



District Consultation Council Meeting

August 22, 2016

2:00 p.m.

Anaheim Campus Room 105

Videoconferencing of the meeting will be available at Cypress College Room 301 and the Fullerton College President's Conference Room A

AGENDA

SUMMARY

1. May 23, 2016 Summary C. Marshall

STRATEGIC GOALS & PLANNING

1. Role of the District Consultation Council C. Marshall
 - Goals
 - Membership
 - 2016-17 Meeting Schedule
 - Subcommittees
2. District Enrollment Management Committee C. Marshall
3. Budget Update F. Williams

OPERATIONAL REVIEW

1. Consideration of a Consent Agenda C. Marshall

POLICY

1. Chapter 3, General Institution C. Marshall
Revised AP3720, Computer and Electronic Communication Systems

OTHER ITEMS

DISTRICT CONSULTATION COUNCIL
May 23, 2016

SUMMARY

MEMBERS PRESENT: Brenda Carpio, Dana Clahane, Cathy Dunne, Richard Fee, Sam Foster, Adam Gottdank, Jolena Grande, Tina Johannsen, Sharon Kelly, Cherry Li-Bugg, Deborah Ludford, Rod Lusch, Arturo Ocampo, Valentina Purtell, Irma Ramos, Greg Schulz, Bryan Seiling, Bob Simpson, Pete Snyder, Kai Stearns Moore, and Fred Williams.

SUMMARY: The summary of the April 25, 2016, meeting was approved as submitted.

PLANNING ITEMS

Budget Update: Fred Williams, Interim Chancellor, provided information related to the District's 2016-17 Tentative Budget Assumptions and the 2016-17 May Revision to the Governor's budget which included the following:

2016-17 State Budget: The Governor's Proposed 2016-17 Budget included: 1) 0.0% Cost of Living Adjustment (decreased from 0.47% in January); 2) \$75 million base allocation adjustment to mitigate the escalating increases to STRS and PERS in future years; 3) \$114.7 million for access based on 2% system-wide growth; 4) \$105.5 million for Mandated Claims meant to address one-time costs; 5) \$184.6 million for Scheduled Maintenance/Instructional Equipment; 6) \$49.3 million for Proposition 39 Energy projects; 7) \$30 million for Basic Skills; and 8) \$200 million to fund Workforce Development.

Full-Time Equivalent Students (FTES): The tentative 2016-17 FTES for the District was established at 36,533.29 which reflects a decrease of 0.41% (151.85 FTES) from the 2015-16 target. The FTES targets by campus include:

Cypress College:	11,776.8
Fullerton College:	19,356.47
SCE:	5,400.00

Growth Allocation: The tentative 2016-17 Growth Allocation by campus include:

Cypress College:	1.0%
Fullerton College:	2.0%
SCE:	(10.71%)

Major Revenue Assumptions: The \$182,270,114 base is comprised of Basic Allocation and FTES funding of \$178,276,101, which includes access funding of approximately \$1.9 million and a STRS/PERS contribution of roughly \$2 million. Also included is an unrestricted lottery of \$5 million and non-resident tuition of \$1 million.

Unrestricted General Fund On-going Revenue: The Unrestricted General Fund On-going Revenue is comprised of:

Apportionment	\$182,270,114
Lottery	\$5,057,192
PT Faculty Comp.	\$950,724
Mandated Block Grant	\$1,011,438
Non-Resident Tuition	\$1,000,000
Other	\$832,132
Total	<u>\$191,121,600</u>

Unrestricted General Fund On-going Expenditures: The Unrestricted General Fund On-going Expenditures are comprised of:

Personnel	\$135,546,859
Retiree Benefits	\$5,444,229
Extended Day	\$26,142,794
Operating Allocation	\$10,778,348
District-wide	6,531,970
Insurance	\$1,015,000
Sabbatical	\$300,000
Related Activity	\$350,000
Other (Memberships)	\$6,000
Cont. to Retiree Benefit Fund	<u>\$2,011,438</u>
Total	<u>\$188,126,638</u>

