



District Consultation Council Meeting

September 25, 2017

2:00 p.m.

Anaheim Campus Room 105

Videoconferencing of the meeting will be available at Cypress College Complex Room 405 and the Fullerton College President's Conference Room A

AGENDA

CONSENT CALENDAR & SUMMARY

- | | |
|-------------------------------------|--------|
| 1. Approval of Consent Agenda Items | N/A |
| 2. August 28, 2017 Summary | Action |

STRATEGIC GOALS & PLANNING

- | | |
|--|-------------|
| 1. District Consultation Council 2017-18 Goals | Discussion |
| 2. Anaheim Pledge/Promise Program Status Update | Information |
| 3. Budget Update | Information |
| 4. Subcommittee Report: Council on Budget & Facilities | Information |

OPERATIONAL REVIEW

- | | |
|---|-------------|
| 1. Rosters of District Committees | Information |
| 2. Bi-Weekly DCC Update | Information |
| 3. Updated Planning Documents <ul style="list-style-type: none">• Integrated Planning Manual• Budget Allocation Handbook• Decision Making Resource Manual | Information |

POLICY

- | | |
|--|--------|
| 1. Chapter 7, Human Resources <ul style="list-style-type: none">• New BP/AP7700, Whistleblower Protection | Action |
| 2. Revised Board Policies and Administrative Procedures <ul style="list-style-type: none">• Content Revisions (See listing) | Action |
| 3. Revised Board Policies and Administrative Procedures <ul style="list-style-type: none">• NOCE Name Change/Typographical Error/Reference Updates (See listing) | Action |

OTHER ITEMS

- 1.

DISTRICT CONSULTATION COUNCIL
August 28, 2017

SUMMARY

MEMBERS PRESENT: Dana Clahane, Adam Gottdank, Sharon Kelly, Deborah Ludford, Cherry Li-Bugg, Rod Lusch, Cheryl Marshall, Arturo Ocampo, Valentina Purtell, JoAnna Schilling, Greg Schulz, Bryan Seiling, Pete Snyder, Kai Stearns Moore, Ty Volcy, Fred Williams, Marcus Wilson, and Eldon Young.

VISITORS: Ashraf Demian and Julie Kossick.

Chancellor Cheryl Marshall called the meeting to order at 2:04 p.m.

CONSENT CALENDAR & SUMMARY

Consent Items: The agenda contained no consent calendar items for approval.

Summary: The summary of the May 22, 2017, meeting was approved as submitted.

STRATEGIC GOALS & PLANNING

District Consultation Council 2017-18

- **2016-17 DCC Self-evaluation:** Chancellor Marshall led a review of the 2016-17 DCC self-evaluation results, during which members clarified comments related to DCC participation and reporting of information. In response to requests to keep committee members informed on discussion items in order to promote participation Dr. Marshall offered to distribute a biweekly update to the committee outlining key discussions and upcoming items.

During the review it was also noted that training and mentoring for committee members was an area that could be improved upon. Dr. Marshall requested that any member willing to serve as a mentor and any member seeking mentorship should contact her.

- **Goals:** Dr. Marshall polled the group to gather feedback on establishing/updating DCC goals and related topics for the 2017-2018 academic year. The group edited the prior year's goals, offered suggestions, and agreed to revisit the goals at the September meeting.
- **Membership:** The committee reviewed the membership list; any revisions should be forwarded to the Chancellor's Office.
- **Meeting Schedule:** During the review of the 2017-18 meeting schedule committee members were asked to consider moving the March meeting due to Spring break, holding a DCC retreat in lieu of a December meeting, and an alternate May meeting date due to the Memorial Day holiday.
- **Subcommittees:** After a brief discussion on the four subcommittees of the DCC – Council on Budget and Facilities (CBF), District Curriculum Coordinating Committee (DCCC),

Institutional Effectiveness Coordinating Council (IECC), and the Technology Coordinating Council (TCC) – the general consensus was that the body would like to continue to receive regular subcommittee updates.

Anaheim Pledge/Promise Program Status Update: Chancellor Marshall informed the group that significant progress on the Anaheim Union Educational Pledge has occurred, shared copies of the draft to date, and stated that the final version of the Pledge will be distributed broadly once it is completed. A signing ceremony for the Anaheim Pledge is scheduled for the morning of September 27 at Kennedy High School. During the discussion, copies of the Chancellor's opening day presentation centered on pathways, promise programs, and the Pledge were shared with the committee. Information on the California Community Colleges Guided Pathways Fall 2017 workshops, taking place in September and October, was also shared.

IEPI Institutional Innovation and Effectiveness Plan: Committee members received a copy of the District's final Institutional Effectiveness Partnership Initiative (IEPI) Action Plan and request for resources to address areas of focus centered on enrollment management and integrated planning. Subsequent to the last DCC meeting the District received notification that it would receive \$200,000 in IEPI resources.

Cherry Li-Bugg, Vice Chancellor of Educational Services & Technology, reported on the following efforts:

- **Enrollment Management:** Data dashboards are being created that will be customizable, and the District will host the first of several data boot camps on September 15.
- **Integrated Planning:** An Integrated Planning Summit is scheduled for September 22 to assist in aligning resource allocation with planning.

Dr. Marshall shared with the committee that DCC is tasked with integrated planning efforts related to identifying district-wide planning priorities, aligning committee work with identified priorities, and piloting a business process analysis.

Budget Update: As part of the budget update, Dr. Marshall shared portions of the presentation that she gave during the College's opening day events, which highlighted the following:

Enrollment/FTES Comparisons:

	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>
FTES Actuals	35,834.74	34,800.39	34,099.96	34,099.96
FTES Reported	35,834.74	36,940.55	31,959.80	34,099.96

The increase in reported FTES during the 2016-17 fiscal year reflects the borrowing of 2,140 FTES from summer based on the shift strategy implemented to gain apportionment revenue.

Implications of Declining Enrollment:

- The District is experiencing an unprecedented drop in enrollment; down 2,144 FTES from the 2016-17 FTES target
- The FTES drop results in a \$10.7 million reduction in on-going revenue
- A \$5 million structural deficit for 2017-18 and potentially beyond

Guiding Principles:

- Planning drives resource allocation
- Braid funding streams
- Move towards our ideal vision
- Use evidence-based decision-making
- Have transparency and creative problem-solving
- Increase revenue and decrease costs

Budget Strategies:

- Effective enrollment management
 - Investigate strategies to increase FTES
 - Research methods to reduce the cost of generating FTES
- Right sizing District staffing
 - The FON will go down based on the enrollment drop
 - Analysis of organizational capacity and possible restructuring
 - Investigation of an early retirement incentive program
- Estimated \$38 million in one-time funding
 - The summer shift of 2,140 FTES resulted in accessing growth and base funding of \$10.7 million and stability funding of \$14.8 million
 - The State provided an increase in base funding which allows the District to access the \$22 million previously set aside for anticipated PERS/STRS increases
- Broad dialogue and soliciting input for the best uses of one-time funds

Integrated Planning & Resource Allocation:

- Use 2017-18 as a planning and implementation year
- Prepare for 2018 through 2020 with a sense of urgency, but not panic
- Require involvement from across the District, with all constituencies involved.

Fred Williams, Vice Chancellor of Finance & Facilities, also shared an analysis of the District's Ending Fund Balance as of June 30, 2017, and the 2016-17 Fiscal Summary, but cautioned that the figures were not finalized yet. The Proposed Budget for 2017-18 will be presented at the September 12, 2017 Board meeting.

OPERATIONAL REVIEW

Rosters of District Committees: The Fullerton College Faculty Senate requested that District committees with faculty representatives forward a membership list by the end of September. During the discussion it was agreed that membership lists for DCC, CBF, DCC, IECC, TCC, and DEMAC would be provided.

Strong Workforce Initiative (SWI) Funds: The Fullerton College Faculty Senate and United Faculty representatives requested additional information related to Strong Workforce Initiative (SWI) funds being used to pay for extended-day instruction and the creation of a new District-level dean position. Chancellor Marshall replied that the dean position – the District Director of Economic and Workforce Development – was a personnel matter in which she chose to honor a commitment made years ago. Workforce development funds, not SWI funds, were used to fund the position. Dr. Marshall also stated that the District has considered covering extended-day instruction with SWI funds since it does fall under the allowable criteria and the campuses

are incurring on-going deficits in that area, but a decision has not been made whether or not to move forward with it. In the ensuing discussion, faculty expressed concern about consistent practices and the use of categorical funding for permanent positions.

POLICY

Chapter 7, Human Resources

New BP7160, Professional Development: BP7160 was created by CCLC to address the professional development needs for employees. A draft of BP7160 was originally presented to DCC in the fall of 2015, but the consensus among the group was that additional language be incorporated. BP7160 returned to DCC for consideration with added language that was developed by the Chancellor's Staff and the District Professional Development Committee. At its May 22, 2017 meeting, the DCC recommended that "within the resources available" be added to Section 1.0. and requested additional time for review. **There was consensus to approve BP7160 and it will be forward the Board of Trustees for their consideration.**

New BP/AP7700, Whistleblower Protection: BP/AP7700 are legally advised by CCLC to address the reporting and investigation of improper governmental activities by District employees, and the protection from retaliation of those who make those reports. Prior to implementing a District fraud hotline, both BP/AP7700 must be adopted. At the May 22, 2017 the committee received a first reading of BP/AP7700, and additional was requested for review. During the second reading, the committee had questions related to standard language, the focus on retaliation, monitoring of the fraud hotline, and the inclusion of legal counsel in Section 3.5.2. **This item will return to the September meeting.**

Revised Board Policies and Administrative Procedures – Reference Updates Only: The following Board Policies and Administrative Procedures were revised by Chancellor's Staff to reflect updates and/or corrections only to the "Reference" section per the Community College League of California (CCLC) Policy and Procedure Legal Updates #29 and #30, and were presented as information only to DCC:

- BP3820, Gifts and Donations
- AP4050, Articulation
- BP4106, Nursing Programs
- AP4106, Nursing Programs
- AP4610, Instructional Service Agreements
- AP6300, Fiscal Management
- BP6340, Bids and Contracts
- BP6450, Wireless or Cellular Telephone Use
- BP7120, Recruitment and Hiring

Revised Board Policies and Administrative Procedures – Content Revisions: DCC discussed the proposed changes to AP7240-10, Management Employees – Salary Provisions, Sections 1.2.1.1.2 and 2.2.1.1.2 which were proposed to allow Human Resources to consider overload and overtime for faculty members applying for management positions. Faculty and classified representatives expressed concern over the proposed changes and requested a cost analysis for the past year outlining what the proposed changes would cost the District prior to taking action on this item.

The remaining listing of Board Policies and Administrative Procedures which were revised to reflect one or more of the following: 1) update SCE to NOCE; 2) changes per the Community College League of California (CCLC) Policy and Procedure Legal Updates #29 and #30; and 3) content revisions recommended by Chancellor's Staff were not discussed due to time constraints. **This item will return to the September meeting.**

Revised Board Policies and Administrative Procedures – NOCE Name Change, Typographical Errors, and Reference Updates Only: The listing of Board Policies and Administrative Procedures which were revised to reflect updates from SCE to NOCE; typographical errors, and/or Reference updates per the Community College League of California (CCLC) Policy and Procedure Legal Updates #29 and #30 were not discussed due to time constraints. **This item will return to the September meeting.**

ADJOURNMENT: The meeting adjourned at 4:33 p.m.

DRAFT

District Consultation Council Goals 2017-18

Explore and Support Implementation of High Impact Programs and Practices

- Explore Guided Pathways as a district-wide effort
 - ~~Review progress made on implementation of strategies from *Redesigning America's Community Colleges*~~
- Discuss promise programs, identify strategies that fit the district, and support next steps
- [Discuss the Pledge commitments and support for next steps](#)
- Share best practices and scale where possible to further student success and elimination of the achievement gap
- Discuss the Workforce Development Initiative, establish a working group, and make recommendations
- Review criteria and processes for Innovation Funds and Strategic Direction Funds to expand use and impact
- Stimulate the intellectual needs of students

Provide Recommendations on Enrollment Management

- Review Dual Enrollment Initiatives and other potential initiatives and expand where appropriate
- In collaboration with the campuses, review enrollment management strategies and progress
- Review the impact on CTE programs and their governing bodies

Support Integrated and Strategic Planning

- ~~Review the allocation of resources to support plans and make recommendations~~
- [Review integrated plans from all three sites for unified best practices](#)
- Establish a workgroup for updating the District Strategic Plan
- [Review and approve the District-wide Strategic Plan 2017-2020](#)
- ~~Discuss the potential benefits of a visit from an IEPI Team and determine appropriate next steps~~
- ~~Review and approve IEPI Targets~~
- Discuss technology needs and TCC recommendations
- Discuss data and reports needed for effective measurement, assessment, and evidence-based decision making
- ~~Review and discuss recommendations from CBF related to building projects, budget, and other resources~~

[Provide Recommendations on Resource Allocation](#)

- [Review and discuss recommendations from CBF related to building projects, budget, and other resources](#)
- [Review the allocation of resources to support plans and make recommendations](#)
- [Review District strategic and Student Success Funds for better integration and access to funding for the three sites](#)
- [Review budgets for better efficiency based on decreasing enrollment](#)

**District Consultation Council Goals
2017-18**

~~Review Accreditation Progress and Reports~~

- ~~• Review draft reports from all three sites as appropriate and provide input~~
- ~~• Identify areas of strength and areas to improve~~

Professional Development

- Periodically review plans and encourage collaboration and integration

Review and Update Policies and Procedures

- Review and update all required policies and procedures

DRAFT

District Governance Groups Membership

District Consultation Council

Craig Goralski	Academic Senate, CC
Bryan Seiling	Academic Senate, CC
Adam Gottdank	Academic Senate, NOCE
Cathy Dunne	Academic Senate, NOCE
Manjit Grewall	Adjunct Faculty United
	Associated Students, CC
	Associated Students, FC
Cheryl Marshall	Chancellor (Chair)
Ty Volcy	Confidential
Rod Lusch	CSEA
Sharon Kelly	CSEA
Arturo Ocampo	District Director, Equity & Compliance
Deborah Ludford	District Director, Information Services
Kai Stearns Moore	District Director, Public & Governmental Affairs
Eldon Young	DMA
Pete Snyder	Faculty Senate, FC
Josh Ashenmiller	Faculty Senate, FC
JoAnna Schilling	President, CC
Greg Schulz	President, FC
Valentina Purtell	Provost, NOCE
Dana Clahane	United Faculty
Marcus Wilson	United Faculty
Cherry Li-Bugg	Vice Chancellor, Educational Services & Technology
Fred Williams	Vice Chancellor, Finance & Facilities
Irma Ramos	Vice Chancellor, Human Resources

District Curriculum Coordinating Committee

Mark Majarian	Academic Senate, CC
Jacquelyn Rangel	Academic Senate, CC
Patty Lujan	Academic Senate, NOCE
Candace Lynch	Academic Senate, NOCE
Karen Bautista	Dean, NOCE
Joyce Carrigan	District Director, Workforce & Economic Development
Santanu Bandyopadhyay	Executive Vice President, CC
Jennifer Combs	Faculty Senate, FC
Scott Lee	Faculty Senate, FC
JoAnna Schilling	President, CC
Greg Schulz	President, FC
Valentina Purtell	Provost, NOCE
Cherry Li-Bugg	Vice Chancellor, Educational Services & Technology (Chair)
Jose Ramon Nuñez	Vice President, Instruction, FC

District Governance Groups Membership

Council on Budget and Facilities

Craig Goralski	Academic Senate, CC
Adam Gottdank	Academic Senate, NOCE
Justin Richardson	Adjunct Faculty United
Terry Cox	Administrative Services Manager, NOCE
	Associated Students, CC
	Associated Students, FC
Danielle Davy	Confidential
Elaine Loayza	CSEA
Rod Lusch	CSEA
Kashu Vyas	District Director, Fiscal Affairs
Raine Hambly	DMA
Josh Ashenmiller	Faculty Senate, FC
Marcus Wilson	United Faculty
Cherry Li-Bugg	Vice Chancellor, Educational Services & Technology
Fred Williams	Vice Chancellor, Finance & Facilities
Irma Ramos	Vice Chancellor, Human Resources (Chair)
	Vice President Administrative Services, CC
Rodrigo Garcia	Vice President Administrative Services, FC

Institutional Effectiveness Coordinating Council

Jeremy Peters	Academic Senate, CC
Bryan Seiling	Academic Senate, CC
Gary Jimenez	Academic Senate, NOCE
Kim Steimke	Academic Senate, NOCE
Phil Dykstra	Director, Institutional Research & Planning, CC
Carlos Ayon	Director, Institutional Research & Planning, FC
Tina King	Director, Institutional Research & Planning, NOCE
Deborah Ludford	District Director, Information Services
Josh Ashenmiller	Faculty Senate, FC
Sarah Corp	Faculty Senate, FC
Peter Snyder	Faculty Senate, FC
Dulce Delgadillo	Interim Director, Institutional Research & Planning, NOCE
Adam Howard	Interim District Manager, IT Application Support
Michael Gieck	Research & Planning Analyst, FC
Megan Sirna	Research & Planning Analyst, FC
Eileen Haddad	Senior Research & Planning Analyst, CC
Kristina Oganessian	Senior Research & Planning Analyst, CC
Victor Manchik	Senior Research & Planning Analyst, FC
Christopher Lim	Student Representative, CC
Nathalie Gavarini	Student Representative, FC
Cherry Li-Bugg	Vice Chancellor, Educational Services & Technology (Chair)
Jose Ramon Nuñez	Vice President, Instruction, FC

District Governance Groups Membership

Districtwide Enrollment Management Advisory Committee

Bryan Seiling	Academic Senate, CC
Kathleen Reiland	Academic Senate, CC
Jolena Grande	Academic Senate, CC (Co-Chair)
Jennifer Oo	Academic Senate, NOCE
	Academic Senate, NOCE
	Academic Senate, NOCE
JoAnn Stehly	Adjunct Faculty United
	Associated Students, CC
	Associated Students, FC
Cheeraphan Schneider	Associated Students, NOCE
Cheryl Marshall	Chancellor (Co-Chair)
Anna Marie Novisoff	CSEA, CC
Laurie Triefenbach	CSEA, FC
Monica Clark	CSEA, NOCE
Martha Gutierrez	Dean of Instruction, NOCE
Vaniethia Hubbard	Dean of Instruction, NOCE
Jorge Gamboa	Dean of Instruction, NOCE
Katy Realista	Dean Representative, Cypress College
David Booze	Dean Representative, Cypress College
Albert Abutin	Dean Representative, Fullerton College
Richard Hartmann	Dean Representative, Fullerton College
Deborah Ludford	District Director, Information Services
	District Senior Research and Planning Analyst
Lisa McPheron	DMA
Santanu Bandyopadhyay	Executive Vice President, CC
Jennifer Combs	Faculty Senate, FC
Gigi Blanche	Faculty Senate, FC
Dale Craig	Faculty Senate, FC
Dana Clahane	United Faculty
Cherry Li-Bugg	Vice Chancellor, Educational Services & Technology
Fred Williams	Vice Chancellor, Finance & Facilities
Jose Ramon Nuñez	Vice President, Instruction, FC
Gilbert Contreras	Vice President, Student Services, FC

District Governance Groups Membership

Technology Coordinating Council

Angela Boyd	Academic Senate, CC
John Alexander	Academic Senate, CC
Kristina de la Cerda	Academic Senate, CC
Matt Van Gelder	Academic Senate, NOCE
Morgan Beck	Academic Senate, NOCE
Peter Naharj	ACT Director, NOCE
	ACT Manager, CC
	ACT Manager, FC
Co Ho	ACT Manager, FC
Sang Nguyen	Adjunct Faculty United
	Associated Students, CC
	Associated Students, FC
Treisa Cassens	CC President Appointment
Adela Gonzalez	Confidential
Tim Nguyen	CSEA
Peter Teipe	CSEA
Hai Nguyen	CSEA
Deborah Ludford	District Director, Information Services (Co-Chair)
Cathryn Neiswender	DMA
Gary Graves	Faculty Senate, FC
Stewart Kimura	Faculty Senate, FC
Richard Smead	Faculty Senate, FC
Terry Gleason	FC President Appointment
Adam Howard	IT Manager, Applications
Nick Wilkening	IT Manager, Technical
Maureen Borillo	NOCE Provost Appointment
Dale Craig	United Faculty
Cherry Li-Bugg	Vice Chancellor, Educational Services & Technology (Co-Chair)

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 18, 2017
From: Cherry Li-Bugg
Re: Agenda Item for District Consultation Council Meeting of September 25, 2017

1. AGENDA ITEM NAME

Updated Planning Documents: Integrated Planning Manual, Budget Allocation Handbook and Decision Making Resource Manual

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only	X	Second Reading	
Review/Discussion		Action	
First Reading		Consent Agenda Item	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: 10 minutes

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

The NOCCCD Integrated Planning for regular review and updates of all Districtwide planning documents including the Integrated Planning Manual, the Budget Allocation Handbook and the Decision Making Resource Manual. The Vice Chancellor of Educational Services and Technology takes the lead in this regular review and update along with the Institutional Effectiveness Coordinating Council. This year, because of the name change by SCE, all three documents are being updated in a minor. In addition to the name change from SCE to NOCE, there is the addition of one organizational group: Knowledge Management Team, formerly known as the Research Team. For some reasons, the previous iterations of the Decision Making Resource Manual have not included the Research Team.

