

Antelope Valley Community College District
Administrative Procedures
Chapter 6
Business and Fiscal Affairs

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AP 6150 Designation of Authorized Signatures

Reference:

Education Code Section 85232, 85233

The Vice President of Business Services 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 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.

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AP 6200 Budget Preparation

Reference:

Accreditation Standard III.D; Education Code Section 70902(b)(5); Title 5, Sections 58300 et seq.

1. Budget Preparation Philosophy: Refer to Chapter 3, AP 3250 Institutional Planning
2. Budget Development Processes: Refer to Chapter 3, AP 3250 Institutional Planning
3. Criteria and Guidelines for Planning and Budgeting: Refer to Chapter 3, AP 3250 Institutional Planning
4. District Budget Calendar:

The tentative District budget shall be prepared by the Vice President, Business Services, recommended by the President, approved by the Board, and filed with the Chancellor's Office by July 1.

The Board shall hold a public hearing on the budget on or before the 15th of September, but not earlier than three days following availability of the budget for public inspection. Adoption of the District budget by the Board shall be accomplished on or before September 15 to allow for the filing of the adopted budget (two copies of 311 forms) with the Chancellor's Office on or before September 30.

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AP 6250 Budget Management

Reference:

Title 5, Sections 58305, 58307, 58308

The Antelope Valley Community College District uses the following standards of budget management:

- Total amounts budgeted as the proposed expenditure for each major classification of expenditures shall be the maximum expended for that classification for the school year, except as specifically authorized by the Board.
- Transfers may be made from the reserve for contingencies to any expenditure classification by written resolution of the Board, and must be approved by a two-thirds vote of the members of the Board.
- Transfers may be made between expenditure classifications by written resolution of the Board, and may be approved by a majority of the members of the Board.
- Excess funds must be added to the general reserve of the District, and are not available for appropriation except by resolution of the Board setting forth the need according to major classification.

Adopted: 5/8/06

Revised: 11/9/15

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AP 6300 Fiscal Management

References:

Education Code Section 84040(c);

Title 5 Section 58311;

ACCJC Accreditation Standard III.D.9 (*formerly III.D.2*)

The district uses the following minimum standards as principles for sound fiscal management in Title 5, to ensure that procedures comply with requirements. In addition, the district 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 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 board, 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.

The California Community College's Budget and Accounting Manual shall be used by the District as the official accounting manual.

Adopted: 5/8/06

Revised: 11/9/15

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AP 6310 Accounting

Reference:

Budget and Accounting Manual, Chapters 3 and 4

The Budget and Accounting Manual published by California Community College shall be used by the district as the official accounting manual.

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AP 6315 Warrants

Reference:

Education Code Section 85230 et seq.

Payroll (A Warrants)

Employment schedules shall be prepared by the Office of Human Resources and approved by the Board 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 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.

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AP 6320 Investments

Reference:

Government Code Section 53600 et seq.

The Vice President of Business Services 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 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 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 16429.1). District funds deposited with the LAIF shall be invested by the State Treasurer in securities prescribed by Government Code 16430, or the Surplus Money Investment Fund and as determined by the Local Investment Advisory Board (Government Code 16429.2).

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- Other Investments - Other investments as permitted by Government Code Section 53600 et seq., and in particular Government Code sections 53601 and 53635,* may be made by Vice President of Business Services subject to prior approval of the governing board.

**Government Code Sections 53601 and 53605 permit many very specific investments. Questions should be referred to financial advisors or counsel.*

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AP 6330 Purchasing

Purchasing procedures are outlined in the *Office of Business Procedures Manual* which can be obtained in the Office of Business Services.

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AP 6340 Bids and Contracts

Reference:

Education Code Section 81641 et seq.; Public Contracts Code Sections 20112 and 20650 et seq., 22000 et seq.; Labor Code 1770 et seq.

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.
- 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.

Contracts involving expenditures that require competitive bidding require approval by the Board of Trustees prior to award.

Interested parties may check with the Vice President of Business Services for current bid limits.

Note: The bid minimums are annually readjusted by the Board of Governors as required by Public Contracts Code Section 20651(d); the most recent adjustment, effective 1/1/2007, increased the minimum for materials or supplies to \$69,000. The current bid minimum can be found at <http://www.cde.ca.gov/gf/ac/co/>.