Unrestricted Ongoing General Fund Excess Revenues over Expenditures: The breakdown of revenues over expenditures is as follows:

Revenues	\$191,121,600
Expenditures	<u>\$188,126,638</u>
Ongoing Surplus/(Deficit)	<u>\$2,994,962</u>

District-wide Expenses: The list of District-wide Expenses for 2016-17 includes the following:

Recruiting Budget	\$40,000
Fingerprinting	\$25,000
Sabbatical Bond Reimbursements	\$3,000
District-wide Memberships	\$130,000
Child Care Contribution	\$250,000
Audit Expenses	\$75,000
Information & Emergency Comm. System	\$45,000
Sewer Expenses	\$95,000
Additional Attorney Expenses	\$350,000
Waste Disposal	\$160,000
Election Expense	\$200,000
Hospitality	\$100,000
Ride Share	\$120,000
Utility Expense	\$3,800,000
Cc Cogen Maintenance	\$450,000
Student Insurance	\$223,970
Part-time Faculty Insurance	\$120,000

Employee Assistance Program	\$30,000
Student Success	\$100,000
Interest	\$40,000
EEO Plan Implementation	\$25,000
Life Insurance	<u>\$150,000</u>
Total	<u>\$6,531,970</u>

Strategic Plan Fund Proposal: District-wide Universal Design Initiative: Cherry Li-Bugg, Vice Chancellor of Educational Services and Technology, presented a second reading of the Universal Design Development Project proposal for Strategic Plan funding consideration. The proposal, submitted by Adam Gottdank, includes the participation of 25 faculty members per campus in a voluntary professional development project to explore the concept of universal design and its impact on student learning, instruction, and use of instructional space at a total cost of \$339,031. At a previous meeting, concerns were raised regarding measureable outcomes, compensation, implementation, current interest, and the lack of official support from the academic senates.

Dr. Gottdank reported that in follow-up conversations he received feedback that he would use to develop a plan and repackage the proposal before moving forward. The project would ideally be rolled out in spring 2017, and therefore will return for DCC's consideration in fall 2016.

Draft Report of the Mid-term Educational Master Plan Review and Update: Dr. Li-Bugg also presented a draft report of the Mid-term Educational Master Plan Review and Update for review and discussion. She noted the contributions by Cambridge West, a District consultant, to address the deficiencies in the 2011 Comprehensive Master Plan, identify potential demand for educational programs throughout the District, conduct an FTES trend analysis, and also identify facilities needs through 2030. In the ensuing discussion, it was noted that the report and data further validate the direction in which the District and Colleges are moving and serve as the basis for starting the 2018 Master Plan. Interim Chancellor also expressed his gratitude to Dr. Li-Bugg for her work on the Mid-Term Educational Master Plan Review and Update.

Institutional Effectiveness Partnership Initiative (IEPI) Reporting: The DCC received the District's Institutional Effectiveness Partnership Initiative (IEPI) Goals for 2016-17, as an information item for review, as mandated by the State. The IEPI framework of indicators for year one included 18 metrics in four categories which measure the on-going of the community college's operational environment in: 1) student performance and outcomes; 2) accreditation status; 3) fiscal health; and 4) compliance with state and federal guidelines. As a condition of Student Success and Support Program (SSSP) funds, colleges were required to develop, adopt, and post a framework of indicators that address, at a minimum, those four categories. For year two, the metrics increased from 18 to 22, and the number of metrics colleges/districts were required to adopt increased to eight.

Vice Chancellor Li-Bugg reported that at its March 14, 2016 meeting, the Council on Budget and Facilities unanimously adopted the District-wide goals for year 2. She also noted that Fullerton College and Cypress College took different approaches regarding completion rates. Noting no objections, it was determined that the District's goals would be posted to the State Chancellor's Office IEPI portal prior to the June 15, 2016 deadline.