5. RECOMMENDATION:

It is recommended that the District Consultation Council receive as information the updated NOCCCD Budget Allocation Handbook, NOCCCD Decision Making Resource Manual and NOCCCD Integrated Planning Manual.

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

Institutional Effectiveness Coordinating Council, and Chancellor's Staff

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 13, 2017
From: Cheryl Marshall
Re: Agenda Item for District Consultation Council Meeting of September 25, 2017

1. AGENDA ITEM NAME

**Chapter 7, Human Resources
New BP/AP7700, Whistleblower Protection**

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only		Third Reading	X
Review/Discussion		Action	X
First Reading		Consent Agenda Item	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: 10 minutes

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

BP/AP7700 are legally advised by CCLC to address the reporting and investigation of improper governmental activities by District employees, and the protection from retaliation of those who make those reports. Prior to implementing a District fraud hotline, both BP/AP7700 must be adopted. Following discussion at the August 28 DCC meeting, AP7700 was revised; no changes were made to BP7700.

5. RECOMMENDATION:

It is recommended that upon DCC consensus, that new AP7700 be posted on the District's website, and that BP7700 be forwarded to the Board of Trustees for their consideration.

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

Internal Auditor and Chancellor's Staff

BP 7700 Whistleblower Protection

Reference:

Education Code Sections 87160-87164;
Labor Code Section 1102.5;
Government Code Section 53296
Private Attorney General Act of 2004 (Labor Code Section 2698);
Affordable Care Act (29 U.S. Code Section 218C)

- 1.0 The Chancellor shall establish procedures regarding the reporting and investigation of suspected improper governmental activities by District employees, and the protection from retaliation of those who make such reports in good faith and/or to assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, “improper governmental activities” is defined as any activity by a District department, or by an employee that is undertaken in the performance of the employee’s official duties, whether or not such action is within the scope of his or her employment or by an individual or company conducting or performing work for the District and which is:
 - 1.1 In violation of any Federal or State law or regulation including, but not limited to, corruption, malfeasance, bribery, theft of a District’s property, fraudulent claims, fraud, coercion, conversion, malicious prosecution, misuse of a District’s property and facilities, or willful omission to perform duty.
 - 1.2 In violation of the District’s policies and administrative procedures.
 - 1.3 Is economically wasteful, or involve gross misconduct, incompetence, or inefficiency.
 - 1.4 Is a substantial and specific danger to public health or safety.
- 2.0 Individuals are encouraged to report suspected incidents of improper governmental activities without fear of retaliation, and such reports will be investigated thoroughly and promptly. Remedies may be applied for any improper governmental activity and protection provided to those employees who, in good faith, report these activities and/or assist the District in its investigation.
- 3.0 District employees shall not:
 - 3.1 Retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order.
 - 3.2 Retaliate against an employee or applicant for employment because the employee or applicant is a family member of a person who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order.
 - 3.3 Directly or indirectly use or attempt to use the official authority or influence of their position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the District. The District will not tolerate retaliation and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline of those who violate it up to and including termination.

BP 7700 Whistleblower Protection

See Administrative Procedure 7700.

Date of Adoption:

Presented to DCC 09/25/17

North Orange County Community College District
ADMINISTRATIVE PROCEDURE

Chapter 7
Human Resources

AP 7700 Whistleblower Protection

Reference:

Education Code Sections 87160-87164;
Labor Code Section 1102.5;
Government Code Section 53296
Private Attorney General Act of 2004 (Labor Code Section 2698);
Affordable Care Act (29 U.S. Code Section 218C)

- 1.0 Individuals are encouraged to report suspected incidents of improper governmental activities by District employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, report such activities and/or assist the District in the investigation will be protected from retaliation. This procedure sets out the processes for responding to and investigating reports of improper governmental activities, as defined in Board Policy 7700, and addressing complaints of retaliation for making such reports.
- 2.0 A “whistleblower” is an employee who discloses information to a government or law enforcement agency, person with authority over the employee, or to another employee with authority to investigate, discover, or correct the violation or noncompliance, or who provides information to or testifies before a public body conducting an investigation, hearing or inquiry, where the employee has reasonable cause to believe that the information discloses:
 - 2.1 A violation of a state or federal statute.
 - 2.2 A violation or noncompliance with a local, state or federal rule or regulation.
 - 2.3 A danger to public health or safety.
 - 2.4 An economically wasteful, inefficient, or incompetent operations, or involve gross misconduct.
- 3.0 **Filing a Report of Suspected Improper Governmental Activities**
 - 3.1 Any person may report allegations of suspected improper governmental activities. Knowledge or suspicion of such improper governmental activities may originate from academic personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students, or other third parties.
 - 3.2 Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the District’s ability to thoroughly investigate the claim and take appropriate remedial measures. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the District’s ability to investigate and respond effectively to the complaint. As set forth fully below, retaliation against individuals who report suspected improper governmental activities will not be tolerated.

AP 7700 Whistleblower Protection

- 3.3 Normally, a report by a district employee of allegations of a suspected improper governmental activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the operating unit.
 - 3.3.1 However, if the report involves or implicates the employee's direct supervisor or others in the operating unit, the report may be made to any another district official whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged improper governmental activity on behalf of the District.
 - 3.3.2 When the alleged improper governmental activity involves a college president, provost, or a vice chancellor, the report should be made directly to the Chancellor.
 - 3.3.3 When the alleged improper governmental activity involves the Chancellor, the report should be made to the President of the Board of Trustees.
 - 3.3.4 When the alleged improper governmental activity involves the Board of Trustees or one of its members, the report should be made to the Chancellor who will confer with the President of the Board of Trustees and/or legal counsel on how to proceed.
- 3.4 Allegations of suspected improper governmental activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally.
 - 3.4.1 Such reports should be factual and contain as much specific information as possible.
 - 3.4.2 The receiving supervisor or administrator should elicit as much information as possible.
 - 3.4.3 If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make every attempt to get the reporter to confirm by his or her signature that it is accurate and complete.
- 3.5 Once the receiving supervisor or administrator has received and/or prepared a written report of the alleged improper governmental activity, he or she must immediately forward the written report to the President or Provost of the college where the alleged activity has occurred or to the Chancellor if the activity involves the District office or is district-wide.
 - 3.5.1 However, if this process would require submitting the report to an employee implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined in Section 3.3.1.

AP 7700 Whistleblower Protection

- 3.5.2 The highest-level administrator or trustee who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to conduct the investigation and that the assistance of legal counsel and/or an outside investigator is secured if deemed necessary.
- 3.6 In the course of investigating allegations of improper governmental activity, all individuals who are contacted and/or interviewed shall be advised of the following:
 - 3.6.1 Retaliation against the reporter(s) and/or others participating in the investigation will subject the employee to discipline up to and including termination.
 - 3.6.2 If he or she experiences retaliation for cooperating in the investigation, then it must be reported immediately.
 - 3.6.3 Must maintain strict confidentiality.
- 3.7 In the event that an investigation into alleged improper governmental activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.

4.0 Protection from Retaliation

- 4.1 When a person makes a good-faith report of suspected improper governmental activities to an appropriate authority, the report is known as a protected disclosure. District employees and applicants for employment who make a protected disclosure are protected from retaliation.
- 4.2 Any employee who believes he or she has been (1) subjected to or affected by retaliatory conduct for reporting suspected improper governmental activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct).
 - 4.2.1 Any supervisory employee who receives such a report or who otherwise is aware of retaliatory conduct is required to inform their college president, provost, or Chancellor or the Chancellor's designee.
 - 4.2.2 If the allegations of retaliation or the underlying allegations of improper governmental activity involves a President, the Provost, or the Chancellor, the supervisor shall report to the highest-level administrator and/or trustee who is not implicated in the reports of improper governmental activity and retaliation.
- 4.3 All allegations of retaliation shall be investigated promptly and all information obtained will be handled on a "need to know" basis. At the conclusion of an

AP 7700 Whistleblower Protection

investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated by preponderance of evidence.

5.0 Internal Reporting

- 5.1 **Improper Governmental Activity:** To report an alleged improper governmental activity, contact the immediate supervisor or other appropriate administrator or supervisor within the operating unit as outlined in Section 3.0.
- 5.2 **Alleged Fraud, Waste or Abuse:** To report an alleged fraud, waste or abuse, visit the webpage of the Office of the Internal Audit for the Fraud Hotline (<https://www.nocccd.edu/internal-audit>).

6.0 External Reporting

- 6.1 In addition to the internal reporting process set forth above, any employee who has information regarding possible violations of state or federal statutes, rules, or regulations, may contact any one of the following government agencies:
 - 6.1.1 The California Community College Chancellors Office (916) 445-8752
 - 6.1.2 The State Personnel Board Hotline (916) 653-1403 (for complaints of retaliation resulting from whistleblower activities)
 - 6.1.3 The State Auditor's Whistle-Blower Hotline (800) 952-5665.
 - 6.1.4 Investigations, Bureau of State Audits, 555 Capitol Mall #300, Sacramento, CA 95814
 - 6.1.5 The State of California Department of Insurance Fraud Division (619) 645-2485, 1495 Pacific Highway., Suite 300, San Diego, CA 92101
 - 6.1.6 WeTip Corporate Ethics Hotline (800) 873-7283, P.O. Box 1296, Rancho Cucamonga, CA 91729-1296 www.wetip.com
 - 6.1.7 California State Attorney General Whistleblower Hotline (800) 952-5225 or (916) 322-3360

See Board Policy 7700.

Date of Adoption:

Presented to DCC 09/25/17

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 14, 2017

From: Cheryl Marshall

Re: Agenda Item for District Consultation Council Meeting of September 25, 2017

1. AGENDA ITEM NAME

Revised Board Policies and Administrative Procedures – Content Revisions

- BP2340, Agendas
- BP2350, Speakers
- AP2710, Conflict of Interest
- AP3300, Public Records
- AP3550, Drug Free Environment and Drug Prevention Program
- AP3570, Smoking on Campus
- AP4220, Standards of Scholarship
- AP5020, Non Resident Tuition
- AP5055, Enrollment Priorities
- BP6300, Fiscal Management
- AP7120-11, Verification of Eligibility of Employment
- BP7310, Nepotism
- BP7330, Certification of Freedom From Communicable Disease
- BP7400, Travel & Conference Attendance

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only		Second Reading	
Review/Discussion		Action	X
First Reading	X	Consent Agenda Item	

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

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

The Board Policies and Administrative Procedures were revised to reflect one or more of the following: 1) update SCE to NOCE; 2) changes per the Community College League of California (CCLC) Policy and Procedure Legal Updates #29 and #30; and 3) content revisions recommended by Chancellor’s Staff. (Please refer to the attached summary for a listing of the revised policies and procedures.)

5. RECOMMENDATION:

It is recommended that upon DCC consensus, the revised Administrative Procedures be posted on the District’s website. It is also recommended that the revised Board Policies be forwarded to the Board of Trustees for their consideration.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:
CCLC Legal Updates #29 and #30 and Chancellor’s Staff

NOTE: Please forward this form by required dates with all backup material to the Chancellor's Office.

North Orange County Community College District
BOARD POLICY
Chapter 2
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BP 2340 Agendas

Reference:

Government Code Sections 54950, et seq.; 6250 et seq.;
Education Code Sections 72121, 72121.5

- 1.0 An agenda shall be posted adjacent to the place of meeting as well as on the District's internet website at least 72 hours prior to the meeting time for regular meetings. The agenda shall include a brief description of each item of business to be transacted or discussed at the meeting. Agendas shall be developed by the Chancellor. If requested, the agenda shall be provided in appropriate alternative formats so as to be accessible to persons with a disability.
- 2.0 Business that is not on the agenda may not be acted on or discussed, except when one or more of the following apply:
 - 2.1 A majority decides there is an "emergency situation" as defined for emergency meetings;
 - 2.2 Two-thirds of the members (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action came to the attention of the Board subsequent to the agenda being posted;
 - 2.3 An item appeared on the agenda and was continued from a meeting held not more than five days earlier.
- 3.0 The order of business may be changed by consent of the Board.
- 4.0 The Chancellor shall establish administrative procedures that provide for public access to agenda information and reasonable annual fees for the service.
- 5.0 Members of the public may place matters directly related to the business of the District on an agenda for a board meeting by submitting a written summary of the item to the Chancellor. The written summary must be signed by the initiator, contain his or her residence or business address, and organizational affiliation, if any. The Board reserves the right to consider and take action in closed session on items submitted by members of the public as permitted or required by law.
 - 5.1 Agenda items submitted by members of the public must be received by the Office of the Chancellor one week prior to the regularly scheduled board meeting.
 - 5.2 Agenda items initiated by members of the public shall be placed on the Board's agenda following the items of business initiated by the Board and by staff. Any agenda item submitted by a member of the public and heard at a public meeting cannot be resubmitted before the expiration of a 90-day period following the initial submission.
- 6.0 Faculty, staff and students may place matters directly related to the business of the District on an agenda for a Board meeting by submitting a written summary of the item through established procedures in the colleges and North Orange ~~School of~~ Continuing Education.

North Orange County Community College District
BOARD POLICY
Chapter 2
Board of Trustees

BP 2340 Agendas

- 7.0. In accordance with BP2510 and AP2510, the Academic Senates may independently initiate agenda items by submitting a written summary of the item to the Chancellor. The summary must be signed by the President of the initiating Senate. The Board reserves the right to consider and take action in closed session on items submitted by the Senates as permitted or required by law.
- 7.1 Agenda items submitted by the Academic Senates must be received by the Office of the Chancellor one week prior to the regularly scheduled board meeting.
- 7.2 Agenda items submitted by the Academic Senate shall be placed in the appropriate section of the agenda for the topic.
- 8.0 Members of the Board of Trustees may place items on the agenda by contacting the Chancellor's Office.

See Administrative Procedure 2340.

Date of Adoption: June 24, 2003

Date of Last Revision: November 23, 2004

Presented to DCC 09/25/17

BP 2350 Speakers

Reference:

Government Code Sections 54950, et seq.;
Education Code Section 72121.5

- 1.0 Persons may speak to the Board either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board.
- 2.0 Oral presentations relating to a matter on the agenda, including those on the consent agenda, shall be heard before the Board begins its discussion of the item and before a vote is called on the item
- 3.0 Persons wishing to speak to matters not on the agenda shall do so at the time designated at the meeting for public comments.
- 4.0 Those wishing to speak to the Board are subject to the following:
 - 4.1 The President of the Board may rule members of the public out of order if their remarks do not pertain to matters that are within the subject matter jurisdiction of the Board or if their remarks are unduly repetitive.
 - 4.2 Non-scheduled substitutes may not speak in place of scheduled speakers unless alternates have been submitted on the original request.
 - 4.3 Employees who are members of a bargaining unit represented by an exclusive bargaining agent may address the Board under this policy, but may not attempt to negotiate terms and conditions of their employment. This policy does not prohibit any employee from addressing a collective bargaining proposal pursuant to the public notice requirements of Government Code Section 3547 and the policies of this Board implementing that section.
 - 4.4 A written request to address the Board is to be submitted to the Recording Secretary at the beginning of the meeting at which they wish to speak
 - 4.5 The request shall include the person's name and name of the organization or group represented, if any, and a statement noting the agenda item or topic to be addressed.
 - 4.6 No member of the public may speak without being recognized by the President of the Board.
 - 4.7 Each speaker will be allowed a maximum of three minutes per topic. Twenty minutes shall be the maximum time allotment for public speakers on any one subject, regardless of the number of speakers at any one Board meeting. At the discretion of a majority of the Board, these time limits may be extended.

[4.7.1 A speaker who utilizes a translator will be allowed a maximum of six minutes to address the Board.](#)

BP 2350 Speakers

- 4.8 Each speaker coming before the Board is limited to one presentation per specific agenda item before the Board, and to one presentation per meeting on non-agenda matters.

See Administrative Procedures 2350

Date of Adoption: June 24, 2003

Presented to DCC 09/25/17

AP 2710 Conflict of Interest

Reference:

Government Code Section 87105; 81000, et seq.; 87103(e); 87200-87210; 89501; 89502; 89503
Title 2, Section 18700 et seq,
[2 Federal Code of Regulations Part 200.318\(c\)\(1\); and other citations as listed below](#)

- 1.0 **Incompatible Activities (Government Code Section 1126):** Board members shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the District.
 - 1.1 A board member shall not simultaneously hold two public offices that are incompatible.
 - 1.2 When two offices are incompatible, a board member shall be deemed to have forfeited the first office upon acceding to the second.
- 2.0 **Financial Interest (Government Code Section 1090 et seq.):** Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as members of the Board or as designated employees.
 - 2.1 A board member shall not be considered to be financially interested in a contract if his or her interest meets the definitions contained in applicable law (Government Code Section 1091.5).
 - 2.2 A board member shall not be deemed to be financially interested in a contract if he or she has only a remote interest in the contract and if the remote interest is disclosed during a board meeting and noted in the official board minutes. The affected board member shall not vote or debate on the matter or attempt to influence any other member of the Board to enter into the contract. Remote interests are specified in Government Code Sections 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his or her minor child.
- 3.0 **No Employment Allowed (Education Code Section 72103(b)):** An employee of the District may not be sworn in as an elected or appointed member of the governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. This provision does not apply to an individual who is usually employed in an occupation other than teaching and who also is, at the time of election to the board, employed part time by the District to teach no more than one course per semester or quarter in the subject matter of that individual's occupation (Education Code Section 72103(b)).
- 4.0 **Financial Interest in a Decision (Government Code Section 87100 et seq.):** If a board member or designated employee determines that he or she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of a designated employee, this announcement shall be made in writing and submitted to the Board. A

AP 2710 Conflict of Interest

board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter:

- 4.1 Publicly identify the financial interest in detail sufficient to be understood by the public.
 - 4.2 Excuse himself or herself from discussing and voting on the matter.
 - 4.3 Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A board member may, however, discuss the issue during the time the general public speaks on the issue.
- 5.0 **Gifts (Government Code Section 89503):** Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.
- 5.1 Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.
 - 5.2 The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.
 - 5.3 Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.
 - 5.3.1 A gift of travel does not include travel provided by the District for board members and designated employees.
 - 5.4 Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501, 89502).
 - 5.5 Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. The term "honorarium" does not include:
 - 5.5.1 Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade or profession is making speeches.

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5.5.2 Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the District for donation into the general fund without being claimed as a deduction for income tax purposes.

6.0 **Representation (Government Code 87406.3):** Elected officials shall not, for a period of one year after leaving their position, act as an agent or attorney for, or otherwise represent for compensation, any person appearing before that local government agency.

7.0 **Contracts Supported by Federal Funds (2 Code of Federal Regulations Part 200.318(c)(1)):** No employee, Board member, or agent of the District may participate in the selection, award, or administration of a contract supported by a federal award if he/she has a real or apparent conflict of interest.

7.1 Such a conflict of interest would arise when the employee, Board member, or agent, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

7.2 The Board members, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

7.3 Disciplinary action will be taken for violations of such standards by Board members, employees, or agents of the District.

87.0 **CONFLICT OF INTEREST CODE**

87.1 **Legal Requirements:** The Political Reform Act (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Reg. Sec. 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of Title 2, California Code of Regulations, Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the North Orange County Community College District.

87.2 **Filing of Statements:** Individuals holding designated positions shall file statements with the North Orange County Community College District who will make the statements available for public inspection and reproduction (Gov. Code Section 81008). Statements will be retained by the North Orange County Community College District.