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 circulated 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 district's Web site or through an electronic portal, a notice calling for bids or proposals, stating the materials or supplies to be furnished and the time and place when bids will be opened. District may accept a bid that was submitted either electronically or on paper.

Bid and contract forms shall be prepared and maintained by Vice President of Business Services. All applicable statutory provisions and board policies shall be observed in preparation of the forms.

The Vice President of Business Services 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 California Labor Code Sections 1775 and 1776 governing payment of prevailing wages and California Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance

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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.

Vice President of Business 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.

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 Awards

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 for good and sufficient reason.
- 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.
- Bid and contract awards shall be made to the lowest responsible bidder substantially meeting the requirements of the specifications. The District reserves the right to make its selection of materials or services purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.

Purchase without Advertising for Bids

The Vice President of Business Services is authorized to make purchases from firms holding county contracts without calling for bids where it appears advantageous to do so.

The Vice President of Business Services 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 Vice President of Business Services may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services for items such as:

- Purchases of supplementary textbooks, library books, educational films, audio-visual materials, or workbooks in any amount essential to the operation of the College.
- Purchases from the federal government or agency thereof of surplus property needed for the operation of the College.

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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 Vice President of Business Services 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.

<p>Note: The following sections apply if funds from the Kindergarten-University Public Education Facilities Bond Acts of 2002, 2004, or 2006 are used for a public works project.</p>
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Kindergarten-University Public Education Bond Act Projects

For projects funded by 2002, 2004, or 2006 Bond Funds, the Vice President of Business Services or designee will initiate and enforce, or contract with a third party to initiate and enforce, a labor compliance program for that project under Labor Code 1771.7. The program will include:

- Appropriate language concerning the wage requirements of Labor Code 1720 et seq. in all bid invitations and public works contracts.
- A pre-job conference with the contractor and subcontractors to discuss applicable federal and state labor law requirements.
- Project contractors and subcontractors shall be required to maintain and, at designated times, furnish certified copies of weekly payroll containing a statement of compliance signed under penalty of perjury.
- The District shall review, and if appropriate audit, the payroll records of the employees of the contractor and/or subcontractor. The review and audit shall be conducted by [designate position] or an independent third party, but not the third party with whom the District contracts to initiate and enforce a labor compliance program under Labor Code section 1771.7
- If an investigation establishes that an underpayment of wages has occurred, the District shall withhold any contract payments, equal to the amount of underpayment and any applicable penalties.
- The Vice President of Business Services or designee shall transmit a written finding that the District has initiated and enforced, or has contracted with a third party to initiate and enforce, the required labor compliance program, to the Director of the Department of Industrial Relations, or any successor agency that is responsible for the oversight of employee wage and work hour laws.

5/8/06

Revised: 1/8/07

Revised: 9/10/07

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AP 6350 Contracts – Construction

Reference:

Education Code Section 81800; Public Contracts Code Sections 20650 et seq., 22000 et seq.

The Director of Facilities Planning and Campus Development shall be responsible for the planning and programming of new construction, alterations and repairs of existing plants, and leasing of facilities that require state approval. This includes the planning and programming of college-initiated new construction, additions to existing plants, and major alterations and repairs of buildings and grounds.

The Director of Facilities Planning and Campus Development shall be responsible for preparation of drawings and specifications for new buildings, leased facilities, additions, major alterations and improvements of buildings and grounds together with estimates of costs.

The preliminary drawings, which shall cover all proposed facilities together with construction cost estimates, shall be submitted to the Board for approval and authorization to proceed with the working drawings and specifications. Upon completion, the working drawings, specifications and revised cost estimates, if any, will be submitted for approval to the State Chancellor's Office and the State Department of General Services as required by statute in the name of the Board of Trustees.

The final working drawings and specifications, approved by the State Department of General Services and the State Chancellor's Office, together with revised estimates, if any, shall then be submitted to the Board of Trustees for adoption.

The letting of contracts for construction shall comply with procedures of the District regarding contracts that exceed the statutory minimums for competitive bidding. (See AP 6340)

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AP 6360 Contracts – Electronic Systems and Materials

References:

Education Code Sections 81641 et seq., and 81651; Public Contracts Code Section 20651 et seq.

The District may contract with any vendor who has submitted one of the three lowest responsible competitive proposals or competitive bids for the purchase or maintenance of electronic data-processing systems and equipment, electronic telecommunication equipment, supporting software, and related material, goods and services.

