Has not lived and will not live for more than six (6) weeks in the home of his/ or her parent during the calendar year the reclassification application is made.

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

Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one (1) year requirement is met and demonstration of intent is sufficiently strong.

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

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

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

Non-Citizens-

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

If non-citizens are present in the United States illegally or with any type of temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.

If, for at least one (1) year and one (1) day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him/ or her to live permanently in the United States and ~~she or~~ he/she meets the California residency requirements, the student can be classified as a resident.

Any students who are U.S. citizens, permanent residents of the U.S., and aliens who are not nonimmigrants (including those who are undocumented), may be exempt from paying



nonresident tuition if they ~~meets~~ **meet one (1)** the following requirements:

- Total attendance of, or attainment of credits earned while in California equivalent to three (3) or more years of full-time attendance or attainment of credits at any of the following: (a) California high schools; (b) California high schools established by the State Board of Education; (c) California adult schools established by either a county office of education, unified or high school district, or The Department of Corrections and Rehabilitation; (d) campuses of the California community colleges; or (e) a combination thereof; or
- Three (3) or more years of full-time high school coursework in California, and a total of three (3) or more years of attendance in California elementary schools, or a combination of California elementary and secondary schools.

Additionally, the following requirements must be met:

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

Documents and information obtained in implementing this exemption are confidential.

The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Dean of Enrollment Services. Students may appeal the decision.



~~The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Dean of Enrollment Services. Students may appeal the decision.~~

Also see BP 5010 Admissions and Concurrent Enrollment, AP 5010 Admissions, AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students, AP 5012 International Students, BP 5013 Students in the Military, BP/AP 5020 Nonresident Tuition, and BP/AP 5052 Open Enrollment.

Approved: 2/6/06
Revised: 7/11/11
Revised: 12/11/17
Revised: 11/12/19



AP 5017 Responding to Inquiries of Immigration Status, Citizenship Status, and National Origin Information

References:

Education Code Sections 66093, 66093.3, and 68076;
Title 5 Section 41905

Unless required by federal or state law, the District shall not inquire specifically about a student's citizenship or immigration status or the citizenship or immigration status of a student's parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student's immigration status, such as a green card, voter registration, a passport, or citizenship papers.

Where any law contemplates submission of immigration status or citizenship status information to satisfy the requirements of a special program, the District shall not use that documentation or information for decisions related to admissions or enrollment in courses or degree programs.

The District is not permitted to use immigration status, citizenship status, or national origin information in personal statements outside the application process, other than for legitimate educational interests, including the provision of a service or benefit relating to the student, such as health care, counseling, job placement or financial aid.

If the District learns of a student's immigration status through its application process (including the students' personal statement or answers to personal insight questions), the District shall create policies and procedures to protect such personal identifiable information and retain the information only to the extent it is necessary or required by law. The District shall avoid the disclosure of information that might indicate a student or family's citizenship or immigration status if the disclosure is not authorized by the Family Educational Rights and Privacy Act (FERPA) or state law.

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

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

- Registering a motor vehicle operated in California;



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

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

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

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

Also see BP/AP 3410 Nondiscrimination, AP 3415 Immigration Enforcement Activities, BP/AP 5015 Residence Determination, and BP/AP 5040 Student Records, Directory Information, and Privacy.

Approved: 11/12/19



BP 5020 Nonresident Tuition

References:

Education Code Sections 68050, 68051, 68130, 68130.5, 76140, and 76141;
Title 5 Section 54045.5

Nonresident students shall be charged nonresident tuition for all units enrolled, unless specifically required otherwise by law.

Not later than ~~February 1~~ **March 1** of each year, the Superintendent/President or ~~designee~~ shall bring to the Board **of Trustees** for approval an action to establish nonresident tuition for the following fiscal year. The fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual.

The Superintendent/President shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

The Superintendent/President is authorized to implement a fee of \$13 to be charged only to persons who are both citizens and residents of foreign countries. The Board of Trustees finds and declares that this fee does not exceed the amount expended by the district for capital outlay in the preceding year divided by the total FTES in the preceding fiscal year.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they are a victim of persecution or discrimination in the country of which they are a citizen and resident, or if they demonstrate economic hardship.

Students shall be deemed victims of persecution or discrimination if they present evidence that they are citizens and residents of a foreign country and that they have been admitted to the United States under federal regulations permitting such persons to remain in the United States. Students shall be deemed to have demonstrated economic hardship if they present evidence that they are citizens and residents of a foreign country and that they are receiving Temporary Assistance for Needy Families Program, Supplemental Income/State Supplementary benefits, or general assistance.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they have a parent who has been deported or was permitted to depart voluntarily, they moved abroad from California as a result of that deportation or voluntary departure, and they attended a public or private secondary school in the state for three or more years. Upon enrollment, students who qualify for this exemption must be in their first academic year as a matriculated student in California public higher education, live in California, and file an affidavit with the District stating that they intend to establish residency in California



as soon as possible.

~~See Administrative Procedure #5020~~ Also see BP 5010 Admissions and Concurrent Enrollment, AP 5010 Admissions, AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students, AP 5012 International Students, AP 5013 Students in the Military, BP/AP 5015 Residence Determination, AP 5020 Nonresident Tuition, and BP/AP 5030 Fees.

Adopted: 2/6/06
Revised: 9/10/07
Revised: 11/12/19



AP 5020 ~~Non-Resident~~ Nonresident Tuition

References:

Education Code Sections 68075.65, 68130.5 and 76140 et seq.;
Title 5 Section 54045.5

NOTE: *This procedure is **legally required**. Local practice may be inserted, which must include or address:*

- *Exemptions, including:*
 - *Any students, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:*
 - *either high school attendance in California for three (3) or more years OR attainment of credits earned in California from a California high school equivalent to three or more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or combination of those schools;*
 - *graduation from a California high school or attainment of the equivalent thereof;*
 - *registration or enrollment in a course offered for any term commencing on or after January 1, 2002;*
 - *completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and*
 - *in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status or will file an application as soon as he/she is eligible to do so.*
 - *Any students who meet the following requirements:*
 - *demonstrates financial need;*
 - *has a parent who has been deported or was permitted to depart voluntarily;*
 - *moved abroad as a result of that deportation or voluntary departure;*
 - *lived in California immediately before moving abroad;*
 - *attended a public or private secondary school in the state for three or more years; and*
 - *Upon enrollment, will be in his/her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he/she intends to establish residency in California as soon as possible.*



- *Any nonimmigrant aliens granted “T” or “U” visa status under title 8 U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)U)(i) or (ii), respectively, who meet the following requirements:*
 - *high school attendance in California for three or more years;*
 - *graduation from a California high school or attainment of the equivalent thereof;*
 - *registration or enrollment in a course offered for any term or commencing on or after January 1, 2002; and*
 - *completion of a questionnaire form prescribed by the State Chancellor’s Office verifying eligibility for this nonresident tuition exemption.*
- *A special part-time student, other than a nonimmigrant alien under 8 U.S. Code Section 1101(15)(a), participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term.*
- *A requirement that the nonresident tuition fee be set not later than March 1 of each year.*
- *A requirement that the calculation reflect the current expense of education calculated according to the Budget and Accounting Manual.*
- *Exemptions, if any, due to reciprocity with bordering states.*
- *Processing fees, if any, for international students.*
- *A requirement that the calculation include the expense of education in the preceding fiscal year.*
- *A requirement that the calculation reflect fees in contiguous Districts.*
- *A requirement that the calculation provide for students enrolled in more or less than fifteen (15) units per term.*
- *A requirement that a notice listing persons exempt from paying nonresident tuition be posted on the District’s website.*

The nonresident tuition fee may not be set later than ~~February~~ **March** 1 of each year by the ~~Vice President of Business Services~~ **Chief Business Officer**.

The calculation reflects the current expense of education calculated according to the Budget and Accounting Manual.

The calculation includes the expense of education in the preceding fiscal year. The calculation reflects fees in contiguous Districts.

The calculation provides for students enrolled in more or less than **fifteen (15)** units per term. A nonresident student shall be liable for the nonresident tuition for all units enrolled.

There shall be no exemption from payment of the nonresident tuition for students who are



classified as nonresidents. Non-resident tuition students may see the **Vice President, Student Services Officer** and make arrangements for a tuition payment plan.

Nonresident students subject to payment of community college nonresident fee, who have been admitted to a class or classes in error without payment of the fee, shall be excluded from such class or classes upon notification pending payment of the fee. For the purpose of this rule only, notification consists of oral or written contact from the Office of Admission and Records prior to the end of the fourth week of the semester, session, or period of enrollment.

Nonresident students, who have been admitted to a class or classes without payment of the fee because of falsification of information submitted by or for them shall be excluded from such class or classes upon notification. For the purpose of this rule only, notification consists of oral or written contact from the **Vice President, Student Services Officer** of the college of enrollment to the student and such notification may be given at any time. Students excluded because of falsification shall not be readmitted during the semester, academic quarter, or session from which they were excluded, nor shall they be admitted to any following semester, academic quarter or session until all previously incurred tuition obligations are paid.

~~It is the policy of the Antelope Valley Community College The District and Board of Trustees shall~~ vigorously to pursue collection of nonresident fees, payment of which was avoided by falsification. Following authorization by the Board of Trustees, ~~the Vice President Business Services Chief Business Officer;~~ shall initiate action or request the County Counsel to initiate appropriate legal action in courts of law in order to collect fees.

~~Also see BP 5010 Admissions and Concurrent Enrollment, AP 5010 Admissions, AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students, AP 5012 International Students, AP 5013 Students in the Military, BP/AP 5015 Residence Determination, BP 5020 Nonresident Tuition, and BP/AP 5030 Fees.~~

Approved: 2/6/06
Revised: 11/12/19



BP 5030 Fees

References:

Education Code Sections 76300, et seq.
Title 5 Section 58520;
Accreditation Standard I.C.6

The Board of Trustees authorizes the following fees. The Superintendent /President or designee shall establish procedures for the collection, deposit, waiver, refund, and accounting for fees as required by law.

The procedures shall also assure those who are exempt from or for whom the fee is waived are properly enrolled and accounted for. Fee amounts shall be published in the college catalogs.

Enrollment fee:

Education Code Section 76300

Each student shall be charged a fee for enrolling in credit courses as required by law.

Baccalaureate Degree Pilot Program Fees:

Title 5 Section 58520

Each student shall be charged a fee in addition to an enrollment fee for upper division coursework in a baccalaureate degree pilot program.

Course Auditing fees:

Education Code Section 76370

Persons auditing a course shall be charged a fee of not more than fifteen (\$15.00) per unit per semester. The fee amount shall be adjusted proportionally based upon the term length. Students enrolled in classes to receive credit for ten (10) or more semester credit units shall not be charged this fee to audit three (3) or fewer units per semester.

Health fee:

Education Code Section 76355

The Superintendent/President or designee shall present to the Board of Trustees for approval a fee to be charged to each full-time and part-time student for student health



services.

Parking fee:

Education Code **Section** 76360

The Superintendent/President or designee shall present for **to the Board of Trustees** for approval fees for parking for students and/or employees. A discount may be received if the parking fee is purchased with the **Associated Student Organization (ASO)** sticker each semester.

Instructional materials:

Education Code Section 76365;
Title 5, Sections 59400, et seq.

Students may be required to provide required instructional and other materials for a credit or non-credit course, provided such materials are of continuing value to the student outside the classroom and provided that such materials are not solely or exclusively available from the District.

Physical education facilities:

Education Code **Section** 76395

Where the District incurs additional expenses because a physical education course is required to use non-District facilities, students enrolled in the course shall be charged a fee for participating in the course. Such fee shall not exceed the student's calculated share of the additional expenses incurred by the District.

Student Representation Fee:

Education Code **Section** 76060.5

Students will be charged a **one dollar (\$1)** fee per semester to be used to provide support for student governmental affairs representation. A student may refuse to pay the fee for religious, political, financial, or moral reasons and shall submit such refusal in writing to the Student Development and College Activities Office.

Transcript Fees:

Education Code **Section** 76223



The District shall charge a reasonable amount for furnishing copies of any student record to a student or former student. The Superintendent/President is authorized to establish the fee, which shall not exceed the actual cost of furnishing copies of any student record. No charge shall be made for furnishing up to two (2) transcripts of students' records, or for two (2) verifications of various records. There shall be no charge for searching for or retrieving any student record.

International Students Application Processing Fee:

Education Code Section 76142

The District shall charge students who are both citizens and residents of a foreign country a fee to process his/ or her application for admission. The Superintendent/President may establish this processing fee and regulations for determining economic hardship. The fee shall not exceed the lesser of 1) the actual cost of processing an application and other documentation required by the U.S. government; or 2) one hundred dollars (\$100), which shall be deducted from the tuition fee at the time of enrollment.

~~See Administrative Procedures #5030 and 5031~~ Also see AP 5030 Fees, AP 5031 Instructional Materials, BP/AP 5200 Student Health Services, BP/AP 4070 Course Auditing and Auditing Fees, and BP/AP 6750 Parking.

Adopted: 2/6/06

Revised: 11/12/19



AP 5030 Fees

References:

Education Code Sections 70902 **subdivision** (b)(9), 76300, **76300.5**, 66025.3, and **68120**;
Title 5, Sections 51012, **58520**, and **58629**;
California Community Colleges Chancellor's Office (CCCCO) Student Fee Handbook;
Accreditation Standard I.C.6

Required fees include:

Antelope Valley College will collect an enrollment fee (**E.G. Education Code Section 76300; 5CCR Title 5 Sections 58500-58509**) from each student to help defray the cost of education and instructional materials each semester and session. The enrollment fee may change without notice, subject to mandates issued by the State of California.

Additionally, nonresident students will be charged the enrollment fee plus tuition each semester and session. The Board of Trustees will establish this fee and publish the amount in the College Catalog and/or Class Schedule. The tuition fee may be changed without notice.

Antelope Valley College is permitted by law to charge for any of the fees listed below if approved by the Board of Trustees. The cost for each of these fees will be listed in the College Catalog and/or Class Schedule and can be obtained from the appropriate on-campus office.

All fees are subject to change without notice.

Required fees include:

- Enrollment (Education Code Sections 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- Baccalaureate degree pilot program fees (Title 5 Section 58520)
- Nonresident tuition with these permissive exemptions (Education Code Sections 76140 and 76140.5):
 - All nonresident students enrolling for 6 or fewer units; or
 - A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);
 - All students, other than nonimmigrant aliens under 8 U.S. Code Section 1101 subdivision (a)(15), who meet the following requirements:
 - high school attendance in California for three (3) or more years;



- graduation from a California high school or attainment of the equivalent thereof;
- registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
- completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
- in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so.

Fees authorized by law include:

- Non-District physical education facilities (~~E.G.~~ Education Code Section 76395)
- Noncredit courses (~~E.G.~~ Education Code Section 76385)
- Community service courses (~~E.G.~~ Education Code Section 78300)
- Auditing of courses (~~E.G.~~ Education Code Section 76370)
- Instructional materials (~~E.G.~~ Education Code Sections 73365, 81457, and 81458; ~~5 CCR 59400-59408~~ Title 5 Sections 59400 and 59408)
- Athletic insurance (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))
- Cross-Enrollment with ~~CSU or UC~~ the California State University (CSU) or University of California (UC) (~~E.G.~~ Education Code Section 66753)
- Health (~~E.G.~~ Education Code Section 76355)
- Parking (~~E.G.~~ Education Code Section 76360)
- Transportation (~~E.G.~~ Education Code Sections 76361; and 82305.6)
- Student representation (~~E.G.~~ Education Code Section 76060.5; ~~5 CCR~~ Title 5 Sections 54801 and 54805)
- Student Center (~~E.G.~~ Education Code Section 76375; ~~5 CCR~~ Title 5 Section 58510)
- Copies of student records (~~E.G.~~ Education Code Section 76223)
- Dormitory (~~E.G.~~ Education Code Section 81670)
- Child care (~~E.G.~~ Education Code Sections 79121 et seq., and 66060) (79121 et seq. 66060)
- Nonresident capital outlay (~~E.G.~~ Education Code Section 76141)
- Nonresident application processing (~~E.G.~~ Education Code Section 76142)
- Credit by Examination (~~E.G.~~ Education Code Section 76300; ~~5 CCR 55753~~ Title 5 Section 55050)
- Use of facilities financed by revenue bonds (~~E.G.~~ Education Code Section 81901 subdivision (b)(3))
- Refund processing (~~5 CCR~~ Title 5 Section 58508)
- Telephone registration (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))



- Physical fitness test (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))
- Instructional Tape Lease/Deposit (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))
- Credit Card Use (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))
- International Student Medical Insurance (~~E.G.~~ Education Code Section 70902 subdivision (b)(9))

Antelope Valley College is **not permitted** by law to charge for any of the fees listed below:

Prohibited fees include:

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- Student Identification Cards (CCCCO Student Fee Handbook)
- Student Body Organization (CCCCO Student Fee Handbook)
- Nonresident application (CCCCO Student Fee Handbook)
- Field trip (~~5-CGR-55450, 55451~~ Title 5 Sections 55450 and 55451)
- For dependents of certain veterans (~~E.G. 66025.3~~ Education Code Section 66025.3)
- For dependents of certain victims of the September 11, 2001, terrorist attacks. (CCCCO Student Fee Handbook)
- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (~~E.G. 66025.3~~ Education Code Section 66025.3)
- ~~For surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in California (Education Code Section 68120)~~
- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Rental of practice rooms (CCCCO Student Fee Handbook)
- Apprenticeship courses (~~E.G.~~ Education Code Section 76350)
- Technology fee (CCCCO Student Fee Handbook)
- Late payment fee (~~5-CGR-58502, 59410~~ Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (~~5-CGR~~ Title 5 Section 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)
- Test proctoring (CCCCO Student Fee Handbook)



Collection and Refund of Fees

Antelope Valley College will refund student fees for the following reasons:

- Fees to be collected when enacted by the Legislature following registration by the student
- Fees collected in error
- Fees refundable because of a reduction in the educational program of the District
- Fees refundable because of the student's reduction in units or withdrawal from an education program
- Fees refundable because of changes in law or regulation authorizing and establishing enrollment fees
- Notice to students of availability of exemptions from certain mandatory and authorized fees

Waiver of Fees

The District may waive enrollment fees which were not collected in a previous session where the enrollment fees were not collected as a result of the District's error in awarding a California College Promise Grant (formerly known as Board of Governors Fee Waiver) to an ineligible student and not through the fault of the student, and to collect the enrollment fee would cause the student undue hardship.

Antelope Valley College shall determine a refund policy for the following fees and publish the dates in the Schedule of Classes:

Enrollment Fee refunds for full-term length classes dropped during the first two weeks of instruction only. The first week of instruction is the first week of the semester. For short-term classes, summer and intersession the refund period is shorter and the time line is available from the Admission and Records Office.

Nonresident tuition fee refunds will be made only when the student totally withdraws from the College. The request must be in writing accompanied by the registration receipt. Refunds of the basic tuition fee will be made according to the following schedule:

Regular Semesters

End of 1st week of instruction **ninety percent (90%)** of the tuition fee and enrollment fee

End of 2nd week of instruction **seventy-five percent (75%)** of the tuition fee and enrollment fee

End of 3rd week of instruction **fifty percent (50%)** of the tuition fee

End of 4th week of instruction **twenty-five percent (25%)** of the tuition fee



Summer and Intersessions

End of 1st week of instruction **ninety percent (90%)** of the tuition fee and enrollment fee

End of 2nd week of instruction **seventy-five percent (75%)** of the tuition fee and enrollment fee

End of 3rd week of instruction **fifty percent (50%)** of the tuition fee

Instructional materials fee refunds are on a prorated basis. Requests for refunds must be in writing accompanied by a drop slip signed by the instructor with the amount of the material fees to be refunded. This is based on the date and the amount of the materials used.

Parking fees will be refunded in full to those students who totally withdraw from the semester within the first two (2) weeks of instruction, shorter for summer and intersession. Requests must be in writing and accompanied by the student's parking permit, the receipt and drop slip. The request must be received by the Cashiers Office no later than the end of the 2nd week of instruction.