87.3 **Officials Who Manage Public Investments**

AP 2710 Conflict of Interest

87.3.1 It has been determined that the following positions manage public investments and will file a Statement of Economic Interests pursuant to Government Code Section 87200:

87.3.1.1 Elected members of the Board of Trustees;

87.3.1.2 Student trustees.

87.3.1.3 An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations, if they believe their position has been categorized incorrectly. The Fair Political Practices Commission makes the determination whether a position is covered by Section 87200.

87.4 Designated Positions and Disclosure Categories

87.4.1 It has been determined that the following positions within the District involve the making or participation in the making of decisions which may foreseeably have a material effect on a financial interest of a person holding the position and will file a Statement of Economic Interests pursuant to Government Code Section 87302:

87.4.1.1 District Positions Disclosure Categories

Chancellor	1, 2
Vice Chancellor, Educational Services and Technology	1, 2
Vice Chancellor, Finance and Facilities	1, 2
Vice Chancellor, Human Resources	1, 2
District Director, Facilities Planning/Construction	1, 2
District Director, Fiscal Affairs	1, 2
District Director, Printing and Design	2
District Director, Information Services	2
District Director, Public & Governmental Affairs	2
District Director, Purchasing	2
District Director, Human Resources	2
District Manager, Fiscal Affairs	2
Administrative Assistant/Purchasing	2
District Director, Risk Management	2
Manager, District Facilities Planning/Maintenance	2
Manager, District Facilities and Construction Contracts	2
Buyer	2

87.4.1.2 Campus Positions

President	1, 2
Provost, <u>North Orange</u> School of Continuing Education	1, 2

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Executive Vice President, Educational Programs and Student Services	1, 2
Vice President, Administrative Services	1, 2
Vice President, Instruction	1, 2
Vice President, Student Services	1, 2
Director Manager, NO Director Manager, NO SCE Administrative Services	1, 2
Project Manager, Campus Capital Projects	1,2
Dean, Counseling/Student Development	3
Dean, Library/Learning Resources	3
Dean, Student Support Services	3
Dean, Instructional and Student Services	3
Director Bookstore	3
Manager, Campus Communications	3
Manager, Campus Accounting	3
Manager, Maintenance and Operations	1, 3
Director, Physical Plant/Facilities	1, 3
Director, Student Activities	3
Dean, Divisions	3
Director, Budget/Finance	1, 2
Director, Academic Computing Technologies	3
Manager, Systems Technology Services	3
Manager, Instructional Technology Services	3
Executive Director, Foundation and Community Relations	3

87.4.1.3 Consultants

87.4.1.3.1 Consultants/New Positions shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitations:

87.4.1.3.2 With respect to consultants or new positions, the Chancellor may determine in writing that a particular Consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chancellor's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008)

87.4.2 Disclosure Categories

AP 2710 Conflict of Interest

87.4.2.1 Category 1: Designated positions assigned to this category must report:

7.4.2.1.1 Interests in real property located within the jurisdiction of the District that are used by the District as well as real property within two miles of the use or potential use.

7.4.2.1.2 Business positions or investments in business entities or income (including receipt of gifts, loans, and travel payments) from sources of the type that engage in the acquisition or disposal of real property or are engaged in building construction or design for school districts.

87.4.2.2 Category 2: Designated positions assigned to this category must report:

7.4.2.2.1 Investments and business positions in business entities or income (including receipt of gifts, loans, and travel payments) from sources of the type that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the District.

87.4.2.3 Category 3: Designated positions assigned to this category must report:

7.4.2.3.1 Investments and business positions in business entities or income (including receipt of gifts, loans, and travel payments) from sources of the type that are contractors engaged in the performance of work, training, consulting or services, or are sources that manufacture or sell supplies, instructional materials, machinery, equipment, or vehicles of the type utilized by the designated position's department.

Date of Adoption: June 24, 2003

Date of Last Revision: May 23, 2016 District Consultation Council
November 18, 2015 Chancellor's Staff
February 23, 2015 District Consultation Council
November 30, 2011 Chancellor's Staff
December 12, 2006
July 25, 2006
June 1, 2004

Presented to DCC 09/25/17

AP 3300 Public Records

Reference:

Government Code Section 6250, et seq.

- 1.0 Members of the public may request to inspect or copy public records. A request by a member of the public may be delivered by mail or in person to the Chancellor, or the Chancellor's designee.
 - 1.1 Any request shall identify with reasonable specificity the records that are sought. If additional information is needed, the Chancellor or designee may request it be provided in writing.
 - 1.2 Any request to inspect records shall be made sufficiently in advance of the date of inspection to allow staff time to assemble the records and identify any records that may be exempt from disclosure.
- 2.0 Records that are exempt from disclosure under the Public Records Act or any other provision of law may not be inspected or copied by members of the public. Social security numbers must be redacted from records before they are disclosed to the public.
- 3.0 Members of the public shall be assisted in identifying records or information that may respond to their request. Assistance that will be provided includes: the information technology and physical location in which the records exist; practical suggestions for overcoming denial of access to the records or information; and the estimated date and time when the records will be made available.
 - 3.1 Within 10 days, the Chancellor or designee will determine whether or not the records can be produced and will communicate the determination to the member of the public requesting the record(s).
- 4.0 A copying fee of \$.10 per page, and postage may be charged to the requesting party.
- 5.0 The records listed below are exempted from designation as public records:
 - 5.1 Student records (Education Code Section 76243);
 - 5.2 Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, provided that the public interest in withholding the records clearly outweighs the public interest in disclosure (Government Code Section 6254(s));
 - 5.3 Records pertaining to pending litigation, or to claims, until the pending litigation or claim has been finally adjudicated or otherwise settled (Government Code Section 6254(b));
 - 5.4 Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code Section 6254(c));
 - 5.5 Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination,

North Orange County Community College District
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AP 3300 Public Records

(except for standardized tests provided for by Education Code Section 99150 et seq.) (Government Code Section 6254(g)).

- 5.6 The contents of real estate appraisals or engineering or feasibility estimates and evaluations relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code Section 6254(h)).
- 5.7 Internet posting of home address or telephone numbers of local elected officials (Government Code Section 6254.21).
- 5.8 Home addresses, ~~and~~ home telephone number, cellular phone number, and date of birth of employees of a school district or county office of education other than to an agent or family member of the employee, to an officer of another school district when necessary, to an employee organization, or to an agency or employee of a health benefit plan. (Government Code Section 6254.3).
- 5.9 Records regarding alternative investments (i.e., an investment in a private equity fund, venture fund, hedge fund, or absolute return fund; limited partnership, limited liability company, or similar legal structure) involving public investment funds, unless already publicly released by the keeper of the information.
- 6.0 Records that would reveal vulnerabilities to, or otherwise increase the potential for an attack on, the District's information technology system.
- 7.0 Identification number, alphanumeric character, or other unique identifying code used to identify a vendor or contractor, or an affiliate of a vendor or contractor, unless the identification number, alphanumeric character, or other unique identifying code is used in a public bidding or an audit involving the public agency. (Government Code Section 6254.33)

Date of Adoption: March 23, 2004

Date of Last Revision: March 28, 2011 Chancellor's Cabinet
February 9, 2009 Chancellor's Cabinet
April 24, 2006
December 13, 2004

Presented to DCC 09/25/17

AP 3550 Drug Free Environment and Drug Prevention Program

Reference:

Drug Free Schools and Communities Act Amendment, 1989
20 U.S. Code Sections 1145g and 34 C.F.R. 86.1 et seq.
Federal Drug-Free Workplace Act, 1988
41 U.S. Code Section 702

- 1.0 The District is committed to providing its employees and students with a drug-free workplace and campus environment. It emphasizes prevention and intervention through education.
- 2.0 Counseling and referral information for Orange, Los Angeles, and San Bernardino Counties are available to students in the College Student Health Centers, or in the [North Orange School of Continuing Education Student Success and Support Program](#) ~~Matriculation Services~~ office. Students may also be referred to a 24-hour hotline for the National Center for Substance Abuse and Treatment at 1-800-662-4357. Students and employees may also be encouraged to enroll in relevant classes that are part of the regular curriculum.
- 3.0 **Prohibition of Drugs**
 - 3.1 The unlawful manufacture, distribution, dispensing, possession or use of alcohol or any controlled substance is prohibited on District property, during District-sponsored field trips, activities or workshops, and in any facility or vehicle operated by the District.
 - 3.2 Violation of this prohibition will result in appropriate action up to and including termination of employment, expulsion, and referral for prosecution, or, as permitted by law, may require satisfactory participation in an alcohol or drug abuse assistance or rehabilitation program.
 - 3.3 As a condition of employment, employees must notify the District within five (5) days of any conviction for violating a criminal drug statute while in the workplace. The District is required to inform any agencies that require this drug-free policy within 10 days after receiving notice of a workplace drug conviction.
- 4.0 Annually, the District shall distribute to each student and employee:
 - 4.1 Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;
 - 4.2 A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
 - 4.3 A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
 - 4.4 A description of any drug or alcohol counseling, treatment, or rehabilitation or re-

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General Institution

AP 3550 Drug Free Environment and Drug Prevention Program

- entry programs that are available to employees or students; and
- 4.5 A clear statement that the institution will impose sanctions on students and employees (consistent with local, state, and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.
- 5.0 The colleges shall review biennially their drug prevention programs to determine their effectiveness and implement changes to the programs if needed; and to ensure that the sanctions described in 4.0 are consistently enforced.

Date of Adoption: March 23, 2004

Date of Last Revision: March 23, 2009 Chancellor's Cabinet
February 9, 2009 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 3570 Smoking on Campus

Reference:

Government Code Sections 7596, 7597, 7597.1, and 7598;
Labor Code Section 6404.5;
[Health and Safety Code Section 104495;](#)
Title 8 Section 5148

- 1.0 Smoking is prohibited within 20 feet of a main exit, entrance, or operable window of any campus building.
- 2.0 Smoking is prohibited inside any indoor area of any campus building.
- 3.0 Smoking is prohibited in any enclosed place of employment on campus, including lobbies, lounges, offices, waiting areas, stairwells, and restrooms that are a structural part of any building that is a place of employment.
- 4.0 [Tobacco products, including cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, and an electronic device that delivers nicotine or other vaporized liquids to a person inhaling from the device \(e.g., e-cigarettes and vaporizers\) may not be used within 250 feet of a youth sports event. A youth sports event is any practice, game, or related activity organized by any entity which athletes up to the age of 18 years of age are present.](#)**
- 54.0** The college presidents and the ~~School of~~ **North Orange** Continuing Education Provost shall have the authority to adopt and enforce additional campus smoking and control regulations that are more restrictive than the applicable standards required by this procedure and does not conflict with District employee contracts and state laws.

Date of Adoption: December 13, 2004

Date of Last Revision: September 24, 2012 District Consultation Council
March 13, 2005

Presented to DCC 09/25/17

AP 4220 Standards of Scholarship

Reference:

Title 5, Section 55023

- 1.0 The credit classes of the District are graded according to the following standards. These standards are consistent with other colleges of the California Community College system, and the grading standards of four-year transfer institutions.
- 1.1 “A” Superior or Excellent (4 grade points): Honor grade indicating excellence earned as a result of consistently superior examination scores; consistently accurate and prompt completion of assignments; ability to deal resourcefully with abstract ideas; superior mastery of pertinent skills; and promise of success in field relating to the subject.
- 1.2 “B” Better Than Average/Good (3 grade points): Honor grade indicating competence earned as a result of high examination scores; accurate and prompt completion of assignments; ability to deal well with abstract ideas; commendable mastery of pertinent skills; and promise of continued success in sequential courses.
- 1.3 “C” Average/Satisfactory (2 grade points): Standard college grade indicating successful performance earned as a result of satisfactory examination scores; generally accurate and prompt completion of assignments; ability to deal with abstract assignments; average mastery of pertinent skills; and sufficient evidence of ability to warrant entering sequential courses.
- 1.4 “D” Passing, Less than Satisfactory (1 grade point): Substandard grade indicating the minimum requirements only earned as a result of low examination scores; generally inaccurate, incomplete or late assignments; inadequate grasp of abstract ideas; barely acceptable mastery of pertinent skills; or insufficient evidence of ability to make enrollment in sequential courses advisable.
- 1.5 “F” Failing (0 grade points): Non-passing grade indicating failure to meet minimum requirements earned as a result of non-passing examination, abstract ideas, inadequate mastery of pertinent skills; or repeated absence from class.
- 1.6 “I” (no grade points, no units attempted): Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an “I” symbol being entered in the student’s record. The condition for removal of the “I” shall be stated by the instructor in a written record. This record shall contain the conditions for removal of the “I” and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the Registrar until the “I” is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluation, or when the time limit for completing the work has passed. The “I” may be made up no later than one year following the end of the term in which it was assigned. Under unusual circumstances a student may petition for a time extension

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- 1.7 “IP” In Progress (no grade points, no units attempted): If a student making satisfactory progress in an open entry course has not finished a course at the end of a semester, the student shall be given an “IP,” which indicates the student is in progress of completing the course. The student must re-enroll in the course if the student wishes to continue working in that course. “IP” shall not be used in calculating grade point averages.
- 1.8 “RD” Report Delayed (no grade points, no units completed): The “RD” symbol may be assigned by the Registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. “RD” shall not be used in calculating grade point average.
- 1.9 “W” Withdrawal (no grade points, no units completed): A “W” symbol indicating that the student has withdrawn from college or dropped from a class section prior to the fourteenth week of a semester. The grade indicates that the course has been canceled from the student’s program of study without credit and is not included in the grade point computation.
- 1.10 “MW” Military Withdrawal (no grade points, no units completed): An “MW” symbol indicates that the student is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses. This student shall be permitted to withdraw upon verification of such orders. An “MW” withdrawal symbol may be assigned. Military withdrawal shall not be counted in progress probation or dismissal calculations.
- 1.11 “P” Pass (no grade points, no units attempted, but counts for units completed): “Pass” means that credit has been earned for the course although there are no grade points and the grade is not used in computing grade point average, and will reflect performance equivalent to a “C” under the letter grade system.
- 1.12 “NP” No Pass (no grade points, no units attempted, no units completed): “No Pass” means that neither units nor grade points have been earned. Units for which “NP” is given are not to be used in calculating grade point averages.
- 2.0 The non-credit ~~School of~~ North Orange Continuing Education classes are graded according to the following standards for courses in the High School Diploma Program. Students may receive either letter grades and diploma credits or obtain a passing grade when a course is completed successfully. In the vocational certificate programs, students may receive a passing grade based on demonstrated competencies.
- 2.1 “A” Superior or Excellent (4 grade points): A grade indicating excellence earned as a result of consistently superior examination scores (e.g., 90-100%); consistently accurate completion of assignments; and superior mastery of pertinent skills relating to the subject matter.

AP 4220 Standards of Scholarship

- 2.2 “B” Better than Average/Good (3 grade points): A grade indicating competence earned as a result of high examination scores (e.g., 80-89%); accurate completion of assignments; and commendable mastery of pertinent skills relating to the subject matter.
- 2.3 “C” Average/Satisfactory (2 grade points): A grade indicating successful performance earned as a result of satisfactory examination scores (e.g., 70-79%); generally accurate completion of assignments; and average mastery of pertinent skills relating to the subject matter.
- 2.4 “D” ~~Passing~~, Less than Satisfactory (1 grade point): A grade indicating the minimum requirements earned as a result of low examination scores (e.g., 60-69%); generally inaccurate, incomplete assignments; and barely acceptable mastery of pertinent skills relating to the subject matter.
- 2.5 “F” Failing (0 grade points): Non-passing grade indicating failure to meet minimum requirements earned as a result of non-passing examination scores (e.g., less than 60[^]); and inadequate mastery of pertinent skills.
- 2.6 “IP” In Progress (no grade points, no credits completed): If a student making satisfactory progress in an open entry course has not finished a course at the end of the academic term, the student shall be given an “IP,” which indicates the student is in progress of completing the course. “IP” shall not be used in calculating grade point averages.
- 2.7 “RD” Report Delayed (no grade points, no credits completed): The “RD” symbol may be assigned by the Registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. “RD” shall not be used in calculating grade point averages.
- 2.8 “W” Withdrawal (no grade points): A “W” symbol indicates that the student has withdrawn from a class section prior to the specified drop date. The grade indicates that the course has been canceled from the student’s program of study without credit and is not included in the grade point calculation.
- 2.9 “P” Pass (no grade points): “Pass” means that credit has been earned for the course although there are no grade points and the grade is not used in computing grade point average.
- 2.10 “NP” No Pass (no grade points, no credits completed): “No Pass” means that neither credits nor grade points have been earned. Units for which “NP” is given are not to be used in calculating grade point averages.
- 2.11 “NG” Not Graded (no grade points): The “NG” symbol indicates that the course completed is a course in which a grade is not issued.

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2.12 “SP” Satisfactory Progress (no grade points): An “SP” symbol indicates satisfactory progress towards completion of a non-credit course. The “SP” symbol cannot be supplanted by any other symbol.

Date of Adoption: June 22, 2004

Date of Last Revision: November 24, 2008 Chancellor’s Cabinet

Presented to DCC 09/25/17

AP 5020 Nonresident Tuition

Reference:

Education Code Sections 68130.5 and 76140 et seq.
Title 5 Section 54045.5

- 1.0 **Non-Resident Tuition:** Students who are not residents of California for one year prior to the first day of the term will be charged Nonresident Tuition at the Board-approved rate per semester unit. Nonresident students must pay Nonresident Tuition in addition to the California Community College Enrollment Fees. Students who believe they should be reclassified as a resident student have the responsibility to change their classification in the Admissions and Records Office prior to registration.
- 1.1 Nonresident special part-time students shall be exempt from the requirement to pay nonresident tuition for community college credit courses.
- 1.1.1 The term “special part-time student” refers to students who have been recommended by the principal of the pupil’s school and have parental permission to attend a community college during any session or term and who enroll in 11.99 or fewer units per semester. The exemption does not apply to special full-time students.
- 1.2 A nonresident student who is a U.S. citizen and resides in a foreign country shall be exempt from nonresident tuition if the student meets all of the following requirements.
- 1.2.1 Demonstrates a financial need for the exemption.
- 1.2.2 Has a parent or guardian who has been deported or was permitted to depart voluntarily under the federal Immigration and Nationality Act.
- 1.2.3 Moved abroad as a result of the deportation or voluntary departure.
- 1.2.4 Lived in California immediately before moving abroad.
- 1.2.5 Attended a public or private secondary school in California for three or more years.
- 1.2.6 Upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education.
- 1.2.7 Will be living in California and will file an affidavit with the community college stating that he or she intends to establish residency in California as soon as possible.
- 1.2.8 Documentation shall be provided by the student as required by statute as specified in Education Code Section 76140(a)(5).
- 2.0 **Nonresident Capital Outlay Fee:** Nonresident students who are both citizens and residents of a foreign country will be charged a Nonresident Capital Outlay Fee, in addition

AP 5020 Nonresident Tuition

to the Nonresident Tuition and the California Community College Enrollment Fee, unless exempt per BP5020.

- 3.0 **Military Resident Exemption:** Nonresident U.S. military personnel on active duty in California (except those assigned for educational purposes to state-supported institutions of higher education) are granted a waiver of Nonresident Tuition until they are discharged from their military service. Their dependents are granted a waiver for a period of one year from the date they enter California. Upon expiration of the waiver, evidence must be provided as to the date the student surrendered his/her out-of-state residence to become a resident of California. The student will be classified as a nonresident and charged Nonresident Tuition until one year has elapsed since the out-of-state residence was surrendered.
- 4.0 **Nonresident Minor High School Student Exemption:** High school/pre-high school students admitted on a part-time basis on the recommendation of their principal are exempt from paying Nonresident Tuition when taking a class for high school credit. Nonresident special part-time students, who have been recommended by the principal of the pupil's school and have parental permission to attend a community college during any session or term and who enroll in 11.99 or fewer units per semester, shall be exempt from the requirement to pay nonresident tuition for community college credit courses.
- 5.0 **High School Graduate Exemption:** Students without lawful immigration status who attended high school in California for three or more years and graduated from a California high school or attained the equivalent are exempt from non-resident tuition. Students without lawful immigration status must file an affidavit stating that the student has filed an application to legalize their immigration status, or will do so as soon as possible. Nonimmigrant alien students are not eligible for exemption.
- 6.0 **Foreign Students:** Citizens and residents of a foreign country shall be charged a Board-approved tuition and a Capital Outlay Fee. Foreign students may be exempt from the nonresident tuition and/or the Capital Outlay Fee if they meet the criteria in BP5020, Section 4.0. Nonresident tuition and Capital Outlay Fees are paid in addition to the enrollment fee paid by all students. If the students believe they should be reclassified as a resident student, it is their responsibility to change their classification in the Admissions and Records Office prior to registration.
- 7.0 **September 11, 2001 Exemption:** If an individual who was killed in the terrorist attacks on the World Trade Center in New York City, the Pentagon in Washington, D.C., or the crash of United Airlines Flight 93 was a resident of California on September 11, 2001, or if their dependent was a resident on that date and if they meet the financial need requirement for the Cal Grant A Program, the dependents of this individual may be exempt from non-resident tuition. If the dependent is a spouse, the exemption applies until January 1, 2013. If the dependent is a child, the exemption applies until the person reaches the age of 30.
- 8.0 **[College and Career Access Pathways Special Part-time Student Exemption: High school students, other than a nonimmigrant alien under 8 U.S. Code Section 1101\(15\)\(a\), participating in a College and Career Access Pathways \(CCAP\) partnership program and enrolled in no more than 15 units per term are exempt from nonresident tuition.](#)**

AP 5020 Nonresident Tuition

9.0 **Payment:** Tuition must be paid in full within 72 hours of registering.