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

Criteria to determine what constitutes a responsive bid shall be established by the Director of Facilities Planning and Campus Development.

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

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AP 6365 Accessibility of Information Technology

Reference

Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794d); 36 CFR 1194.1 et seq.; Government Code Section 11135; Title 5 Section 59300 et seq.

Whenever the district enters into a contract for the purchase, development, procurement, maintenance or use of any electronic or information technology, the vendor shall certify that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 and its related regulations. This requirement shall apply to software applications, operating systems, web-based intranet and internet information and applications, telecommunications products, video or multimedia products, self contained closed products such as copiers, and desktop and portable computers.

Each contract with such a vendor shall contain the following provision:

"The vendor hereby warrants that the products or services to be provided under this agreement comply with the accessibility requirements of section 508 of the Rehabilitation Act of 1973, as amended, and its implementing regulations. Vendor agrees to respond promptly to and resolve any complaints regarding accessibility of its products or services that are brought to its attention. Vendor further agrees to indemnify and hold harmless the Antelope Valley Community College District from and against any claim arising out of its failure to comply with these requirements. Failure to comply with these requirements shall constitute a breach and be grounds for termination of this agreement."

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AP 6370 Contracts – Personal Services

References:

Government Code Section 53060, Education Code Section 88003.1

The District may enter into personal services contracts to achieve cost savings when each of the following conditions are met:

- It can be clearly demonstrated that the proposed contract will result in actual overall cost savings to the District;
- The contractor's wages are at the industry's level and do not undercut District pay rates;
- The contract does not cause the displacement of district employees;
- The savings are large enough to ensure that employees will not be eliminated by private sector and District cost fluctuations that could normally be expected during the contracting period;
- The amount of savings clearly justifies the size and duration of the contracting agreement;
- The contract is awarded through a publicized, competitive bidding process;
- The contract includes specific provisions pertaining to the qualifications of the staff that will perform the work under the contract, as well as assurance that the contractor's hiring practices meet applicable nondiscrimination standards;
- The potential for future economic risk to the District from potential contractor rate increases is minimal;
- The contract is with a firm; *and*
- The potential economic advantage of contracting is not outweighed by the public's interest in having a particular function performed directly by the District.

Personal service contracts are also permissible when any one of the following conditions is met:

- the contract is for new functions mandated or authorized by Legislature to be performed by independent contractors;
- the services are not available within the District or cannot be satisfactorily performed by district employees;
- the services are incidental to a purchase or lease contract;
- the policy, administrative, or legal goals and purposes of the District cannot be accomplished through the regular or ordinary hiring process;
- the work meets the criteria for emergency appointment;
- equipment, materials, facilities, or support services could not feasibly be provided by the District; *or*
- the services are of an urgent, temporary, or occasional nature.

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Professional Experts

Contracts for the services of persons who qualify as professional experts may be let without competitive bidding. Professional experts are persons specially qualified to provide services and advise in financial, economic, accounting, engineering, legal or administrative matters. They must be specially trained, experienced and competent to perform the services required. Compensation for special services and advice from professional experts may be paid from available funds in the amounts deemed proper for the services rendered.

Independent Contractors

To be an independent contractor, substantial conformance with the following conditions must exist:

- The contractor controls the way in which work is performed.
- The contractor sets his or her own hours.
- The contractor is not restricted from taking jobs from other businesses at the same time that they are doing work for the District.
- No district employees have duties similar to the independent contractor.
- The District does not provide assistants to the contractor.
- The duration of employment is for a specific job, not for a specified period of time.
- The District does not furnish tools, training, or equipment to the contractor. Contractors should be able to perform their services without the District's facilities (e.g., equipment, office furniture, machinery).
- The contractor's investment in his or her trade must be real, essential, and adequate.
- The contractor has employer identification numbers with the Internal Revenue Service and the California Employment Development Department for reporting employer payroll taxes and employee wages.
- The individual is not presently employed by the District to do the same type of work.
- Contractors are hired to provide a result and usually have the right to hire others to do the actual work.
- Contractors are hired for the final result, and therefore should not be asked for progress or interim reports.
- Contractors are generally responsible for their incidental expenses.
- Contractors should be able to make a profit or a loss. Five circumstances show that a profit or loss is possible:
 - If the contractor hires and pays assistants
 - If the contractor has his own office, equipment, materials, or facilities
 - If the contractor has continuing and reoccurring liabilities
 - If the contractor has agreed to perform specific jobs for prices agreed upon in advance
 - If the contractor's services affect his own business reputation

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- Contractors can't be fired so long as they produce a result that meets the contract specifications.
- Contractors are responsible for the satisfactory completion of a job or they may be legally obligated to compensate the hiring firm for failure to complete.