College and Career Access Pathways Partnership Agreement Template: The DCC also received a draft template of the NOCCCD College and Career Access Pathway (CCAP) Partnership Agreement as an information item. The agreement is a result of AB288 legislation which establishes the CCAP Act to authorize California Community College districts to enter into formal partnership agreements with local school districts to expand access to concurrent enrollment opportunities exclusively for high school students. The District agreement template has been reviewed for accuracy and workability by the Vice Chancellor of Educational Services and Technology, and shared with Chancellor's Staff, Vice Presidents Council, the Student Team, and Banner Steering Committee. Dr. Li-Bugg stated that all future partnership agreements will require adoption by the governing Boards of both participating districts at a public, regularly scheduled meeting prior to implementation.

POLICY ITEMS

Chapter 2: Board of Trustees:

Revised AP2710, Conflict of Interest: AP2710 was presented for a second reading with changes throughout the administrative procedure and the "Reference" section which were made at the request of the California Fair Political Practices Commission (FPPC), and additional changes to Section 7.4.1.2 to reflect SCE, its Provost, and its Deans of Instructional and Student Services. **There was consensus to approve revised AP2710 and it will be posted on the District's website.**

Chapter 4: Academic Affairs:

Revised BP/AP4250, Probation, Dismissal, and Readmission: BP/AP4250 were presented for a first reading. BP4250 was revised by the School of Continuing Education to include non-credit program students by creating section 2.0, and was originally presented to DCC in fall 2015. At the October 2015 meeting it was pulled to allow for review by the Student Team, and returned to DCC with further revisions to exclude the summer term from probation calculations. AP4250 was last revised by the DCC at its August 2015 meeting where revisions to include non-credit program students were approved. It returned for consideration with revisions to: exclude the summer term from probation calculations; deletion of the role of the Fullerton College Vice President of Student Services in the appeal process; and change from "progress probation" to "program probation" for noncredit program students.

There was consensus to conditionally approve revised BP/AP4250 pending rationale for excluding the summer term from the "two consecutive semester" probation calculations. Subsequent to the meeting it was communicated to the DCC that inclusion of the semester session is not legally required, and that it has been past practice to exclude it due to the following reasons: 1) summer students tend to not be the Colleges' regular students and inclusion of the summer term disadvantages those who attempt a more condensed curriculum; 2) summer is not part of regular curriculum, but rather more for reverse transfers and one-time students; and 3) summer courses are not usually included in program sequences. As a result, **BP4250 will be forwarded to the Board of Trustees for consideration, and AP4250 will be posted on the District's website.**

Chapter 5: Student Services:

Revised AP5050, ~~Matriculation~~ Student Success and Support Program: Revised AP5050 was updated to reflect updated Accreditation Standards, change the title to match BP5050, and new sections 2.3, 2.4, 2.6, and 3.3.7. It was originally presented to the DCC in fall 2015, but was

pulled at the October 2015 meeting to allow for review by the Student Team. It returned for consideration, and **there was consensus to approve revised AP5050 and it will be posted on the District's website.**

OTHER ITEMS

Teaching Assistant Proposal: Dana Clahane, United Faculty Vice President, introduced a teaching assistant proposal where faculty members would receive a teaching assistant per class in exchange for agreeing to accept an additional 3-5 students in that course. The goal of the proposal would be to generate extra apportionment revenue from the additional students, which would be pay for the teaching assistant's salary and the remainder being applied directly to faculty salaries. Dr. Clahane suggested that service learning assistants, former students, and graduate interns could all be utilized to form a pool of teaching assistants.

Support was voiced for the concept in general, especially how it could possibly assist in student success efforts, generate revenue, and potentially lend itself to assist with goals related to the District's Equal Employment Opportunity Plan. However, strong concern was expressed related to collective bargaining violation implications due to Classified instructional assistant positions that serve in the same capacity as the proposed teaching assistants. While Mr. Williams welcomed ideas to help the District raise salaries, he emphasized that would occur without violating any rules or collective bargaining agreements. Interim Chancellor Williams directed Irma Ramos, Vice Chancellor of Human Resources, to research the practice of using teaching assistants at other districts.

June 27 DCC Meeting: It was agreed to cancel the June 27, 2016 meeting; the next meeting of the DCC will take place August 2016.

ADJOURNMENT: The meeting adjourned at 3:38 p.m.