Associated Student Representation Fee will be refunded in full for students who in full-term length classes dropped during the first two (2) weeks of instruction only. The first week of instruction is the first week of the semester. For short-term classes, summer and intersession the refund period is shorter and the time line is available from the Admission and Records Office.

Associated Student Organization Sticker will be refunded in full to students who totally withdraw from the college within the first two weeks of instruction and request a refund in writing. Requests must be accompanied by the Student's ASO sticker, the receipt and drop slip.

All refunds will be mailed to the student's address on file with the Admission and Records Office.

Students receiving Title IV Federal Financial Aid may be required to repay a portion of the funds received based upon the withdrawal date from all classes. Students who owe a repayment to the Title IV programs are not eligible for funding at AVC or any other college or university. Contact the Financial Aid Office for additional information.

Also see BP 5030 Fees and BP/AP 5031 Instructional Materials.

Approved: 2/6/06



Revised: 5/8/06
Revised: 1/8/07
Revised: 9/10/07
Revised: 11/12/19



AP 5075 Course Adds and Drops

References:

Title 5, Sections 55024 and 58004

NOTE: *This procedure is **legally required**. Local practice may be inserted. The following language in **red ink** meets minimum legal requirements.*

Adding Courses

Students may add classes through the registration period.

[**Insert local procedures for adding.**]

After the registration period concludes, classes may only be added by formal request from the student to [**insert designated college officer**].

Priority Registration

During priority registration, students register on or after an assigned appointment time *without instructor approval*. Appointment times are assigned based on completion of Matriculation components. (**Also see BP/AP 5055 Enrollment Priorities**)

Open Registration

Students may enroll in open classes without instructor approval through the end of open registration.

Full-term courses: Open registration ends the day before the course begins.

Short-term courses: Open registration ends as of the day before the course begins.

Once open registration ends, a course is considered closed regardless of seat availability.

Late Registration

Students may enroll in classes using an instructor assigned AAC (Add Authorization Code) after a class begins and no later than the last day to add.

Full-term and short-term courses: During late registration, students may add a course(s) using an instructor assigned AAC after a class begins and no later than the last day to add.

Registration after census



Registration after census is considered:

1. When documented extenuating circumstances are provided.
2. When instructor support (usually a memo with the faculty and division dean signature) is provided.
3. When the first (1st) day of course attendance is on or before the last day to add.
4. When the student submits a completed Extenuating Circumstances petition to the Dean of Enrollment Services.

When 1-4 exists, the Dean of Enrollment Services will review the completed Extenuating Circumstances petition and determine if an exception to the last day to register will be permitted.

Withdrawals

Withdrawals, or drops, are authorized through the last day of the fourteenth (14th) week of instruction or 75% of the term, whichever is less. **[Insert local withdrawal procedures.]** Students who withdraw or drop classes during the first ~~two weeks or 10%~~ **four (4) weeks or 30% of the term full-term course**, whichever is less, will receive no notation on their academic record.

Instructors shall clear their rolls of inactive students not later than the end of the last business day before the census day for all students. **[Insert local procedures for doing so.]**

“Inactive students” include:

- Students identified as no-shows,
- Students who officially withdraw,
- Students who are no longer participating in the courses and are therefore dropped by the instructor.

A student will be permitted to withdraw from a class and receive a “W” no more than **[insert number of times a student is permitted to withdraw from class and receive a “W”, which may not be more than three (3) times]** times. In the case of multiple withdrawals, the District offers the following intervention program:

[Insert local procedures for intervention program]

Students may be permitted to enroll in a class after having received the maximum authorized number of “W” symbols as long as the students will receive a grade or a non-



evaluative symbol other than a “W” upon completion of the course, if the District policy permits additional withdrawals for which it does not receive apportionment and the official designated in the District’s policy approves such withdrawal after a review of a petition submitted by the student.

A **military withdrawal** (“MW”) will not be counted toward the permitted number of withdrawals or counted as an enrollment attempt. A military withdrawal occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol of “MW” may be assigned at any time after the period established by the District during which no notation is made for withdrawals. In no case shall a military withdrawal result in a student being assign an “FW” grade.

An **excused withdrawal** (“EW”) will not be counted toward the permitted number of withdrawals or counted as an enrollment attempt, nor will it be counted in progress probation and dismissal calculations. An excused withdrawal occurs when a student is permitted to withdraw from a course(s) due to specific events beyond the control of the student affecting his/her ability to complete a course(s) and may include a job transfer outside the geographical region, an illness in the family where the student is the primary caregiver, when the student who is incarcerated in a California state prison or county jail is released from custody or involuntarily transferred before the end of the term, when the student is subject to immigration action, or other extenuating circumstance making completion impracticable. In the case of an incarcerated student, an excused withdrawal cannot be applied if the failure to complete the course(s) was the result of the student’s behavioral violation or if the student requested and was granted a mid-semester transfer. Upon verification of these conditions and consistent with the District’s required documentation substantiating the condition, a withdrawal symbol of “EW” may be assigned at any time after the period established by the District during which no notation is made for withdrawals. In no case shall an excused withdrawal result in a student being assigned an “FW” grade.

~~Students will not be permitted to withdraw and receive a “W” in a class more than three (3) times.~~

~~When students receive a “W” in the same course on two (2) occasions, the student will be sent an e-mail from Counseling and Matriculation by the Dean of Enrollment Services after review of an educational counseling plan regarding “Ws” and student success.~~

- ~~• Students may be permitted to enroll in a class after having received three (3) authorized “Ws” as long as the students will receive a grade or a non-evaluative symbol other than a “W” if permitted to enroll a fourth time:~~
- ~~• The District policy permits additional withdrawals for which it does not receive apportionment and the Dean of Enrollment Services approves such withdrawal after a review of an Extenuating Circumstances petition.~~



Also see AP 5070 Attendance.

Approved: 2/6/06
Revised: 1/12/09
Revised: 2/8/10
Revised: 7/9/12
Revised: 1/14/13
Revised: 11/12/19



BP 5130 Financial Aid

References:

Education Code Sections 66021.6 and 76300;
20 U.S. C. Code Sections 1070, et seq.;
34 CFR Code of Federal Regulations Section Part 668; (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965 as amended);
Accreditation Standard III.D.15

A program of financial aid to students will be provided, which may include, but is not limited to, scholarships, grants, loans, and work and employment programs.

All financial aid programs will adhere to guidelines, procedures, and standards issued by the funding agency, and will incorporate federal, state, and other applicable regulatory requirements.

The Superintendent/President shall establish, publicize, and apply satisfactory academic progress standards for participants in Title IV student aid programs.

Misrepresentation

Consistent with the applicable federal regulations for federal financial aid, the District shall not engage in “substantial misrepresentation” of 1) the nature of its educational program, 2) the nature of its financial charges, or 3) the employability of its graduates.

The Superintendent/President shall establish procedures for regularly reviewing the District’s website and other informational materials for accuracy and completeness and for training District employees and vendors providing educational programs, marketing, advertising, recruiting, or admissions services concerning the District’s educational programs, financial charges, and employment of graduates to assure compliance with this policy.

The Superintendent/President shall establish procedures wherein the District shall periodically monitor employees’ and vendors’ communications with prospective students and members of the public and take corrective action where needed.

This policy does not create a private cause of action against the District or any of its representatives or service providers. The District and its governing board do not waive any defenses or governmental immunities by enacting this policy.

~~See Administrative Procedure #5130~~ Also see AP 5130 Financial Aid.



Adopted: 2/6/06
Revised: 11/12/12
Revised:



AP 5130 Financial Aid

References:

Education Code Sections [66021.3](#), [66021.6](#), [66025.9](#), [69514](#), [76300](#), and [94912.5](#);
Title 5, Sections [55031](#) and [58600](#) et seq.;
20 U.S. ~~C.~~ Code Sections 1070 et seq.;
34 ~~CFR Section~~ Code of Federal Regulations Part 668 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);
[Accreditation Standard III.D.15](#)

Financial Aid programs offered at Antelope Valley College include:

- [California College Promise Grant \(formerly known as the BOG Fee Waiver\) ~~Board of Governor's Fee Waiver \(BOGFW\)~~](#)
- [CalWORKS](#)
- Cal Grants
- Federal Pell Grant
- [Federal Direct Student Loan Program](#)
- Federal Supplemental Educational Grant (FSEOG)
- Federal Work Study (FWS)
- Federal Family Education Loan Program (FFELP)

Please refer to the Financial Aid Handbook, Financial Aid Disbursement Policy and the Financial Aid Policies and Procedures Manual that explain procedures including the following:

- Application procedures, including deadlines
- Student eligibility
- Payment procedures
- Overpayment recovery
- Accounting requirements
- Satisfactory Progress

Misrepresentation

Misrepresentation is defined as any false, erroneous or misleading statement that the District, a representative of the District, or a service provider with which the District has contracted to provide educational programs, marketing, advertising, recruiting or admissions services, makes directly or indirectly to a student, prospective student, a member of the public, an accrediting agency, a state agency, or the United States Department of Education.



A misleading statement includes any statement that has the likelihood or tendency to deceive or confuse. If a person to whom the misrepresentation was made could reasonably be expected to rely, or has reasonably relied, on the misrepresentation, the misrepresentation would be substantial.

This **policy procedure** does not apply to statements by students through social media outlets or by vendors that are not providing covered services, as reflected herein.

Loss of Eligibility for California College Promise Grant (formerly known as a BOG Fee Waiver)

A student shall become ineligible for a California College Promise Grant if the student is placed on academic or progress probation, or any combination thereof, for two consecutive primary terms. Loss of eligibility shall become effective at the first registration opportunity after such determination is made.

The District shall notify students of their placement on academic or progress probation no later than thirty days following the end of the term that resulted in the student's placement on probation. The notification must clearly state that two consecutive primary terms of probation will lead to a loss of the California College Promise Grant until the student is no longer on probation. The notification must also advise students about the available student support services to assist them in maintaining eligibility.

The District shall adopt, prominently display, and disseminate policies ensuring that students are advised about the student support services available to assist them in maintaining and reestablishing California College Promise Grant eligibility. Dissemination includes, but is not limited to, information provided in college catalogs and class schedules.

The District shall establish written procedures by which a student may appeal the loss of a California College Promise Grant due to extenuating circumstances, or when a student with a disability applied for, but did not receive, a reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses, or other circumstances that might include documented changes in the student's economic situation or evidence that the student was unable to obtain essential student support services. Extenuating circumstances also includes special consideration of the specific factors associated with Veterans, CalWORKs, EOPS, and DSPS student status.

Foster Youth shall not be subject to loss of California College Promise Grant due to placement on academic or progress probation. This exemption for Foster Youth is effective until the date specified in Education Code Section 66025.9 subdivision (c).

Approved: 2/6/06



Revised: 10/8/12
Revised: 11/12/19



BP 7110 Delegation of Authority, Human Resources

Reference:

Education Code Section 70902 **subdivision** (d)

The Board of **Trustees** delegates authority to the Superintendent/President to recommend and authorize employment, fix job responsibilities, and perform other personnel actions provided that all federal and state laws and regulations and board policies and administrative procedures have been followed, subject to confirmation by the Board of **Trustees**.

In accord with the provisions of BP 2510 **Participation in Local Decision-Making** related to participation in local decision-making by the Academic Senate, the **District** and the Academic Senate have mutually agreed to the following process for making recommendations for hiring faculty. The **Superintendent/President** shall forward the selection committee's recommendation (or recommendations if the committee is filling more than one position) to the Board of Trustees for final approval. The **Superintendent/President** may report a dissenting point of view to the Board of Trustees if he/she does not agree with the committee's recommendation(s). However, the **Superintendent/President** may not make an alternative recommendation to the Board of **Trustees**. The expectation that faculty recommendations regarding the hiring of faculty will normally be accepted is reinforced; and only in exceptional circumstances, and for compelling reasons communicated to the selection committee and to the president of the academic senate of the college, will the Board of **Trustees** not accept the committee's recommendation. The committee will then be reconvened and will be apprised of the Board's decision.

Also see **BP/AP 3410 Nondiscrimination, BP/AP 7100 Commitment to Diversity, and BP/AP 7120 Recruitment and Hiring.**

Adopted: 5/8/06
Revised: 5/9/16
Revised: 11/12/19



AP 7110 Delegation of Authority, Human Resources

References:

Education Code Section 70902 **subdivision** (d)
ACCJC Accreditation Standard **111.A.11 III.A.11**

All applicants for employment with the Antelope Valley Community College District are recommended by the **College Superintendent/President** and subject to confirmation by the Board **of Trustees**.

~~It~~ shall be the policy of **T**the District to **shall** employ the best-qualified applicants for existing vacancies. It shall be contrary to District and State policy for the President or his/her designee to refuse to recommend for employment any person for reasons of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation of the applicant.

It shall be the responsibility of the College **Superintendent/President** to ascertain that applicants nominated for employment possess all qualifications established by law and **b**Board policy for the position for which application is submitted.

The **College Superintendent/President** is authorized to appoint regular, part-time, or substitute personnel on a temporary basis in case of an emergency and to authorize employment of short-term, classified, and confidential/management supervisory personnel on a regular basis. Such appointments are subject to ratification for employment at the next Board **of Trustees** meeting.

The Vice President of Human Resources is delegated responsibility from the Superintendent/President to authorize employment, develop job responsibilities, and perform other personnel actions provided that all federal and state law and regulations, **b**Board **p**Policies and **a**Administrative **p**Procedures are followed.

Approved: 5/8/06
Revised: 2/12/07
Revised: 4/11/16
Revised: 12/9/19



BP 7120 Recruitment and Hiring

References:

Education Code Sections 70901.2, 70902 subdivisions (b)(7) & (d), & 87100 et seq., and 87458;
Title 5 Sections 51023.5 and 53000 et seq.;
Accreditation Standard III.1.A

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 ~~Board Policy BP 3420 titled~~ Equal Employment Opportunity.

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

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with board policies and administrative procedures regarding the Academic Senate's role in local decision-making.

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

~~See Administrative Procedure #7120~~ Also see BP/AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, AP 7120 Recruitment and Hiring, and the related collective bargaining agreements for applicable employee groups.

Adopted: 5/8/06
Revised: 12/12/16
Revised: 11/12/19



AP 7120 Recruitment and Hiring

References:

Education Code Sections 87100 et seq., 87400, and 88003;
ACCJC; Accreditation Standard III.A.1

EDUCATIONAL ADMINISTRATOR HIRING PROCEDURES

I. Establishment of an Educational Administrator Vacancy

- A. The Board of Trustees shall authorize the ~~District~~ Superintendent/President to fill the educational administrator vacancy. Typically, educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.
- B. The ~~District~~ Superintendent/President shall direct the Vice President of Human Resources/EEO Officer to proceed with the filling of a vacant educational administrator position.

II. Development and Responsibilities of the Search Committee

- A. Upon the authorization to proceed with recruitment for an open position, a Search Committee will be established. This Committee shall be comprised of at least two (2) administrators appointed by the ~~District~~ Superintendent/President, or designee, and at least one representative of each of the following: faculty, confidential/management/supervisory (CMS), classified employees, and students, who shall be appointed by their respective organizations. The ~~District~~ Superintendent/President may appoint additional members as appropriate. The Vice President of Human Resources/EEO Officer shall assign an Equal Employment Opportunity (EEO) representative from outside of the hiring area/division, who will serve as a voting member unless the committee determines the representative shall be an advisory member.
- B. A Vice President or designee shall serve as Chair. The chairperson is responsible for establishing operating procedures, including agreed-upon ground rules, and moving the selection process forward in a timely manner.
- C. The EEO representative will review the job announcement and consult with the ~~Superintendent~~/President or Vice President for any adverse impact.
- D. The Search Committee Chair and the EEO Officer will meet with the Search Committee members for the purpose of defining the role of the committee as that of a recommending body reviewing applications/materials and conducting interviews. In addition:



1. The EEO Officer or EEO representative will provide an overview of the EEO guidelines and each committee member will receive a copy of the EEO guidelines. (See AP 3420 titled Equal Employment Opportunity)
 2. Each member will also be required to sign a Confidentiality Agreement. All proceedings of the Search Committee shall be kept confidential. Any breach of confidentiality will result in the removal of the committee member. There are limited circumstances under which disclosure of confidential information is authorized (to a District-hired investigator, under subpoena, etc.). No discussions regarding the selection process shall take place outside the Search Committee meetings. Any unauthorized disclosure of confidential information by a Search Committee member may result in suspension from serving on selection committees in the future.
- E. The Search Committee will adopt a timeline for future meetings to include the review of applications and interviews.
- F. The membership of the Selection Committee will not change during the process, except in the event of an emergency, or as necessary as determined by the Vice President of Human Resources/EEO Officer and the Chair of the Search Committee, if applicable. Committee members must attend all scheduled meetings. Missing a scheduled meeting will result in removal from the Search Committee. Replacement of committee members is allowable at the initial formation stage only.

III. Job Specifications and Qualifications

- A. The Human Resources Office in conjunction with the Vice President/Chair and EEO Representative will prepare a preliminary position announcement for review by the Search Committee.
- B. The Chair, in consultation with the search committee, prepares a list of any supplementary materials that candidates may be asked to submit with the application for the position.
- C. The position announcement shall clearly state job specifications setting forth the knowledge, skills, and abilities necessary for job performance; desirable leadership characteristics and qualifications; and shall include sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students. Job qualifications beyond the State minimum qualifications which the District wishes to utilize shall be reviewed by the Vice President of Human Resources/EEO Officer before the position announcement is advertised to ensure conformity with the requirements of Title 5 and other state and federal nondiscrimination laws.



- D. The position announcement shall specify a deadline for review of applications for first consideration. The position shall remain open until filled.
- E. A tentative timeline for the search will be prepared at this time.

IV. Advertising the Position

- A. The advertising/recruitment phase of the administrative position shall be long enough to allow for a comprehensive nationwide search, typically **forty-five** (45) days. The District shall actively recruit from both within and outside the District work force to attract qualified applicants and shall include outreach designed to ensure that all persons, including persons from protected groups, are provided the opportunity to seek employment with the District.
- B. The Search Committee Chair recommends to Human Resources the agencies, professional organizations, Internet list servers, individuals, etc., to receive the position announcement, in addition to those normally contacted by Human Resources.
- C. The advertising/recruitment phase will be in conformance with the District's EEO Plan and other state and federal regulations.

V. Role of Human Resources Office

The Vice President of Human Resources/EEO Officer is responsible for monitoring the entire selection process. At any time the EEO Officer may interrupt the process to ensure equitable treatment of all candidates. The Human Resources Office will support the Committee Chair and all members of the search committee in the following:

- A. Prepare a preliminary position announcement in conjunction with the Vice President/Chair and EEO Representative for review by the Search Committee.
- B. Advertise the position by printing job announcements, posting the announcement on the AVC Web site, and placing ads in publications typically used by the Human Resources Office, as well as those agencies, professional organizations, Internet list servers, individuals, etc. recommended by the Search Committee.
- C. Serve as the contact point for applicants interested in the position, and will receive all applications and required materials for development of the applicant pool.
- D. Prepare the applications for review by the Search Committee, including verifying the completeness of all required materials prior to candidates being invited to campus for an interview.



- E. Review adequacy of the applicant pool and pre-screen for minimum qualifications. The Vice President of Human Resources/EEO Officer, or designee, has the responsibility to take appropriate action to ensure that the applicant pool for all positions is broadly inclusive and affords all groups equal opportunity to obtain information about District openings. Appropriate action may include extending the application period, expansion of the interview pool, halting the process and re-advertising the position, or providing written rationale as to why the hiring process should continue. All applicants for positions of Educational Administrator must meet the requirements of the [California Code of Regulations, Title 5 Sections 53406 and 53420](#) and other applicable sections. All degrees submitted by applicants to satisfy the minimum qualifications for Educational Administrator positions must be conferred at the time of application; degrees which are in progress or ABD (all but dissertation/thesis) will not be accepted.
- F. Maintain EEO information on each recruitment.
- G. Provide all complete application packages meeting minimum qualifications to the Search Committee for consideration.
- H. Prior to the screening of applicant materials by the Search Committee, the Human Resources Office will prepare screening forms using the criteria and rating/scoring matrix developed by the Search Committee.
- I. Coordinate the oral interview process. Once the committee has met to determine which candidates are to be invited for oral interviews, the Human Resources Office will contact and schedule interview candidates according to the dates and times determined by the Search Committee. Once the candidates have confirmed their appointments, a list of times will be provided to the Committee Chair.
- J. Arrange interviews with the Superintendent/President to follow the Search Committee interview of each candidate.
- K. Prior to the scheduled interviews, the Human Resources Office will provide a packet of materials for each hiring committee member, including the interview schedule, position announcement, hiring procedure, and a set of interview questions and rating sheet for each interview candidate. In addition, the Committee Chair will receive a set of application materials submitted by each interview candidate and a final rating matrix for determining finalists.