Consultants

Consulting services contracts refer to all services that:

- are of an advisory nature,
- provide a recommended course of action or personal expertise,
- have an end product which is basically a transmittal of information either written or verbal, and,
- are obtained by awarding a procurement-type contract, a grant, or any other payment of funds for services of the above type.

The product may include anything from answers to specific questions to design of a system or plan, and includes workshops, seminars, retreats, and conferences for which paid expertise is retained by contract.

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AP 6400 Audits

References:

Education Code Section 84040(b);
ACCJC Accreditation Standard III D.7

On or before April 1 of the fiscal year, the Board shall approve the selection of an auditor who shall be a certified public accountant licensed by the California State Board of Accountancy.

The length of an auditing firm's contract shall be determined by the District but shall be for *no longer than 5 years*. The audit shall include all funds under the control or jurisdiction of the District. The audit shall identify all expenditures by source of funds and shall contain:

- A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Education Code Section 84040.5, and
- A summary of audit exceptions and management recommendations.

Audit reports for the preceding fiscal year must be submitted to the state Chancellor's Office by December 31.

Adopted: 5/8/06

Revised: 11/9/15

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AP 6500 Property Management

Reference:

Education Code Section 70902; 81300 et seq.

The Vice President of Business Services 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.

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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.

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 Vice President, Business Services.

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AP 6530 District Vehicles

Reference:

Title 13, California Code of Regulations, Division 1, Chapter 1

All District vehicles and drivers must comply with the California Vehicle Code and Title 13 (Motor Carrier Safety).

All drivers of district-owned or leased vehicles both on and off campus, must have a current license appropriate for the vehicle to be driven.

Any vehicle that carries ten or more persons including the driver is defined in the Vehicle Code as a bus. All operators of buses must have a current Class II license, a current medical certificate and a current First Aid Certificate.

All District facilities maintaining vehicles defined as buses must keep records of driver's hours, vehicle maintenance, and vehicle inspection records. All of these records must be made available to the California Highway Patrol. The CHP is required to inspect the records at least once every 13 months.

All District vehicles with equipment for transporting the disabled must comply with all applicable laws and regulations regarding such vehicles.

The district shall not operate or lease a 15-passenger van unless the driver holds both a valid class B driver's license, and an endorsement for operating a passenger transportation vehicle issued by the Department of Motor Vehicles. [This portion is operative as of January 1, 2005].

Vehicles made available to the District personnel are for use in the conduct and operation of District business.

The Vice President of Business Services is responsible for controlling access to and use of all District vehicles.

The name and California driver's license number of any employee to be authorized to drive district vehicles must be submitted to the Director of Maintenance and Operations prior to final granting of authorization.

Refer to "Facilities and Campus Development District Transportation Procedure" which can be obtained from the Office of the Vice President of Business Services.

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AP 6535 Use of District Equipment

Reference:

Education Code Section 70902

Each member of the District staff shall be responsible for equipment under his or her control. Loss of equipment and unauthorized removal of equipment should be reported immediately to the appropriate administrator. Capital assets are the responsibility of the Chief Business Official, with the exception of delegated controls.

Computing, networking, and multimedia equipment purchased for the district is the property of the district without regard to funding source; except where superseded by external regulation. Business practices regarding hardware standards, assignment, and reassignment of computing and multimedia equipment is delegated to the Executive Director of Technology.

Equipment that is lost or stolen may be replaced upon submission of a request through the appropriate administrative office. The request must include an explanation about the loss or theft of the equipment and a justification that replacement is essential to the activity served. Equipment shall only be removed from campus with authorization from the Chief Business Official or delegated authority.

Requests from District personnel to borrow equipment from another location within the District must be approved by the supervisor or administrator having immediate jurisdiction over such equipment.

It is not legally permissible to allow employees to use District-owned equipment for private projects which are unrelated to District activities or the instructional program.

Whenever a District employee desires to use District equipment for school related activities at times other than during regular working hours, permission shall be requested from the Chief Business Official or delegated authority.