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: August 17, 2016

From: Cheryl Marshall

Re: Agenda Item for District Consultation Council Meeting of August 22, 2016

1. AGENDA ITEM NAME

Role of the District Consultation Council

- **Goals**
- **Membership**
- **2016-17 Meeting Schedule**
- **Subcommittees**
 - **Council on Budget and Facilities (CBF)**
 - **District Curriculum Coordinating Committee (DCCC)**
 - **Institutional Effectiveness Coordinating Council (IECC)**
 - **Technology Coordinating Council (TCC)**

2. AGENDA ITEM ACTION (Please check one and fill in date, if appropriate.)

Information Only		Second Reading	
Review/Discussion	X	Action	
First Reading		Required Decision Date	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **20 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

Committee members will have the opportunity to review DCC's charge, establish goals and related topics for the 2016-2017 academic year, review the membership list and meeting dates, and discuss expectations of subcommittees including frequency of reports.

5. RECOMMENDATION:

Upon consensus, members will develop a preliminary plan for the committee's work.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

Chancellor's Staff

**2016-17 District Consultation Council
Membership**

Member	Affiliation
Cheryl Marshall	Chancellor, Chair
Bob Simpson	President, Cypress College
Greg Schulz	President, Fullerton College
Irma Ramos	Vice Chancellor, Human Resources
Cherry Li-Bugg	Vice Chancellor, Educational Services & Technology
Fred Williams	Vice Chancellor, Finance & Facilities
Valentina Purtell	Interim Provost, School of Continuing Education
Kai Stearns Moore	District Director, Pubic & Governmental Affairs
Deborah Ludford	District Director, Information Services
Arturo Ocampo	District Director, Equity & Compliance
Bryan Seiling	President, Cypress College Academic Senate
Jolena Grande	Past President, Cypress College Academic Senate
Pete Snyder	President, Fullerton College Faculty Senate
Josh Ashenmiller	President Elect, Fullerton College Faculty Senate
Adam Gottdank	President, School of Continuing Education Academic Senate
Cathy Dunne	Vice President, School of Continuing Education Academic Senate
Tina Johannsen	President, United Faculty
Dana Clahane	Vice President, United Faculty
Brenda Carpio	Representative, Adjunct Faculty United
Rod Lusch	President, California School Employees Association
Sharon Kelly	Representative, California School Employees Association
Victoria Deemer	Representative, Confidentials Group
Olivia Veloz	President, District Management Association
Joseph Bashir	Associated Students Representative, Cypress College
Jameson Hohbein	Associated Students Representative, Fullerton College

**2016-17 District Consultation Council
Meeting Schedule**

4th Mondays of the month @ 2:00 p.m.
Anaheim Campus, Room 105

Fall Semester

Spring Semester

August 22

January 23

September 26

February 27

October 24

March 27

November 28

April 24

December (TBD)

May 22

June 26 – If needed

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: August 17, 2016

From: Cheryl Marshall

Re: Agenda Item for District Consultation Council Meeting of August 22, 2016

1. AGENDA ITEM NAME

District Enrollment Management Committee (DEMC)

2. AGENDA ITEM ACTION (Please check one and fill in date, if appropriate.)

Information Only		Second Reading	
Review/Discussion	X	Action	X
First Reading	X	Required Decision Date	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **20 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

The purpose of the proposed DEMC is to improve overall institutional effectiveness in student achievement and fiscal stability. The DEMC would operate at a strategic level to focus on the effective and efficient execution of District-wide enrollment management. The DEMC would inform the development of enrollment strategies to support student success and retention as well as the achievement of the District's annual enrollment goals. The DEMC would work in the mode of evidence based decision making and help to cultivate and promote a culture of evidence District-wide.

5. RECOMMENDATION:

It is recommended that upon consensus, the DCC approve the District-wide Enrollment Management Committee as a standing advisory group to the Chancellor and Chancellor's Staff.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

Chancellor's Staff

Districtwide Enrollment Management Committee (DEMC)

Purpose

The purpose of DEMC is to improve overall institutional effectiveness in student achievement and fiscal stability. DEMC operates at a strategic level to focus on the effective and efficient execution of Districtwide enrollment management. DEMC will inform the development of enrollment strategies to support student success and retention as well as the achievement of the District's annual enrollment goals. DEMC works in the mode of evidence based decision making and helps to cultivate and promote a culture of evidence Districtwide.