- L. All written materials regarding the selection and interview process, including forms provided by the Human Resources Office and separate notes taken by individual selection committee members, must be turned in to the Human Resources Office at the completion of the selection process to become part of the recruitment file.

VI. Developing Evaluation Criteria and Questions

- A. The Search Committee will develop the job-related criteria and the method of evaluating the applications to ensure a thorough assessment of each candidate.
- B. The Search Committee will develop interview questions including any scenarios or presentation required for the personal interviews based on the criteria listed in the position announcement. The questions shall include a diversity question to assess the candidate's sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of the district's students.

VII. Preliminary Screening of Applicants

- A. The Vice President of Human Resources/EEO Officer will review the applications to ensure there is an adequate pool of candidates.
- B. If the pool of candidates is adequate, committee members will screen applications using the screening criteria previously established. After the screening has occurred, the Search Committee will meet to reach consensus on the best-qualified candidates to be invited for an interview.
- ~~C. The Vice President of Human Resources or designee will conduct reference checks on each candidate selected for an initial interview.~~
 - ~~a. The President's Executive Council will evaluate the information obtained from each reference prior to inviting the best-qualified candidates to the initial interview.~~
- C. If the applicant pool is deemed not to be adequate, the Committee Chair will meet with the Vice President of Human Resources/EEO Officer to determine how to proceed.

VIII. Interviewing the Applicants Selected in the Preliminary Screening

- A. The Search Committee will conduct interviews using the questions they previously developed.



- B. Each Search Committee member will evaluate candidate responses and rate candidates regarding strengths and weaknesses.
- C. For each interview candidate, each Search Committee member shall complete the forms provided by the Human Resources Office. All written materials regarding the selection and interview process, including forms provided by the Human Resources Office and separate notes taken by individual selection committee members, must be turned in to the Human Resources Office at the completion of the selection process to become part of the recruitment file.
- D. Following the Search Committee interview, each candidate will also be interviewed by the Superintendent/President.
- E. The Superintendent/President will meet with the Search Committee to offer his/her perspective and to discuss final candidate(s).
- F. The Search Committee will submit the names of the final candidate(s) unranked to the District Superintendent/President.
- G. The Superintendent/President will determine the final candidate(s).
- H. If no final candidate(s) can be determined, the hiring process will return to the most appropriate stage. This may include review of the job specifications and qualifications to determine if changes should be made to the position announcement.
- I. Once the finalist(s) has (have) been identified, reference checks will be conducted by the Chair of the committee and submitted to the Human Resources Office in a written, legible manner.
- J. In the case of Vice President and Superintendent/President positions, identified finalists will proceed to the second level interview stage.

IX. Second Level Interviews for Vice President and Superintendent/President Positions

In the case of Vice President and Superintendent/President positions, identified finalists proceed to the second level interview stage. The purpose of the second-level interview is two-fold: to give the campus community a chance to meet and evaluate the candidate, and to give the candidate a chance to decide whether this would be a good place for him/ ~~or~~ her to work.



- A. All finalists should follow the same schedule, so that all will be reviewed under the same conditions. This means that any internal candidates should follow the same schedule as the external candidates.
- B. Identified finalists will be invited to campus to meet with various individuals and groups including:
 - 1. Superintendent/President (typically from 8:00 a.m. to 9:00 a.m.)
 - 2. Academic Senate and Union representatives (typically from 10:00 a.m. to 11:00 a.m. as one group)
 - 3. Deans (vice president finalists typically meet with Administrative Council members from 11:00 to 12 noon)
 - 4. Board of Trustees (vice president and superintendent/president finalists meet Board members at lunch in the President's Conference room)
- C. In addition to meetings with various individuals and groups, the candidates should present an "open forum" at which each finalist will be given an opportunity to discuss their preparation for the position, their education and leadership philosophy, their views on significant issues related to the position, and respond to questions from the forum attendees. The forums will be open to the public.

X. Final Selection

- A. Additional reference checking will be completed at this time.
- B. The District Superintendent/President will make a final recommendation to the Board of Trustees.
- C. The Board of Trustees will approve the recommended candidate in open session.
- D. If no acceptable candidate is identified, the hiring process will return to the most appropriate stage.

PROCEDURES AND PRACTICES FOR HIRING OF FULL-TIME CONFIDENTIAL/MANAGEMENT/SUPERVISOR STAFF

DEFINITION OF TERMS

For the purposes of this document, the following terms will have the designated meanings:



Confidential refers to any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. (~~Govt.~~ Government Code Section 3540.1)

Management/Supervisory refers to those positions or classes of positions specified as supervisory, administrative, or executive and excluded from the overtime provisions. (Education Code Section 88029 and Government Code Section 3540.1)

Immediate Supervisor refers to the supervisor/manager or administrative officer with direct responsibility for the position under consideration.

Required Qualifications, Desirable Qualifications, and Equivalencies, as used in later sections of the document, refer to the definitions established in Part 1 of the document.

ORGANIZATION

This policy is presented in two (2) sections.

Part I addresses the establishment of Required Qualifications, Desirable Qualifications, and the Evaluation of Equivalencies for Minimum Qualifications.

Part II addresses the hiring procedure. It contains a flow-chart which establishes the order of activities and a narrative which details the procedures.

Unless expressly articulated in narrative form, all hiring activities will be conducted using all of the appropriate procedures in both parts.

PART I – Required Qualifications, Desirable Qualifications, Evaluation of Equivalencies

1. Required Qualifications

- a. The Minimum Qualifications recommended by the manager/supervisor and approved and adopted by the Board of Trustees of the District will be used as the basis for minimum qualifications for all non-instructional positions.
- b. All applicants will be provided the opportunity to have equivalent qualifications, as stated on the job description and job announcement, reviewed and considered for the meeting of minimum qualifications.
- c. Required Qualifications for all positions will include “sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students.” [~~re:—AB-1725, Education Code Section Sect.~~ 87360, p. 50]



- d. The staff of the Human Resources Office will determine the candidates who meet minimum qualifications as set forth in the job announcement based on information provided on the official position announcement. Educational qualifications beyond high school will be verified by copies of official transcripts or degrees provided by the applicant. All degrees and units used to satisfy minimum qualifications shall be from accredited institutions. "Accredited institution" shall mean a postsecondary institution accredited by an accreditation agency recognized by either the U.S. Department of Education or the Council for Higher Education Accreditation.
- e. The files of all candidates who meet minimum qualifications will be reviewed by the screening committee. The screening committee will not review the file of any candidate who does not meet minimum qualifications.

2. Desirable Qualifications

- a. Job announcements may include a set of "desirable qualifications," separate from the minimum qualifications. These desirable qualifications should describe meaningful characteristics that support the functional responsibilities of the position.
- b. The combination of the minimum qualifications and the job-related desirable qualifications will be used as the basis for decision making throughout the screening, interviewing, and recommendation of applicants. Among the desirable characteristics to be considered in the decision making process will be the District's commitment to "hire and retain employees whose backgrounds and abilities add to the cultural diversity of the institution."

3. Establishing Required and Desirable Qualifications

- a. The required and desirable qualifications will be identified by the manager/supervisor in consultation with the divisional administrator and the divisional Vice President. The initial drafting of the required and desirable qualifications will be done by the manager/supervisor and/or administrator.
- b. The Equal Employment Opportunity Officer will monitor the minimum and desirable qualifications for adverse impact. If the EEO Officer believes the qualifications appear to be too restrictive, he/she will meet with the divisional administrator and the immediate supervisor to review the qualifications. If discriminatory intent or effect is identified, the EEO Officer shall implement solutions and/or confer with the divisional Vice President to determine necessary remedies.

4. Criteria for Determining Educational Equivalency



- a. In general, formal academic training equivalent to the training stipulated in the minimum qualification will be considered acceptable. Completion of all academic requirements by the effective date of employment shall be required. Examples of such equivalencies might include (but not be restricted to):

- (1) Minimum degree requirement from an accredited institution with a different name but supported by course work equivalent to the field required.
- (2) Completion of course work and academic requirements required for the minimum degree from an accredited institution without the award of the degree (e.g., a candidate who has completed degree requirements but has not received the degree due to the academic calendar).

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.

- b. When minimum qualifications require a bachelor's degree in a designated major, a bachelor's major shall be accepted if it meets one of the following sets of criteria.

- (1) A major designated on the transcript which is determined to be equivalent to the designated major (e.g., Management for Business Administration). If the major is clearly designated on the transcript, no equivalency review is necessary.)
- (2) Twenty-four semester units of credit (or equivalent quarter units) in the designated major field with 18 of those units at the upper division level. For disciplines in which equivalent courses are offered in different departments, the equivalent courses in different disciplines may be counted toward the 24 units.

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.

- c. For disciplines in which the degree is not generally expected or available (e.g. vocational areas), the equivalent of an associate's degree shall be considered the successful completion of two (2) years of course work at a two-or four-year institution (the equivalent of sixty (60) semester hours) including the completion of courses usual to a general education component.

Evidence in support of equivalent academic training shall include transcripts from appropriately accredited institutions.



- d. In determining the equivalence for a year of specified professional service, Human Resources will consider whether the equivalent experience required the performance of duties typical of the specified professional service.
- e. After a position has gone through a complete announcement, recruitment, and application cycle using the established minimum qualifications criteria, and it is determined that the pool of applicants is inadequate, the following procedure may be used. The administrator and immediate supervisor in the division may determine that a combination of nonacademic and academic training and experience will be accepted as equivalent to the minimum qualifications for a position. In such cases, the administrator and the immediate supervisor in the division will specify the following equivalent criteria before the position is announced, and a complete description of the criteria will be included with the position announcement. The determination of equivalent qualifications shall be subject to the review and approval of the EEO Officer.
 - (1) Possession of an associate's degree. An appropriate major discipline(s) will be specified, if the faculty and the immediate supervisor determine the specification of a discipline to be a necessary equivalency.
 - (2) The specific experience required or management function as a full-time employee, etc.
 - (3) The level of the experience (e.g., a management level equivalent to supervisor of record, etc.)
 - (4) The length and/or amount of experience (e.g., four (4) years of full-time experience, four (4) seasons as director/supervisor, etc.)

All specified experience must be verifiable, through references. The reference checks will be reviewed by Human Resources. The procedures outlined in "Establishing Required and Desirable Qualifications" will be used in the establishment of equivalency criteria. This provision may be used again if the new search does not produce an adequate pool.

- f. Clear and verifiable eminence in a field will be considered equivalent to minimum qualifications. Documentation must be provided that establishes that the candidate is recognized as eminent outside of his/her geographical region and that the candidate's eminence is based on experiences and activities in his/her field clearly beyond those that are usual.

PART II Hiring Procedure



The following narrative supplements the flow charts in the Appendix.

1. Announcement of Positions

- a. The Announcement of a Position will be drafted by the administrator of the division and the immediate supervisor who established the minimum and desirable qualifications for that position (see “Establishing Required and Desirable Qualifications”) in consultation with the Vice President of Human Resources, or his/her designee, and the Vice-President with domain over the position.
- b. Position announcements will include the following sections:

Basic Function: A brief description of the position and the relationship of the position to the divisional and college functions and activities.

Education and Experience: A statement including the established minimum qualifications, the appropriate valid credential(s), the provision for equivalencies, and reference to “sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students.” (see “Required Qualifications”)

Desirable Qualifications: A list of the qualifications that have been established as desirable. (See “Desirable Qualifications”)
Since the minimum and desirable qualifications will be used to establish the criteria for screening applications, interviewing candidates, and recommending candidates, the descriptions of these qualifications should provide applicants with a basis for submitting supporting materials that address these criteria.

Representative Duties: A list of typical duties including the following:

- (1) A brief description of the primary responsibilities.
- (2) A description of any ancillary responsibilities.
- (3) Reference to scheduling considerations (e.g., assignment to evening duties, etc.).
- (4) Leadership responsibilities (e.g., responsibility for leading a specific aspect of a departmental program).
- (5) Service responsibilities related to the assignment (e.g., advisory committees, standing committees, etc.).
- (6) A description of any other duties unique to the position.
- (7) Closing date and address for submission of application materials.

Knowledge: A list of the knowledge required to perform the position.

Ability: A list of the abilities required to perform the position.



Work Direction, Lead and Supervisory Responsibilities to provide work direction, lead, and/or supervisory responsibilities to other employees, if applicable, and the levels of employee over whom such authority is exercised.

Contacts: District personnel and outside contacts required by the position.

Physical Effort: Physical effort required by the position.

Working Conditions

Salary and Benefits: A statement of the entry salary range and a brief narrative description of fringe benefits in effect at the time of the announcement.

Application Procedure: Applicants will be given instructions regarding the completion of the application process and will be informed that incomplete applications will not be considered. The application procedure will include the following:

- (1) An official District application form. No separate form will be provided for equivalency considerations; however, applicants will be encouraged to provide a narrative description of their equivalent experience along with transcripts and other documentation to support their request for equivalency.
- (2) Official transcripts for all college course work (if required in the announcement).
Unofficial transcripts may be used to establish an application file.
- (3) A resume.
- (4) When appropriate, verification of appropriate credentials (i.e. certificates of completion for vocational programs, etc.).
- (5) When appropriate, verification of “professional experience” as articulated in the minimum and desirable qualifications.

The following materials may be required at the discretion of the administrator of the division and the immediate supervisor involved in the drafting of the announcement:

- (6) Recent letters of recommendation or a placement file containing such letters.
- (7) A letter of intent or application.



When appropriate, additional support materials may be requested as optional. Such materials may include work samples (e.g., video tapes, portfolios, written materials, etc.) and other materials directly related to the criteria established in the minimum and desirable qualifications.

Selection Procedure: A brief description of the selection process including:

- (1) The review process to select candidates for interviews.
- (2) The candidate will be interviewed by a committee. Final approval is granted by the Board of Trustees, upon the recommendation of the hiring supervisor and the **Superintendent/President**.
- (3) A description of any other selection activities that are anticipated at the time of the announcement (e.g. a questionnaire, etc.)

Statement of Equal Employment Opportunity policies including reference to “encouraging applications from minorities and women.”

- c. The Equal Employment Opportunity Officer will review the draft of the job announcement for the potential for adverse impact pursuant to provisions in “b” of “Establishing Required and Desirable Qualifications.”
- d. The final draft of the position announcement will be reviewed by the administrator of the division, the immediate supervisor, and Human Resources.
- e. Upon the approval of the final draft of the announcement, the immediate supervisor for the position will set a tentative time table for the hiring process (e.g., Screening Committee orientation/training, application review, etc.) in consultation with the divisional administrator, the Equal Employment Opportunity Officer, and the Vice-President with domain over the position.

2. **Screening Committee Formation of the Committee**

- a. The immediate supervisor for the position will consult with the administrator of the division to formulate a preliminary list of Screening Committee members. If no full-time confidential/management/supervisory staff currently work in the department or perform similar duties, the immediate supervisor will consult with at least two full-time confidential/management/supervisory staff in reasonably related fields. Classified staff may also be included on the Committee.

Once a preliminary list has been formulated, the immediate supervisor will ascertain the willingness of the people on that list to serve. If changes must be made to the preliminary list, the immediate supervisor will consult with the divisional administrator who participated in forming the preliminary list.



- b. The preliminary membership list will be forwarded to the Equal Employment Opportunity Officer and the Vice-President with domain over the position for review. If either of these officers have concerns about the membership list related to the responsibilities of their respective offices, that officer will recommend changes to the immediate supervisor of the division. It will be the responsibility of the immediate supervisor and/or the Vice-President with domain over the position to communicate the resolution of any concerns to the individual(s) in question.

Membership

- a. Every Screening Committee will include members selected by the immediate supervisor of the division and the Vice-President with domain over the position.
- b. Every Screening Committee will include one member designated as the Equal Employment Opportunity Representative. It shall be the responsibility of this member to monitor the committee proceedings for possible adverse impact and to act as an advocate for the institution's EEO/Staff Diversity goals. It shall be the responsibility of the EEO Officer to appoint the EEO Representative. Persons appointed as EEO Representatives will be employees who have received special training in Equal Employment Opportunity and personnel practices. The responsibilities of the EEO Representative are intended to supplement, not replace or abridge, the responsibilities of the Equal Employment Opportunity Officer.
- c. Whenever possible, the screening committee shall include members of protected groups (~~ref.:~~ Title 5 ~~V~~, Section 53024)
- d. The chair of the Committee will be the immediate supervisor for the position being hired (or his/her designee).
- e. If unusual circumstances prevent the formation of a Screening Committee as described herein, the immediate supervisor for the position and/or the Vice President with domain over the position will consult with the Equal Employment Opportunity Officer to determine a reasonable representation.

Responsibilities of the Screening Committee

The following activities are sequential:

- a. The Committee will receive training on Equal Employment Opportunity, as well as training in relevant personnel practices before participating in the establishment of criteria or the reviewing of any applications.



- b. The Committee will identify the hiring criteria based on the minimum and desirable qualifications included on the position announcement. The Committee will draft questions to be used in the interviews of all candidates. If desirable, the Committee will articulate any supplementary interview activities to be presented by all candidates (e.g., questionnaires, etc.). The questions and supplementary interview activities will be reviewed by the Equal Employment Opportunity Officer.
- c. The entire Committee will meet to review and the divisional representatives (staff and immediate supervisor) will determine the acceptability of qualifications based on the minimum qualifications established in the announcement of the position and the guidelines described in “Criteria for Determining Equivalency.” No assessment of the applicant’s qualifications beyond the equivalency to minimum qualifications will be made at this stage of the process.
- d. The Committee members may review the application materials of all candidates who meet minimum qualifications. Committee members will assess each applicant using the criteria established at step “b”.
- e. The Committee will meet to determine which applicants shall be invited for an interview based on the established criteria. The number of candidates to be interviewed will be determined by the Committee based on the pool of applicants, the apparent strengths and weaknesses among the candidates, and the need to ~~insure~~ ensure that a diverse and representative group of applicants are interviewed.
- f. If the Screening Committee, in consultation with the Vice President of Human Resources, determines that there is not an adequate pool of candidates who meet the minimum and desirable qualifications as specified in the job announcement, the Committee may request that the position be re-advertised, using the same hiring criteria, application review, and interview procedures. Persons in the original pool of applicants will be notified of the re-advertisement and informed of their status for subsequent considerations. If the Committee determines that there is a need to revise the job announcement, the Screening process will end and the procedures for drafting a position announcement will be initiated.
- g. The list of candidates to be interviewed will be reviewed by the Equal Employment Opportunity Officer. The EEO Officer will determine whether the pool of candidates selected for interviews includes a reasonable representation of applicants who, if hired, would help the District meet its diversity goals. If the



- Equal Employment Opportunity Officer determines that (1) there are applicants who would help the District meet its diversity Employment Opportunity goals and (2) those applicants do meet minimum qualifications as specified in the job announcement, and (3) those applicants were not selected for an interview, the Equal Employment Opportunity Officer will meet with the screening committee to determine which of those applicants will be invited for an interview.
- h. The Committee will interview all candidates using the list of questions and supplementary activities established at step “f.” Appropriate job related “follow-up” questions may be included in the interview so long as (1) they are based directly on the candidate’s response to a question, (2) do not seek information outside of the scope of the established hiring criteria, and (3) are not in violation of Equal Employment Opportunity guidelines.
 - j. Following the interviews, the Committee will attempt to arrive at a consensus of the recommendation(s) to make to the hiring supervisor or administrator. If consensus is not possible, the Chair may request a vote or a prioritization by each Committee member. Each Committee member will have equal voting privileges.
- If, after the interviews, in consultation with the Equal Employment Opportunity Officer, the Committee determines it cannot recommend any candidate, the Committee may initiate a re-advertisement of the position or the revision of the position announcement as described in item “f” above.
- k. After interviewing the recommended candidates, the hiring supervisor or administrator will select a candidate and forward his/her recommendation to the **Superintendent**/President and Board of Trustees for final approval.