10.0 **Refunds:** The same refund guidelines apply as those for other registration fees. (Refer to AP5030, Fees, Sections 4.4, 4.5, and 4.8.).

Date of Adoption: June 14, 2005

Date of Last Revision: June 23, 2014 District Consultation Council

Presented to DCC 09/25/17

AP 5055 Enrollment Priorities

Reference:

Title 5, Sections 58106 and 58108;
Education Code Sections 66025.8 and 66025.9

- 1.0 The District will provide priority registration for students who enroll in a community college for the purpose of degree certificate attainment, transfer to a four-year college or university, or career advancement. The following students will have the highest and equal priority for enrollment:
 - 1.1 A member of the armed forces or a veteran pursuant to Education Code Section 66025.8.
 - 1.2 Foster youth, ~~or~~ former foster youth, or homeless youth pursuant to Education Code Section 66025.9.
 - 1.3 A student who has been determined to be eligible for Disabled Student Programs and Services, the Extended Opportunity Programs and Services, and ~~School of~~ North Orange Continuing Education transitional students.
 - 1.4 A student who is receiving services through CalWORKs.
- 2.0 The following students will have priority for enrollment, and these registration priorities apply to courses offered during summer or intersessions:
 - 2.1 First time students who have completed orientation, assessment, and developed student education plans.
 - 2.2 Continuing students who have not lost registration priority, as defined in these procedures.
- 3.0 Registration priority specified above shall be lost at the first registration opportunity after a student:
 - 3.1 Is placed on academic or progress probation or any combination thereof as defined in these procedures and Administrative Procedure 4250, Probation, Dismissal, and Readmission, for two consecutive terms.
 - 3.2 Continuing and returning students would lose enrollment priority if they earned more than 100 units (not including non-degree applicable basic skills and ESL) or if they were on academic or progress probation for two consecutive terms.
- 4.0 **Appeal of Loss of Enrollment Priority**
 - 4.1 Students who have lost enrollment priority and meet one or more of the following criteria may appeal to the college in accordance with the College's Appeal Process. The ruling of the responsible Dean is final.

AP 5055 Enrollment Priorities

- 4.1.1 Students with disabilities, who applied for but did not receive timely, reasonable accommodations (providing the student has met all requirements and deadlines).
- 4.1.2 Students who have earned more than 100 units, but are enrolled in high unit majors or programs, as determined by the college.
- 4.1.3 Students who have extenuating circumstances (verified cases of accidents, illnesses or other circumstances beyond the control of the student).
- 4.1.4 Students who demonstrate significant satisfactory academic improvement in a subsequent term, but whose term GPA is not high enough to raise the cumulative GPA.

Date of Adoption: June 14, 2005

Date of Last Revision: April 27, 2015, District Consultation Council
May 20, 2013 District Consultation Council
October 28, 2013 District Consultation Council

Presented to DCC 09/25/17

BP 6300 Fiscal Management

Reference:

**Education Code Section 84040(c);
Title 5, Sections 58311
ACCJC Accreditation Standard III.D;
WASC/ACS Criterion 8, Indicators 8.1, 8.2, and 8.3;
[2 Code of Federal Regulations Parts 200.302\(b\)\(6\)-\(7\), 200.305, and 200.400 et seq.](#)**

- 1.0 The Vice Chancellor, Finance & Facilities shall establish procedures to assure that the District's fiscal management is in accordance with the principles contained in Title 5, section 58311, including:
 - 1.1 Adequate internal controls exist.
 - 1.2 Fiscal objectives, procedures, and constraints are communicated to the Board and employees.
 - 1.3 Adjustments to the budget are made in a timely manner, when necessary.
 - 1.4 The management information system provides timely, accurate, and reliable fiscal information.
 - 1.5 Responsibility and accountability for fiscal management are clearly delineated.
- 2.0 [**The Vice Chancellor, Finance & Facilities shall also establish procedures that satisfy the U.S. Education Department General Administrative Regulations \(EDGAR\) Second Edition for any federal funds received by the District.**](#)
- ~~3~~.0 All bank accounts must be approved by either the Vice Chancellor, Finance & Facilities; the Director, Fiscal Affairs; the Vice President, Administrative Services; the Manager, Administrative Services; or the Manager, Campus Accounting, before establishment. Only these accounts duly approved may utilize the District's Federal Tax Identification Number.
- ~~4~~.0 The books and records of the District shall be maintained pursuant to the California Community Colleges Budget and Accounting Manual.
- ~~5~~.0 As required by law, the Board shall be presented with a quarterly report showing the financial and budgetary conditions of the District.
- ~~6~~.0 As required by the Budget and Accounting Manual, expenditures shall be recognized in the accounting period in which the liability is incurred, and shall be limited to the amount budgeted for each major classification of accounts and to the total amount of the budget for each fund.

See Administrative Procedure 6300.

Date of Adoption: February 12, 2002
Date of Last Revision: September 14, 2016 Chancellor's Staff
October 13, 2015

Presented to DCC 09/25/17

AP 7120-11 Verification of Eligibility of Employment

- 1.0 In accordance with the Immigration Reform and Control Act of 1986, the District will ~~not knowingly~~ only hire or knowingly recruit United States citizens or people legally ~~continue to employ any person not authorized to~~ be employed ~~work~~ in the United States.
- 2.0 All offers of employment are contingent upon the applicant's ability to provide satisfactory documentary proof of identity and eligibility to work in the United States as required by law. The District Office of Human Resources will examine documents to determine that they appear to be genuine and that they relate to the person who has presented them. The Office of Human Resources will not accept documents that appear to be forged, fraudulent, or subject to tampering.
- 3.0 Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9. The employee must affirm that he or she is a citizen or national of the United States. A former employee who is rehired must also complete the form if he or she has not completed Form I-9 with the District within the past three years, if the employee's previous I-9 is no longer valid, or is not on file with the Office of Human Resources.
- 4.0 An alien authorized to work must provide the expiration date for such authorization. Current employees whose employment authorizations have an expiration date must present documents to re-verify employment authorization prior to the expiration date.

Date of Adoption: February 12, 2008

Presented to DCC 09/25/17

BP 7310 Nepotism

Reference:

Government Code Sections 12920 et seq.; 1090 et seq.

- 1.0 Members of an immediate family may hold positions in the District. The term "Immediate family" as used in this policy means spouse; father, mother, grandfather, and grandmother of the employee or the employee's spouse; son; son-in-law; brother; brother-in-law; daughter; daughter-in-law; sister; sister-in-law; grandchild; aunt; uncle; niece; nephew; step-relative in any of the above categories; or any other relative living in the employee's home. For purposes of these provisions, "spouse" includes the domestic partner of an employee as defined by section 297 of the California Family Code.
- 2.0 Members of an immediate family shall not be assigned to a regular position within the same department, division, or site, which has an immediate family member as a supervisor or administrator who is in a position to recommend or influence personnel decisions with respect to the relative. Personnel decisions include appointment, retention, evaluation, tenure, work assignment, promotion, [discipline](#), demotion, or compensation.
- 3.0 The District will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, or creating other potential conflicts of interest.
- 4.0 It is recognized that current assignments may exist in conflict with this policy. Where such may occur, the Chancellor or designee will be responsible for determining the appropriateness of the assignment. The District retains the right to reassign or transfer employees where such assignments have the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest.
- 5.0 Should it be determined a reassignment is necessary to comply with the intent of this policy, the Chancellor may make such reassignment without financial penalty to those involved.
- 6.0 The appropriate collective bargaining organization will be notified in writing of any recommended reassignment of a unit member under this policy. The collective bargaining organization will be allowed fifteen (15) working days to respond in writing to the Vice Chancellor of Human Resources or designee and the Board of Trustees, and to meet with the Vice Chancellor of Human Resources or designee, before the Chancellor takes action on the reassignment.

Date of Adoption: June 26, 2007

Presented to DCC 09/25/17

BP 7330 Certification of Freedom From Communicable Disease

Reference:

Education Code Section 87408; 87408.6, [and 88021](#)

- 1.0 All newly hired academic employees who have not previously been employed in an academic position in the State of California shall have on file a medical certificate indicating freedom from communicable diseases making the applicant unfit to instruct or associate with students. Any offer of employment shall be subject to the submission of the required medical certificate.
- 2.0 All newly hired academic and classified employees must provide the District with medical certification to show that within the past 60 days they have submitted to a tuberculosis risk assessment and, if risk factors are present, been examined ~~within the past 60 days~~ to determine that they are free of from active tuberculosis. If risk factors were present at the tuberculosis risk assessment, and an examination occurs, after the examination the employee shall provide the District with a certificate from the employee's examining physician showing that the employee was examined and found to be free from active tuberculosis. No academic or classified employee shall commence service until such medical certification has been provided to the District. All academic and classified employees shall be required to undergo an examination within four years of initial employment with the District and every four years thereafter, to determine that they are free of active tuberculosis.
- 3.0 These provisions shall not apply to employees not requiring certification qualifications who are employed for any period of time less than a college year whose functions do not require frequent or prolonged contact with students.
- 4.0 The provisions of section 3.0 notwithstanding, such examination and certification may be required of any employee or volunteer if, in the determination of the Chancellor, the presence of such person in and around college premises would constitute a health hazard to students.

See Administrative Procedure 7330

Date of Adoption: October 23, 2007

Date of Last Revision: October 25, 2016

Presented to DCC 09/25/17

BP 7400 Travel and Conference Attendance

Reference:

Education Code Section 87032

- 1.0 The Chancellor is authorized to attend conferences, meetings, and other activities that are appropriate to the functions of the District.
- 2.0 The Chancellor shall establish procedures regarding the attendance of other employees at conferences, meetings, or activities. The procedures shall include authorized expenses, advance of funds, and reimbursement.
- ~~3.0 All travel outside the United States must be approved in advance by the Board.~~

See Board Policy 6360, Travel

Date of Adoption: October 9, 2007

Presented to DCC 09/25/17

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 14, 2017

From: Cheryl Marshall

Re: Agenda Item for District Consultation Council Meeting of September 25, 2017

1. AGENDA ITEM NAME

Revised Board Policies and Administrative Procedures – NOCE Name Change, Typographical Errors, and Reference Updates Only

- BP1000, The North Orange County Community College District
- BP1001, District Mission, Vision & Values Statements
- AP2431, Chancellor Selection
- AP2510, Participation in Local Decision-making
- AP2740, Board Education
- AP3100, Organizational Structure
- AP3250, Institutional Planning
- AP3280, Grants
- AP3540, Sexual Assaults and Other Sexual Misconduct
- AP3600, Auxiliary Organizations
- AP3720, Computer and Electronic Systems
- BP/AP3740, Web Sites
- AP3900, Speech: Time, Place, and Manner
- BP/AP4020, Program and Curriculum Development
- AP4021, Educational Program Discontinuance
- AP4060, Delineation of Functions Agreement
- AP4102, Career & Technical Programs
- AP4110, Honorary Degrees
- BP/AP4225, Course Repetition
- AP4231, Grade Changes
- AP4240, Academic Renewal
- BP/AP4250, Probation, Dismissal, and Readmission
- AP4300, Field Trips and Excursions
- AP4400, Community Service Programs
- AP4500, Student News Media
- AP5010, Admissions
- AP5011, Admissions and Concurrent Enrollment of High School and Other Young Students and Other Young Students
- AP5015, Residence Determination
- BP5040, Student Records, Directory Information, and Privacy
- AP5045, Student Records: Challenging Content and Access Log
- BP5140, Disabled Student Programs and Services
- AP5200, Student Health Services
- BP/AP5500, Standards of Student Conduct and Discipline
- AP5610, Voter Registration
- BP6350, Hospitality
- BP6620, Naming Facilities & Properties

NOTE: Please forward this form by required dates with all backup material to the Chancellor's Office.

- BP6700, Civic Center and Other Facilities Use
- AP7120-4, Management Employee Hiring
- AP7130-1, Payroll
- AP7210-1, Equivalency
- AP7210-4, Recognition of Academic Rank
- BP7240, Management Employees
- AP7240-8, Management Employees - Academic Management Employee Retreat Rights; Classified Management Employee Layoff and Bumping Rights

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only		Second Reading	
Review/Discussion		Action	X
First Reading	X	Consent Agenda Item	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **30 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

The Board Policies and Administrative Procedures were revised to reflect one or more of the following: 1) update SCE to NOCE; 2) typographical errors and/or Reference updates per the Community College League of California (CCLC) Policy and Procedure Legal Updates #29 and #30.

Please refer to the attached summary for a listing of the revised policies and procedures.

5. RECOMMENDATION:

It is recommended that upon DCC consensus, the revised Administrative Procedures be posted on the District's website. It is also recommended that the revised Board Policies be forwarded to the Board of Trustees for their consideration.

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

CCLC Legal Updates #29 and #30 and Chancellor's Staff

North Orange County Community College District
BOARD POLICY
Chapter 1
The District

BP 1000 The North Orange County Community College District

Reference:

Education Code Section 72000(b)

1.0 The District has been named the North Orange County Community College District.

1.1 The name is the property of the District. No person shall, without the permission of the Board, use this name or the name(s) of any college(s), the School of Continuing Education, or other facilities of the District, or any abbreviation of them, to imply, indicate or otherwise suggest than an organization, product, or service is connected or affiliated with, or is endorsed, favored, supported, or opposed by, the District.

2.0 The District consists of the following college(s) and/or education center(s):

2.1 Anaheim Campus

2.2 Cypress College

2.3 Fullerton College

2.4 [North Orange School of Continuing Education](#)

2.4.1 Anaheim Campus

2.4.2 Cypress College Continuing Education Center

2.4.3 Wilshire Continuing Education Center

Date of Adoption: June 12, 2001

Date of Last Revision: September 14, 2016 Chancellor's Staff
October 12, 2010
June 1, 2004
March 1, 2003
August 22, 2006

Presented to DCC 09/25/17

BP 1001 District Mission, Vision, & Values Statements

Reference:

ACCJC Accreditation Standard I.A
WASC/ACS Criterion 1, Indicator 1.1

1.0 Mission:

- 1.1 The mission of the North Orange County Community College District is to serve and enrich our diverse communities by providing a comprehensive program of educational opportunities that are accessible, relevant and academically excellent.
- 1.2 Cypress College and Fullerton College will offer associate degrees, a baccalaureate degree, vocational certificates, and transfer education, as well as developmental instruction and a broad array of specialized training. The ~~School of~~ [North Orange](#) Continuing Education will offer non-college credit programs including high school diploma completion, basic skills, vocational certificates, and self-development courses. Specific activities in both the colleges and ~~School of~~ [North Orange](#) Continuing Education will be directed toward economic development within the community.
- 1.3 The mission is evaluated and revised every three years.

2.0 **Vision:** Our diverse learners will be prepared to shape their future and become engaged in our democracy.

3.0 Values – Shared Beliefs:

- 3.1 Service: We contribute to a vital and prosperous community through our educational and training services. We promote engaged and ethical participation in global, civil society.
- 3.2 High Standards: We uphold high standards in academics and promote joy in teaching, learning, and work.
- 3.3 Adaptability: We respond to the changing needs of our communities in a global environment through continuous improvement and creative innovation.
- 3.4 Professionalism: We hold high standards for our faculty and staff and create an environment in which staff development and other continuing education are valued and promoted.
- 3.5 Stewardship: We uphold the responsibility for public trust of our mission and resources. We practice transparency and collegial consultation in decision making.
- 3.6 Respect: We cultivate an atmosphere of courtesy, civility, and collegiality with all students and employees in the District by promoting a willingness to collaborate and a responsibility for all to be engaged and collegial partners in carrying out the District's mission.

BP 1001 District Mission, Vision, & Values Statements

- 3.7 Inclusiveness: We welcome and respect the diverse backgrounds and beliefs of our students, faculty, and staff, and the many communities we serve.

Date of Adoption: June 12, 2001

Date of Last Revision: October 25, 2016
April 14, 2015
November 26, 2014 Chancellor's Staff
November 22, 2011
August 22, 2006

Presented to DCC 09/25/17

AP 2431 Chancellor Selection

Reference

Title 5, Section 53203(f), 53024; (Add Sections 53200-53206, Section 51023.5, Section 51023.7;
Ed. Code 70901.2(a), Section 70902(b)(7), Section 70109.2(a);
CCLC Trustee Handbook Chapters 24, 26, 27;
NOCCCD Policies and Administrative Procedures: BP and AP7120-4;
ACCJC Accreditation Standard IV.D.1-2, 4, 7
WASC/ACS Criterion 2, Indicator 2.4

1.0 **Application**

- 1.1 Selecting a Chancellor is the most important decision that a Board will make. A well-designed search process reflects positively on the Board and the district. A good search process is developed and directed by the Board, involves appropriate constituencies in the institution and community, and is based on district goals and priorities. A successful search results in the selection of a person that the Board, District employees, students, and community can fully support.
- 1.2 This procedure is established by the Board of Trustees pursuant to the provisions of Board Policy 2431, Chancellor Selection, and shall apply to the selection of the Chancellor for the North Orange County Community College District. The process by which the Chancellor is selected is the prerogative of the Board. The final authority for hiring the Chancellor rests with the governing Board.

2.0 **Development and Distribution of Job Announcement**

2.1 Development of Job Announcement

- 2.1.1 The job announcement for the position shall be developed by the Vice Chancellor of Human Resources under the direction of the Board of Trustees with consideration of recommendations from the screening committee and shall include the following information:
 - 2.1.1.1 The position;
 - 2.1.1.2 The major duties of the position, which shall also include the following statement: "Sensitivity to and understanding of the disabilities and diverse academic, socioeconomic, cultural, and ethnic background of students;"
 - 2.1.1.3 The qualifications for the position, which shall include the minimum qualifications for service as required by law and/or such other qualifications as established by the District;
 - 2.1.1.4 The desirable qualifications for the position, which would clearly render the applicant better able to perform the job, but which are not required for satisfactory performance. Desirable qualifications must be bona fide occupational qualifications

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which are specific and directly reflective of the screening criteria to be utilized in the selection process.

2.1.2 The Vice Chancellor of Human Resources shall review the job description for accuracy, clarity, and consistency with legal requirements and District policy, and shall prepare and publish a final job announcement, which shall include complete information regarding the application procedure and requirements.

2.2 Distribution of Job Announcement

2.2.1 In consultation with the Board of Trustees, the Vice Chancellor of Human Resources shall determine the closing date for the position such that the job announcement will be distributed at least six weeks prior to the closing date.

2.2.2 The District Office of Human Resources will advertise and distribute position announcements, as practicable and appropriate.

3.0 Application Requirements

3.1 Applications shall be submitted to the District Office of Human Resources.

3.2 A complete application packet must include the following:

3.2.1 Letter of application, which provides examples from background and experience to demonstrate how the candidate's knowledge and expertise apply to the position;

3.2.2 Current resume of education and professional experience;

3.2.3 Academic transcripts of graduate course work (unofficial transcripts may be submitted with application; candidates selected for employment will be required to provide official transcripts and verification of experience prior to the first day of service);

3.2.4 A job description of the applicant's most recent position;

3.2.5 Additional requirements as may be established by the Board of Trustees.

3.3 Required application materials must be submitted online. Applicants shall bear the sole responsibility for ensuring that application packets are complete when submitted. The District does not accept application materials by fax, e-mail, or in person.