Responsibilities

Through mutually beneficial collaboration, sharing of information and constructive dialog, the Districtwide Enrollment Management Committee makes recommendation for improved efficiency, consistency and coordination in enrollment management understanding and practices across the District. The Committee will:

- recommend a District definition of enrollment management;
- establish and maintain ongoing dialogue regarding Districtwide enrollment management to increase understanding of enrollment funding issues in a systematic, comprehensive manner;
- develop Districtwide strategic enrollment management best practices that will be utilized at all educational sites across the District
- facilitate the coordination of Districtwide and college/SCE enrollment management planning;
- recommend annual Districtwide initiatives that support the enrollment management plans of the colleges/SCE;
- monitor Districtwide enrollment issues and develop recommendations for addressing issues;
- assess and recommend Districtwide policies and procedures as they affect enrollment management, student success, persistence, and retention;
- recommend Districtwide initiatives and enrollment management strategies to increase student success, persistence and retention;
- recommend Districtwide target marketing, outreach, recruitment, enrollment, financial aid and other strategies to stabilize or increase enrollment;
- assess Districtwide progress toward achievement of annual enrollment goals.

Membership

The Chancellor co-chairs the Committee with an appointed faculty member; the membership from the sites and constituency groups are as follows:

Executive Vice President, Cypress College
Vice President of Instruction, Fullerton College
Vice President of Student Services, Fullerton College
Dean of Instruction and Student Services, SCE (2)
Dean representative, one each from CC and FC
Program Director, SCE (1)
Faculty representatives, CC, FC, SCE (2 each to be appointed by the Senates)
United Faculty representative (1)

Adjunct Faculty United representative (1)
CSEA representative (1)
District Management Association representative (1)
District Director, Information Services
Vice Chancellor, Educational Services and Technology
Vice Chancellor, Finance and Facilities
District Senior Research and Planning Analyst

Operating Procedures and Guidelines

The Committee meets monthly for 1.5 hours. Meeting summaries are prepared and distributed to Committee members.

Meeting ground rules for the Committee are as follows:

- **Everything happens through conversation**
- **Everyone participate, no one dominate;** Share the airtime
- Success depends on participation – share ideas, ask questions, draw others out
- Listen for understanding – inquire (ask) before you advocate (persuade)
- Listen for the future to emerge
- Seek consensus
- Disagree without being disagreeable
- Speak honestly
- Stay open to new ways of doing things
- Critique ideas, not people
- Be positive, non-judgmental and open to new ideas
- Treat everything you hear as an opportunity to learn and grow
- Articulate hidden assumptions
- Challenge cherished beliefs
- Staying on schedule is everyone’s responsibility; honor time limits
- Speak your truth, without blame or judgment
- Ask “what’s possible?” not “what’s wrong”? Keep asking
- Have fun!

Duration

This is a standing advisory group to the Chancellor and Chancellor’s Staff.

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: August 17, 2016

From: Cheryl Marshall

Re: Agenda Item for District Consultation Council Meeting of August 22, 2016

1. AGENDA ITEM NAME

Consideration of a Consent Agenda

2. AGENDA ITEM ACTION (Please check one and fill in date, if appropriate.)

Information Only		Second Reading	
Review/Discussion	X	Action	X
First Reading		Required Decision Date	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: 15 minutes

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

A consent agenda allows for the approval of items together without discussion and is designed to free up time to allow for discussion on other matters. Typical consent agenda items are routine, procedural decisions that are likely to be noncontroversial.

If implemented, DCC consent agenda items would be noted on the agenda with supporting documents provided in the agenda packet. At each meeting committee members would have the opportunity to remove items from the consent agenda in order to allow for discussion. Items not removed would be adopted by general consent; removed items would be discussed individually for consideration.