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Revised: 9/10/07, 9/8/2014

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AP 6540 Insurance

Reference:

Education Code Sections 70902; 72502; 72506; 81601 et seq.

The Antelope Valley Community College District is a part of SIRMA II, a joint powers agreement, for the following coverage:

- Liability insurance for damages for death, injury to person, or damage or loss of property.
- Liability insurance for the personal liability of the members of the Board and of the officers and employees of the District for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer or employee when acting within the scope of his or her office or employment.
- Fire insurance
- Real property damage
- Personal property loss or damage
- Insurance for district vehicles
- Insurance against “other perils” [Education Code Section 81601]

The Antelope Valley Community College District is a part of PIPS, a joint powers agreement, for:

- Workers compensation insurance

The Antelope Valley Community College District is a part of CCLC, a joint powers agreement, for:

- Actuarial evaluation of the future annual costs of health and welfare benefits

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AP 6550 Disposal of Property

Reference:

Education Code Section 70902(b)(6), 81383, 81384, 81450 et seq.

The district may sell for cash any district personal property if the property is not required for district purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for use. Property cannot be sold until notice has been given. The sale of District property to Board members and District employees are prohibited. Notice must be posted in at least three public places in the district for not less than two weeks; notice can also be by publication for at least once a week for a period of not less than two weeks in a newspaper published in the district and having a general circulation. If there is no such newspaper, then notice can be published in a newspaper having a general circulation in the district; or if there is no such newspaper, then in a newspaper having a general circulation in the county in which the district or any part thereof is situated. The Vice President of Business Services shall sell the property to the highest responsible bidder, or shall reject all bids.

Personal property authorized for sale as surplus may also be disposed of by means of a public auction conducted by employees of the district, or by other public agencies, or by contract with a private auction firm. The personal property shall be sold or transferred to the highest responsible bidder upon completion of the auction and after payment has been received by the district.

The District can also exchange for value, sell for cash, or donate any personal property belonging to the district without complying with the preceding procedures if all of the following criteria are met:

- (a) The district determines that the property is not required for district purposes, that it should be disposed of for the purpose of replacement, or that it is unsatisfactory or not suitable for school use.
- (b) The property is exchanged with, or sold or donated to, a school district, community college district, or other public entity that has had an opportunity to examine the property proposed to be exchanged, sold, or donated.
- (c) The receipt of the property by a school district or community college district will not be inconsistent with any applicable district wide or school site technology plan of the recipient district.

In addition, the District can sell or lease real property belonging to the community college district if both of the following conditions are met:

- (a) The property is sold or leased to another local governmental agency, or to a nonprofit corporation that is organized for the purpose of assisting one or more local governmental agencies in obtaining financing for a qualified community college facility; and
- (b) The financial proceeds are expended solely for capital outlay purposes relating to a qualified community college facility

If the board, by a unanimous vote of those members present, finds that the property, whether one or more items, does not exceed in value the sum of five thousand dollars (\$5,000), the property may be sold by Vice President of Business Services at private sale without advertising,

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Any item or items of property having previously been offered for sale as provided in Education Code Section 81450, but for which no qualified bid was received, may be sold by Vice President of Business Services at private sale without advertising.

5/8/06

Revised: 12/10/07

Revised: 4/14/08

Revised: 4/11/16

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AP 6600 Capital Construction

Reference:

Education Code Sections 81005, 81820; Title 5, Sections 57150 et seq.

Capital Outlay Program

The Superintendent/President will annually report to the Board and to the State Chancellor's Office a five-year capital outlay program. The Program will consist of the plans of the District concerning its future academic and student service programs, and the effects of such programs on construction needs.

Specifically, the five-year capital outlay program will include the following:

- Statement of educational plans
- Statement of energy plans
- Statement of disabled persons' barrier removal plan
- Location of program delivery
- Location of other owned lands
- District-wide priority lists
- District-wide capacity/load ratios
- District-wide supporting detail

Contracts

Construction contracts will be let in accordance with Administrative Procedure 6350 and will comply with applicable laws relating to public works.