CLASSIFIED HIRING PROCEDURES

When a classified position is vacant, the manager completes the “Personnel Requisition Form” and submits it to the Human Resources Office for processing. Human Resources will notify the President of the Classified Union. When the “Personnel Requisition Form” is processed, the Human Resources Office will officially announce the position vacancy.

The process will be monitored at **four** (4) stages for Equal Employment Opportunity compliance, which are as follows:

1. Evaluation of Pool
2. Minimum Qualifications
3. Screening and Interview



4. Hiring

ANNOUNCEMENT OF POSITIONS

All announcements will include the following information:

- (1) Title
- (2) Part-time/Full-time
- (3) Permanent/Temporary (District/Categorical)
- (4) Benefits, negotiated by collective bargaining
- (5) Description
- (6) Representative duties
- (7) Minimum Qualifications (Education and Experience)
- (8) Desirables
- (9) Testing, if applicable
- (10) Salary range
- (11) Working hours, if outside normal hours of 8:00 a.m. – 5:30 p.m.
- (12) Working Conditions
- (13) Deadline Date
- (14) Position Start Date
- (15) Equal Employment Opportunity Statement
- (16) ADA Statement

Testing. The managing supervisor will advise the Human Resources Office what, if any, skills testing are desirable for the position. All tests will be non-discriminatory and in compliance with the spirit of Equal Employment Opportunity (EEO) policies. Tests also need to relate to the responsibilities of the position being hired.

The hiring process will be subject to a check-off list attached to this document (Appendix I). The EEO Officer will review applicant rating criteria, interview questions, supplemental questions, skills and performance tests and any other application materials.

Posting Guidelines (for both full time and part time positions):

- (1) Prior to public announcement, the position will be posted in-house for five (5) working days for any transfer requests.
- (2) All positions not filled by transfer will be open for a minimum of ten (10) working days.

Advertising. Announcements are posted in house for five working days. If not filled by in-house transfer, the announcement will be sent to local school district offices; advertised in one or more area newspapers; and sent to businesses, organizations and other colleges, as appropriate.



No applications will be accepted after ~~4:30 p.m.~~ 6:00 p.m. on the filing date.

The Human Resources Office will maintain EEO information, score tests (if applicable), prepare file documents, and screen applications to determine candidates that meet minimum qualifications as specified in the job description. If there are any questions regarding the minimum qualifications, the Vice President of Human Resources/designee will review the applications.

Hiring Committee (Recommended **five** (5), minimum of **four** (4) persons):

- (1) The hiring committee chair (Managing Supervisor) and one (1) or two (2) classified representative(s) in the area of hiring to be on the committee.
- (2) The classified union president will select a representative of the classified union.
- (3) The EEO Officer/designee will appoint a classified employee as the EEO representative, who will serve as an additional voting member of the hiring committee.
- (4) The Human Resources Office reviews composition of the hiring committee for equal employment compliance.
- (5) The hiring supervisor/manager and the EEO Officer/designee will meet with the entire Hiring Committee for the purpose of:
 - a. Defining the role of the hiring committee as that of a recommending body reviewing applications/materials and conducting interviews. Also providing the committee with hiring and selection instructions.
 - b. Providing an overview of EEO guidelines.
 - c. Establishes that all proceedings of the hiring committee shall be kept confidential. The entire hiring process requires confidentiality on the part of all hiring committee members. The rights and reputations of the candidates need to be protected. Ratings and comments made by the committee members must not be shared with non-committee members. All committee members will receive a copy of the EEO guidelines and be required to sign a confidentiality agreement.
 - d. All committee members must attend all meetings, if a committee member does not attend all meetings, they will no longer be on the committee and there will be no replacements allowed. When interviews are being conducted, the committee members will be required to be present for all interviews.



- e. The hiring supervisor/manager and hiring committee are responsible for organizing and setting schedules and making arrangements for committee meetings for screening and selection. They are also responsible for reviewing the EEO guidelines to ensure compliance.

The **Hiring Committee** will:

- (a) Determine job-related screening criteria to be used by the committee in selecting candidates to be interviewed and develop the instrument used for ranking applicants;
- (b) Prepare interview questions, each set of questions shall include a diversity question and be read to each candidate;
- (c) Screen and rate all qualified applicants independently and select the best qualified applicants to interview;
- (d) Determine interview date, time and location.

The Human Resources Office will:

- (a) Review the candidates selected for interviews, matching qualifications with screening criteria;
- (b) Review those not selected for interviews against the screening criteria;
- (c) Review Equal Employment Opportunity goals and diversity;
- (d) Schedule interviews

Preparation of Interview Packet:

The Office of Human Resources, prior to the interview, will provide a packet of materials for each hiring committee member, which will include:

- (1) Interview schedule
- (2) Applications and any attachments
- (3) Job announcement
- (4) Hiring Procedures
- (5) Copy of Interview Questions and Rating Sheet
- (6) A final rating sheet will be given to the EEO representative or hiring committee chair
- (7) Interview Process:
 - a) The hiring committee will meet prior to the interviews to review procedures.
 - The same questions should be asked to each candidate, by the same committee member, and in the same sequence. Questions will be provided so candidates can read along with committee member. The chair or EEO representative will make sure the candidate(s) leave the questions in the interview room



- b) The chair or designee will welcome the candidate and introduce the hiring committee members.
- c) Committee members make appropriate notes and ratings for each candidate.
- d) The hiring committee shall forward to human resources the acceptable candidates (preferably two (2)), ranked in order of preference.

Appointment

Appointments to classified service shall be accomplished by the Board of Trustees upon the recommendation of the Superintendent/President.

The Superintendent/President may authorize employment of short-term, classified, and confidential/management/supervisory personnel on a regular basis. Such appointments are subject to ratification for employment at the next Board meeting.

PROCEDURES AND PRACTICES FOR HIRING OF FULL-TIME AND ADJUNCT (PART-TIME) FACULTY

ORGANIZATION

- I. Procedure for hiring full-time faculty
 - II. Procedure for hiring adjunct (part-time) and temporary (full-time) faculty
 - III. Procedure for employing faculty interns
 - IV. Role of Human Resources and the Application Process
 - V. Glossary of Terms
- I. The procedure for hiring full-time faculty is presented in four (4) sequential sections:
- A. Development of Job Announcement
 - B. Development and Role of Hiring Committee
 - C. Screening Process
 - D. Interview Process

A. DEVELOPMENT OF JOB ANNOUNCEMENT

1. The faculty of the division/discipline, the educational administrator of the area/division, and the faculty EEO representative will draft the job announcement in consultation with the Faculty Union. (The faculty EEO representative may be from within or outside of the division. If a faculty member is not readily available, the educational administrator may assume the role of the EEO representative.) The District's Equal Employment Opportunity Officer will review the job announcement and consult with the area/division for any adverse impact.



2. The job announcement must contain the following sections:

Introduction: A brief description of the position, relationship to division, the discipline offerings, and any special responsibilities.

Required Minimum Qualifications: 1) the most current minimum qualifications as listed in the publication “Minimum Qualifications for Faculty and Administrators in California Community Colleges”; 2) the Academic Senate’s approved Equivalency (See Appendix A); 3) any appropriate valid credential(s); 3) and a specific reference to “sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students” ([Assembly Bill 1725](#); Education Code [Section 87360](#)). If a candidate is claiming equivalency, an AVC Supplemental Equivalency Request Form must be provided and used.

Desirable Qualifications: A list of additional qualifications suggested by the division/discipline faculty, in consultation with the Faculty Union. The Equal Employment Opportunity Officer will monitor the job-related, desirable qualifications for adverse impact. If they appear to be too restrictive, he/she will meet with the division faculty and educational administrator to review qualifications.

Duties of Position: A list of typical duties, including the following:

- (1) A brief description of the primary responsibilities
- (2) A description of any co-curricular responsibilities (e.g. coaching, directing, etc.)
- (3) Reference to scheduling consideration (e.g. assignment to evening duties or off-campus)
- (4) Leadership responsibilities (e.g. responsibility for leading a specific aspect of an academic program)
- (5) Service responsibilities related to the academic and/or co-curricular assignment (e.g. advisory committees, standing committees, curriculum development, etc.)
- (6) A description of any other duties unique to the position
- (7) Closing date, list of required application materials, and address for submission

Salary and Benefits: A statement of the entry salary range and a brief description of fringe benefits in effect at the time of the job announcement.

Required application materials: An official, district application (signed and completed), a letter of intent, official transcripts (unofficial transcripts



may be used to establish an application file), a curriculum vita or resume, and, when appropriate, verification of credentials and/or licensor, or professional experience. It is the determination of the faculty whether to request current letters (dated within the last year) of professional reference for all positions in that division.

B. DEVELOPMENT AND ROLE OF HIRING COMMITTEE

1. The majority of the hiring committee members must be faculty members and must include a diverse membership that will bring a variety of perspectives to the assessment of applicant qualifications (Title 5 **Section 53024 subdivision (f)**).
2. The membership of the committee must include discipline faculty members. (If discipline faculty are not available, faculty from a related discipline or, if related discipline faculty are not available, adjunct discipline faculty may be selected.)
3. The membership of the committee will also consist of the educational administrator of the division/area (who will serve as the committee chair and EEO representative if a faculty member is not readily available to do so) and an appointed Academic Senate representative. The Vice President with domain over the position will begin his/her participation at the point of interviews.
4. In the formation of the committee, the educational administrator for the position will consult with the discipline faculty of the division to formulate a preliminary list of committee members. The educational administrator for the position, will request from the President of the Academic Senate the name of the individual (from outside the division) appointed to serve as the faculty representative of the Senate. (This faculty member cannot serve as the faculty EEO representative.)
5. Once the preliminary committee is formed, the educational administrator will circulate the list to the division faculty for comment. If changes must be made to the preliminary committee, the educational administrator will consult with the faculty who participated in forming the preliminary committee.
6. The preliminary committee list is forwarded to the District's Equal Employment Opportunity Officer. If there are identified concerns about the membership list, he/she will recommend changes to the educational administrator of the division. The discipline faculty must agree to any



changes made to the committee membership. The educational administrator will communicate the resolution of any concerns to the individual(s) in question.

C. SCREENING PROCESS

The following activities are sequential:

1. At the first meeting, the EEO representative of the committee will train the hiring committee on Equal Employment Opportunity, as well as on relevant personnel practices. The training should include the District's EEO Plan as it relates to the current position. The committee will identify the hiring criteria based on the job-related, desirable qualifications included on the job announcement, as well as on consideration of the District's EEO Plan.
2. The committee will draft questions to be used in the interviews for all candidates. If desired, the job-related, supplemental interview activities or written material (e.g. teaching demonstration, sample lessons, syllabus, student handouts, etc.) for all candidates will be developed. The District's Equal Employment Opportunity Officer will review questions and supplemental interview activities or written material.
3. The discipline faculty on the hiring committee and the educational administrator will review the application packets to determine if minimum qualifications have been met. For those candidate(s) claiming equivalency to the minimum qualifications, the faculty and educational administrator must agree that a candidate meets the equivalency criteria. If they determine that the candidate(s) does meet the equivalency criteria, the candidate's packet is forwarded to the Equivalency Committee (see Appendix A). *NO CANDIDATE IN THE HIRING POOL CAN BE INVITED FOR AN INTERVIEW UNTIL THE EQUIVALENCY COMMITTEE HAS REVIEWED THE EQUIVALENCY EVIDENCE PROVIDED BY A CANDIDATE.*
4. The hiring committee will review only those application packets of candidates who meet minimum qualifications, as well as those that have been determined to meet the minimum qualifications through equivalency.
5. The committee will determine which candidates shall be invited for interview based on the established hiring criteria.
6. The list of candidates will be reviewed by the District's Equal Employment Opportunity Officer, who will then determine whether the pool includes



reasonable representation in order to help meet the District's EEO Plan. If the EEO Officer determines that representative, qualified individuals have been excluded from the interview process and their inclusion would help the district meet the District's EEO Plan, he/she will meet with the hiring committee to determine if any of those candidates will be invited for interview.

D. INTERVIEW PROCESS

1. The hiring committee will interview all candidates using the agreed upon and approved list of questions and supplemental activities/written materials. Appropriate, job-related "follow up" questions may be included in the interview as long as (1) they are based directly on the candidate's response to a question, (2) do not seek information outside of the scope of the established hiring criteria, and (3) are not in violation of EEO guidelines.
2. The **Superintendent/President or designee** may separately interview all candidates.
3. Following the interviews, the committee will attempt to arrive at consensus regarding the recommendation of one or more candidates to make to the **Superintendent/President**. If consensus cannot be reached, the Chair can request a vote or obtain a priority list of recommended candidates. All members have an equal vote.
4. If, after interviews, in consultation with the district's EEO Officer, the hiring committee determines it cannot recommend a candidate(s) to the **Superintendent/President**, the committee may revise the job announcement, in consultation with the Faculty Union, and begin a re-advertisement of the position.
5. Once the committee has reached a recommendation of one or more candidates, it will, along with the **Superintendent/President**, attempt to arrive at consensus to make a recommendation to the Board of Trustees.
6. The **Superintendent/President** will forward the Committee's recommendation (or recommendations if the committee is filling more than one position) to the Board of Trustees for final approval. The **Superintendent/President** may report a dissenting point of view to the Board of Trustees if he/she does not agree with the Committee's recommendation(s). The **Superintendent/President** will present to the Academic Senate President and committee, in writing, the reason for his/her dissenting point of view before taking recommendation to the Board of Trustees.



However, the **Superintendent/President** may not make an alternative recommendation to the **Board of Trustees**. The expectation is that faculty recommendations regarding the hiring of faculty will normally be accepted is reinforced; only in exceptional circumstances and for compelling reasons communicated in writing to the hiring committee and to the President of the Academic Senate of the college will the **Board of Trustees** not accept the committee's recommendation. The committee will then be reconvened and apprised of the Board's decision.

II. Procedure for hiring adjunct (part-time) and temporary (full-time) faculty

- a. **Announcement of Positions:** The Announcement of a Position will be drafted by at least one full time division/discipline faculty member, the faculty EEO representative, the educational administrator (in consultation with the Faculty Union), the Vice President of Human Resources and Employee Relations (or his/her designee), and the Vice-President with domain over the position. If a faculty member is not readily available, the educational administrator may assume the role of the EEO representative. If necessary, revisions will be made to the Desirable Qualifications (see "Development of Job Announcement")
- b. See Section I.A.2: **Full-Time Faculty Development of Job Announcement**
- c. **Hiring Committee Membership:** Each hiring committee will include the educational administrator and at least one full time discipline faculty member who currently teaches the subject matter covered by the job announcement. (If a discipline faculty member is not available, a faculty member from a related discipline may be included.) The discipline faculty member on the hiring committee will also serve as the Academic Senate representative.
- d. **Formation of the Hiring Committee:** The educational administrator for the position will consult with the discipline faculty who currently teach the subject matter covered by the job announcement (or performs other duties related to the position) to determine which faculty member will serve on the Committee. If no full-time discipline faculty currently teach in the subject matter or perform similar duties, the educational administrator will consult with at least two (2) full-time faculty of the division in reasonably related disciplines.
- e. See Section I C.3: **Full-Time Faculty Screening Process**
- f. Each committee member will have an opportunity to review the application packets prior to interviews being scheduled.



- g. If desired, supplemental interview activities or written material (e.g. teaching demonstration, sample lessons, syllabus, student handouts, etc) may also be included for adjunct hires.
- h. Following the interviews, the hiring committee will determine which candidates will be placed in the pool of potential adjunct faculty. Once a candidate has been placed in a pool, the educational administrator may assign the adjunct faculty member(s) to teach/serve in the specified academic discipline as the divisional need requires and the law permits. The adjunct faculty member will remain in the pool unless the District Part-Time Faculty Evaluation Procedure results in a recommendation to the Vice President of Human Resources and Employee Relations, or his/her designee, that the adjunct faculty member be dropped from the pool of faculty eligible for assignment, or has remained in hiring pool without an assignment for three (3) years.
- i. The appropriate Vice President will notify the Office of Human Resources and Employee Relations if an adjunct faculty member has received an unsatisfactory evaluation or has remained in the hiring pool without an assignment for three (3) years.
- j. Upon that notification, the Office of Human Resources and Employee Relations will remove that adjunct faculty member from the appropriate hiring pool(s).

Emergency Hiring

- a. Vacancies occurring less than seven weeks before the start of a term shall be considered emergency hires when there are no instructors available in the established pool. Any vacancy occurring seven weeks or more before the start of the term will be subject to the regular provisions of this hiring procedure.
- b. As soon as a need is established, the educational administrator will notify the Vice President of Human Resources and Employee Relations of the need to make an emergency hire. The Vice President of Human Resources and Employee Relations, or his/her designee, will provide the educational administrator with the most recent job announcement for the position. The educational administrator, in consultation with the Faculty Union, will make any necessary revisions to the announcement. The Vice President of Human Resources and Employee Relations, or his/her designee, and the educational administrator will determine appropriate methods of recruitment for the position and establish a timetable for the hiring procedure.
- c. The educational administrator will review the applications of candidates for emergency hire and interview the candidates who meet minimum qualifications. When possible, a full-time faculty member will be involved in the



selection procedure as stipulated in the hiring procedure for adjunct faculty. If a candidate is claiming equivalency to the required minimum qualifications, the administrator must forward the application packet to the Equivalency Committee (per Equivalency Procedure: Appendix A). If the Equivalency Committee concurs with the educational administrator that the objective evidence supports the equivalency, then the educational administrator may select a candidate to interview. Once all interviews are completed, the educational administrator may select an individual to fill the emergency need. (If a full-time faculty member was involved in the selection procedure, he/she will assist in the selection of the individual to be hired.)

Adjunct faculty hired under this emergency procedure will not automatically become a part of the regular pool of adjunct instructors. During the term for which the emergency hiring occurred, the adjunct position will be advertised and candidates will be added to the pool according to the normal procedure outlined above. Candidates hired under the emergency procedure may be added to the regular pool after a satisfactory evaluation procedure that included participation by at least one full-time faculty member who currently teaches the subject matter. If no full-time faculty member currently teaches the subject matter, a fulltime faculty member in a reasonably related discipline will participate in the evaluation.

III. Procedure for employing faculty interns (see Appendix B)

The Faculty Internship Program at Antelope Valley College offers us the opportunity to increase the recruitment of new instructors and also enhance efforts to build a diverse and representative faculty. The program introduces a faculty intern to the community college campus environment through a partnership with a tenured faculty member who acts as a mentor, providing a positive learning experience for the development of a faculty intern. During an academic year, the program offers faculty interns the full range of faculty activities and experiences necessary to acquire the tools to become a successful community college instructor, counselor, librarian, or other faculty assignment.

California Code of Regulations (Subchapter 5) states that the governing board of any community college district may establish a faculty internship program pursuant to the provisions of the Subchapter and Section 87487 of the Education Code. In accordance, governing boards may employ, as faculty interns within the program, graduate students enrolled in the California State University, the University of California, or any other accredited institution of higher education or in vocational and technical fields where a master's degree is not generally expected or available, persons who are within one year of meeting the regular faculty minimum qualifications. Persons who meet the regular faculty minimum qualifications but who lack teaching, counseling, library, or other community college faculty experience



may also be included in the internship program. The purpose is to enhance community college efforts toward building a diverse and representative faculty. In order to accomplish this, the internship program shall place special emphasis on locating and attracting qualified graduate students who are members of underrepresented groups.