5. RECOMMENDATION:

It is recommended that the DCC consider adopting a consent agenda for its meetings.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

Chancellor's Staff

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: August 17, 2016
From: Cheryl Marshall
Re: Agenda Item for District Consultation Council Meeting of August 22, 2016

1. AGENDA ITEM NAME

**Chapter 3, General Institution
Revised AP3720, Computer and Electronic Communication Systems**

2. AGENDA ITEM ACTION (Please check one and fill in date, if appropriate.)

Information Only		Second Reading	
Review/Discussion		Action	X
First Reading	X	Required Decision Date	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: 5 minutes

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

Revised AP3720, Computer and Electronic Communication Systems: This was updated to reflect the addition of Section 4.2.1 to prohibit user access and alteration of their own personal records. Banner self-service and myGateway functions remain allowable functions.

5. RECOMMENDATION: **It is recommended that upon DCC consensus, that revised AP3720 be posted on the District's website it will be accessible by students, staff, and the general public.**

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM
Internal Auditor, Technology Coordinating Council, and Chancellor's Staff

AP 3720 Computer and Electronic Communication Systems

Reference:

Education Code Section 70902

- 1.0 This procedure applies to all District students, faculty and staff and to others granted use of District computer and electronic communication systems. This procedure applies to all computer and electronic communication systems, either District owned or individually owned which interfere with District operations or through operation violate District policy. For purposes of this procedure, Computer and Electronic Communication Systems include, but are not limited to, electronic mail, Internet and intranet service, District-operated social media sites, voice mail, audio and video communications and facsimile messages which are provided using District-owned, leased, or rented computer hardware, software, databases and telecommunications systems. Campuses may adopt acceptable use procedures which are not in conflict with this procedure.
- 2.0 **Access to Systems**
 - 2.1 District computer and electronic communication systems components, devices, and services are District property. Any electronic device, mail address, account, or license associated with the District or assigned by the District to individuals or functions of the District are the property of the District. All electronic devices, mail addresses, accounts, and licenses and all devices connected to the District's secured computer and electronic communication systems must meet District interface and security protocol as determined by the District. For purposes of this procedure, the word "secured" means protection of District systems and data from unauthorized use.
 - 2.2 Access to the District's computer and electronic communications systems is a privilege that may be revoked or restricted by the Chancellor or designee at any time without prior notice and without the consent of the user. Some reasons for revocation or restriction of access to services include, but are not limited to, the following:
 - 2.2.1 when required by and consistent with law, or when there is probable cause to believe that violations of policy or law have occurred;
 - 2.2.2 when necessary to prevent loss of evidence of violations of policy or law;
 - 2.2.3 when necessary to prevent property damage or loss of property, or bodily harm;
 - 2.2.4 when necessary to prevent liability to the District;
 - 2.2.5 when business operational needs warrant, as determined by the District.
 - 2.3 Computer and electronic communications systems access privileges granted to users on the basis of individually-assigned accounts which use passwords may not be transferred, shared, or converted to other individuals without explicit permission from the District.

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- 2.4 Voice mail means an audio message transmitted telephonically between two or more telephones, whether or not the message is converted to hard copy format after receipt and whether or not the message is heard upon transmission or stored for later retrieval. Voice mail includes telephonic messages that are transmitted through a local, regional, or global telephone network.