4.0 Screening Committee

4.1 A screening committee shall have membership that is inclusive of representation from the District's constituent groups. The committee will participate in the

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screening and interviewing of candidates and will recommend finalists for the Board's consideration.

4.2 Screening Committee Composition: The screening committee shall include the following:

4.2.1 Representatives from District Constituency Groups

4.2.1.1 The screening committee shall include the following representatives from the District's constituent groups:

4.2.1.1.1 One (1) management representative from Cypress College appointed by the District Management Association;

4.2.1.1.2 One (1) management representative from Fullerton College appointed by the District Management Association;

4.2.1.1.3 One (1) management representative from the [North Orange School of Continuing Education](#) appointed by the District Management Association;

4.2.1.1.4 One (1) management representative from the District appointed by the District Management Association.

4.2.1.1.5 One (1) faculty representative from Cypress College appointed by the Cypress College Academic Senate;

4.2.1.1.6 One (1) faculty representative from Fullerton College appointed by the Fullerton College Faculty Senate;

4.2.1.1.7 One (1) faculty representative from the [North Orange School of Continuing Education](#) appointed by the [North Orange School of Continuing Education Academic Senate](#);

4.2.1.1.8 One (1) faculty representative appointed by United Faculty;

4.2.1.1.9 One (1) faculty representative appointed by Adjunct Faculty United.

4.2.1.1.10 Four (4) classified employee representatives, one each from Cypress College, Fullerton College, the [North Orange School of Continuing Education](#), and the District Office appointed by CSEA;

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- 4.2.1.1.11 One (1) management representative who reports directly to the Chancellor, appointed by the Chancellor's Staff;
 - 4.2.1.1.12 One (1) confidential employee representative appointed by the Confidential Employees Group.
- 4.2.2 Student Representatives: The screening committee shall include the following representatives from the District's student groups:
- 4.2.2.1 One (1) student representative appointed by the Cypress College Associated Students.
 - 4.2.2.2 One (1) student representative appointed by the Fullerton College Associated Students.
 - 4.2.2.3 One (1) student representative appointed by the appropriate North Orange ~~School~~ of Continuing Education student representative body.
- 4.2.3 Community Representatives: The screening committee shall include two community representatives appointed by the Board of Trustees.
- 4.2.4 Equal Opportunity/Diversity Representative: The District Director of Diversity and Compliance or the District Director of Human Resources shall serve as the non-voting equal opportunity/diversity representative.
- 4.2.5 Committee Chair: An executive officer of the District appointed by the Board of Trustees shall serve as the non-voting chair of the screening committee, except that where the Board elects to retain a search consultant to administer the hiring process, the Board may designate the consultant as the chair of the committee.
- 4.2.6 Constituent groups and the Board of Trustees are encouraged to consider diversity when making appointments to the committee.
- 4.3 Responsibilities of Screening Committee Members
- 4.3.1 Responsibilities of All Committee Members
 - 4.3.1.1 Committee members shall participate in all aspects of the process, including, but not limited to, the following:
 - 4.3.1.1.1 Training regarding the hiring procedure and equal opportunity employment objectives of the District;
 - 4.3.1.1.2 Development of recommended desirable qualifications;

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- 4.3.1.1.3 Development of rating criteria and interview questions;
- 4.3.1.1.4 Development of protocols for performance tests;
- 4.3.1.1.5 Evaluation and rating of candidates;
- 4.3.1.1.6 Interviewing of candidates;
- 4.3.1.1.7 Recommendation of finalists.
- 4.3.1.2 Committee members shall maintain strict confidentiality throughout the entire hiring process and after the process is completed.
- 4.3.1.3 A committee member who fails to participate in any aspect of the process may be removed from the committee at the discretion of the committee chair.

4.3.2 Responsibilities of Committee Chair

- 4.3.2.1 The committee chair shall be responsible for the following:
 - 4.3.2.1.1 Ensuring compliance with District policies and procedures in conjunction with the hiring process;
 - 4.3.2.1.2 Convening and conducting committee meetings, according reasonable consideration to the schedules of committee members;
 - 4.3.2.1.3 Coordinating candidate interviews;
 - 4.3.2.1.4 Communicating with applicants, as required;
 - 4.3.2.1.5 Maintaining committee records;
 - 4.3.2.1.6 Performing other duties determined by the Board of Trustees.
- 4.3.2.2 The committee chair will be a nonvoting member of the committee and, except as to performance of the responsibilities described in section 4.3.2.1, will not participate in paper screening or deliberations regarding the selection of candidates.

4.3.3 Responsibilities of the Equal Opportunity/Diversity Representative

- 4.3.3.1 The Equal Opportunity/Diversity Representative shall ensure that no candidate is discriminated against on the basis of race,

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color, gender, sexual orientation, religion, national origin, age, disability, veteran, or marital status, and shall serve as the committee liaison to the Vice Chancellor of Human Resources with responsibility for reporting noncompliance.

4.3.3.2 Any allegation of noncompliance shall be investigated by the District Director of Diversity and Compliance and reported to the Vice Chancellor of Human Resources, who shall take appropriate corrective action, if warranted.

4.3.3.3 The Equal Opportunity/Diversity Representative will be a nonvoting member of the committee and, except as to performance of the responsibilities described in section 4.3.3.1, will not participate in paper screening or deliberations regarding the selection of candidates.

4.4 Screening Committee Procedures

4.4.1 Committee decisions shall be made by a simple majority vote. No additions or replacements to the committee membership shall be made subsequent to the initial meeting of the screening committee.

4.4.2 The screening committee shall develop the following for use in evaluating candidates against the advertised job announcement, which shall be reviewed by the District Director of Diversity and Compliance and approved by the Vice Chancellor of Human Resources prior to consideration of applicant materials by the screening committee:

4.4.2.1 Paper screening criteria and interview questions;

4.4.2.2 Protocol for an administrative demonstration, writing sample, and/or other performance indicators appropriate for the position;

4.4.2.3 Parameters for conducting interviews and administration of performance tests.

4.4.3 Initial Screening of Applications

4.4.3.1 The District Office of Human Resources will examine each applicant's materials for completeness and evidence of compliance with the required qualifications as advertised in the job announcement. Incomplete applications will not be considered.

4.4.3.2 Complete applications will be independently assessed by each member of the selection committee, using the rating criteria developed by the committee.

4.4.3.3 Committee members shall avoid any discussion of ratings,

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rankings, or recommendations of candidates until independent evaluations of all candidates have been completed by each committee member.

4.4.3.4 The committee will then discuss the ratings and evaluate the merits of the candidates to determine if there is an adequate pool of professionally qualified candidates with which to continue the selection process.

4.4.3.4.1 If the pool is deemed adequate by the committee, the committee shall proceed with the selection of candidates for interview.

4.4.3.4.2 If the pool is not deemed adequate by the committee, the committee chair shall discuss the matter with the Board of Trustees who shall determine the action to be taken.

4.4.4 Selection of Candidates for Interview

4.4.4.1 After initial screening of the applicants, if the committee determines there is an adequate pool of professionally qualified candidates, the committee will determine the candidates it will interview.

4.4.4.2 The committee chair will establish an interview schedule in consultation with the committee and will notify the candidates to be interviewed.

4.4.4.3 The committee chair will provide each interview candidate a confirmation letter detailing the interview appointment and place, a map and parking permit, and other appropriate materials.

4.4.5 Interview and Performance Tests

4.4.5.1 The circumstances of each interview and performance test, if conducted, shall be as similar as is practicable.

4.4.5.2 Each committee member shall independently assess each candidate using the rating criteria developed by the committee.

4.4.5.3 Committee members shall avoid any discussion of ratings, rankings, or recommendations of the candidates until all interviews and performance tests have been completed and independent evaluations have been completed by each committee member.

4.4.6 Selection of Finalists

4.4.6.1 Following the interviews, the committee chair shall lead

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discussion, which shall focus on the strengths and weaknesses of the candidates, to determine the candidates to be recommended by the committee as finalists for consideration by the Board of Trustees.

- 4.4.6.2 In the event there are fewer than three (3) candidates the committee recommends as finalists, the committee chair will meet with the Board to clarify the committee's reasons for the number of candidates recommended.

5.0 Board of Trustees

- 5.1 If the Board is satisfied with the finalists recommended by the screening committee, the Board will interview the finalists.
- 5.2 If the Board is not satisfied with the pool of recommended finalists, it may meet with the committee to articulate its concerns and discuss the rationale for the recommendations that were advanced. If the Board still feels the process has yielded insufficient choices, it may then ask the committee to forward additional candidates. If a majority of the committee agrees that there are no additional candidates it can recommend to the Board, the committee may decline to do so and the committee chair will meet with the Board to clarify the committee's reasons for adhering to the initial list. The Board may then decide whether to reconsider the initial candidates, extend the search process, or terminate the process and restart the search for a Chancellor.
- 5.3 The Chancellor's Staff group will interview the finalists and provide feedback to the Board in a manner prescribed by the Board.
- 5.4 Campus forums shall be conducted as part of the hiring process and in such manner as the Board may determine to introduce candidates to the District's constituents and the community.
- 5.5 Site visits may be conducted as part of the hiring process at the discretion of the Board. If site visits are conducted, the Board shall determine the composition of the visiting team(s).
- 5.6 Reference checking of candidates may be conducted at the discretion of the Board and in such manner as the Board may determine.
- 5.7 The Board shall make the final decision regarding the candidate to be offered the position and reserves the right to discontinue the process or extend the recruitment at any time, at its discretion.

Date of Adoption: May 14, 2013

Date of Last Revision: April 25, 2016 District Consultation Council

Presented to DCC 09/25/17

AP 2510 Participation in Local Decision-making

Reference:

**Education Code Sections 70902(b)(7);
Title 5, Sections 53200 et seq., 51023.5 and 51023.7;
ACCJC Accreditation Standards IV.A and IV.D.7;
WASC/ACS Criterion 2, Indicator 2.2;
Shared Governance Agreement between the Board of Trustees and the
Academic/Faculty Senates (2.0-2.5 below) – Adopted January 24, 1995**

1.0 Committee Representation

1.1 In accordance with Board Policy 2510, and with District practice, the various constituencies of the North Orange County Community College District, including faculty, students, classified staff, confidential employees, and administration shall be represented on college, [North Orange School of Continuing Education](#), and District committees concerned with broad policy and planning matters.

1.2 Unless otherwise provided in Board policy or procedure regarding staff participation, the following constituent groups are recognized by the Board of Trustees as responsible for recommending, as appropriate, the appointment of employee representatives to serve on college, [North Orange School of Continuing Education](#), and District governance committees:

1.2.1 The Academic/Faculty Senates shall appoint faculty.

1.2.2 The exclusive representative of the classified employees shall appoint classified employees.

1.2.3 The Confidential Employees Association shall appoint confidential employees.

1.2.4 The District Management Association shall appoint administrative employees.

1.2.5 Where provided for in Board policy, procedures, and practices, the collective bargaining representative(s) of the faculty (United Faculty and Adjunct Faculty United) shall appoint faculty union representatives.

Notwithstanding the foregoing, the collective bargaining representative(s) of the faculty may seek to recommend the appointment of faculty to committees, task forces, or other groups.

2.0 Responsibility and Authority of Academic/Faculty Senates Regarding Academic and Professional Matters

2.1 Matters for Which the Board of Trustees Elects to Rely Primarily Upon the Recommendations of the Senate(s)

AP 2510 Participation in Local Decision-making

- 2.1.1 The Board of Trustees will rely primarily upon the recommendations of the senate(s), including the decision-making structure by which the recommendations are achieved, with respect to the following academic and professional matters:
 - 2.1.1.1 curriculum, including the establishment of prerequisites and placing courses within disciplines;
 - 2.1.1.2 degree and certificate requirements;
 - 2.1.1.3 grading policies;
 - 2.1.1.4 standards or policies regarding student preparation and success;
 - 2.1.1.5 faculty roles and involvement in accreditation processes, including self-study and annual reports;
 - 2.1.1.6 policies for faculty professional development activities.
- 2.1.2 With respect to those areas of academic and professional matters for which the Board of Trustees will rely primarily upon the recommendations of the senate(s), if a recommendation is not accepted, the Board of Trustees or its designee, upon request of the senate(s), shall communicate its reasons in writing to the academic senate(s).
- 2.2 Matters for Which the Board of Trustees Elects to Seek Mutual Agreement with the Senate(s)
 - 2.2.1 The Board of Trustees will seek to reach mutual agreement with the senate(s), with respect to the following academic and professional matters:
 - 2.2.1.1 educational program development and educational program discontinuance
 - 2.2.1.2 District and college governance structures as related to faculty roles;
 - 2.2.1.3 processes for program review;
 - 2.2.1.4 processes for institutional planning and budget development;
 - 2.2.1.5 other academic and professional matters as mutually agreed by the Board of Trustees and the senate(s).
 - 2.2.2 With respect to those areas of academic and professional matters for which the Board of Trustees will seek to reach mutual agreement with the senate(s), the Board or its designee(s) will meet with the executive

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committees of the senate(s), and by consensus, will design an ad hoc decision-making procedure to reach mutual agreement on a matter. This procedure will include a vote by the full senate(s) on the proposed agreement. If the Board elects to act through designee(s), it will specify the designee(s) in writing in each case.

- 2.2.3 In instances where the Board of Trustees elects to provide for mutual agreement with the senate(s), and agreement has not been reached, existing policy shall remain in effect unless continuing with such policy exposes the District to legal liability or causes substantial fiscal hardship. In cases where there is no existing policy, or in cases where the exposure to legal liability or substantial fiscal hardship requires existing policy to be changed, the Board may act, after a good faith effort to reach agreement, for compelling legal, fiscal, or organizational reasons.

2.3 Uniformity With Respect to Academic and Professional Matters

- 2.3.1 Uniformity within the District in academic and professional matters is not required unless the Board of Trustees so determines in a particular matter. The senates may each make independent recommendations to the Board regarding matters involving their own institutions.

- 2.3.2 The provisions of section 2.3.1 notwithstanding, the following matters shall require a single position among the senates:

2.3.2.1 District Curriculum Coordinating Committee membership structure and procedures;

2.3.2.2 faculty roles in District governance structures;

2.3.2.3 processes for District institutional planning and District budget development.

- 2.3.3 Where the Board of Trustees requires that the senates reach a single position with respect to a matter, or when any two of the senates request a single position, the senates will each separately determine their recommendations and will reconcile any differences through the use of a conference committee.

2.3.3.1 If the senates cannot each separately, by majority vote, approve a final joint recommendation, no recommendation to the Board will be made. In this circumstance, existing policy shall remain in effect unless continuing with such policy exposes the District to legal liability or causes substantial fiscal hardship. In cases where there is no existing policy, or in cases where the exposure to legal liability or substantial fiscal hardship requires existing policy to be changed, the Board may act, after a good faith effort to reach

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agreement, for compelling legal, fiscal, or organizational reasons. In circumstances where the Board is compelled to act, the Board may request reports and recommendations from the individual senates.

2.3.3.2 If the Board deems it important, but not compelling, to take action when the senates do not have a single position, the Board may request the senates to continue to seek agreement. The senates may have an additional year to present a single recommendation. After that time, if a single position has not been achieved, the Board may request reports and recommendations from the individual senates, and may adopt the recommendation of one of the senates.

2.4 Action with respect to academic and professional matters pursuant to these provisions may be initiated by any senate or by the Board of Trustees.

2.5 Changes to these provisions shall require mutual agreement by the Board of Trustees and the senates.

Date of Adoption: June 24, 2003

Date of Last Revision: September 14, 2016 Chancellor's Staff
November 26, 2014 Chancellor's Staff
February 13, 2012 Chancellor's Cabinet
December 13, 2004

Presented to DCC 09/25/17

AP 2740 Board Education

Reference:

ACCJC Accreditation Standard IV.C.9;
WASC/ACS Criterion 2, Indicator 2.4

- 1.0 All new trustees elected/appointed to the governing board of the North Orange County Community College District (NOCCCD) may elect to receive an orientation packet of materials that includes:
 - 1.1 A copy of the Community College League of California (CCLC) publication, *“Orientation and Development for Community College Trustees.”*
 - 1.2 A list of the following available documents, which are strongly recommended and readily available for review:
 - 1.2.1 Summary of the California Administrative Code, Title 5, Part 6, including sections related to faculty role in shared governance.
 - 1.2.2 A copy of the Brown Act.
 - 1.2.3 A copy of the Community College League of California (CCLC) summary and analysis of AB1725.
 - 1.2.4 A description of Parliamentary Procedure.
 - 1.2.5 College catalogs, class schedules and other major District publications.
 - 1.2.6 A summary of the roles and responsibilities of the District and statewide Academic Senates.
 - 1.2.7 Copies of the United Faculty Association (UFA), California School Employees Association (CSEA), and Adjunct Faculty United (ADFAC) contracts with the NOCCCD.
 - 1.2.8 A summary of the interest-based bargaining process.
 - 1.2.9 The NOCCCD Master Plan and the District-wide Strategic Plan.
 - 1.2.10 An index of adopted Board Policies and correlating Administrative Procedures, which may be found on the District’s web site at www.nocccd.edu.
 - 1.2.11 Copies of all college and [North Orange School of Continuing Education \(NOCE\)](#) shared governance procedures.
 - 1.2.12 A glossary of NOCCCD acronyms and terms.

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- 1.2.13 A list of all District-wide committees and their meeting schedules, including acknowledgment that Board members may periodically attend such meetings.
 - 1.2.14 A list and description of student organizations, including the Associated Students of each college.
 - 1.2.15 A summary of the role and participation level of Student Members on the governing board.
 - 1.2.16 Enrollment reports reflecting student demographics and enrollment patterns.
- 2.0 In addition to reviewing the printed materials, the new trustee orientation process may include the opportunity to:
- 2.1 Review the District budget with the Vice Chancellor of Finance and Facilities.
 - 2.2 Meet with Chancellor's Staff and current members of the Board Meeting Resource Table, either collectively or individually.
 - 2.3 Tour the Anaheim Campus, Cypress College, Fullerton College, and the [North Orange School of Continuing Education](#) centers.
 - 2.4 Meet with student leaders from the colleges.
- 3.0 The new trustee orientation process may also include, as appropriate:
- 3.1 Participation in the CCLC Trustee Orientation.
 - 3.2 A retreat with the NOCCCD Board of Trustees or as an alternative, an in-depth meeting with the Board President.
 - 3.3 Meetings with employee constituency groups (Academic Senates, United Faculty Association, Adjunct Faculty United, CSEA, Confidentials Group, District Management Association).
- 4.0 Trustees are encouraged to attend professional organization conferences for employee groups, trustees, and students.

Date of Adoption: June 24, 2003

Date of Last Revision: September 14, 2016 Chancellor's Staff
September 23, 2008

Presented to DCC 09/25/17

AP 3100 Organizational Structure

Reference:

**Education Code Sections 72400;
Title 5, Section 53200**

- 1.0 The District's organizational structure shall be as attached.
- 2.0 Revisions to the organizational structure of the colleges, [North Orange School of Continuing Education](#), and the District shall be developed through established collegial consultation processes.

Date of Adoption: March 23, 2004

Presented to DCC 09/25/17

AP 3250 Institutional Planning

Reference:

**ACCJC Accreditation Standards I.B.9, III.B.4, III.C.2, III.D.2, IV.B.3, and IV.D.5;
Title 5, Sections 51008, 51010, 51027, 53003, 54220 55080, 55190, 55510, 56270, et
seq.;**
WASC/ACS Criterion 1, Indicator 1.6; Criterion 10, Indicators 10.1 and 10.5

- 1.0 The Colleges, [North Orange School of Continuing Education](#), and District Office, through established committees with representation from faculty, administration, classified staff, and students, will review and recommend planning decisions related to human, physical, technology, and financial resources. Applying the criteria of accreditation standards I and III, the planning process will be guided by adopted vision, mission and core values statements and will develop specific goals, objectives and strategies, which have measurable outcomes and specific accountability. Action plans will be reviewed and revised annually and approved by the respective planning bodies.
- 2.0 Institutional effectiveness research, program reviews and individual unit plans are utilized in the planning process, which is intended to complement and inform the resource allocation process.
- 3.0 The Board may assist in developing the general institutional mission and goals for the comprehensive plans through a variety of means, including, but not limited to, the Chancellor's evaluation process, the Board/Chancellor retreat, and any time the Board reviews curriculum items.