IV. Role of Human Resources and the Application Process

Human Resources will manage the flow of paperwork to ensure that the hiring procedure is followed. In terms of the role of the Human Resources Office as it relates to determining equivalency, it will be to collect, date stamp, and forward applications and other pertinent information to the hiring committee. The Human Resource Office will assist the hiring committee chair in providing the Equivalency Committee with the application and evidence provided by candidates identified by discipline faculty and dean for meeting claims of equivalency.

V. Glossary of Terms

For the purposes of this document, the following terms will have the designated meaning:

- 1. Adverse or Disparate Impact**—refers to a statistical measure that is applied to the effect of a selection procedure, and demonstrates a disproportionate negative impact on a historically underrepresented group per Title 5 Section 53024 **subdivision** (b).
- 2. Educational Administrator** — refers to an administrator who is employed in an academic position designed by the governing board of the district as having direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services program of the college or district. Educational administrators include, but not limited to, chancellors, presidents, and other supervisory or management employee designated by the governing board as educational administrators per Education Code **Section 87002 subdivision** (b).
- 3. Equal Employment Opportunity**—refers to practices that assure all qualified individuals have a full and fair opportunity to compete for hiring and promotion and to enjoy the benefits of employment with the **D**istrict per Title 5 **Section 53024**.
- 4. Protected Group**—refers to any group defined in terms of ethnic group identification, race, **religious creed**, color, national origin, **religion**, **ancestry**, **physical disability**, **mental disability**, **medical condition**, **genetic information**, **marital status**, **sex**, **gender**, **gender identity**, **gender expression**, **age**, **sexual orientation**, or **military and veteran status** ~~age, gender, disability, ancestry, or~~



~~sexual orientation per Title 5, section 53024 (c).~~ (See BP/AP 3410 Nondiscrimination)

5. **Faculty**—refers to all non-administrative academic staff, both classroom and non-classroom.
6. **Faculty Academic Senate Representative**—refers to a faculty member from outside the area/division (except on an adjunct hiring committee) appointed to the committee by the Academic Senate President and trained in the hiring process. This faculty member brings breadth to the committee and helps ensure that the procedures/practices are being followed. (This faculty member cannot serve as the faculty EEO representative.)
7. **EEO Representative**— refers to a faculty member from within or outside the division/discipline. If a faculty member is not readily available, the educational administrator of the area/division may assume the role of EEO representative.
8. **Required Minimum Qualifications** — refers to those qualifications listed in Title 5 Sections 53400-53430 and outlined in the “Minimum Qualifications for Faculty and Administrators in California Community Colleges” publication. ~~Assembly Bill (AB) 1725 and~~ Education Code **Section 87360** requires that the following statement accompany each announced position: sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic background of community college students.
9. **Desirable Qualifications**— refers to meaningful characteristics that support the functional responsibilities of the position but are separate from the required minimum qualifications. Desirable qualifications must be job related; they must NOT CREATE A BARRIER FOR EMPLOYMENT.
10. **Equivalency**—refers to the Academic Senate’s approved equivalency for the required minimum qualifications developed by discipline faculty. The approved discipline equivalency shall be reviewed and affirmed by the Academic Senate every three years. If not reviewed and affirmed, the equivalency is no longer valid; at which time, the established minimum qualifications must be used. The approved equivalency cannot be less than the minimum qualifications, but can be more rigorous. By law, a “single course equivalency” cannot be approved.
11. **Discrimination**—refers to the unlawful treatment of people differently or disparately, when it is in the form that is constitutionally or statutorily forbidden.
12. **Qualified**—refers to persons who can carry out the duties of a particular position from the date of employment.



13. Consensus—refers to when the committee has reached general agreement.

Also see BP/AP 3410 Nondiscrimination; BP/AP 3420 Equal Employment Opportunity; AP 7120 Recruitment and Hiring; AP 7126 Applicant Background Checks; BP/AP 7210 Academic Employees; BP/AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies; BP/AP 7230 Classified Employees; BP/AP 7240 Confidential Employees; BP/AP 7250 Educational Administrators; BP/AP 7260 Classified Supervisors and Managers; and the related collective bargaining agreements for applicable employee groups.

Approved: 6/11/07
Revised: 10/8/07
Revised: 4/14/08
Revised: 5/12/08
Revised: 12/12/11
Revised: 3/09/15
Appendix I – Classified Hiring Procedures Checklist: 9/17/07
Revised: 11/12/19

AP 7121 Faculty Internship (Suspended 11/14/11)

Recommended to Delete

ANTELOPE VALLEY COLLEGE FACULTY INTERNSHIP PROGRAM

~~The Faculty Internship Program at Antelope Valley College offers the opportunity to increase the recruitment of new instructors and also enhance efforts to build a diverse and representative faculty. The program introduces a faculty intern to the community college campus environment through a partnership with a tenured faculty member who acts as a mentor, providing a positive learning experience for the development of a faculty intern. During an academic year, the program offers faculty interns the full range of faculty activities and experiences necessary to acquire the tools to become a successful community college instructor, counselor, librarian, or other faculty assignment.~~

~~California Code of Regulations (Subchapter 5) states that the governing board of any community college district may establish a faculty internship program pursuant to the provisions of the Subchapter and Section 87487 of the Education Code. In accordance, governing boards may employ, as faculty interns within the program, graduate students enrolled in the California State University, the University of California, or any other accredited institution of higher education or in vocational and technical fields where a master's degree is not generally expected or available, persons who are within one year of meeting the regular faculty minimum qualifications. Persons who meet the regular faculty minimum qualifications but who lack teaching, counseling, library, or other community college faculty experience may also be included in the internship program. The purpose is to enhance community college efforts toward building a diverse and representative faculty. In order to accomplish this, the internship program shall place special emphasis on locating and attracting qualified graduate students who are members of underrepresented groups.~~

~~A person employed as a faculty intern shall be employed as a temporary faculty member under Section 87482.5 of the Education Code and shall meet the minimum qualifications specified in Section 53502 of Title 5. A faculty intern shall be limited to two years of participation in the program.~~

~~For purposes of this Subchapter, the term "faculty intern" does not include any person, no matter how designated, who only assists in a class taught by a regularly qualified member, and who has no independent responsibility for instruction or supervision of students. Such a person may be termed an "intern," and may serve as a volunteer or receive a stipend according to policies established by the district.~~

~~Those individuals interested in being considered for the faculty internship program will obtain an application from the Human Resource and Employee Relations Office. The applicant will provide the number of units required for their current university degree/vocational program and evidence (i.e. transcripts) to demonstrate that they are at least mid-way toward meeting the minimum qualifications for a full-time faculty member. The faculty intern hiring process will include faculty from the discipline area, division/area dean, and one member from the Faculty Internship Steering Committee.~~

~~The Steering Committee, comprised of faculty and administrators, will oversee the program. With the leadership of a faculty coordinator, the committee will provide campus activities, train mentors, train faculty interns, and match faculty mentors with faculty interns. The overall responsibility of the Steering Committee is as follows:~~

- ~~• Recruit and select mentors from different disciplines~~
- ~~• Participate in the review and selection of faculty intern applications~~
- ~~• Inform mentors and interns on program requirements and responsibilities~~
- ~~• Organize and host campus activities; train mentors and faculty interns~~
- ~~• Maintain the current status of each faculty intern's progress~~
- ~~• Advise faculty interns on job application procedures to AVC and other community colleges~~
- ~~• Advocate the Faculty Internship Program to local higher education institutions~~

~~At the start of their internship, newly selected faculty interns will be given information and training to begin their teaching, counseling, or other faculty assignment. Faculty interns and mentors will meet and begin reviewing their intern assignment and determine which of the mentor's college responsibilities the faculty intern can participate in during an academic year. (*The Faculty Internship Program does not operate during the summer months or intersession.*) A tenured faculty mentor is assigned one faculty intern per academic year. In turn, faculty interns are limited to one teaching, counseling, or other faculty assignment per semester.~~

- ~~• Faculty interns who have not had teaching experience in their educational programs must begin their internship at AVC with the first semester activities.~~
- ~~• Faculty interns who have had teaching experience within their educational programs, may be permitted by the Steering Committee to start their internship at AVC with the second semester activities. (Documentation of teaching is required.)~~

~~Academic Year Activities~~

~~First Semester~~

~~During the *first half of the semester*, faculty interns observe mentors in their classrooms, counseling offices, or other faculty assignments. Faculty interns observe teaching, classroom management, or counseling techniques, etc., review course outlines of record, syllabi, handouts, or other instructor/counselor/faculty materials. Faculty interns are expected to attend college meetings, FLEX activities, area/division meetings, and other college responsibilities of their mentors as agreed upon.~~

~~During the *second half of the semester*, the mentor and faculty intern agree to a specific unit that the intern is responsible to instruct/counsel, etc. Mentors provide immediate feedback once the activity is completed. Additional faculty activities can be performed if the mentor determines that the faculty intern is able and agrees.~~

~~At the end of the semester, the mentor writes a summary of the faculty intern's development and makes one of the following recommendations to the Steering Committee: (1) The intern can be offered a course/or other faculty assignment for the next semester (depending on the availability of assignment); (2) The intern can be assigned additional direct mentoring for the next semester, in which the first semester activities are repeated.~~

Second Semester

~~During the semester, when the faculty intern has been assigned a class as the faculty member of record, he/she will review the course outline of record and create a syllabus, develop handouts, exams, and all materials related to that class assignment with assistance from the mentor. When the faculty intern has been assigned counseling duties or another faculty assignment, he/she will assemble materials to conduct workshops, counsel and advise students, refer students to appropriate services, administer assessments, assist students with planning and decision-making, and/or refer students to relevant informational resources. In both instances, the mentor will observe the faculty intern at least four times during the semester. Feedback will be offered both orally and in writing. The mentor will be available to discuss any work performance concerns with the faculty intern.~~

~~At the end of the semester, the mentor writes an evaluation of the faculty intern's development, including what he/she has mastered in understanding the role of teaching, counseling, and other faculty duties in the community college environment. The evaluation will be forwarded to the Steering Committee.~~

~~Once the faculty intern successfully completes the second semester activities of the AVG Internship Program and meets the minimum qualifications for the discipline, he/she may apply for an adjunct faculty position.~~

FACULTY INTERNSHIP TERMS AND CONDITIONS

Faculty Intern Agreement

Faculty interns will be expected to:

- ~~1. Meet with the mentor at regularly scheduled times.~~
- ~~2. Attend regularly scheduled class, counseling, or other faculty duty hours.~~
- ~~3. Call upon the mentor as needed with respect to his/her schedule~~
- ~~4. Carry out specific assignments made by the mentor~~
- ~~5. Meet with and assist students during office hours, as directed by the mentor~~
- ~~6. Share ideas with mentor~~
- ~~7. Receive and discuss appropriate criticism~~
- ~~8. Discuss needs/ideas with the mentor to help with success as an intern.~~
- ~~9. Develop sample course or faculty assignment materials~~

10. ~~Seek out advice from Steering Committee~~
11. ~~Participate in the activities, workshops, training, area/division meetings, FLEX activities, and overall college activities as agreed with mentor.~~
12. ~~Develop appropriate course/counseling/other faculty assignment materials and methods that include a multicultural perspective.~~
13. ~~Participate in the evaluation of the AVC Internship Program~~

~~I certify that I have read and understand the terms and conditions of this agreement and agree to abide by them.~~

Faculty Intern

Date

Steering Committee Chair

Date

~~FACULTY INTERSHIP PROGRAM~~

~~Faculty Mentor Agreement~~

~~The faculty mentor assigned to a faculty intern is expected to:~~

1. ~~Provide the intern with a campus tour identifying~~
 - ~~Division/Area offices and staff~~
 - ~~Mailroom~~
 - ~~Duplication~~
 - ~~Location of equipment and supplies~~
 - ~~Academic Senate Office~~
 - ~~Student Support Services, IMC, and Library~~
2. ~~Meet the faculty intern prior to the beginning of the semester to set up the following~~
 - ~~Regular meeting times~~
 - ~~Review of text(s) and related teaching/counseling/other faculty assignment materials~~
 - ~~Review of Course Outline of Record and course syllabus~~
 - ~~Discuss absence reporting and support personnel~~
 - ~~Discuss campus safety~~

- Discuss Student Code of Conduct
 - Discuss Faculty Code of Ethics, Academic Freedom Policy
3. Meet with the faculty intern regularly; visit classroom, counseling, or other faculty assignment at least four times during the semester
 4. Respond promptly to the faculty intern's questions or concerns
 5. Introduce the faculty intern to other faculty and staff
 6. Define the faculty intern's role in faculty office hours
 7. Assist the faculty intern when he/she develops course material, syllabi, assignments, exams, handouts and workshop, assessment and other faculty materials.
 8. Share counseling, teaching and other faculty responsibility by allowing the faculty intern to take an active role in evaluations, classroom presentations, workshops, advisement, etc. when the faculty intern is ready.
 9. Provide learning experiences for the faculty intern (being sure not to overextend responsibilities)
 10. Help the faculty intern understand faculty responsibilities beyond the classroom or primary faculty assignment by discussing shared governance, tenure and evaluation, faculty development, division/area meetings, service to the college, etc.
 11. Provide and receive appropriate criticism
 12. Conduct evaluation of faculty intern's development
 13. Provide assistance in job seeking skills
 14. Assist the faculty intern in developing curriculum and approaches for teaching, counseling, and other faculty assignments that include diversity and multicultural perspectives.
 15. Participate in the evaluation of the AVC Faculty Internship Program

Faculty Mentor

Date

Steering Committee Chair

Date

Faculty Coordinator, Faculty Mentor, and Faculty Intern will receive some compensation, per faculty union and administrative agreement.

5/8/06

Suspended: ~~11/14/11~~



AP 7125 Verification of Eligibility for Employment

Reference:

U.S. Code Section 1324a

~~NOTE: This procedure is legally required. Local practice may be inserted, but must assure that persons hired by the district are authorized to be employed in the United States. The elements required by federal law are reflected below.~~

The District will only hire or recruit United States citizens or people legally authorized to be employed in the United States.

Reliable documentation of eligibility is required for employment from all persons hired. "Reliable documentation" as set out in federal law includes one or more of the following:

- A United States passport **or a resident alien card** or alien registration card, or similar identification document containing a photograph of the prospective employee, that indicates the person is authorized to work in the United States

OR

- A U.S. driver's license or ID card or similar ID document containing a photograph of the prospective employee.

AND

- A social security card or other documentation issued by the United States government showing authorization to work in the United States.

The District will complete for each new employee the verification form or forms required by the United States government. The District will retain such forms for at least three (3) years for persons it does not hire. For persons it does hire, the District will retain such forms for at least three (3) years or until one (1) year after the persons leaves the District's employment, whichever is later.

The District will protect the privacy of the information it collects pursuant to this procedure.

Also see BP/AP 7120 Recruitment and Hiring.

Approved: 5/8/06

Reviewed: 10/9/17

Revised: 11/12/19



AP 7126 Applicant Background Checks

References:

Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.;
[U.S. Code Sections 1681 et seq.](#) (Fair Credit Reporting Act) (~~federal~~);
Health and Safety Code Sections ~~1522, 1568.08, 1569.17 and~~ 1596.871

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

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

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

Child Development Center

The California Health and Safety Code requires a background check of all employees and volunteers (under certain conditions) of child care centers. If the California Department of Social Services finds that the individual has been convicted of a crime other than a minor traffic violation, the individual cannot work or be present in any community care facility unless they receive a criminal record exemption from the Community Care Licensing Division, Caregiver Background Check Bureau (CBCB). In addition, all applicants are required to undergo the Child Abuse Central Index name check. When an individual receives a criminal record clearance, he/she may work or volunteer in a licensed facility.

[Also see AP 7337 Fingerprinting.](#)

Approved: 4/14/08

Revised: 12/9/19



BP 7130 Compensation

References:

Education Code Sections 70902 **subdivision** (b)(4), 72411, 87801, and 88160;

Government Code Section 53200;

34 Code of Federal Regulations Part 668 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended)

Salary schedules, compensation, and benefits, including health and welfare benefits, for all classes of employees and each administrator employed pursuant to a contract under Education **C**ode **S**ection 72411 shall be established by the Board **of Trustees**.

Prohibition of Incentive Compensation

The District shall not provide any commission, bonus, or other incentive payment based, directly or indirectly, on the success in securing enrollments or financial aid, to any person or entity engaged in any student recruiting or admission activities or admission activities or in making decisions regarding the award of student financial assistance. Employees covered by this ban shall be referred to as "covered employees" for purposes of this policy.

For specific compensation-related details, also see AP 7130 Compensation as well as the applicable collective bargaining agreements.

Adopted: 5/8/06

Revised: 5/9/16

Revised: 12/9/19



AP 7130 Compensation

References:

Education Code Sections 87801 and 88160;
Government Code Section 53200;
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended

Classified Compensation

Full Time Employees

The District shall maintain a single salary schedule for all regularly employed classified employees. The salary schedule for classified personnel on a full-time basis is based on a standard eight (8) hour per day, forty (40) hour workweek.

Part Time

Employees assigned to work less than the number of hours prescribed for full-time employees will be paid at the rate their employment bears to full-time service. This provision does not apply to short-term hourly or student employees.

Pay for Holidays (~~EG~~ Education Code Section 88029)

If a person serving in an exempt position is required to work on a holiday, he/she shall be compensated, in addition to his/her regular pay for the holiday, at a rate not less than his/her normal rate of pay.

Pay Periods

Regular Employees

Time of payment for classified employees shall be established by the Board of Trustees providing that such payment is made at least once during each calendar month.

Regular classified employees of the District shall be paid on the 10th and 25th of each calendar month. Nothing contained in the foregoing provisions shall be construed as prohibiting the Board of Trustees from making payment of earned salary prior to the aforementioned pay period.

Substitute Employees

Substitute employees of the District shall be paid on or about the tenth (10th) working day of the month following the month in which the services were performed.

Overtime



Overtime pay will be included in the salary warrant that is issued on the **tenth** (10th) of the month following that in which such overtime pay was earned.

Error in Compensation (EG Education Code Section 88166)

Whenever it is determined that an error has been made in the calculation of a classified employee's salary, the Board shall, within five (5) workdays following the discovery of the error, provide the employee with a statement of the correction and supplemental payment drawn against any available funds of the District.

Salary Deductions

Deductions Required by Law

Deductions from the employee's wage, mandated by law, shall be made for the following reasons:

- State and Federal Income Tax
- Public Employees Retirement (PERS)
- Old Age, Survivors and Disability Insurance (OASDI)
- Medicare

Dues (GC Government Code Section 3543.1) (E.C. Education Code Sections 87833 and 88167)

Refer to Section 7.12 of the Antelope Valley College Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement for information regarding dues and other payroll deductions.

Salary Advances

This District does not allow salary advances.

Authorization

The Board of **Trustees** shall, not later than the date prescribed by law for approval of the budget, fix salaries for the ensuing **school academic** year for all persons employed by the District in classified positions. The Board of **Trustees** may, at that time, include an increase in annual salaries, all or part of which is conditioned upon actual receipt by the District of anticipated revenue from all sources. If the revenue actually received is less than anticipated, the Board of **Trustees** may, at any time during the **school academic** year, reduce the annual salaries by an amount not to exceed the amount which was granted due to the anticipated revenue from all sources. The Board of **Trustees** may, at any time during the **school academic** year, increase the salaries of persons employed by the District in non-academic positions for the remainder of the year.

Differential Compensation (EG Education Code Section 88180)



Refer to Sections 12.7, 12.7.1, and 12.7.2 of the Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement for information regarding differential compensation.

Paid Holidays ([EG Education Code Section 88203](#))

General Provisions Refer to Article VIII of the current Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement.

Restrictions Refer to Article VIII of the current Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement.

Substitute Holiday

Any classified employee required to work a workweek other than Monday through Friday, and as a result thereof loses a holiday, shall be compensated in the amount to which the employee would have been entitled had the holiday fallen within his/her normal work schedule, or provided a substitute holiday.

Paid Vacations

Refer to Article VIII of the current Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement.

Salary Schedules

Provisions of Salary Schedule

The basic or minimum salary for those who meet the minimum requirements for training and experience is indicated on the schedule for each position listed, together with other salaries.