3.0 Privacy Disclosure and Use Disclaimer

- 3.1 District Electronic Communication Systems and services are District property. Any electronic mail address or account associated with the District, or any sub-unit of the District, assigned by the District to individuals, sub-units, or functions of the District, is the property of the District. Users should be aware that because of the nature of electronic communications and the public character of the District's business, the District's computer and electronic communication systems are not private. Routine maintenance and system administration may result in observation of the contents of files and communications. Access to District computer and electronic communication systems may be logged at the discretion of the District. District computer and electronic systems may be subject to device location tracking. Users should be aware that there is no expectation of privacy or confidentiality in the content of electronic communications or computer files sent and received on the District's systems or stored in the users' directories, and therefore, users should exercise extreme caution in using electronic communications to communicate or store information of a confidential or sensitive nature. Portable devices without encryption such as laptop computers and data storage devices are especially susceptible to theft or loss and should not be used to store confidential information.
- 3.2 Electronic communications that utilize district computer and electronic communication systems equipment, including communication records arising from personal use, whether or not created or stored on District equipment, may be presumed to constitute a District record subject to disclosure under the California Public Records Act or other laws, or as a result of litigation. Also, it is possible for information entered on or transmitted via computer and electronic communication systems to be retrieved, even if a user has deleted such information. Users should be aware of the implications of this presumption in any decision to use district computer and electronic communication systems for personal use.
- 3.3 Although the District respects the privacy of users and does not routinely inspect, monitor, or disclose electronic communications, the District reserves the right to inspect, monitor, or disclose electronic communications at any time without prior notice and without the consent of the user. Reasons for inspecting, monitoring or disclosing electronic communications include, but are not limited to, the following
- 3.3.1 when required by and consistent with law, or when there is probable cause to believe that violations of District policy or law have occurred;
 - 3.3.2 when necessary to prevent loss of evidence of violations of District policy or law;

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- 3.3.3 when necessary to prevent property damage, loss, or bodily harm;
 - 3.3.4 when necessary to prevent liability to the District.
 - 3.4 Inspection or monitoring, other than for routine maintenance and system administration, must be authorized by the Chancellor, Vice Chancellor, College President, or Provost of the School of Continuing Education. Such inspection or monitoring must be limited to materials related to the investigation, and the confidentiality of the inspection must be maintained to the highest degree possible. In the event a search of an employee's computer files is authorized, a reasonable effort must be made to secure technical assistance from a site other than the worksite of the employee whose files are being searched.
 - 3.5 The District cannot protect users from receiving electronic communications they may find offensive, nor can the District guarantee the authenticity of electronic communications received, or that electronic communications received were in fact sent by the purported sender. Users are responsible for materials they access and disseminate on the District's computer and electronic communication systems.
 - 3.6 The District assumes no responsibility for the loss of data on individual owned or district owned Computer and Electronic Communication Systems due to computer viruses or other destructive software, or as a result of flaws in the application or operating system software.
- 4.0 Acceptable Use**
- 4.1 The District's computer and electronic communication systems are provided to support the educational mission of the colleges, the School of Continuing Education, and the administrative functions that support this mission, and are to be used primarily for District business-related purposes. Incidental personal use is permitted, provided that such incidental personal use conforms to this procedure and such use does not:
 - 4.1.1 Interfere with the user's employment or ability to perform work assignments or those of another employee;
 - 4.1.2 Directly or indirectly interfere with the District's operation of computer and electronic communication systems;
 - 4.1.3 Burden the District with noticeable incremental cost.
 - 4.2 Use of the District's computer and electronic communication systems and services is limited to the District's students, faculty, staff and other authorized persons. Users of the District's computer and electronic communication systems and services are expected to do so responsibly and in compliance with local, state, and federal laws, as well as the policies and procedures of the District, and with normal standards of professional and personal courtesy and conduct.

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4.2.1 Users shall not access or alter their own personal records. Banner self-service and myGateway functions are permissible.

- 4.3 The use of the District's computer and electronic communications systems for any of the following is prohibited:
- 4.3.1 Use which violates local, state or federal law;
 - 4.3.2 Use which violates District policies or administrative procedures;
 - 4.3.3 Use which violates District software licensing agreements, use of software without legal authorization, or unauthorized duplication, transmission, or use of unlicensed copies;
 - 4.3.4 Use for private commercial purposes not under the auspices of the District;
 - 4.3.5 Use for personal financial gain;
 - 4.3.6 Use, other than for purposes for an authorized course of instruction or system administration that interferes with, disrupts, causes excessive strain on, or interferes with others' use of District computer and electronic communications systems including, but not limited to, the following:
 - 4.3.6.1 Knowingly loading virus programs onto or from any computer systems (viruses);
 - 4.3.6.2 Attempting or gaining unauthorized access or alteration to data, files, emails or passwords (hacking);
 - 4.3.6.3 Unauthorized tampering with computing resources, including connecting or disconnecting computer equipment or otherwise altering the set-up of any computer or network of computers;
 - 4.3.7 Use for unauthorized advertising, campaigning, soliciting or proselytizing for any religious or political cause, outside organization, business, or individual;
 - 4.3.8 Use for sending defamatory, intimidating, threatening, harassing, discriminatory, abusive or patently offensive material to or about others, or any use that violates the District policy regarding unlawful discrimination;
 - 4.3.9 Use that violates District policy regarding intellectual property;
 - 4.3.10 Use for intentionally sending or accessing pornography or patently obscene material other than for authorized research or instructional purposes;
 - 4.3.11 Use for unlicensed downloading, copying, or distributing of copyrighted works such as movies, or music for other than legally authorized uses, or