Conversion of Buildings

State funds earmarked for capital outlay financing may be used to acquire an existing government-owned or privately-owned building and to pay the necessary costs of converting such a building to community college use if all of the following criteria apply:

- The building was constructed as, and continues to qualify as, a school building, as provided by Education Code section 81130 et seq., or the building is determined to have, or is rehabilitated to an extent that it is determined to have, a pupil safety performance standard that is equivalent to that of a building constructed pursuant to Education Code section 81130 et seq. The determination of the pupil safety performance standard must meet all of the requirements of Education Code section 81149(a)(1)&(2).
- The total cost of purchasing and converting the existing building to community college use is not greater than the estimated cost of constructing an equivalent building.
- The land associated with the building will be owned by, or controlled through a long-term lease of at least 50 years by, the District.
- The District has complied with facility site review procedures and guideline recommendations of the California Postsecondary Education Commission pursuant to Education Code Section 66904.

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- The funding for the purchase and conversion of an existing building does not supersede funding for facilities that have previously been prioritized by the Board of Governors and are awaiting state funding.

5/8/06

Revised: 9/10/07

Revised: 4/14/08

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AP 6620 NAMING RECOGNITION POLICY

GUIDELINES FOR NAMING RECOGNITION

Decisions to name buildings or facilities after an individual shall be made under circumstances free from emotion and transitory pressures; therefore, if the request is to honor a deceased person, that request will be submitted only after a suitable period of mourning. No request will be considered within a year of the death.

A suitable plaque shall be placed, at the District's expense, within the building or at the facility, including rooms, landscaped areas, trees or similar areas, in honor of the person for whom it is being dedicated.

PROCEDURE

Any individual or group affiliated with Antelope Valley College may submit a written request for the naming of buildings, their interior areas and for exterior areas on the campus to the Superintendent/President, who will work in concert with the Antelope Valley College Foundation on their review and approval. A request must include:

1. Contact information for the individual or group submitting the request
2. Specific naming recognition requested, including clear identification of the property to be named.
3. Written acknowledgement and permission of the person, business or organization to receive the recognition
4. Rationale for the recognition based on criteria set forth in this policy. Evidence for a broad base of support, including a biography of the individual when appropriate, shall be included in the rationale.

Upon receiving a complete written request, the Superintendent/President informs the Board of Trustees of the impending naming opportunity. The Superintendent/President or designee will facilitate collegial review by a campus committee comprised of at least two representatives of the faculty, classified staff, students, management staff and Foundation. The Superintendent/President will chair this committee. The committee will review the request and submit their recommendation for the Board of Trustee action on the request.

The Superintendent/President will then publish the request and supporting recommendation to the Board of Trustees for action.

The Board of Trustees will act upon the request.

The Superintendent/President will notify the appropriate persons of the action taken by the Board of Trustees and, if approved, will assign personnel to implement the naming recognition accordingly.

NAMING INVOLVING A DONOR GIFT

When a donor gift, which must be facilitated through the AVC Foundation, is involved:

1. Facilities and properties may be named for individuals or organizations responsible for a "substantial gift" benefiting Antelope Valley College.
2. A gift must be substantial and will not be defined by arbitrary standards or exclusively by a specific dollar amount.
3. In reviewing a request of approval of naming, consideration shall be given to:

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- a. The significance of the proposed gift as it relates to the realization and/or success of the project/program or to the enhancement of the project/programs' usefulness to the District;
 - b. The urgency of need for the project/program or for support funds for the project/program;
 - c. The eminence, reputation and integrity of the individual or entity whose name is proposed; and
 - d. The relationship of the individual or entity to the District.
4. Its interpretation is meant to be flexible so that each situation may be judged on its own merits and may take into account significant contributions of personal services as well as monetary or in-kind gifts.
 5. It is expected that each naming opportunity will recognize the donor according to the level of gift and size of facility.
 6. A naming conferred in recognition of a pledge is contingent upon the gift agreement that makes every effort to ensure fulfillment of the pledge. Naming may be removed if the pledge is not fulfilled as dictated in the AVC Foundation's policies and procedures.
 7. Proposed naming opportunities involving a gift must first be presented to the Board of Trustees for preliminary approval, approved by the AVC Foundation Board of Directors as recipients of the gift, and then continue through the process led by the Superintendent/President for final approval by the Board of Trustees

NAMING WITH NO DONOR GIFT

When no donor gift is involved:

1. The naming should honor a person who has achieved unique distinction in higher education and other significant areas of public service, or who has served Antelope Valley College in an administrative or academic capacity and has earned a national or international reputation as a scholar or during administrative service has made extraordinary contributions to the District, which warrants special recognition.

In special circumstances, the Board of Trustees may waive any or all of the above criteria.