A full year of classified service is required to progress from one step to another.

All salaries on the schedule are full-time salaries intended for full-time service except as noted in the schedule (Refer to Antelope Valley College Federation of Classified Employees Collective Bargaining Agreement/Exhibit A). Salaries for part-time service shall be pro-rated in relation to full-time service.

No classified employee in the service of the District shall be reduced in salary as the result of the adoption of a new schedule.

Placement

All new probationary employees shall be placed on Step 1 and shall remain at this initial step until the anniversary date is attained.



Additional salary increments shall occur on the annual anniversary of the first (1st) increment until the maximum is reached.

Anniversary Date

The anniversary date for classified employees shall be established at the time of appointment as a regular member of the classified service. If that date upon which an employee first performs any and all duties required falls between the first (1st) and the fifteenth (15th) of a month, the anniversary date shall be designated as the first (1st) of the month in which service is so rendered; if the date of first service is between the sixteenth (16th) day and the last day of a month, the anniversary date shall be designated as the first (1st) day of the following or subsequent month in which service is so rendered.

Adopted Schedule

The salary schedule will be adopted by the Board of Trustees annually and shall be published, with a copy provided to the bargaining unit and any employee who requests one.

Unemployment Compensation

Eligibility

Every regularly employed classified employee of the District, except those listed below, shall be protected by unemployment insurance pursuant to ~~Sections 605 and 802 of the~~ Unemployment Insurance Code **Sections 605 and 802**.

Exempt Employees

Students employed part-time and enrolled in college classes offered by the District, apprentices, temporary professional experts, emergency, limited term, or provisional employees or volunteers are excluded from unemployment insurance.

It shall be the responsibility of the Human Resources Office thereof to inform classified employees of their rights in the event of unemployment.

Academic Personnel Compensation and Related Benefits

Salary Schedule

See current Antelope Valley College Federation of Teachers Collective Bargaining Agreement.

General Provisions §

Salaries of individual academic personnel will be established in accordance with the schedules and the provisions under which they are administered.



For academic personnel new to the District, credit for appropriate previous teaching experience will normally be allowed up to a maximum of five (5) years. For disciplines in which a master's degree is not generally expected or available, partial credit toward the five (5)-year maximum may be allowed for appropriate work experience in related professions and industries upon the recommendation of the Superintendent/President.

Refer to Article IX in the current Antelope Valley College Federation of Teachers Collective Bargaining Agreement.

Request for Approval of Units for Advancement

Refer to Article IX in the current Antelope Valley College Federation of Teachers Collective Bargaining Agreement.

Pay Periods

Refer to Article X in the current Antelope Valley College Federation of Teachers Collective Bargaining Agreement.

Related Benefits

Related benefits shall be those established by the collective bargaining process and as approved by the governing Board of Trustees on an annual basis.

Salary Advances

This District does not allow salary advances.

Prohibition of Incentive Compensation

Senior managers and executive level employees who are only involved in the development of policy and do not engage in individual student contact or the other covered activities will not generally be subject to the incentive compensation ban.

Although athletic coaches may be covered employees, subject to certain limitations, and, based upon the District's determination on a case-by-case basis [after consulting with exclusive representatives, if any], coaching staff and other athletic personnel may be exempt from the prohibition of incentive compensation.

The Superintendent/President or designee shall identify any covered employees of the District and determine whether the District's compensation arrangements comport with the prohibition on incentive compensation, and to the extent that they do not, make necessary modifications to comply. Similarly, the Superintendent/President or designee shall identify any covered service providers, evaluate whether the contract pricing structure is consistent with the prohibition on incentive compensation, and if not, determine what modifications the District can make to any applicable contract.



Antelope Valley College Tablet Stipend

Your position with the College, or Board of Trustees, has been identified by the Office of the President as requiring access to a personal tablet device in order to fulfill your day-to-day responsibilities to the Board of Trustees, and/or the College. To facilitate fulfillment of this requirement, and alleviate institutional responsibility due to loss or damage, a one-time stipend of \$1,275 will be awarded to cover the expense of acquisition. Upon request, this stipend will be provided every 4 (four) years in order to ensure that the technology is updated in a timely manner. The following standard components are recommended and will officially be supported by Information Technology Services:

- One (1) Apple iPad with 16 GB Memory, a Retina Display, and wireless capacity, and AppleCare extended warranty protection.
- One (1) Protective Cover (Targus Versavu Carrying Case is recommended)
- One (1) Protective Screen Film (Zagg InvisibleSHEILD is recommended)
- GoodReader for iPad – for document management/viewing from cloud storage (available through the Apple App Store)

Your acceptance of this stipend, and signature below, signals acceptance of the following terms:

- Stipend is a one-time funding for purchase.
- Stipend is taxable income and will be reflected within your annual tax documentation.
- Equipment purchased is recognized as is your personal property and the college has no responsibility for maintenance or repair in the event of damage.
- Equipment is required for fulfillment of duties of your office and it is your responsibility to ~~insure~~ ensure its availability and good condition to execute those duties.
- Information Technology Services will provide basic training and support for the device's use, as an established standard for Tablet Computing for the college. That support will be limited to basic support of: Apple's IOS on the device; AVC/Gmail electronic mail configuration; access to AVC Wireless; web access to BoardDocs; Skype & FaceTime for video conferencing; access to GoogleDrive; and use of GoodReader. *(All other support needs should be directed to the manufacture and their support services.)*

IDENTIFIED POSITIONS FOR ACCESS TO A PERSONAL TABLET DEVICE

Five (5) Board Members



Superintendent/President
Executive Assistant to the Superintendent/President
Administrative Assistant – President’s Office
Vice President Human Resources
Vice President Student Services
Vice President Academic Affairs
Executive Director of Facilities, Planning & Campus Development
Executive Director of Information Technology Services
Executive Director of Public & Governmental Relations
Antelope Valley College Confidential/Management/Supervisory Employee
President Antelope Valley College Federation of Teachers
Antelope Valley Federation of Classified Employees
Executive Director of Business Services
Academic Senate President
Executive Director of Advancement & Foundation

Also see the collective bargaining agreements for applicable employee groups.

Approved: 4/14/08
Revised: 9/10/12
Revised: 4/15/13
Revised: 4/11/16
Revised: 12/9/19



BP 7140 Collective Bargaining

References:

Government Code Sections 3540 et seq.

If eligible employees of the District select an employee organization as their exclusive representative, and if after recognition by the District or after a properly conducted election, an exclusive representative is certified as the representative of an appropriate unit of employees under the provisions of the Educational Employment Relations Act, Government Code Sections 3540 et seq., the District will meet and negotiate in good faith on matters within the scope of bargaining as defined by law.

Academic personnel (faculty) are subject to terms and conditions as outlined in the current academic collective bargaining agreement.

Classified Service personnel are subject to terms and conditions as outlined in the current classified collective bargaining agreement.

Also see BP/AP 2610 Presentation of Initial Collective Bargaining Proposals.

Adopted: 5/8/06
Revised: 12/9/19



AP 7145 Personnel Files

References:

Education Code Section 87031;
Labor Code Section 1198.5

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

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

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

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

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

Refer to Antelope Valley College Faculty collective bargaining agreement Article X, 1.0 Personnel Records.

Refer to Antelope Valley College Classified collective bargaining agreement Article VII, 1.0 Personnel Records.

Approved: 5/8/06
Revised: 1/13/20



AP 7150 Evaluation

Reference:

Accreditation Standard ~~III.A.4.b~~ III.A.5

NOTE: *The language in red below reflects the accreditation standard.*

The District assures the effectiveness of its human resources by evaluating all personnel systematically and at stated intervals. The District establishes written criteria for evaluating all personnel. The evaluation process assesses the effectiveness of personnel and encourages improvement. Actions taken following evaluations are formal, timely, and documented.

EVALUATION OF FACULTY AND NON-CMS CLASSIFIED EMPLOYEES

Refer to Antelope Valley College Faculty collective bargaining agreement Article VIII, Tenure and Evaluation.

Refer to Antelope Valley College Classified collective bargaining agreement Article IX, Evaluation and Discipline of Unit Members

EVALUATION OF VICE PRESIDENTS, DEANS and EXECUTIVE DIRECTORS

Scope

This evaluation procedure applies to the following leadership staff members: Vice Presidents, Deans, and Executive Directors.

Philosophy

The administrative evaluation process, by identifying an individual's areas of special competence as well as ways to improve and grow, is aimed at the betterment of personal performance, thereby enhancing the effectiveness of the College's administrative services and the quality of the educational experience provided to students. The goal of evaluation is to acknowledge and encourage high performance levels, motivating individuals to become more effective.

A formal evaluation provides administrators the opportunity to reflect on their accomplishments, redefine goals, formulate new approaches and strategies, identify barriers and needs, and reassess their professional development plans. It also provides the opportunity for administrators and their supervisors to engage in a constructive dialogue with a view towards clarifying goals and expectations, acknowledging excellence, and communicating on issues affecting the good of the College. Finally, evaluation provides a means for those affected by an administrator's actions and services to participate in assessing their effectiveness.



Evaluation Criteria

The administrator's performance will be measured in accordance with the criteria outlined below.

The effective administrator should demonstrate the following qualities, skills, and competencies:

1. Leadership

The administrator's leadership skills are measured by the extent to which he/ ~~or~~ she:

- a. Practices democratic leadership, delegating responsibilities and encouraging participation in decision-making.
- b. Supports the rights of others to be heard and provides the means for all to share in setting and accomplishing goals.
- c. Makes timely and effective decisions.
- d. Displays receptivity to changes and new ideas.
- e. Sets reasonable and substantive goals and objectives and works effectively toward them.
- f. Displays sound judgment and perspective, focusing on basic issues rather than trivia.
- g. Plans effectively and imaginatively.
- h. Takes the lead in identifying, selecting, and training new employees.

2. Communication, Coordination, and Collegiality

In dealing with other individuals, the administrator:

- a. Is committed to and maintains effective communication with everyone.
- b. Is consistent in the application and interpretation of policy.
- c. Recognizes the accomplishments of others and is willing to put others first.
- d. Is committed to collegiality and shared governance.
- e. Recognizes problems and is willing to solve them effectively and impartially.
- f. Is sensitive to diversity, working effectively with different types of people and tolerating a variety of viewpoints and perspectives.
- g. Maintains an atmosphere of candor, trust, and respect.
- h. Open, approachable, fair, and consistent when dealing with others.
- i. Displays awareness of relevant regulations and statewide issues.
- j. Keeps abreast of developments within his/her area of responsibility and coordinates as necessary with statewide agencies.
- k. Serves on committees and participates in special projects such as program review and accreditation.



- l. Effectively represents his/her unit in interactions with all campus constituencies.
- m. Represents the college within the community.

3. Organization and Management

The administrator's organizational and Management skills are revealed in the extent to which he/she:

- a. Maintains an efficient and effective office structure.
- b. Displays attention to detail
- c. Develops an effective budget and establishes procedures to allocate funds and monitor expenditures.
- d. Shows skill in planning, organizing, and implementation.

4. Professional Qualities

The effective administrator has the following qualities:

- a. Current and extensive knowledge of his/her discipline or area of expertise.
- b. Broad intellectual and cultural interests and understanding.
- c. Commitment to a quality educational experience.
- d. Proponent of professional growth for self and staff.
- e. Concern for the institution as a whole rather than just his/her unit.
- f. Initiative, resourcefulness, and creativity.

Evaluation Schedule and Procedures

1. Newly-hired administrators will be evaluated annually during their first three years of service. Thereafter, evaluations will be required every three years. The evaluations will be conducted during the period of September to February, with the completed evaluation submitted to the President by February 15.
2. Each administrator will use a questionnaire to assess his/her performance. The questionnaire will address all of the major subdivisions of the Criteria (Leadership; Communication; Coordination; and Collegiality; Organization and Management; Professional Qualities) and will provide opportunity for and encourage written comment. Every effort will be made to protect the anonymity of those who respond to the questionnaire.

The questionnaire will provide an opportunity for those affected by the services or actions of the administrator to assess his/her performance. The individuals to be invited to complete the evaluation instruments will be determined by the person being evaluated and the supervisor. However, any individual with direct knowledge of the administrator's performance who has not been included among



those selected to respond to the questionnaire may request inclusion from the supervisor.

3. The supervisor of the individual being evaluated will distribute the questionnaires, collect and collate the results. After the supervisor has reviewed the questionnaires, they will be forwarded to the evaluatee for summary and analysis.
4. After receipt of the completed questionnaires, the administrator will review the questionnaire data and provide a written summary of findings along with appraisal to address identified areas of concern.
5. The administrator will review progress toward achieving the prior year's goals and objectives as developed in conjunction with the supervisor. In addition, goals and objectives will be reviewed and updated annually as part of the Evaluation Conference held with the supervisor.
6. The supervisor will complete the Administrative Employee Evaluation prior to meeting with the administrator. The evaluation should address the quality of the administrator's performance and his/her personal and professional effectiveness including, if applicable, recommendations for improvement. The administrator and supervisor will meet to discuss the evaluation and both will sign it to indicate it has been reviewed. The employee's signature on the evaluation indicates only that he/she has read the evaluation. The evaluatee may append written comments to the supervisor's evaluation.
7. An Evaluation conference will be held each year.
8. The completed and signed evaluation, along with supporting materials, will be forwarded to the **Superintendent/President or designee**. The **Superintendent/President or designee** has the option of conducting an additional evaluation meeting if desired.
9. After the evaluation process is completed, all materials will be forwarded to the Office of Human Resources & Employee Relations for placement in the employees personnel file.

EVALUATION OF CONFIDENTIAL, MANAGEMENT, AND SUPERVISORY (CMS) EMPLOYEES

Scope

This evaluation procedure applies to those employees designated as Confidential, Management, and Supervisory (CMS).



Philosophy

The CMS evaluation process, by identifying an individual's areas of special competence as well as ways to improve and grow, is aimed at the advancement of personal performance, thereby enhancing the effectiveness of the College's services and the quality of the educational experience provided to students. The goal of evaluation is to acknowledge and encourage high performance levels, motivating individuals to become more effective.

A formal evaluation provides CMS employees the opportunity to reflect on their accomplishments, redefine goals, formulate new approaches and strategies, identify barriers and training or other needs, and reassess their professional development plans. It also provides the opportunity for CMS employees and their supervisors to engage in a constructive dialogue with a view towards clarifying goals and expectations, acknowledging excellence, and communicating on issues affecting the good of the College.

Evaluation Criteria

The performance of CMS employees will be measured in accordance with the criteria outlined below.

Annual appraisals are to be completed between April 1 and May 31 of each year for the first three years of employment. Beginning with the fourth year of employment evaluations may be done biennially. Final markings and comments on the appraisal should be in ink or typewritten. Additional pages may be used if more space is needed for narrative comments. The evaluation is to be given to the employee and discussed in a private meeting with the employee. Any changes made to the evaluation should be initialed by the employee and supervisor. All attachments must be signed by the employee and evaluator.

CMS employees are to be evaluated in conjunction with the Essential Functions of their respective job description. The supervisor should refer to the Essential Functions of the employee's job description prior to beginning the evaluation process.

Derogatory Information

Information or material of a derogatory or critical nature which has been received from others may not be used unless the specific issue has been verified to the satisfaction of the supervisor, in consultation with the Vice President of Human Resources, and relates directly to the CMS employee's employment.

Signature and Response to Evaluation

The CMS employee's signature on the report indicates only that he/she has read the report. The CMS employee may, within ten (10) working days, respond in writing to an evaluation with which the CMS employee is not in agreement. This response shall be



attached to the evaluation in question. The Human Resources Office will distribute a copy of the response to the supervisor.

Evaluation Schedule for Probationary CMS Employees

Probationary CMS employees shall be rated by their immediate supervisor at the end of the 3rd month, 6th month, 9th month and prior to the end of the 12th month of employment. The above schedule does not prevent dismissal of such CMS employee at any time during the one (1) year probationary period.

Evaluation Categories

Evaluation of the competence of CMS employees shall include, but not be limited to:

- 1) Knowledge of Work
- 2) Quality of Work Productivity
- 3) Dependability
- 4) Communication Skills
- 5) Initiative
- 6) Interpersonal Relations
- 7) Professionalism
- 8) Safety Practices

The Supervisor should include information on staff member's overall performance highlighting:

- 1) areas of strengths
- 2) areas for further development
- 3) areas for improvements
- 4) areas where unique or extraordinary factors contribute to the evaluation

Each rating other than Standard (below or above) requires an explanation in the Comments box beside the category. Each rating below Standard must be based on issues discussed with the employee prior to the evaluation, supported by a statement of facts in the Comments box, and accompanied by a separate Development Plan. Subsequently, one or more conferences shall be held with the employee to assist him/her in correcting deficiencies previously noted. A record of such conference(s) shall be prepared by the evaluator for the file on the employee and a copy submitted to him/her.

Approved: 5/8/06
Revised: 9/13/10
Revised: 5/11/15
Revised: 8/8/16
Revised: 12/9/19



BP 7160 Professional Development

Reference:

ACGJC Accreditation Standard III.A.14

It is the intent of the District to maximize professional development opportunities for its employees.

Also see BP 2740 Board Education and AP 7160 Professional Development.

Adopted: 5/9/16

Revised: 12/9/19



AP 7160 Professional Development

References:

Education Code Sections 87150 et seq.;
Accreditation Standard III.A.14

The District plans for and provides all personnel with appropriate opportunities for continued professional development, consistent with the District's mission. The District will evaluate these programs and use the results of the evaluation as the basis for improvement.

The Superintendent/President shall annually submit to the Chancellor of the California Community Colleges an affidavit that contains all of the following:

- A statement that Antelope Valley College has an advisory committee, composed of administrators, faculty, and staff representatives, which has assisted in the assessment of the faculty and staff development needs and in the design of the plan to meet those needs;
- The Antelope Valley Community College District has completed a campus human development resources plan for the current and subsequent fiscal years; and
- A report of the actual expenditures for faculty and staff development for the preceding year.

Staff Development Guidelines and Procedures

Funds are available for staff development projects for all staff (classified-faculty-administrators). All proposals must be related to current assignment(s) at AVC. A maximum amount (established annually by the Staff Development Committee) is available per person between July 1 and June 30 as long as funds are available. More than one (1) proposal may be submitted if the maximum has not been reached. Project proposal forms are available on-line and in the Human Resources Office.

Guidelines and criteria for receiving Staff Development funds are published annually by the Staff Development Committee. Once approved by the Committee, the proposal is submitted to the Board of Trustees for final approval. Individuals will be notified when this process is completed (usually the following day after the regular Board meeting).

Please Note: *The Staff Development Committee expects that the information/knowledge gained from a staff development project will be shared with the campus community. On the Proposal Form for staff development funding, employees*



must indicate which constituency group(s) may benefit and the method for disseminating the information/knowledge.

Reimbursement

Within **thirty** (30) days of completion of a project, employees must submit a Request for Reimbursement form, handwritten forms will be returned, with original receipts to Human Resources. When more than one **(1)** person attends the same conference, it is expected that each person will submit a separate individualized report. Staff development pays only for actual receipted expenses (no receipts are required for food or gasoline). The committee will assume that reimbursement will not be requested if a reimbursement form is not received within **thirty** (30) days after completion of the project. If an employee is unable to complete the project, he/she must notify Human Resources as soon as possible so that another applicant can use the allocated funds. An employee may not cancel an approved project and substitute it with another.

Travel, Lodging, Food

Specific applicable allowances for expenses are available in the Business Office or online.

IMPORTANT: *Do not forget to submit a trip request form prior to any off-campus activity. Indicate "Staff Development Funds" in the method of funding box.*

Classes

If the project request includes enrollment in a class, the class must fit the staff development criteria. Tuition, books, supplies, and travel expenses are reimbursable. Reimbursement for classes taken is contingent upon receiving a grade of "C" or better in the class. Therefore, an employee must submit a grade report with the request for reimbursement. Staff Development cannot pay for classes and their associated expenses that will advance faculty/staff on their respective salary schedules.