AP 3720 Computer and Electronic Communication Systems

uses authorized by the District.

4.3.12 Use for connection of non-district devices to the District's computer and electronic communications systems that results in a violation of this policy;

4.3.13 Personal use inconsistent with section 4.3 of this procedure.

4.4 Users of the District's computer and electronic communication systems shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the District or any unit of the District unless authorized to do so. Where appropriate, an explicit disclaimer shall be included.

4.5 Users of the District's computer and electronic communication systems shall not employ a false identity or otherwise transmit or attempt to transmit any message which is misleading as to origination.

5.0 **District Access and Disclosure:** Violations of District policies and procedures governing the use of District computer and electronic communication systems may result in the restriction of access to District computer and electronic communication systems and appropriate disciplinary action, up to and including dismissal.

5.1 Users should have no expectation of privacy or confidentiality in the content of electronic communications or other computer files sent and received on the District's computer system or stored in the users' directory.

5.2 Although the District does not routinely inspect, monitor, or disclose electronic communications, the District reserves the right to inspect, monitor, or disclose electronic communications without prior notice and without consent. Reasons for inspecting, monitoring or disclosing electronic communications include, but are not limited to, the following: when required by and consistent with law; when there is significant reason to believe that violations of policy or law have occurred; when failure to act may result in significant bodily harm, when significant property loss or damage would result, when loss of significant evidence of one or more violations of law or of District policies would result, when significant liability to the District or to members of the District community would result; or significant liability to business purposes, such as inspection of the contents of electronic messages in the course of an investigation triggered by indications of misconduct. Such inspections must be authorized by the Chancellor, Vice Chancellor, College President, or Provost of Continuing Education. The inspection must be limited to materials related to the investigation and the confidentiality of the inspection must be maintained to the highest degree possible. In the event a search of computer files is authorized, a reasonable effort must be made to secure technical assistance from a site other than the site of the employee whose files are being searched.

6.0 **Computer and Electronic System Agreement:** As a condition of providing access to the District's computer and electronic communications systems, users shall sign an agreement, in a form prescribed by the Chancellor, acknowledging that the user has read and understands the provisions of this procedure and agrees to comply with the terms

AP 3720 Computer and Electronic Communication Systems

stated herein.

Date of Adoption: March 23, 2004

Date of Last Revision: November 23, 2015 District Consultation Council
April 28, 2008 Chancellor's Cabinet

Presented to DCC 08/22/16

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Computer and Electronic Communication Systems Use Agreement

I have been provided with, and have read District Administrative Procedure 3720, Computer and Electronic Communications Systems. I agree to comply with the provisions of Administrative Procedure 3720 regarding the use of the District's computer and electronic communications systems, and by any future terms and conditions of the procedure that may be developed.

I understand that District computer and electronic communications systems components, devices, and services are the property of the District and that access to the District's computer and electronic communications systems is a privilege that may be revoked or restricted at any time without prior notice and without consent of the user.

I also understand that because of the nature of electronic communications and the public character of the District's business, there is no expectation of privacy or confidentiality in the content of electronic communications or computer files sent and received on the District's computer or electronic communications systems or stored in the users' directories, and that the District reserves the right to inspect, monitor, or disclose electronic communications at any time without prior notice and without the consent of the user.

Signature