Date of Adoption: March 23, 2004

Date of Last Revision: September 14, 2016 Chancellor's Staff
November 26, 2014 Chancellor's Staff
November 12, 2008 Chancellor's Staff

Presented to DCC 09/25/17

North Orange County Community College District
ADMINISTRATIVE PROCEDURES
Chapter 3
General Institution

AP 3280 Grants

Reference:

Education Code Section 70902

- 1.0 Prior to applying for any grant, the Division, Program, Department, faculty, or staff member must prepare a Concept Paper describing the problem or need that the grant would address; a description of the project; the mission and goals of the project; how the grant supports the District mission; the funding source and whether it is federal, state, local, or private; the amount being requested; matching funds requirements and source; performance period; name of Project Director; name of Project Administrator; and any other relevant characteristics or requirements that may impact the decision to submit the grant application. The Concept Paper must be submitted to the President's Advisory Cabinet at Cypress College; the President's Advisory Council at Fullerton College; and to the Provost's Cabinet in the [North Orange School of Continuing Education](#).
- 2.0 Following approval by the appropriate body noted above, the grant application is to be forwarded to the Office of the Vice Chancellor, Educational Services & Technology. Once completed, the grant application shall be submitted to the funding agency.
- 3.0 When notification of a grant award is received, the President or Provost, or designee, shall prepare and submit to the Office of the Vice Chancellor, Educational Services & Technology, a board agenda item requesting acceptance of funding. The agenda item must include background information in support of the grant, a detailed activity budget, project management and evaluation budget, and a Board resolution establishing the grant budgets from District funding sources, as applicable.

Date of Adoption: March 23, 2004

Date of Last Revision: October 27, 2014 District Consultation Council

Presented to DCC 09/25/17

AP 3540 Sexual Assaults and Other Sexual Misconduct

Reference:

Education Code Section 67385 and 67836;
20 U.S.C. Section 1092(f)
34 Code of Federal Regulations Section 668.46 (b) (11)

- 1.0 Alleged victims of sexual assault, including but not limited to rape, domestic violence, dating violence, or stalking, as defined by California Law, shall be referred to local community treatment centers if appropriate on-campus treatment facilities are not available.
 - 1.1 “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - 1.2 “Domestic violence” includes felony or misdemeanor crimes of violence committed by:
 - 1.2.1 A current or former spouse of the victim.
 - 1.2.2 By a person with whom the victim shares a child in common.
 - 1.2.3 By a person who is cohabitating with or has cohabitated with the victim as a spouse.
 - 1.2.4 By a person similarly situated to a spouse of the victim under California law.
 - 1.2.5 By any other person against an adult or youth victim who is protected from that person’s acts under California law.
 - 1.3 “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.
 - 1.4 An affirmative consent standard is the determination of whether consent was given by both parties to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout the sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved or the fact of past sexual relations between them should never by itself be assumed to be an indicator of consent.
 - 1.5 “Affirmative consent” means affirmative, conscious and voluntary agreement to engage in sexual activity.

AP 3540 Sexual Assaults and Other Sexual Misconduct

- 2.0 All students, faculty members or staff members who allege they are victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. This information shall be provided by the Title IX Coordinators to provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:
- 2.1 The District policy and procedure regarding sexual assaults on campus.
- 2.2 Information regarding the personnel on campus who should be notified of the assault, if the alleged victim consents, and procedures for such notification. The following positions are the designated Title IX Coordinators for the District:
- 2.2.1 District Services:
- Title IX Coordinator, District Director, Human Resources (714) 808-4816
- 2.2.2 Cypress College:
- Campus Title IX Coordinator, Executive Vice President, Educational Programs and Support Services (714) 484-7330
 - Director of Campus Public Safety (714) 484-7387
 - Director of College Health Services (714) 484-7045
- 2.2.3 Fullerton College:
- Campus Title IX Coordinator, Vice President of Student Services (714) 992-7074
 - Director of Campus Public Safety (714) 992-7777
 - Director of College Health Services (714) 992-7094
- 2.2.4 Anaheim Campus:
- Campus Title IX Coordinator, Office of the Provost of the School of Continuing Education (714) 808-4670
 - Campus Public Safety (714) 808-4111
 - Dean, Instruction and Student Services, [North Orange School of Continuing Education](#) (714) 808-4660
- 2.3 Legal reporting requirements and procedures.
- 2.4 Information regarding services available to victims and the personnel responsible for providing or arranging these services, including the following:
- 2.4.1 Transportation to a hospital, which must be provided by authorized community emergency personnel.
- 2.4.2 Referral to a counseling center.
- 2.4.3 Notice to the police, with the consent of the victim.
- 2.4.4 A description of available campus resources or appropriate off-campus services.

AP 3540 Sexual Assaults and Other Sexual Misconduct

- 2.5 Information regarding the existence of the following procedures:
 - 2.5.1 Criminal prosecution.
 - 2.5.2 Civil prosecutions.
 - 2.5.3 Disciplinary procedures applicable to students and employees.
 - 2.5.4 Procedures for case management, including the procedures for keeping the victim informed of the status of any student disciplinary proceedings in connection with the sexual assault and the results of any disciplinary action or appeal, and helping the victim deal with academic difficulties that may arise because of the victimization and its impact.
 - 2.5.5 The availability of mediation.
 - 2.5.6 Academic assistance alternatives, including modification of class schedules and tutoring, if necessary.
- 2.6 Information about the importance of preserving evidence and the identification and location of witnesses.
- 3.0 Investigation and information to alleged victims during investigation and/or discipline procedures
 - 3.1 The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigation described in Administrative Procedure (AP) 3410 Unlawful Discrimination regardless of whether a complaint is filed with law enforcement.
 - 3.2 All alleged victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be kept informed, through the District's Department of Human Resources, of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.
 - 3.3. An individual who participates as a complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the institution's student conduct policy at or near the time of the incident, unless the institution determines that the violation was egregious, including, but not limited to , an action that places the health or safety of any other persona at risk or involves plagiarism, cheating or academic dishonesty.
 - 3.4 The standard used in determining whether the elements of the complaint against the accused have been demonstrated is the preponderance of the evidence.

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- 3.5 In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:
- 3.5.1 The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
 - 3.5.2 The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.
- 3.6 In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances.
- 3.6.1 The complainant was asleep or unconscious.
 - 3.6.2 The complainant was incapacitated due to the influence of drugs, alcohol or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
 - 3.6.3 The complainant was unable to communicate due to a mental or physical condition.
- 4.0 Confidentiality
- 4.1 Except as may otherwise be required by law, the District shall maintain in confidence the identity of an alleged victim of domestic violence, dating violence, sexual assault, or stalking on District property (as defined in Sections 1.1, 1.2, and 1.3), unless the alleged victim specifically waives that right to confidentiality.
 - 4.2 Except as may otherwise be required by law, where the victim does not waive their right to confidentiality, the identity of an alleged accused of domestic violence, dating violence, sexual assault or stalking will not be disclosed.
 - 4.3 Except as may otherwise be required by law, the District shall maintain in confidence the identity of a witness to domestic violence, dating violence, sexual assault, or stalking on District property, unless the witness specifically waives the right to confidentiality.
 - 4.4 Except as may otherwise be required by law, the District shall maintain in confidence the identity of a third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, unless the third-party reporter specifically waives the right to confidentiality.

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- 4.5 Inquiries from the press or other media representatives regarding alleged domestic violence, dating violence, sexual assault or stalking on District property shall be referred to the Office of Campus Communications, which shall coordinate with the appropriate Title IX Coordinator(s) to assure that all confidentiality rights are maintained.
- 5.0 The Annual Security Report for each college will include a statement regarding the District's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement must include the following:
- 5.1 A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and nonforcible sex offenses.
- 5.2 Procedures students should follow if a sex offense occurs, including procedures concerning who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported.
- 5.3 Information on a student's option to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests.
- 5.4 Notification to students of existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses.
- 5.5 Notice to students that the campus will change a victim's academic situation after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available.
- 5.6 Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:
- 5.6.1 The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
- 5.6.2 Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. (20 USC § 1232g) For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- 5.7 A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses.
- 6.0 **Education and Prevention Information:** The Title IX Coordinators (as defined in Section 2.2) shall:

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- 6.1 Provide a comprehensive prevention and outreach program about domestic violence, dating violence, sexual assault, and stalking. Such outreach programming shall be included as part of every incoming student's orientation. The information presented in such programs shall be developed in collaboration with campus-based and community-based victim advocacy organizations.
- 6.2 The comprehensive prevention program shall include a range of prevention strategies, including, but not limited to, empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander prevention and risk reduction. Outreach programs shall be provided to make students aware of the institution's policy on sexual assault, domestic violence, dating violence, and stalking. At a minimum, an outreach program shall include a process for contacting and informing the student body, campus organizations, athletic programs, and student groups about the institution's overall sexual assault policy, the practical implications of an affirmative consent standard, and the rights and responsibilities of students under the policy.
- 6.3 Post sexual violence prevention and education information on the campus internet web site.
- 7.0 These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. For physical assault/violence information, see AP 3510 Workplace Violence and AP 3515 Reporting of Crimes.

Date of Adoption: March 23, 2004

Date of Last Revision: October 26, 2015 District Consultation Council
August 26, 2013 District Consultation Council
July 25, 2006
April 12, 2005

Presented to DCC 09/25/17

AP 3600 Auxiliary Organizations

Reference:

**California Code of Regulations,
Education code Sections 72670, et seq.;
Title 5, Sections 59250, et seq.**

1.0 Definitions

- 1.1 Board of Directors: The term board of directors as used herein means the governing board of an auxiliary organization.
- 1.2 Board of Trustees: The term Board of Trustees as used herein means the Board of Trustees of the District.
- 1.3 Board of Governors: The term Board of Governors as used herein means the Board of Governors of the California Community Colleges.
- 1.4 Chancellor: The term Chancellor as used herein means the Chancellor of the District or designee.
- 1.5 District: The term District as used herein means the North Orange County Community College District.
- 1.6 Associated Student Body: The terms Associated Student Body, Associated Student Organization, Student Association, Student Organization, or ASB as used herein means an organization formed by any group of students from a College of the District in accordance with the provisions of Education Code Section 76060. All clubs and organizations recognized by an Associated Student Body or Organization shall be included in any auxiliary organization established by the Student Body or Organization.

2.0 Recognition and Establishment of Auxiliary Organizations

- 2.1 The Chancellor shall submit a recommendation to the Board of Trustees to establish an auxiliary organization when the organization will serve the District. The recommendation includes, but is not limited to, the following:
 - 2.1.1 The purpose(s) for which the auxiliary organization is to be established.
 - 2.1.2 Whether the proposed auxiliary organization will primarily serve the District or a particular college or the North Orange ~~School of~~ Continuing Education.
 - 2.1.3 The functions which the auxiliary organization is intended to perform.
 - 2.1.4 The proposed bylaws and articles of incorporation for the auxiliary organization, including the size and composition of the Board of Directors.
 - 2.1.5 The proposed written agreement between the auxiliary organization and the District, as required in Title 5, Section 59257.

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- 2.2 The process of recognition shall be as follows:
- 2.2.1 When the Chancellor receives a request to establish an auxiliary organization, the Chancellor shall submit a recommendation concerning the establishment of said organization to the Board of Trustees within three months.
 - 2.2.2 The Board of Trustees shall hold a public hearing on each recommendation concerning the establishment of an auxiliary organization.
 - 2.2.3 At a subsequent scheduled meeting after the public hearing, the Board shall announce its decision concerning the establishment of the organization, and, if approved, authorize the functions it may perform, identify the number and category or categories of the Board of Directors and approve contractual arrangements.
- 2.3 At such time as the District recognizes an auxiliary organization, it shall submit to the state Chancellor's Office any written agreements with the auxiliary organization, as well as the articles of incorporation, bylaws, or other governing instruments.

3.0 Recognized Services, Programs and Functions

- 3.1 Auxiliary organizations may be recognized and established by the Board of Trustees to perform the following services, programs and functions but such functions are not required to be established as auxiliary organizations:
- 3.1.1 Student association or organization activities;
 - 3.1.2 Bookstores;
 - 3.1.3 Food and campus services;
 - 3.1.4 Student union programs;
 - 3.1.5 Facilities and equipment, including parking;
 - 3.1.6 Loans, scholarships, grants-in-aid;
 - 3.1.7 Workshops, conferences, institutes and federal and specially funded projects;
 - 3.1.8 Alumni activities;
 - 3.1.9 Supplementary health services;
 - 3.1.10 Gifts, bequests, devises, endowments and trusts; and

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3.1.11 Community relations programs.

3.2 No auxiliary organization shall be authorized by the Board of Trustees to engage in any other function unless the Board of Governors amends Section 59259 of Title 5 by adding said function to the list of approved functions of auxiliary organizations; or unless said function is essential to satisfy the non-profit corporation or tax laws of the State of California or the Federal tax laws.

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

4.0 Authority and Responsibility of Auxiliary Organizations

4.1 Enrollment in courses or programs offered by auxiliary organizations shall not be included in reports to the state for the purpose of receiving apportionment funding.

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

4.2.1 To provide the fiscal means and the management procedures that allow the District to carry on educationally related activities not normally funded by State apportionment;

4.2.2 To eliminate the undue difficulty that would otherwise arise under the usual governmental budgetary, purchasing and other fiscal controls; or

4.2.3 To provide fiscal procedures and management systems that allow effective coordination of the auxiliary activities with the District in accordance with sound business practices.

5.0 Composition of Boards of Directors

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

5.1.1 Student Associations or Organizations Established as Auxiliary Organizations: The Board of Directors shall consist primarily of students. The Director of Student Activities may attend and participate in meetings of the Board of Directors in order to advise on policy and to provide for the control and regulation required by Education Code Section 76060.

5.1.2 Other Auxiliary Organizations: Any other District approved auxiliary organization that is established pursuant to Section 72670 et seq., of the Education Code shall have a Board of Directors appointed in accordance with the organization's articles of incorporation or bylaws and consisting of voting membership from one or more of the following categories: Board of

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Trustees, faculty, administration, staff; members of the community; students.

- 5.2 The size of the Board of Directors of an auxiliary organization shall be at least large enough to accommodate the one or more categories from which board members are selected.
- 5.3 The Board of Directors shall have the advice and counsel of at least one attorney admitted to practice in California and at least one certified public accountant. Neither the attorney nor the public accountant need be a member of the Board of Directors.

6.0 Conduct of Boards of Directors

- 6.1 No member of the Board of Directors of an auxiliary organization shall be financially interested in any contract or other transaction entered into by the Board of which he/she is a member. Any contract or transaction entered into in violation of this section is void.
- 6.2 No contract or other transaction entered into by the Board of Directors of an auxiliary organization is void under the provisions of Education Code Section 72677; nor shall any member of such board be disqualified or deemed guilty of misconduct in office under such provisions, if both of the following conditions are met:
 - 6.2.1 The fact of such financial interest is disclosed or known to the Board of Directors and noted in the minutes, and the Board thereafter authorizes, approves, or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such financially interested member or members.
 - 6.2.2 The contract or transaction is just and reasonable as to the auxiliary organization at the time it is authorized or approved.
- 6.3 The provisions of Section 6.2 above shall not be applicable if any of the following conditions exist:
 - 6.3.1 The contract or transaction is between an auxiliary organization and a member of the Board of Directors of that auxiliary organization.
 - 6.3.2 The contract or transaction is between an auxiliary organization and a partnership or unincorporated association of which any member of the governing board of that auxiliary organization is a partner or in which he or she is the owner or holder, directly or indirectly, of a proprietorship interest.
 - 6.3.3 The contract or transaction is between an auxiliary organization and a corporation in which any member of the Board of Directors of that auxiliary organization is the owner or holder, directly or indirectly, of five percent or more of the outstanding common stock.

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

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

7.0 Bylaws

7.1 The bylaws of an auxiliary organization shall include, but not be limited to, the following:

7.1.1 The number of members of the Board of Directors, the categories from which members shall be selected and the method by which they shall be selected.

7.1.2 The size of the Board of Directors.

7.1.3 That at least one public business meeting will be held each quarter. The Board of Directors shall conduct its business in public meetings in accordance with the provisions of the Ralph M. Brown Act, Government Code sections 54950, et seq.

7.1.4 The timetable for the preparation and adoption of its program and annual budget and the submission of both for review to the Chancellor.

7.1.5 That an attorney admitted to practice in this state and a licensed certified public accountant shall be selected to provide advice and counsel to the Board of Directors. Each shall have experience appropriate to the responsibility and shall have no financial interest in any contract or other transaction entered into by the Board, which he/she serves. Neither the attorney nor the certified public accountant needs to be a member of the Board of Directors.

7.1.6 The procedures for approving expenditures.

7.1.7 The procedures for accepting gifts, donations, bequests, trusts and specially funded grants and other income.

8.0 Master Agreement between District and Auxiliary Organizations

8.1 In the recognition and establishment of an auxiliary organization, there shall be a

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written agreement between the District and the auxiliary organization, which sets forth the purposes of the auxiliary organization as permitted under this Regulation, and Title 5 Section 59259.

- 8.2 Should an auxiliary organization provide more than one service, program or function, such service, program or function may be authorized in one or more written contracts with the District. Such services, programs and functions thereby performed by a auxiliary organization may also be part of a joint powers agreement in accordance with Education Code Section 72671 and Government Code Section 6500, et seq.
- 8.3 An auxiliary organization shall provide only those services, programs or functions authorized by a written agreement. No other service, program or function shall be permitted or performed unless a written agreement between the District and the auxiliary organization is amended to provide otherwise.
- 8.4. The agreement shall include, but is not limited to, the following provisions:
 - 8.4.1 The services, programs, or functions the auxiliary organization is to manage, operate or administer.
 - 8.4.2 A statement of the reasons for administration of the functions by the auxiliary organization instead of by the District under usual District procedures.
 - 8.4.3 The areas of authority and responsibility of the auxiliary organization and the District or College.
 - 8.4.4 The facilities and services to be made available by the District to permit the auxiliary organization to perform the services, programs or functions specified in the written agreement.
 - 8.4.5 The charge or rental to be paid to the District by the auxiliary organization for the facilities used or services provided in connection with the performance of its function. The charge or rental specified shall be identified in sufficient time before it is incurred so that the organization may determine to what extent it is liable.
 - 8.4.6 Full reimbursement to the District for services performed by the District or by District employees in support of the auxiliary organization. Student body auxiliary organizations may be exempt from reimbursing all or any portion of the costs for such services. Methods of proration where services are performed by District employees for the organization shall be as mutually determined.
 - 8.4.7 A mutually agreed upon method of determining in advance to what extent the organization shall be liable for indirect costs relating to specially funded programs.

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- 8.4.8 The responsibility for maintenance and payment of operating expenses.
- 8.4.9 Proposed expenditures for public relations or other purposes, which would serve to augment District appropriations for operation of the District. With respect to these expenditures, the auxiliary organization may expend funds in such amount and for such purposes as are approved by the Board of Directors of the auxiliary organization. The Board of Directors shall file with the Chancellor a statement of such policy on accumulation and use of public relations funds. The statement shall include the policy and procedure on solicitation of funds, source of funds, amounts, and purpose for which the funds will be used, allowable expenditures, and procedures of control.
- 8.4.10 The disposition to be made of net earnings derived from the operation of the auxiliary organization, including earnings derived from facilities owned and leased by the auxiliary organization, and provisions for reserves.
- 8.4.11 The disposition to be made of net assets and liabilities on dissolution of the auxiliary organization or cessation of the operations under the agreement.
- 8.4.12 The covenant of the auxiliary organization to maintain its organization and to operate in accordance with Sections 72670 through 72682 of the Education code and with the regulations contained in Title 5, Section 59250, et seq., as well as District Board Policy and Administrative Procedures.
- 8.4.13 The understanding that the auxiliary organization shall obtain the services and counsel of an attorney admitted to practice in the State of California whenever the need arises.
- 8.4.14 The understanding that the auxiliary organization shall not enter into any contract or other business arrangement involving real property either by lease involving payments of more than \$25,000 per annum and duration terms of more than one year, or by purchase without prior notification and consultation with the Chancellor.