General Information

Handwritten paperwork will not be accepted and a copy of the relevant conference materials must be attached. If the proposal includes activities, that are not prescheduled, such as visiting museums, etc., an itinerary showing each activity and how the activity will meet the project must be included. All acronyms or abbreviations must be spelled out during their first use on the request form. If substitutes are needed for class coverage, the hourly rate should be included as part of the proposal. Staff Development does not pay for overtime or compensatory time. The Staff Development committee has the final decision on all proposals. Submit proposals or any questions to designated Human Resource personnel.

Prepayment



If an employee requires prepayment of travel/registration/hotel fees, he/she must submit the appropriate requisitions along with the Staff Development form. Fully approved requests must be received by the Business Office no less than thirty (30) days prior to the date of the non-refund period of the registration workshop/conference. Prepayment will be made to the organization hosting the workshop/conference by check or purchase order no later than five (5) working days after Board approval.

An employee who cancels after the non-refund date is responsible to reimburse the District for any funds expended. A request for hotel prepayment must be received no less than thirty (30) days prior to the date of stay. Employees must use a personal credit card to hold reservations if the hotel requires it. The District will make available a check, payable to the hotel only, three (3) working days prior to departure. If an employee must cancel after the non-refundable date that was established by the conference organizers, he/she is responsible for all cancellation fees up to full payment.

Refer to Antelope Valley College Classified collective bargaining agreement Article IX, Professional Development.

Approved: 5/8/06
Revised: 3/09/15
Revised: 5/9/16
Revised: 12/9/19



BP 4010 **Academic Calendar**

References:

Education Code Section 70902 **subdivision** (b)(12)

Before presentation to the Board of **Trustees** for approval, any major calendar changes that may have financial impact to the **District** or may affect student access and/or student learning must be fully explored, discussed campuswide, and presented in writing to the Superintendent/President.

After said presentation to the Superintendent/President and after reaching agreement with the Antelope Valley College Federation of Teachers (AVCFT) and Antelope Valley College Federation of Classified Employees (AVCFCE) and after consulting with other appropriate groups, the **college** Superintendent/President shall recommend a calendar to the Board of Trustees for its approval.

Also see AP 4010 Academic Calendar and AP 7342 Holidays.

Adopted: 6/11/07

Revised: 10/9/2017

Revised: 12/9/19



AP 4010 **Academic** Calendar

References:

Education Code Section 79020;
Title 5, Sections 55700 et seq., and Section 58142

The Calendar Committee will have co-chairs consisting of the Vice President of Student Services and either the AVCFT or AVCFCE representative in alternate years. All issues related to the calendar, including but not limited to:

- Starting and ending dates of the semester;
- Summer session and Intersession;
- Starting and ending class dates;
- Holidays;
- Flex Days;
- Orientation;
- Parts of Term;
- Days counted as instructional days shall be referred to the Calendar Committee, a campus-wide standing committee. Information about major changes shall be widely disseminated to the entire campus before this will occur.

The number of days that define a calendar is 175 days of instruction, excluding the following holidays:

- New Year's Day (January 1)
- Dr. Martin Luther King, Jr. Day (Third Monday in January)
- Lincoln's Day (February 12 or see Note Below)
- Washington's Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Veteran's Day (November 11 or see Note below)
- Thanksgiving Day (Fourth Thursday in November)
- Christmas Day (December 25)

Cesar Chavez Day and Native American Day are local options if collectively bargained (Education Code Sections 79020 **subdivision** (k) and 79020 **subdivision** (l)).

The Board of Trustees may declare other days to be holidays and close the college and offices. These holidays have traditionally been New Year's Eve day, the day after Thanksgiving, and Christmas Eve day.



NOTE: *Refer to Education Code Section 79020 for language regulating the scheduling of Lincoln's Day, Veteran's Day, and holidays that fall on weekends.*

See BP 4010 Academic Calendar and AP 7342 Holidays.

Approved: 6/11/07

Reviewed: 10/9/17

Revised: 12/9/19



BP 4050 Articulation

References:

Education Code ~~S~~sections 66720-66744;
Title 5, Section 51022 subdivision (b), ~~California Code of Regulations, Sections 66700, 70901, 78016, 70902;~~
Accreditation Standard II.A.10

The ~~College~~ Superintendent/President shall establish procedures that assure appropriate articulation of the District's educational programs with proximate high schools and baccalaureate institutions. The ~~College~~ Superintendent/President also shall assure appropriate articulation with colleges and universities that are not geographically proximate but are appropriate and advantageous for partnership with the District.

See ~~Administrative Procedure AP~~ 4050 Articulation.

Adopted: 2/6/06
Revised: 9/10/07
Reviewed: 10/9/17
Revised: 12/9/19



AP 4050 Articulation

References:

Education Code Sections 66720-66744;
Title 5, Sections 51022 subdivision (b), and 55051;
Accreditation Standard II.A.10 ~~II.A.6.a~~;

The College Articulation Officer is responsible for articulating programs and courses with the CSU and UC system, as well as private colleges and universities, on an annual basis.

Articulation agreements for the CSU and UC system are updated and maintained on ASSIST, the statewide database for articulation agreements. Articulation agreements with private colleges and universities are updated and maintained locally by the College Articulation Officer.

Articulation agreements can be obtained from the Career and Transfer Resource Center and the Counseling Center.

Approved: 2/6/06
Revised: 9/10/07
Revised: 10/9/17
Revised: 12/9/19



BP 4070 Course Auditing and Auditing Fees

Reference:

Education Code Section 76370

Students may audit courses.

The fee for auditing courses shall be no more than \$15.00 per unit. Students enrolled in classes to receive credit for ten (10) or more semester credit units shall not be charged a fee to audit three or fewer semester units per semester.

No student auditing a course shall be permitted to change his/ ~~er~~ her enrollment to receive credit for the course.

Priority in class enrollment shall be given to students enrolled in the course for credit towards a degree or certificate.

Also see AP 4070 Course Auditing and Auditing Fees.

Adopted: 2/6/06
Reviewed: 10/9/17
Revised: 12/9/19



AP 4070 **Course** Auditing and Auditing Fees

Reference:

Education Code Section 76370

Individuals are allowed to audit courses, that is, to sit in without participating in class activities or being required to take exams upon approval of an instructor. The intent is to provide individuals with opportunities to explore areas of interest without being subject to the demands of class activities or evaluation and grading. Students and other individuals who audit will be invited to participate in class activities at the discretion of the instructor; however, the instructor is not required to evaluate in any way class activities and projects.

Auditors may not take quizzes and examinations and will not receive a grade.

Priority will be given to a student desiring to take the course for credit towards a degree or certificate. Students at Antelope Valley College and community members will be permitted to audit courses only if the admission of auditors will not result in credit students being denied access to a course.

Audit petition forms are available at the Office of Admissions and Records. The forms will not be accepted until after the first week of classes; instructor approval and payment of fees to the cashier is required prior to attending classes.

Payment of fees is not to exceed **fifteen dollars** (\$15.00) per unit, unless student is enrolled in classes to receive credit for **ten** (10) or more semester units, and is auditing three (3) or fewer semester units.

A refund of audit fees must be requested through a Petition of Extenuating Circumstances submitted to the Dean of Student Services (Admissions & Records).

An individual auditing a course will not be permitted to change his/ ~~er~~ her audit status to a credit status.

An individual enrolled in a class for credit will not be permitted to change his/ ~~er~~ her credit status to an audit status.

Special Admit students may not audit courses.

Auditing may not be appropriate for all sections of a course or for all courses, even if class seats are available.

Individuals who are auditing a course and are not enrolled in any courses as credit students will not be entitled to any of the services or privileges provided to currently enrolled students.



Approved: 2/6/06
Revised: 5/8/17
Reviewed: 10/9/17
Revised: 12/9/19



BP 4100 Graduation Requirements for Degrees and Certificates

References:

Education Code Section 70902 ~~subdivision~~ (b)(3); -
Title 5, Sections 55060, et seq.

The District grants the degrees of Associate in Arts and Associate in Science to those students who have completed ~~the subject requirements at least 18 semester units or of study in a major or area of emphasis~~ for graduation and who have maintained a cumulative 2.0 average in subjects attempted. Students must also complete the general education, residency, and competency requirements set forth in Title 5 regulations.

Students may be awarded a Certificate of Achievement upon successful completion of a minimum of ~~18 sixteen~~ (16) or more semester units of degree-applicable coursework designed as a pattern of learning experiences ~~intended~~ designed to develop certain capabilities that may be oriented to career or general education.

In addition, ~~pursuant to Title 5 Section 55070 subdivision (c), the a D~~district may ~~award a certificate of achievement for submit~~ any sequence of courses consisting of ~~12 eight~~ (8) or more semester units of degree-applicable credit coursework if approved by the ~~CCC~~ Chancellor of the California Community Colleges and request that it be approved as a program leading to a certificate of achievement. The Chancellor of the California Community Colleges may approve such a program if he/she determines that it satisfies the requirements of Title 5 Section 55070 subdivision (a) despite requiring fewer than ~~18 sixteen~~ (16) semester units of degree-applicable credit coursework.

The ~~College~~ President/Superintendent shall establish procedures to determine degree and certificate requirements that include appropriate involvement of the local curriculum committee. The procedures shall assure that graduation requirements are published in the ~~D~~district's catalog(s) and included in other resources that are convenient for students. As specified in BP 2510 ~~Participation in Local Decision-Making~~, the Board of Trustees agrees to "rely primarily" on the Academic Senate regarding the following Academic and Professional Matters which include Graduation Requirements for Degrees and Certificates:

- (1) Curriculum, including establishing prerequisites.
- (2) Degree and certificate requirements.
- (3) Grading policies.
- (4) Education program development.
- (5) Standards or policies regarding student preparation and success.
- (8) Policies for faculty professional development activities.



~~See Administrative Procedure #4100~~ Also see AP 4100 Graduation Requirements for Degrees and Certificates.

Adopted: 2/6/06
Revised: 3/10/08
Revised: 5/12/08
Reviewed: 12/11/17
Revised: 12/9/19



AP 4100 Graduation Requirements for Degrees and Certificates

References:

Title 5, Sections 55060 et seq.

Associate Degree Requirements (Title 5, Section 55806)

Graduation from Antelope Valley College with the associate in arts or associate in science degree requires that students demonstrate competency in reading, writing, and mathematics and complete a minimum of **sixty (60)** semester units, including requirements 1 through 6 listed below.

1. General Education Requirements

A minimum of 21 units, including a minimum of 3 semester units in, in Areas A, B, C, D1, D2, E and F. Courses meeting general education and major requirements can be found in the Graduation/Associate Degree Requirements section of the college catalog.

Area A* - Natural Sciences (Select at least **three (3)** semester units)

Courses in the Natural Sciences are those which examine the physical universe, its life forms and its natural phenomena. To satisfy the GE requirement in natural sciences, a course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage the understanding of the relationships between science and other human activities.

Area B* - Social & Behavioral Sciences (Select at least **three (3)** semester units)

Courses in the Social and Behavioral Sciences are those which focus on people as members of society. To satisfy the GE requirement in social and behavioral sciences, a course shall be designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate.

Area C* - Humanities (Select at least **three (3)** semester units)

Courses in the Humanities are those which study the cultural activities and artistic expression of human beings. To satisfy the GE requirement in the humanities, a course shall be designed to help the student develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and an ability to make value judgments.



Area D -Language & Rationality [Select **three (3)** semester units from (1) and select 3 units from (2)]

Courses in Language and Rationality are those which develop for the student the principles and applications of language toward logical thought, clear and precise expression and critical evaluation of communication in whatever symbol system the student uses.

1. Academic Composition

Courses fulfilling the written composition requirement shall be designed to include both expository and argumentative writing.

2. Communication and Analytical Thinking

Courses fulfilling the communication and analytical thinking requirement include oral communication, mathematics, logic, statistics, computer languages and programming, and related disciplines.

Area E -Additional Breadth (Select at least **three (3)** semester units)

Courses in this area are designed to expand the acquisition and utilization of knowledge in GE and/or self understanding. Courses must be taken from a discipline not previously selected.

Area F -Diversity Studies (Select at least **three (3)** semester units)

The primary focus of courses meeting the Diversity Studies requirement will deal, in depth, with non- dominant groups in the State of California and the United States. These groups of people are defined as African-American, Hispanic, Asian-Pacific Islander, Native American and Women. Courses meeting the Diversity Studies requirement will deal with more than one group. Courses will deal with one non-dominant group in comparison to the dominant group or other non-dominant group(s). Issues of racism and sexism will be explicitly covered.

2. Proficiency Requirements

Proficiency requirements exist for the areas of Reading, Writing and Math. Students must demonstrate competency in each of these areas in order to be eligible for the associate degree.

- A. **READING** Eligibility for College Level Reading (AVC assessment) or completion of READ 099 with a minimum grade of "P" (Pass), or completion of an Associate Degree or higher from a regionally accredited institution of higher education other than AVC.
- B. **WRITING** Completion of ENGL 101 with a minimum grade of "C."
- C. **MATHEMATICS** Completion of MATH 102 or higher or CIS 121 with a minimum grade of "C." or placement by AVC assessment into a math course higher than MATH 102.



3. Major or Area of Emphasis Requirements

Major or area of emphasis requirements may be satisfied by:

Completing at least **eighteen (18)** semester units of study in a specific major or area of emphasis as outlined in the specific degree requirements listed in the AVC catalog, with a grade of “C” or better in all required core course and the specific courses listed as program electives.

4. Electives

Sixty (**60**) semester units are required for an associate degree. In addition to the general education and major requirements, the remaining number of units needed to complete an associate degree is considered electives. Any course that has already been counted toward (1) the general education requirements, or (2) the major or area of emphasis, cannot be used as an elective.

5. Grade Point Average Requirement

A cumulative grade point average of 2.0 (“C” average) is required.

6. Residence Requirement

Of the required **sixty (60)** units, “at least **twelve (12)** semester units must be completed in residence at the college granting the degree” as stated in Title 5, Section 54000 et seq.

7. Requirements for Two or More Associate Degrees

To be eligible for multiple associate degrees, a student must have completed all of the graduation requirements for each degree.

Antelope Valley College awards the associate arts and associate science degree to students who pursue majors or designated areas of emphasis listed in the college catalog. In the course description section of this catalog, all courses that apply to the associate degree or certificates are designated as (AVC).

The completion of an associate in arts or an associate in science degree does not ensure that a student can transfer directly to a four-year college or university. Students interested in transferring should refer to the Transfer Requirements section in the college catalog.

Certificate of Achievement Requirements:

- For a certificate of achievement, a student must successfully complete a course of study or curriculum that consists of ~~18~~ **sixteen (16)** or more semester units of degree-applicable credit coursework. The certificate of achievement shall be



designed to demonstrate that the student has completed coursework and developed capabilities relating to career or general education.

- A student may also be awarded a certificate of achievement for a sequence of courses consisting of **twelve (12)** or more semester units if approved by the **CCC California Community Colleges Chancellor's Office**.
- Shorter credit programs that lead to a certificate may be established by the District, but **they** cannot be listed on the student's transcript.
- Content and assessment standards for certificates shall ensure that certificate programs are consistent with the mission of Antelope Valley College, meet a demonstrated need, are feasible, and adhere to guidelines on academic integrity.
- Certificates for which **CCC California Community Colleges Chancellor's Office** approval is not sought may be given any name or designation deemed appropriate except for certificate of achievement, certificate of completion, or certificate of competency.

Application for Graduation

Antelope Valley College awards degrees three times, annually—in December following the fall semester, in June following the spring semester, and in August. An application for graduation must be filed in the Admissions and Records Office. After submitting the application, students will receive a formal evaluation of progress toward the degree. Students will receive information on participating in the annual graduation ceremony. While participation in the graduation ceremony is encouraged, it is not mandatory to attend to receive a degree. Early filing of the graduation application is highly recommended.

Credit Courses Not Transferable/Applicable to the Associate Degree and Certificate Programs

Effective Fall 1988, selected credit courses shall not apply to the associate degree and certificate programs.

Students who enroll in credit courses not applicable to the degree can use these credits for eligibility purposes, i.e., full-time status, intercollegiate athletic status and financial aid status. In the course description section of the college catalog, these courses are designated as: Credit course not applicable to the associate degree and certificate programs. Grades will not count in calculating the GPA when received in credit courses not applicable to the associate degree and certificate programs. All courses that do apply to the associate degree or certificates are designated as **“(AVC).”**

The list of credit courses not applicable to the associate degree and certificate programs are listed in the college catalog under **“Credit Courses Not Transferrable/Not Applicable to the Associate Degree and Certificate Programs.”**



Note: Courses which emphasize occupational competency do not meet General Education (GE) objectives; and, no course may be counted as meeting both a GE requirement and a major requirement in any District degree.

College Work Applicable to the Associate Degree and Certificate Programs

College work acceptable toward the associate degree includes those courses that have been properly approved pursuant to Title 5, Section 55002 **subdivision** (a), or, if completed at other than a California community college, would reasonably be expected to meet the standards of that section Title 5 of the California Code of Regulations is available at <http://ccr.oal.ca.gov>.

Also see BP 4100 Graduation Requirements for Degrees and Certificates.

Approved: 2/6/06
Revised: 3/10/08
Revised: 7/9/12
Revised: 12/11/17
Revised: 12/9/19



BP 4220 Standards of Scholarship

References:

Education Code Section 70902 **subdivision** (b)(3);
Title 5, Sections **51002**, 55020 et seq., **Title 5 Sections** 55031 et seq., **and** 55040 et seq., **and 55050 et seq.**

The **College** President/Superintendent shall establish procedures that establish standards of scholarship consistent with the provisions of Title 5, Sections **51002**, 55020 et seq., 55030 et seq., 55040 et seq., **55050 et seq.**, and **b**Board policy.

These procedures shall address: grading practices, academic record symbols, grade point average, credit by examination, academic and progress probation, academic and progress dismissal, academic renewal, course repetition, limits on remedial coursework, and grade changes.

These procedures shall be described in the college's catalogs.

The Board of Trustees will rely primarily on the advice of the Academic Senate for policies and procedures related to the following Academic and Professional Matters:

- (1) Curriculum, including establishing prerequisites.
- (2) Degree and certificate requirements.
- (3) Grading policies.
- (4) Education program development.
- (5) Standards or policies regarding student preparation and success.
- (8) Policies for faculty professional development activities.

~~See Administrative Procedures #4220 and #4222~~ Also see AP 4220 Standards of Scholarship, AP 4222 Remedial Coursework, BP/AP 4225 Course Repetition, BP/AP 4230 Grading and Academic Record Symbols, BP/AP 4231 Grade Changes, BP/AP 4235 Credit by Examination, BP/AP 4240 Academic Renewal, BP 4250 Probation, Dismissal, and Readmission, AP 4250 Probation, and AP 4255 Dismissal and Readmission.

Adopted: 2/6/06
Revised: 5/12/08
Reviewed: 10/9/17
Revised: 12/9/19



AP 4220 Standards of Scholarship – Delegation

References:

Education Code Section 70902 subdivisions (b)(3) & (d);
Title 5 Section 51002

Matters identified by Title 5 as standards of scholarship are grading practices, credit-noncredit options, credit by examination, standards for probation and dismissal, remedial course work, academic record symbols, grade changes, course repetition, and academic renewal, **probation and dismissal, and alternative methods of awarding credit**. Authority and responsibility **is are** delegated to the chief instructional or academic officer and the Academic Senate as described in the policies and procedures on participation in local decision-making. **(see BP/AP 2510 Participation in Local Decision-Making)**

The Board of Trustees will rely primarily on the advice of the Academic Senate for policies and procedures related to the following Academic and Professional Matters:

- (1) Curriculum, including establishing prerequisites.
- (2) Degree and certificate requirements.
- (3) Grading policies.
- (4) Education program development.
- (5) Standards or policies regarding student preparation and success.
- (8) Policies for faculty professional development activities.

Approved: 2/6/06
Reviewed: 10/9/2017
Revised: 12/9/19



BP 4226 Multiple and Overlapping Enrollments

Reference:

Title 5, Sections 55007

The Superintendent/President shall establish procedures to ensure that students may only enroll in two (2) or more sections of the same credit course during the same term if the length of the course provides that the student is not enrolled in more than one (1) section at any given time.