4/9/07

Revised: 1/14/13

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AP 6700 Civic Center and Other Facilities Use

Reference:

Education Code Sections 82537, 82542; Public Resources Code § 42648.3

Refer to *Rules and Regulations for Use of District Facilities* which can be obtained from the Director of Maintenance and Operations.

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AP 6740 Citizens' Oversight Committee

Reference:

Education Code Sections 15278, 15280, 15282

Refer to the *Citizen's Oversight Committee By-Laws* which can be obtained from the Director of Facilities Planning and Campus Development.

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AP 6750 Parking

Reference:

Education Code Section 76360; Vehicle Code Section 21113

Refer to *Antelope Valley College Parking Regulations* which can be obtained from the Director of Campus Security.

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AP 6800 Occupational Safety

Reference:

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

A Safety Committee will be established to review and make recommendations concerning health and safety conditions on district property.

It shall be the obligation of each employee to work in a safe manner and not create hazards.

It shall be the employee's responsibility to report to his/her supervisor any observed unsafe physical conditions in the buildings or on the district premises. The report should be done verbally as soon as an accident occurs or unsafe condition is recognized.

Definitions

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

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

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

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

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

Emergencies

Any employee shall immediately report any situation that threatens life or property and demands an immediate response of police, fire or medical personnel by first dialing 911 and then notifying law enforcement.

Equipment and Sanitation

Should the duties of an employee require the use of equipment to ensure the safety of the employee, the District shall furnish such equipment. Complaints related to health, safety, sanitation and working conditions shall be forwarded to the employee's immediate supervisor for review and recommendation.

Crisis and Conflict Intervention

Any employee experiencing an unsafe work condition should immediately contact his/her supervisor or the Campus Police Department. The supervisor shall immediately notify the Campus Police Department about any acts or threats of violence. The employee will be provided consultation regarding resources available to resolve the unsafe work condition.

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

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Employee Crisis Assistance Team

An Employee Crisis Assistance Team is established to provide regular training and advice to individuals and departments. Training activities may include, but not be limited to, skill development in conflict resolution, communication, anger management and early identification of unsafe working conditions in the workplace.

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

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

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

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

Restraining Orders/Court Orders

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

Civil Defense and Disaster Preparedness Plans

Responsibility

The responsibility for developing and maintaining operable civil defense and emergency procedures rests with the Director of Campus Security.

The governing board shall adopt a written policy for use in formulating civil defense and disaster preparedness plans. A copy of such plans shall be filed with the County Superintendent of Schools following Board approval.

Distribution

A copy of civil defense and disaster preparedness plans shall be posted in each classroom and other instructional areas on campus. Additional copies shall be maintained in the office of Director of Campus Security.

5/8/06

Revised: 6/13/2016

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AP 6850 Hazardous Materials

Reference:

Title 8, Section 340 et seq.

The District must post at least one CAL/OSHA Notice of Employee Protections and Obligations entitled "Safety and Health Protection on the Job" in each establishment in a conspicuous place where notices to employees are customarily posted. "Establishment", in this context, means a single physical location where business is conducted or where services are performed.

Where employers are engaged in activities that are physically dispersed such as construction or transportation, the Notice required shall be posted at each location to which employees report each day.

Where employees do not usually work at, or report to, a single location the Notice or Notices shall be posted at the location or locations from which the employees operate to carry out their activities.

Each employer shall take steps to insure that such Notices are not altered, defaced or covered by other material

The Notice shall inform employees that employers who use any substance listed as a hazardous substance in Section 339 of Title 8 of the California Administrative Code must provide employees with information on the contents of material safety data sheets (MSDS) or equivalent information about the substance which trains employees to use the substance safely.

The Notice must also state that the employer is required to make available on a timely and reasonable basis a MSDS on each hazardous substance in the workplace upon request of an employee, collective bargaining representative, or an employee's physician.

The Notice must also state that employees have the right to see and copy their medical records and records of exposure to potentially toxic materials or harmful physical agents.

The Notice shall inform the employees that the employer shall provide an opportunity for employees or their representatives to observe of employee exposure to hazards conducted pursuant to Cal/OSHA regulations.

The Notice shall state that the employer must allow access by employees or their representatives to accurate records of employee exposures to potentially toxic materials, and notify employees of any exposures in concentration or levels exceeding the exposure limits allowed by Cal/OSHA standards.

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