9.0 Personnel

- 9.1 Each auxiliary organization shall develop general regulations to govern its operations, including policies and regulations concerning the salaries, working conditions and benefits of its employees.
- 9.2 The aforesaid regulations shall not conflict with the implementing policies adopted by the Board of Trustees or with these procedures.
- 9.3 Except as otherwise provided in any board rules, the Board of Directors of each auxiliary organization shall, pursuant to Education Code Section 72672, provide salaries, working conditions and benefits for its full-time employees that are comparable to those provided District employees performing substantially similar services. For those full-time employees who perform services that are not

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substantially similar to the services performed by District employees, the salaries established shall be comparable to the salaries prevailing in other educational institutions in the area or commercial operations of like nature in the area.

- 9.4 Regular District employees may be employed by the auxiliary organization. District employees must resign or request a personal leave of absence from the District in order to accept employment with the auxiliary organization.
 - 9.4.1 Educational Administrators or other Management Employees may be granted a personal leave of absence for two semesters, which may be extended to a maximum of 10 consecutive semesters.
 - 9.4.2 Classified Management Employees may be granted a personal leave of absence for up to one year. This leave may not be extended beyond one year without the employee first having returned to active duty.
 - 9.4.3 Academic (Faculty) Employees may be granted personal leave of absence for two semesters. The leave may be extended for not more than six consecutive semesters.
 - 9.4.4 Classified Employees may be granted a personal leave of absence for up to one year. This leave may not be extended beyond one year without the employee first having returned to active duty.
- 9.5 The Board of Directors of each auxiliary organization may provide retirement benefits different from those provided comparable District employees and may withhold retirement benefits of permanent status benefits or both from temporary employees. For the purposes of this Procedure, a temporary employee is:
 - 9.5.1 An employee employed for a specific research project, workshop, institute, or other special project funded by any grant, contract or gift; or
 - 9.5.2 An employee whose contract of employment is for a fixed term not exceeding three years.
- 9.6 The Board of Directors of each auxiliary organization may withhold permanent status benefits from executive employees. For the purposes of this procedure, an executive employee is any management employee with responsibility for the development and execution of the auxiliary organization's policies and includes, but is not limited to, general managers, managers, directors and the like, as determined by the Board of Directors of each auxiliary organization.
- 9.7 Should retirement benefits be provided, they may, but need not be provided by the Public Employees' Retirement System. Any newly created auxiliary organization is exempted from the requirement of providing retirement benefits for a period not to exceed three years from the date on which the Board of Trustees recognizes the establishment of such auxiliary organization.
- 9.8 An auxiliary organization may contract with the District for the services of a District

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employee and reimburse the District for that portion of the employee's full-time assignment (and corresponding benefits) that is spent in providing said services.

10.0 Accounting and Reporting for Auxiliary Organizations

- 10.1 The fiscal year of the auxiliary organization shall coincide with that of the District.
- 10.2 Each auxiliary organization shall develop an accounting system that is in accordance with generally accepted accounting principles.
- 10.3 The auxiliary organization shall implement financial standards that will assure its fiscal viability. Such standards shall include proper provision for professional management, adequate working capital, adequate reserve funds for current operations, capital replacements, contingencies and adequate provisions for new business requirements.
- 10.4 Each auxiliary organization serving the District shall submit its programs and budgets for review at a time and in a manner specified by the Chancellor.
- 10.5 Should the Chancellor determine that any program or appropriation planned by an auxiliary organization is not consistent with District policy, the program or appropriation shall not be implemented. Further, should a program or appropriation which has received approval, upon review, be determined by the Chancellor to be operating outside the acceptable policy of the Board of Governors or the District, then that program or appropriation shall be discontinued by direction of the Chancellor until further review is accomplished and an appropriate adjustment is made.
- 10.6 The Board of Directors of an auxiliary organization shall approve all expenditure authorizations.

11.0 Records and Annual Report of Auxiliary Organizations

- 11.1 Personnel and payroll records shall be maintained as permanent records by each auxiliary organization.
- 11.2 Adequate records of all other transactions of an auxiliary organization shall be maintained for a minimum of five years. Transactions of the organization include, but are not limited to, purchases, disbursements, and investments.
- 11.3 An annual report shall be submitted to the Board of Directors of the auxiliary organization and to the Chancellor by September 15. The report shall include, but is not limited to:
 - 11.3.1 All financial statements required to be filed with the State Chancellor's Office.
 - 11.3.2 A comparison of budgeted and actual expenditures.

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11.3.3 A description of major accomplishments of the organization.

11.3.4 A description of improvements proposed for operation of the organization.

12.0 Annual Audit

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

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

12.2.1 Publishing the audited financial statement in a campus newspaper; or

12.2.2 Publishing a notice in a campus newspaper indicating the on-campus location where copies of the financial statement may be obtained or reviewed; or

12.2.3 Publishing or noticing the audited statement in a campus bulletin or other appropriate medium if a campus newspaper is unavailable.

13.0 Insurance

13.1 An auxiliary organization shall secure and maintain insurance adequate to protect its operations from catastrophic losses and as required by law, including but not limited to, the following:

13.1.1 Comprehensive liability;

13.1.2 Property and extended coverage, when applicable;

13.1.3 All risks, money and securities;

13.1.4 Fidelity and performance bonds covering its chief fiscal officer;

13.1.5 Automotive liability when applicable; and

13.1.6 Workers' Compensation.

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

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- 13.3 A copy of each policy or endorsement or insurance certificates setting forth the coverage and limits shall be provided to the District within 30 days from the receipt of the document.
- 13.4 In obtaining the insurance coverage, the auxiliary organization may secure the insurance directly through its own broker or through the District.

14.0 Auxiliary Organizations: Use of Facilities

- 14.1 Facilities may be made available by the District to an auxiliary organization to perform the functions specified in these regulations or in an agreement, under the following circumstances:
 - 14.1.1 The auxiliary organization may occupy, operate and use such District facilities as are mutually identified as appropriate for the functions and/or activities that have been undertaken by the auxiliary organization.
 - 14.1.2 The auxiliary organization shall pay to the District a charge or rental for the District facilities to be used by it in connection with the performance of its function or functions.
 - 14.1.3 The charge or rental to be paid by the auxiliary organization shall not require involved methods of computation, and shall be identified by the District and the auxiliary organization in sufficient time before it is incurred so that the auxiliary organization may determine to what extent it shall be liable.
 - 14.1.4 The charge or rental to be incurred by an auxiliary organization for use of District facilities in excess of five days shall be incorporated into the agreement between the parties.
 - 14.1.5 An auxiliary organization shall provide full reimbursement to the District for any services performed by District employees under the direction of the auxiliary organization. Methods of proration where services are performed by District employees for the auxiliary organization shall be simple and equitable.

15.0 List of Auxiliary Organizations in Good Standing

- 15.1 Each year, the Chancellor shall provide to the Board of Trustees a list of all auxiliary organizations in good standing. All auxiliary organizations which, after periodic review in the manner specified hereinafter in these regulations, are found to be in compliance with applicable laws, policies and regulations shall be included in the list.
- 15.2 When the Chancellor has reason to believe that a particular organization should be removed from the list of auxiliary organizations in good standing, a conference shall be held to determine whether such grounds for removal do in fact exist. The

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Board of Directors of such organization shall be entitled to participate in this conference, and shall have a minimum of 30 days notice to prepare a response to the issues that have been raised.

15.3 Based upon such conference, the Chancellor shall recommend to the Board of Trustees whether a particular organization should be removed from the list of auxiliary organizations in good standing. The Board of Trustees may, in its sole discretion, remove such an auxiliary organization from said list, and may make such other provisions consistent with law as may be appropriate with respect to an auxiliary organization not included on said list.

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

15.4.1 Use the name of the District;

15.4.2 Have as a director any official in the District acting in his/her official capacity;

15.4.3 Operate a commercial service for the benefit of the District or any of its colleges; and

15.4.4 Receive gifts, property or funds to be used for the benefit of the District or any of its colleges.

15.5 If the auxiliary organization is dissolved or ceases operations upon removal from the list of organizations in good standing, its net assets and liabilities shall be distributed according to the terms of the written agreement between the organization and the District.

16.0 Funds

16.1 Funds of an auxiliary organization shall be used for purposes consistent with District policy where applicable, and shall not be used:

16.1.1 To support or oppose any candidate for public office, whether partisan or not, or to support or oppose any issue before the voters of the state or any subdivision thereof or any city, municipality, or local governmental entity of any kind.

16.1.2 To make personal loans for nonprofit-educationally related purposes, except that such loans be made when specifically authorized by a trust instrument under which the funds were received.

16.2 Grants, bequests, trusts, donation, and gifts accepted by an auxiliary organization shall be maintained in accordance with policies and regulations established by the District.

17.0 Limitation on Transfer of Funds to Auxiliary Organizations

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

18.0 Compliance Review by the Chancellor

18.1 All auxiliary organization procedures and practices shall be reviewed to determine compliance with Education Code Section 72670, et seq., and the policies, rules and regulations of the Board of Governors of the District. The Chancellor shall designate the individual to conduct this review, which shall be conducted at the end of the first complete fiscal year after its establishment and at least once every three years thereafter.

18.2 When the Chancellor's designee determines, after inspection and review, that certain auxiliary organization procedures and practices are not in compliance with policies, rules and regulations of the Board of Governors and the District, a recommendation concerning the items of noncompliance shall be communicated in writing to the Chancellor and to the Board of Directors of the auxiliary organization. The Board of Directors shall reply in writing within 30 days, either describing the actions which will be taken, including time table, to bring said procedures and practices into compliance; or describing the reasons why the Board considers the procedures already to be in compliance.

18.3 If the Chancellor's designee considers the proposed corrective actions to be acceptable, the auxiliary organization shall be so informed. A second compliance review shall be held at the end of the time agreed to and the results communicated in writing to the Chancellor and to the Board of Directors.

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

19.0 Revisions of Rules and Procedures and Reports to the State Chancellor's Office

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

19.2 Any such revisions shall be submitted to the State Chancellor's Office for approval.

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

Date of Adoption: March 23, 2004

Presented to DCC 09/25/17

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 [North Orange 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~~ [North Orange](#) 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 Under no circumstance shall any employee access or alter their own personal records, or cause another employee to access or alter their 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;

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- 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 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

North Orange County Community College District
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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 stated herein.

Date of Adoption: March 23, 2004

Date of Last Revision: September 26, 2016 District Consultation Council
November 23, 2015 District Consultation Council
April 28, 2008 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 3720 Computer and Electronic Communication Systems

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, and assist any staff for which I am responsible for 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

North Orange County Community College District
BOARD POLICY
Chapter 3
General Institution

BP 3740 Web Sites

- 1.0 Official web sites may be created by the District, the colleges, and the [North Orange School of Continuing Education](#), as well as the divisions, departments, and other subdivisions therein. An official home page is the web page that serves as the initial entry point to an institution's web site.
 - 1.1 Official web pages may be established only for legitimate educational purposes to enhance the District's educational mission and to facilitate the educational process of the District. Official web pages are created for the express purpose of disseminating District educational and administrative information.
 - 1.2 These web pages are the property of the District and are intended to be closed forums. As such, the District, the colleges and the [North Orange School of Continuing Education](#) reserve the full right and authority to regulate and limit access to them, and to regulate the content of the items posted so they are consistent with the educational purpose of the District.
 - 1.3 Persons wishing to post items on an official web page pertaining to the educational mission of the District may submit such items to the responsible administrator. Official web pages must be reviewed for accuracy and appropriateness by the responsible administrator, in consultation with the District Director of Public Affairs.
 - 1.4 Unless expressly authorized to do so, students, faculty, and staff may not post items on official web pages.
- 2.0 Faculty, staff, and students of the District may establish "personal" web pages that utilize the District's electronic communications systems if the web page is consistent with District standards as stated in AP3740 and does not violate applicable laws, District or site policies, or assigned resource limits and is established for legitimate educational purposes to enhance the mission of District, colleges and the [North Orange School of Continuing Education](#).
 - 2.1 Persons wishing to establish personal web pages must obtain approval from the appropriate administrator, obtain training if necessary, and sign an acknowledgment and waiver form, stipulating compliance with this policy.
 - 2.2 Web pages utilizing the District's electronic communications systems are not intended to constitute open forums. Therefore, the District reserves the full right and authority to regulate the content of personal web pages so they are consistent with the educational purpose of the District, and to remove personal web pages from the District's electronic communications systems if they deviate from the District's policies and procedures, or are otherwise deemed by the District to be inappropriate.
- 3.0 Standards and guidelines for the development and maintenance of web pages are established to provide consistency and accuracy of information published on the World Wide Web.
- 4.0 The World Wide Web is a fluid environment that offers access to a wide range of information. While the District assumes responsibility for the accuracy and

BP 3740 Web Sites

appropriateness of official District web pages, the District is not responsible for personal web pages. Users who believe the content of a personal page is offensive, obscene, violates District policy, or is inconsistent with the generally accepted norms for web page content may register a formal complaint by contacting the District Office of Public Affairs at (714) 808-4829.

- 5.0 Links to other web sites contain information that is created, published, maintained, or otherwise posted by organizations independent of the District. The District is not responsible for the content of linked web sites and does not endorse, approve, certify, or guarantee the accuracy of any such information.
- 6.0 The District is not responsible for materials viewed on personal web pages or linked web pages.
- 7.0 Links found in violation of District policies may be removed without notification.

See Administrative Procedure 3740.

Date of Adoption: March 23, 2004

Presented to DCC 09/25/17

North Orange County Community College District
ADMINISTRATIVE PROCEDURES
Chapter 3
General Institution

AP 3740 Web Sites

- 1.0 All official web pages must be approved by the administrator in charge of the program, department or division that is the subject of the page, in consultation with the campus Department of Academic Computing or with the District Director of Public Affairs. All official web pages must comply with the following procedures, as well as with those established by the colleges and the [North Orange](#) ~~School of~~ Continuing Education.
- 2.0 Developers of official web pages are encouraged to utilize the resources of design professionals in the District in order to ensure the highest level of quality in presentation and style. Web pages should be both interesting and informative, while projecting a consistent and cohesive image.
- 3.0 All official home pages must include:
 - 3.1 The name and logo of the appropriate college, or the [North Orange](#) ~~School of~~ Continuing Education.
 - 3.2 The North Orange County Community College District name or the abbreviation of the name with a link to the District home page. The District logo may be incorporated if desired, but is not required.
 - 3.3 Disclaimer statement or link to a disclaimer statement.
 - 3.4 Notification when a link is a non-supported District, college or [North Orange](#) ~~School of~~ Continuing Education link.
- 4.0 All official web pages and personal pages (faculty, staff and student) must include:
 - 4.1 The name of the appropriate department or division and the name and logo of the appropriate college, or the [North Orange](#) ~~School of~~ Continuing Education.
 - 4.2 The author of the page, with contact information, such as a “mail to” html tag.
 - 4.3 The most current modification date.
 - 4.4 Disclaimer statement or link to a disclaimer statement.
 - 4.5 All web pages must have links to the appropriate Home Page (CC, FC, [NOCE](#) ~~SCE~~, or District).
 - 4.6 Notification when a link is a non-supported District, college or [North Orange](#) ~~School of~~ Continuing Education link.
- 5.0 Official home or web pages may not include:
 - 5.1 Any commercial advertising unless provided as part of free software for use with the pages.
 - 5.2 Information on for-profit activities or advertising unless in support of District,

AP 3740 Web Sites

college or [North Orange](#) School of Continuing Education activities.

- 5.3 Links to non-District-supported personal home pages, unless they support the academic, research and public service mission of the District.
- 5.4 Copyrighted material without proper authorization.
- 6.0 Photographs, drawings, video clips or sound clips may not be used on a web page without written permission from the owner of the image. In addition, people who are portrayed in such images must sign a release authorizing the use of their likeness unless the image was taken at an event that was clearly public in nature, where it is not feasible to obtain such a release.
- 7.0 Official web pages and their links should be regularly updated to ensure that they are accurate and timely.

Date of Adoption: March 23, 2004

Presented to DCC 09/25/17

AP 3900 Speech: Time, Place, and Manner

Reference:

Education Code Section 76120 and 66301

- 1.0 The students of the District shall be permitted to exercise their rights of free expression subject to the time, place, and manner policies and procedures contained in Board Policy 5550 and these procedures.
- 2.0 The Colleges of the District are non-public forums, except for designated free speech assembly area(s) as follows:
 - 2.1 At Cypress College, the designated free speech assembly areas are: 1) the stage area at the northeast end of the lake; 2) the area at the west end of the Gateway Plaza; and 3) the area generally located around the lake and near the Students' Activity Center, Library/Learning Resource Center, and the Science, Engineering & Mathematics (SEM) Building. Persons using this third designated free speech assembly area may request up to three locations within this area to exercise their free speech rights and are entitled to walk ten yards in either direction from that location to pass out literature or communicate with other persons. In the event these areas of campus become temporarily unavailable for use for any reason including, but not limited to, construction, campus officials shall designate one or more alternate free speech assembly area(s).
 - 2.2 At Fullerton College, the designated free speech assembly area is the south end of the quad. A Free Speech Board is located north of Building 200. In the event this area of campus becomes temporarily unavailable for use for any reason including, but not limited to, construction, campus officials shall designate one or more alternate free speech assembly area(s).
 - 2.3 At the Anaheim Campus, the designated free speech assembly area is the Patio just south of the first floor entrance. A Free Speech Board is located on the south wall of the hallway leading to the Café Cypress dining area directly across from the vending machines. In the event this area of campus becomes temporarily unavailable for use for any reason including, but not limited to, construction, campus officials shall designate one or more alternate free speech assembly area(s).
- 3.0 The designated free speech assembly area(s) are limited public forums. The District reserves the right to revoke that designation and apply a non-public forum designation at its discretion.
 - 3.1 The District reserves the right to designate areas as non-public forums as necessary to prevent the substantial disruption of the orderly operation of the Colleges. Areas of the colleges that are non-public forums specifically include but are not limited to campus offices, classrooms, warehouses, maintenance yards, and locker rooms.
- 4.0 Freedom of expression is guaranteed in the college where such expression does not violate District policy, campus rules, including laws on illegal harassment and

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discrimination, or create a clear and present danger of the commission of unlawful acts, or the substantial disruption of the orderly operation of the College, or disrupt activities already scheduled for that day and time in the designated areas. In the event the area sought to be used for expressive activities has already been reserved for another activity so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the District will offer alternative available areas or if none are available offer alternative dates. Students, outside organizations, and others are encouraged to make reservations in advance to use the areas for their expressive activities by using the optional reservation forms. In order to prevent obstruction of the free passage of students and staff and to avoid disturbing the regular instructional program of the college, campus persons or groups wishing to use the designated free speech assembly area(s) must adhere to the following regulations:

- 4.1 Persons using the designated free speech assembly area(s) must check in with the Chancellor or designee, prior to engaging in the activities and must identify himself or herself as well as the group and state the date, time, and duration of the assembly. This does not involve an advance approval process.
- 4.2 Persons using the designated free speech assembly area(s) and/or distributing material in the designated free speech assembly area(s) shall not impede the progress of passersby, nor shall they force passersby to take material.
- 4.3 Persons using the designated free speech assembly area(s) shall not touch, strike, or otherwise impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
- 4.4 Persons using the designated free speech assembly area(s) shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place.
- 4.5 Persons using the designated free speech assembly area(s) shall not solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the designated free speech assembly area(s) on behalf of and collecting funds for an organization that is registered with the California Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club.
- 4.6 All signs and posters are to remain within the designated free speech assembly area(s).
- 4.7 Persons using the designated free speech assembly area(s) are to respect the rights of all persons on campus, including but not limited to, their right not to receive literature and their right not to engage in dialogue.
- 5.0 Persons using the designated free speech assembly area(s) shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the designated free speech assembly area(s). Material distributed in the designated free speech assembly area(s) that is discarded or dropped in or around the designated free speech assembly area(s) other than in an appropriate receptacle must

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be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the designated free speech assembly area(s).

- 6.0 Students shall be provided with bulletin boards for use in posting materials at campus locations convenient for use by students, staff, and members of the public. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production, and shall be dated with the date of posting by the Cypress College Student Activities Office, the Fullerton College Office of Student Affairs, or the [North Orange School of Continuing Education](#) site manager. Materials displayed shall be removed after the passage of 14 calendar days.