The Superintendent/President shall establish procedures to ensure that students may only enroll in two (2) or more courses where the meeting times overlap under the conditions specified in Title 5, Section 55007.

~~See Administrative Procedure #4226~~ Also see AP 4226 Multiple and Overlapping Enrollments.

Adopted: 5/12/08

Reviewed: 10/9/17

Revised: 12/9/19



AP 4226 Multiple and Overlapping Enrollments

Reference:

Title 5, Section 55007

A student may not enroll in two (2) or more sections of the same credit course during the same term unless the length of the course provides that the student is not enrolled in more than one (1) section at any given time.

A student may not enroll in two (2) or more courses where the meeting times for the courses overlap, unless:

- The student provides a valid justification, other than scheduling convenience, of the need for an overlapping schedule.
- The student makes up the overlapping hours at some other time during the same week under the supervision of the instructor of the course.
- The reason the student cannot enroll in non-overlapping course must be given.
- The overlap may not exceed ten (10) minutes
- Both faculty members must give their written agreement to the overlapping enrollment.
- Faculty members understand that they are under no obligation to agree but that, if they do agree, the student must make up the time missed under the supervision of the instructor during the same week the time was missed.
- The overlap must be reviewed by the Dean of Enrollment Services.
- Overlap enrollments will be processed in Admissions and Records if approved by the Dean of Enrollment Services.

Approved: 4/14/08

Revised: 5/12/08

Reviewed: 10/9/17

Revised: 12/9/19



BP 4235 Credit by Examination

Reference:

Title 5, Section 55050

Credit may be earned by students who satisfactorily pass authorized examinations. The **College** Superintendent/President shall establish administrative procedures to implement this policy.

~~See Administrative Procedure #4235~~ Also see AP 4235 Credit by Examination.

Adopted: 2/6/06
Revised: 5/12/08
Revised: 12/9/19



AP 4235 Credit by Examination

References:

Education Code Section 79500;
Title 5, Sections 55050 and 55052

Credit by Examination may be obtained by one of the following methods:

- Achievement of a score of [3 or higher] on an Advanced Placement Examination administered by the College Entrance Examination Board. Consult the “Non-traditional Credit Guideline” document available through the Counseling Center.
- Achievement of a score that qualifies for credit by examination in the College Level Examination Program. Consult the “Non-traditional Credit Guideline” document available through the Counseling Center.
- Credit by satisfactory completion of an AVC Course Proficiency Exam administered by the college in lieu of completion of a course listed in the college catalog. Consult the “Non-traditional Credit Guideline” document available through the Counseling Center.

Determination of Eligibility to take an AVC Course Proficiency Exam

- The student must be currently registered in the college and in good standing.
- The course is listed in the college catalog.
- Antelope Valley College faculty have designated the course as one that may be challenged by examination.

Credits acquired by examination are not applicable to meeting of such unit load requirements as Selective Service deferment, Veteran's, or Social Security benefits.

Credits acquired by examination shall not be counted in determining the **twelve (12)** semester hours of credit in residence required for an Associate degree.

A student's academic record clearly indicates that the credit was earned by examination by an annotation of (CHL).

The results of the challenge exam, with grade and grade points, are entered upon the student's academic record. No record will be made if a student receives a failing grade on a challenge exam.



A student may apply up to **forty-eight (48)** units earned by credit by examination to the Associate degree. A student cannot earn credit by examination for courses in which they are currently enrolled.

Students desiring to challenge a course by examination should submit a petition to the Office of Admissions & Records before the end of the fourth **(4th)** week of the semester.

Challenge examinations must be completed by the seventh **(7th)** week of the semester.

Also see BP 4235 Credit by Examination and AP 4236 Advanced Placement Credit.

Approved: 2/6/06
Revised: 4/14/08
Revised: 5/14/18
Revised: 12/9/19



BP 4240 Academic Renewal

Reference:

Title 5, Section ~~55044~~ 55046

Previously recorded substandard academic performance may be disregarded if it is not reflective of a student's demonstrated ability. The Superintendent/President shall establish procedures that provide for academic renewal.

~~See Administrative Procedure #4240~~ Also see AP 4240 Academic Renewal.

Adopted: 2/6/06
Revised: 5/12/08
Revised: 12/9/19



AP 4240 Academic Renewal

Reference:

Title 5, Section ~~55044~~ and 55046

Academic renewal regulations “forgive” substandard grades earned based on the fact that the grades are no longer reflective of a student’s present ability and level of performance.

Students may petition to have their academic record reviewed for academic renewal of substandard academic performance under the following conditions:

- Students must have achieved a grade point average of: twelve (12) semester units with at least a 3.0; or
- Eighteen (18) semester units with at least a 2.5; or
- Twenty-four (24) semester units with at least a 2.0; and
- At least twenty-four (24) months must have elapsed from the time the course work to be removed was completed.

Subsequent coursework may include coursework completed at other colleges/universities upon submission of an official transcript.

Up to thirty (30) units of course work may be eliminated from consideration in the cumulative grade point average.

Coursework must be consecutive to qualify for academic renewal.

Only “D” and “F” grades may be eliminated from the computation of the GPA under the academic renewal policy.

Specific courses and/or categories of courses that are exempt from academic renewal must be described. Academic renewal actions are irreversible. When academic renewal procedures permit previously recorded substandard coursework to be disregarded in the computation of a student’s grade point average, the student’s permanent academic record should contain an accurate record of all coursework to ensure a complete academic history.

Academic renewal procedures may not conflict with the District’s obligation to retain and destroy records or with the instructor’s ability to determine a student’s final grade.

A student must complete a Request for Academic Renewal in the Admissions & Records



Office for consideration.

The Admissions & Records Office is the designated authority for the academic renewal process. No course will be removed from a student's academic record in the process of academic renewal.

Should a student transfer to another college, most colleges and universities will not accept another institution's academic forgiveness policies and will interpret and use coursework and grades as applied to their own unique policies and procedures.

Approved: 2/6/06
Revised: 4/14/08
Revised: 1/12/09
Revised: 10/12/09
Revised: 12/9/19



BP 4260 Prerequisites, Co-requisites, Advisories, and Limitations on Enrollment

References:

Title 5, Sections, 55000 and 55003

The College Superintendent/President is authorized to establish prerequisites, co-requisites, advisories, and limitations on enrollment on recommended preparation for courses in the curriculum. As specified in BP 2510 **Participation in Local Decision-Making**, the Board of Trustees agrees to “rely primarily” on the Academic Senate regarding the following Academic and Professional Matters which includes Pre-requisites, Co- requisites, Advisories, and Limitations on Enrollment:

- (1) Curriculum, including establishing prerequisites.
- (2) Degree and certificate requirements.
- (3) Grading policies.
- (4) Education program development.
- (5) Standards or policies regarding student preparation and success.
- (8) Policies for faculty professional development activities.

All such prerequisites, co-requisites, advisories, and limitations on enrollment shall be established in accordance with the standards set out in Title 5. Any prerequisites, co-requisites, advisories, or limitations on enrollment shall be necessary and appropriate for achieving the purpose for which they are established. The procedures shall include a way in which a prerequisite or co-requisite may be challenged by a student on grounds permitted by law. Prerequisites, co-requisites, advisories, and limitations on enrollment shall be identified in District publications available to students.

~~See Administrative Procedure #4260~~ Also see AP 4260 Prerequisites, Co-requisites, Advisories, and Limitations on Enrollment.

Adopted: 2/6/06
Revised: 3/10/08
Revised: 5/12/08
Revised: 12/9/19



AP 4260 Prerequisites, Co-requisites, Advisories, and Limitations on Enrollment

References:

Title 5, Sections 55000 et seq.

Prerequisites, co-requisites, advisories, and limitations are necessary to ensure that students succeed in their coursework and have access to the courses they require. It is important to have prerequisites in place where they are a vital factor in maintaining academic standards. It is also necessary to ensure that prerequisites, co-requisites, advisories, and limitations do not constitute unjustifiable obstacles to student access and success. Therefore, to foster the appropriate balance between these two concerns, the Education Code requires that prerequisites, co-requisites, advisories, and limitations be established based solely on content review **or content review with statistical validation**.

Antelope Valley College establishes pre-requisites, co-requisites, advisories, and limitations on enrollment in accord with the California Community Colleges Model District Policy developed by the Chancellor's Task Force **in conjunction with the State Academic Senate**. The following procedures assure compliance with the Model District Policy.

1. Information in the Catalog and Schedule of Courses.

The college shall provide the following explanations both in the college catalog and in the schedule of courses:

- A. Definitions of prerequisites, co-requisites, and limitations on enrollment including the differences among them and the specific prerequisites, co-requisites, and limitations on enrollment that have been established.
- B. Procedures for a student to challenge prerequisites, co-requisites, and limitations on enrollment and circumstances under which a student is encouraged to make such a challenge. The information about challenges must include, at a minimum, the specific process including any deadlines, the various types of challenge that are established in law, and any additional types of challenge permitted by the college.
- C. Definitions of advisories on recommended preparation, the right of a student to choose to take a course without meeting the advisory, and circumstances under which a student is encouraged to exercise that right.
- D. Definitions of contract course, co-requisite, noncredit basic skills course, non-degree applicable basic skills courses, prerequisite, and satisfactory grade.

2. Challenge Process



- A. Any student who does not meet a prerequisite or co-requisite or who is not permitted to enroll due to a limitation on enrollment but who provides satisfactory evidence may seek entry into the course as follows:
1. If space is available in a course when a student files a challenge to the prerequisite or co- requisite, the District shall reserve a seat for the student and resolve the challenge within five (5) working days. If the challenge is upheld or the District fails to resolve the challenge within the five (5) working-day period, the student shall be allowed to enroll in the course.
 2. If no space is available in the course when a challenge is filed, the challenge shall be resolved prior to the beginning of registration for the next term and, if the challenge is upheld, the student shall be permitted to enroll if space is available when the students registers for that subsequent term.
- B. Grounds for challenge shall include the following:
1. Those grounds for challenge specified in Title 5, Section 55201 **subdivision** (f).
 2. The student seeks to enroll and has not been allowed to enroll due to a limitation on enrollment established for a course that involves intercollegiate competition or public performance, or one or more of the courses for which enrollment has been limited to a cohort of students. The student shall be allowed to enroll in such a course if otherwise he/ ~~or~~ she would be delayed by a semester or more in attaining the degree or certificate specified in his/ ~~or~~ her educational plan.
 3. The student seeks to enroll in a course that has a prerequisite established to protect health and safety, and the student demonstrates that he/ ~~or~~ she does not pose a threat to himself/ ~~or~~ herself or others.
 4. The student has the obligation to provide documented satisfactory evidence that the challenge should be upheld. However, where facts essential to a determination of whether the student's challenge should be upheld are or ought to be in the college's own records, then the college has the obligation to produce that information.
- C. Curriculum Review Process
- The curriculum review process shall at a minimum be in accordance with all of the following:
1. Establish a curriculum committee and its membership in a manner that is mutually agreeable to the college administration and the academic senate.
 2. Establish prerequisites, co-requisites, and advisories on recommended preparation only upon the recommendation of the academic senate except that the academic senate may delegate this task to the curriculum committee



without forfeiting its rights or responsibilities under **Title 5** Sections 53200-53204 and within the limits set forth in Title 5 Section 55003. Certain limitations on enrollment must be established in the same manner.

3. Establish prerequisites, co-requisites, and advisories on recommended preparation, and limitations on enrollment only if:

a) The faculty in the discipline or, if the college has no faculty member in the discipline, the faculty in the department do all of the following:

(1) Approve the course; and,

(2) As a separate action, approve any prerequisite or co-requisite, only if:

(a) The prerequisite or co-requisite is an appropriate and rational measure of a student's readiness to enter the course or program as demonstrated by a content review including, at a minimum, all of the following:

(i) involvement of faculty with appropriate expertise;

(ii) consideration of course objectives set by relevant department(s). The curriculum review process should be done in a manner that is in accordance with accreditation standards.

(iii) be based on a detailed course syllabus and outline of record, tests, related instructional materials, course format, type and number of examinations, and grading criteria;

(iv) specification of the body of knowledge and/or skills which are deemed necessary at entry and/or concurrent with enrollment;

(v) identification and review of the prerequisite or co-requisite which develops the body of knowledge and/or measures skills identified under iv.

(vi) matching of the knowledge and skills in the targeted course (identified under iv.) and those developed or measured by the prerequisite or co-requisite (i.e., the course or assessment identified under v.); and

(vii) maintain documentation that the above steps were taken.

(3) Approve any limitation on enrollment that is being established for an honors course or section, for a course that includes intercollegiate competition or public performance, or so that a cohort of students will be enrolled in two or more courses, and, in a separate action, specify which.

(4) Approve that the course meets the academic standards required for degree applicable courses, non-degree applicable courses, non-credit courses, or community service respectively.

(5) Review the course outline to determine if a student would be highly



unlikely to receive a satisfactory grade unless the student had knowledge or skills not taught in the course. If the student would need knowledge or skills not taught in the course itself, then the course may be approved for degree applicable credit only if all requirements for establishing the appropriate prerequisite have been met excepting only approval by the curriculum committee.

- (6) Review the course outline to determine whether receiving a satisfactory grade is dependent on skills in communication or computation. If receiving a satisfactory grade is sufficiently dependent on such skills, then the course may be approved for degree applicable credit only if all requirements have been met for establishing a prerequisite or co-requisite of not less than eligibility for enrollment to a degree- applicable course in English or mathematics, respectively.
 - b) A course which should have a prerequisite or co-requisite as provided in (5) or (6) but for which one or more of the requirements for establishing a prerequisite have not been met may only:
 - (1) Be reviewed and approved pursuant to the standards for non-degree applicable credit, non-credit, or community service; or
 - (2) Be revised and reviewed as required to meet the criteria for establishing the necessary prerequisites or co-requisites.
 - c) The curriculum committee also reviews the course and prerequisite in a manner that meets each of the requirements specified above.
 - d) If the District chooses to use content review as defined in Title 5 Section 55000 subdivision (c) to define prerequisites and co-requisites in reading, written expression, or mathematics for courses that are degree applicable and are not in a sequence, it must adopt a plan consistent with Title 5 Section 55003 subdivision (c).
4. **Program Review.** As a regular part of the program review process or at least every six (6) years, except that the prerequisites and co-requisites for vocational courses or programs shall be reviewed every two (2) years, the college shall review each prerequisite, co-requisite, or advisory to establish that each is still supported by the faculty in the discipline or department and by the curriculum committee and is still in compliance with all other provisions of this **procedure, the related** policy, and with the law. Any prerequisite or co-requisite that is still supported shall be reviewed promptly thereafter to assure that it is in compliance with all other provisions of this **procedure, the related** policy, and with the law.
5. **Implementing Prerequisites, Co-requisites, and Limitations on Enrollment.** Implementation of prerequisites, co-requisites, and limitations on enrollment must be done in a consistent manner and not left exclusively to the



classroom instructor. Every attempt shall be made to enforce all conditions a student must meet to be enrolled in the course through the registration process so that a student is not permitted to enroll unless he/ ~~or~~ she has met all the conditions or has met all except those for which he/ ~~or~~ she has a pending challenge or for which further information is needed before final determination is possible of whether the student has met the condition.

- 6. Instructor's Formal Agreement to Teach the Course as Described.** Each college shall establish a procedure so that courses for which prerequisites or co-requisites are established will be taught in accordance with the course outline, particularly those aspects of the course outline that are the basis for justifying the establishment of the prerequisite or co-requisite. The process shall be established by consulting collegially with the local academic senate and, if appropriate, the local bargaining unit.

Review of Individual Courses:

If the student's enrollment in a course or program is to be contingent on his/ ~~or~~ her having met the proposed prerequisite(s) or co-requisite(s), then such a prerequisite or co-requisite must be established as follows. If enrollment is not blocked, then what is being established is not a prerequisite or co-requisite but, rather, an advisory on recommended preparation and must be identified as such in the schedule and catalog. Establishing advisories does not require all the following steps.

- 1. Advisories on Recommended Preparation.** The college may recommend that a student meet a standard of readiness at entry only if recommended by the faculty in the discipline or department and by the curriculum committee as provided in above. This process is required whether the college used to describe such recommendations in its catalog or schedule as "prerequisites," or "recommended," or by any other term.
- 2. Limitations on Enrollment.** The types of limitation on enrollment specified below may only be established through the curriculum review process by the discipline or department faculty and the curriculum committee specified above including the requirement to review them again at least every six (6) years; for example, as part of program review. The following requirements must also be met in order to establish these particular limitations on enrollment.

A. Performance Courses. The college may establish audition or try-out as a limitation on enrollment for courses that include public performance or intercollegiate competition such as but not limited to band, orchestra, theater, competitive speech, chorus, journalism, dance, and intercollegiate athletics provided that:

1. For any certificate or associate degree requirement which can be met by



- taking this course, there is another course or courses which satisfy the same requirement; and
2. The college includes in the course outline of record a list of each certificate or associate degree requirement that the course meets and of the other course or courses which meet the same requirement.

Limitations on enrollment established as provided for performance courses shall be reviewed during program review or at least every six (6) years to determine whether the audition or try-out process is having a disproportionate impact on any historically under-represented group and, if so, a plan shall be adopted to seek to remedy the disproportionate impact. If disproportionate impact has been found, the limitation on enrollment may not be printed in subsequent catalogs or schedules nor enforced in any subsequent term until such a plan has been endorsed by the department and the college administration and put into effect.

Honors Courses. A limitation on enrollment for an honors course or an honors section of a course may be established if, in addition to the review by the faculty in the discipline or department and by the curriculum committee as provided above, there is another section or another course or courses at the college which satisfy the same requirements. If the limitation is for an honors course and not only for an honors section, the college must also include in the course outline of record a list of each certificate or associate degree requirement that the course meets and of the other course or courses which meet the same associate degree or certificate requirement.

B. Blocks of Courses or Sections. Blocks of courses or blocks of sections of courses are two or more courses or sections for which enrollment is limited in order to create a cohort of students. Such a limitation on enrollment may be established if, in addition to review by the faculty in the discipline or department and by the curriculum committee as provided above, there is another section or another course or courses that satisfy the same requirement. If the cohort is created through limitations on enrollment in the courses rather than limitations on specific sections of courses, then the college must include in the course outline of record a list of each certificate or associate degree requirement that the course meets and of the other course or courses which satisfy the same associate degree or certificate requirement.

Approved: 2/6/06
Revised: 3/10/08
Revised: 5/14/12
Revised: 12/9/19



BP 4400 Community Services Programs

References:

Education Code Section 78300;
Title 5, Section 55002

The District shall maintain a community services program that offers classes that contribute to the personal, physical, mental, ethical, economic, or civic development of community individuals or groups.

The community services program shall be designed to contribute to the physical, mental, ethical, personal, economic, or civic development of the individuals or groups enrolled in it.

Community services programs shall be open for admission of adults and of minors who can benefit from the offerings.

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

~~See Administrative Procedure #4400~~ Also see AP 4400 Community Services Programs.

Adopted: 2/6/06
Revised: 3/10/08
Revised: 12/9/19



AP 4400 Community Services Programs

References:

Education Code Sections 78300 et seq;
Title 5, Sections 55002, and 55160 subdivision (b)

Community Services offerings originate from community needs and interests and are developed in consultation with the Community Services Office.

Community Services offerings are:

- designed to provide instruction that contributes to the personal, physical, mental, ethical, economic, or civic development of the individuals or groups enrolled in them.
- open for the admission of adults and of those minors who, in the judgment of the governing Board of Trustees, may profit.

General fund moneys are not expended to establish and maintain community service offerings.

Students enrolled in community service offerings may be charged a fee not to exceed the cost of maintaining community service offerings, or offerings may be provided for remuneration by contract, or with contributions or donations of individuals or groups.

The AVC Academic Policies and Procedures (AP&P) Committee must approve Community Services offerings.

Also see AP 4022 Course Approval.

Approved: 2/6/06
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Revised: 12/9/19