Date of Adoption: June 14, 2005

Date of Last Revision: February 23, 2015 District Consultation Council
June 23, 2014 District Consultation Council
November 24, 2008 Chancellor's Cabinet
March 14, 2006

Presented to DCC 09/25/17

BP 4020 Program and Curriculum Development

Reference:

Education Code Section 70901(b), 70902(b), and 78016;

Title 5, Section 51000, 51022, 55100, 55130, and 55150

U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended;

34 Code of Federal Regulations Sections 600.2, 602.24, 603.24, and 668.8;

ACCJC Accreditation Standards II.A and II.A.9

WASC/ACS Criterion 1, Indicator 1.6 and Criterion 4, Indicator 4.2

- 1.0 The programs and curricula of the District shall be of high quality, relevant to community and student needs, and evaluated regularly to ensure quality and currency.
- 2.0 Although curriculum proposals may originate at any point within the District, it is recognized that curriculum changes and new course proposals generally flow from the departmental level through the division to other points within the approval process.
- 3.0 Each college and the [North Orange](#) School of Continuing Education shall be responsible for adherence to its own intra-curricular process.
- 4.0 On completion of the campus process, curricular items will be presented to the District Curriculum Coordinating Committee by the appropriate curriculum committee chair or designee.
- 5.0 The Vice Chancellor, Educational Services & Technology, shall, in consultation with the faculty, establish procedures for the development and review of all curricular offerings, including their establishment, modification, or discontinuance. Furthermore, these procedures shall include:
 - 5.1 Appropriate involvement of the faculty and Academic Senate in all processes.
 - 5.2 Regular review of programs and courses.
 - 5.3 Opportunities for training for persons involved in aspects of curriculum development.
 - 5.4 Consideration of job market and other related information for vocational and occupational programs.
- 6.0 Definition of a Unit of Credit: Courses shall grant units of credit based upon a relationship specified by the Board between the number of units assigned to the course and the number of lecture and/or laboratory hours or performance criteria specified in the course outline. Each course requires a minimum of three hours of student work per week, per unit, including class time and/or demonstrated competency, for each unit of credit, prorated for short-term, laboratory, and activity courses.
- 7.0 All new courses, programs, and program discontinuances shall be approved by the Board unless this authority is delegated to the Chancellor.

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- 8.0 After Board approval, all new courses that are not part of an existing approved program and all new programs shall be submitted to the Office of the Chancellor for the California Community Colleges for approval as required.
- 9.0 Credit Hour: Consistent with federal regulations applicable to federal financial aid eligibility, the District shall assess and designate each of its programs as either a “credit hour” program or a “clock hour” program.
- 9.1 The Vice Chancellor, Educational Services & Technology, will establish procedures, which prescribe the definition of “credit hour” consistent with applicable federal regulations, as they apply to community college districts.
- 9.2 The Vice Chancellor, Educational Services & Technology, shall establish procedures to assure that curricula in the District comply with the definition of “credit hour” or “clock hour,” where applicable. The Vice Chancellor, Educational Services & Technology, shall also establish procedures for using a clock-to-credit hour conversion formula to determine whether a credit hour program is eligible for federal financial aid. The conversion formula is used to determine whether such a credit-hour operation has an appropriate minimum number of clock hours of instruction for each credit hour it claims.

See Administrative Procedure AP 4020

Date of Adoption: June 22, 2004

Date of Last Revision: October 25, 2016
November 25, 2014
August 7, 2012 Chancellor’s Staff
November 22, 2011
June 14, 2005

Presented to DCC 09/25/17

AP 4020 Program and Curriculum Development

Reference:

**Education Code Section 70902(a);
Title 5, Sections 51021, 51022, et seq.;
Accreditation Standards II.A;
WASC/ACS Criterion 1, Indicator 1.6 and Criterion 4, Indicator 4.2**

1.0 Curriculum Review

1.1 The curriculum review process at each college and the [North Orange School of Continuing Education](#) (hereafter referred to as "~~SCE~~ [NOCE](#)") shall at a minimum be in accordance with all of the following:

1.1.1 Each college and ~~SCE~~ [NOCE](#) will establish a Curriculum Committee. Membership structure of the Curriculum Committee will be mutually agreed upon by the college administration and the Academic Senate at each college and ~~SCE~~ [NOCE](#).

1.1.2 The Academic Senates at each college and ~~SCE~~ [NOCE](#) delegates to the Curriculum Committee, without forfeiting its rights or responsibilities under Title 5, Section 53200-53204, the responsibility to establish prerequisites, corequisites, advisories on recommended preparation, and certain limitations on enrollment using the curriculum review process.

1.1.3 Each college's and ~~SCE~~ [NOCE](#)'s Curriculum Committee also reviews the course and prerequisites in a manner that meets each of the requirements under Title 5, Section 55002, and those specified in each institution's curriculum review process.

2.0 **Program Review:** As a regular part of the program review process or at least every six years, each college and ~~SCE~~ [NOCE](#) shall review prerequisites, corequisites, or advisories to establish that each is still supported by the faculty in the discipline or department and by the Curriculum Committee and is still in compliance with all other provisions of this administrative procedure and with the law. Any prerequisite or corequisite that is successfully challenged under Title 5, Section 55003, subsections (p) and (q) shall be reviewed promptly thereafter to assure that it is in compliance with all other provisions of this administrative procedure and the law.

3.0 **Instructor's Formal Agreement to Teach the Course as Described:** Instructors will be provided with a copy of the approved course outline of record for all courses to which they are assigned. By accepting employment with the District, faculty agree to teach in accordance with the course outline, particularly those aspects of the course outline that are the basis for justifying the establishment of the prerequisite or corequisite.

4.0 Review of Individual Courses

4.1 Once a prerequisite or corequisite has been established according to each college's and ~~SCE~~ [NOCE](#)'s procedures, students will be prevented from enrolling in courses unless they have met the prerequisite or corequisite.

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- 4.2 Levels of Scrutiny: Prerequisites and corequisites must meet the requirements of Administrative Procedure 4260.
- 5.0 **Advisories on Recommended Preparation:** Each college and ~~SCE~~ **NOCE** may recommend that a student meet a standard of readiness at entry only if recommended by the faculty in the discipline or department and by the Curriculum Committee. Such recommended standards of readiness are called advisories.
- 6.0 **District Curriculum Approval Process**
- 6.1 General Policy: Although curriculum proposals may originate at any point within the District, it is recognized that curriculum changes and new course proposals generally flow from the departmental level through the division to other points within the approval process.
- 6.2 Campus Curriculum Committee: Each campus and ~~School of~~ **North Orange** Continuing Education shall be responsible for the development and adherence to its own intra-curricular process. On completion of that process, curricular items will be presented to the District Curriculum Coordinating Committee (DCCC) by the appropriate curriculum committee chair or designee.
- 6.3 District Curriculum Coordinating Committee (DCCC)
- 6.3.1 Voting Membership
- 6.3.1.2 Two faculty each from Fullerton College, Cypress College, and the ~~School of~~ **North Orange** Continuing Education, the selection process to be determined by the academic senates. One of these representatives shall be designated as the lead faculty member of the delegation, as determined by the academic senates, for the purpose of efficient communication.
- 6.3.1.3 A management representative of the curriculum committee from each institution.
- 6.3.2 Non-Voting Membership: The college president from Fullerton College, Cypress College, and the Provost of the ~~School of~~ **North Orange** Continuing Education all serve ex officio.
- 6.3.3 Chairperson
- 6.3.3.1 The Vice Chancellor, Educational Services & Technology, shall be a non-voting chair of the DCCC. It shall be the responsibility of the chair to:
- 6.3.3.1.1 Prepare the agenda, and to schedule meetings in consultation with and review by the lead faculty member from Fullerton College, Cypress College and ~~School of~~ **North Orange** Continuing Education.

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- 6.3.3.1.2 Assemble and distribute data relative to agenda.
- 6.3.3.1.3 Prepare and distribute minutes of the DCCC meetings.
- 6.3.3.1.4 Prepare and distribute curriculum materials for Board of Trustees approval.

6.3.4 Mission and Purpose

- 6.3.4.1 The mission and purpose of the District Curriculum Coordinating Committee (DCCC) is to:
 - 6.3.4.1.1 Ensure that Cypress College, Fullerton College, and ~~SCE~~ **NOCE** curriculum complies with all relevant legal requirements (Title 5, California Education Code, etc.).
 - 6.3.4.1.2 Coordinate Cypress College, Fullerton College, and ~~SCE~~ **NOCE** curricula to facilitate student access and success.
 - 6.3.4.1.3 Support and facilitate consistency and compatibility of Cypress College, Fullerton College, and ~~SCE~~ **NOCE** curriculum while respecting institutional uniqueness.
 - 6.3.4.1.4 Facilitate efficient processing of curriculum at the District level.
 - 6.3.4.1.5 Address other matters of curriculum as determined appropriate by the voting membership of the DCCC, in consultation with the academic senates.

6.3.5 Procedures

- 6.3.5.1 The DCCC shall meet once a month during the regular semesters of the colleges and ~~SCE~~ **NOCE**.
 - 6.3.5.1.1 Additional meetings may be called by the Vice Chancellor, Educational Services & Technology, at the request of the campus academic senates or campus administration.
- 6.3.5.2 Staff members are welcome to attend DCCC meetings as resources.

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6.3.5.3 Prior to submittal to the Board of Trustees for approval, summaries of curricula must be submitted for review and recommendation by the DCCC. This includes all new curricula, deletions and major revisions.

6.3.5.3.1 The DCCC shall review curriculum to ensure the following:

6.3.5.3.1.1 Compliance with all relevant legal requirements, including, but not limited to, fees, course repeatability, distance education provisions and course numbering provisions;

6.3.5.3.1.2 Utilization of the approved Fullerton/Cypress Class Size Planning and Resource Document in consideration of class size, with additional discipline and/or course specific justification, and in recognition that not every course will fit the categories on the document;

6.3.5.3.1.3 Appropriateness of lecture/lab and unit designations, tied to pedagogical methodology and other curricular considerations determined by the campus curriculum approval process;

6.3.5.3.1.4 Compliance with established safety guidelines;

6.3.5.3.1.5 Support course articulation with four-year colleges and universities.

6.3.5.3.2 Minor curriculum revisions, including textbook updates, minor revisions to course content that do not change the overall scope of the course, changes in schedule description and mandated course reviews that do not have significant changes, will be approved by the colleges and ~~SCE~~ **NOCE** and implemented according to campus curriculum approval process.

6.3.6 Curriculum Recommendations

6.3.6.1 Prior to submittal to the DCCC, all curricula shall be reviewed in accordance with local campus procedures.

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- 6.3.6.2 Upon DCCC review of proposals for curriculum revision, and approval by majority vote for new curriculum and deletion proposals, curriculum shall be forwarded by the campuses to the Board of Trustees for approval through the Office of the Vice Chancellor, Educational Services and Technology.
 - 6.3.6.2.1 If submitted new curriculum or deletion proposals are not recommended by a majority vote of the DCCC, the Vice Chancellor, Educational Services & Technology, shall inform representatives of the appropriate campus of the rationale in writing and request that faculty address the concerns.
 - 6.3.6.2.2 Curriculum advanced by the campuses for DCCC review and recommendation shall first be approved by the local curriculum committee.

Date of Adoption: June 22, 2004

Date of Last Revision: September 14, 2016 Chancellor's Staff
March 23, 2015 District Consultation Council

Presented to DCC 09/25/17

AP 4021 Educational Program Discontinuance

Reference:

Education Code Section 78016;
Title 5 Sections 51022 and 55130;
ACCJC Accreditation Standard II.A.15;
WASC/ACS Criterion 1, Indicator 1.6; Criterion 4, Indicator 4.2

- 1.0 **Statement of Purpose:** The North Orange County Community College District is committed to the vitality and integrity of its educational programs as defined in BP4021 as validated by processes of regular and ongoing evaluation. The purpose of this Procedure is to provide a framework for the effective consideration of program vitality that utilizes regular and rigorous institutional evaluation, and in those rare instances where consideration of discontinuance of educational programs is appropriate, to provide a framework and a process of effective engagement within which to consider the relevant issues and to come to an appropriate and timely institutional resolution.
- 2.0 **Consideration of Collective Bargaining Rights:** Nothing contained in this Procedure is intended to infringe upon, diminish, or supersede any collective bargaining rights established for employees of the District. It is the intention of the District that consideration of issues appropriately under the scope of bargaining be addressed through the regular processes established for such consideration by the District and its collective bargaining units.
- 3.0 **Process of Regular Program Evaluation:** The District is committed to regular processes of evaluation of its programs that support and advance the District mission. The colleges/~~SCE~~ **NOCE** shall engage in institutional evaluation processes in support of excellence and in accord with all appropriate statutory and accrediting body standards and requirements.
 - 3.1 Based upon information generated as a result of regular evaluation processes, the process of Special Review may be invoked at the request of any of the following site representatives:
 - 3.1.1 College President/Provost of the campus where the program is located, or;
 - 3.1.2 Chief Instructional Officer of the college or appropriate Dean for ~~SCE~~ **NOCE**, or;
 - 3.1.3 Chief Student Services Officer of the college or dean designated by the Provost for ~~SCE~~ **NOCE**, or;
 - 3.1.4 Dean/Program Manager of the program under consideration, or;
 - 3.1.5 Department/Program Faculty from program under consideration, or;
 - 3.1.6 Academic senate from the institution of the program under review, or;
 - 3.1.7 Institutional Researcher.

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- 3.2 Programs may be considered for Special Review in accord with the following Indicators:
- 3.2.1 The following are considered Tier 1 Indicators. When any one of these criteria are established relative to a program, Special Review shall be initiated:
- 3.2.1.1 Declining enrollment demand that is statistically significant over the course of at least two (2) academic years;
 - 3.2.1.2 Clear program obsolescence as indicated by appropriate workforce data scans of CTE programs or by recommendation of the program advisory committee;
 - 3.2.1.3 Loss of required program accreditation.
- 3.2.2 The following are considered Tier 2 Indicators. When two or more of these criteria are established relative to a program, Special Review shall be initiated:
- 3.2.2.1 Consistently and statistically significant declining retention rates for at least two (2) academic years;
 - 3.2.2.2 Consistently and statistically significant declining student success rates for at least two (2) academic years;
 - 3.2.2.3 Low term to term student persistence for at least two (2) academic years;
 - 3.2.2.4 Low rate of student achievement of program goals as defined in program mission and goals statements for at least two (2) academic years;
 - 3.2.2.5 Insufficient frequency of course offerings to provide pathways to student completion of program mission and goals;
 - 3.2.2.6 Unavailability of transfer major program of study;
 - 3.2.2.7 Decline in importance of program in support of other programs of the college/~~SCE~~ [NOCE](#);
 - 3.2.2.8 Undue impact of program on resources of the college/~~SCE~~ [NOCE](#).
- 3.2.3 The institutions shall establish appropriate definitions and standards for the criteria listed above and may establish other criteria as mutually agreed upon by the College President/Provost and the academic senate from the institution of the program under consideration.

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3.2.3.1 At the time of the establishment of additional criteria under this provision, there will also be a determination establishing the tier level of the criteria.

4.0 Process of Special Review

- 4.1 When Special Review is invoked in accord with section 3.1 of this procedure, the college/~~SCE~~ **NOCE** shall convene a Special Review Committee (SRC) consisting of the following:
- 4.1.1 chief instructional officer or appropriate Dean (~~SCE~~ **NOCE**), voting;
 - 4.1.2 1 faculty member not from the program area selected by the academic senate from the institution of the program under review, voting;
 - 4.1.3 1 dean/manager not from the program area appointed by the President/Provost, voting.
 - 4.1.4 dean/program manager of the program area undergoing Special Review, non-voting;
 - 4.1.5 department/program coordinator, or designee from the faculty (~~SCE~~ **NOCE**), of the program undergoing Special Review, non-voting;
 - 4.1.6 institutional research officer, non-voting;
 - 4.1.7 1 faculty member from the curriculum committee from the institution of the program under review appointed by the academic senate, non-voting.
- 4.2 The Special Review Committee shall conduct a comprehensive review of the program that shall include, but not be limited to, the information serving as the basis for invoking Special Review.
- 4.2.1 Subsequent to review of all of the relevant information, the SRC shall present its findings, including recommendations on a timeframe for resolution and a course of action, to the college/ ~~SCE~~ **NOCE** planning/governance body as established in accord with section 5.0 of this Procedure.
 - 4.2.2 Continuation: The SRC may recommend that the program should continue. This determination shall be based upon a finding that the program under consideration remains viable and meets critical needs in accord with the District and/or college/~~SCE~~ **NOCE** mission.
 - 4.2.3 Improvement/Revitalization/Re-Focus: The SRC may recommend improvement, revitalization, or refocusing. Under this recommendation, an improvement/revitalization/refocusing plan shall be included in the recommendation. A program undergoing improvement/revitalization/refocus under this provision shall be reconsidered in accord with a time

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frame recommended by the SRC or as modified through the regular site governance process.

4.2.4 Reduction: The SRC may recommend that the program be reduced in scope in conjunction with a finding that such reduction is appropriate and necessary in consideration of student and institutional needs. Along with a recommendation for reduction, the SRC shall indicate the rationale and shall also include conditions for reconsideration, if appropriate.

4.2.5 Abeyance: The SRC may recommend that the program be held in abeyance. Along with such a recommendation, the SRC shall indicate the rationale and shall also include conditions for reconsideration. Abeyance shall not be invoked for more than 2 academic years without reconsideration by the SRC.

4.2.6 Discontinuance: The SRC may recommend that the program be discontinued.

4.2.6.1 If the SRC recommendation for discontinuance is validated in accord with provisions of this Procedure, a plan for discontinuance shall be developed jointly by the local administration and academic senate to establish appropriate actions and a timeframe conducive to the needs of students currently engaged in the program.

5.0 **Consideration by College/~~SCE~~ NOCE Governance Bodies**: Subsequent to a determination by the SRC, the recommendations shall be considered in accord with college/~~SCE~~ NOCE governance and planning structures as mutually agreed between the appropriate academic senate and the College President/Provost.

5.1 The local process of review shall assure the involvement of the academic senate from the institution of the program under review in a timeframe conducive to faculty consideration of the recommendation.

5.2 After consideration of the determinations and recommendations of the SRC, the appropriate college/~~SCE~~ NOCE governance body of the institution of the program under review shall make a recommendation to the College President/Provost for consideration.

5.3 The College President/Provost shall take action in accord with this Procedure regarding any recommendation related to program status.

5.3.1 If the recommended course of action is Continuance, Improvement/-Revitalization/Refocus, Abeyance, or Reduction, and the College President/Provost concurs, the College President/Provost shall finalize and implement an appropriate plan in accord with the recommendation.

5.3.1.1 If the College President/Provost does not concur, the matter shall be redirected and given additional consideration by the Special

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Review Committee and by the appropriate site governance body taking into account the concerns of the College President/Provost.

5.3.2 If the recommended course of action is Discontinuance and the College President/Provost concurs, a recommendation for discontinuance shall be forwarded to Chancellor's Staff for review and discussion prior to consideration by the Board of Trustees.

5.3.2.1 If the College President/Provost does not concur, the matter shall be redirected and given additional consideration by the Special Review Committee and by the site governance body taking into account the concerns of the College President/Provost.

6.0 **Consideration by the District Curriculum Coordinating Committee:** Cross-curricular issues and program consideration will be considered by the District Curriculum Coordinating Committee prior to consideration by Chancellor's Staff.

7.0 **Consideration by Chancellor's Staff:** Any recommendation by the appropriate College President/Provost for program discontinuance in accord with these Procedures shall be considered as an agenda item at Chancellor's Staff. In addition to the information provided by the College/~~SCE~~ **NOCE**, Chancellor's Staff shall also consider information relevant to cross-curricular issues and program coordination.

7.1 Subsequent to discussion at Chancellor's Staff, if the Chancellor concurs with the recommendation for discontinuance, the matter shall be considered as an agenda item by the Board of Trustees

7.1.1 If the Chancellor does not concur with the recommendation, the College President/Provost of the appropriate site shall present the Chancellor's written rationale to the appropriate governance body for reconsideration.

8.0 **Consideration by the Board of Trustees:** The Board of Trustees shall consider any recommendation for program discontinuance from the Chancellor at a meeting of the Board in accord with its regular processes and procedures. The Board shall take into account all information generated in accord with these Procedures, and any other information determined to be appropriate by the Board, in their consideration of the recommendation.

8.1 The academic senate at the site of the program under consideration shall have the right to address matters of program discontinuance at meetings where such issues are considered, including those instances where the academic senate disagrees with a recommendation for discontinuance.

8.2 The determination by the Board of Trustees in accord with these procedures shall be final.

AP 4021 Educational Program Discontinuance

Date of Adoption: February 14, 2012

Date of Last Revision: September 14, 2016 Chancellor's Staff
August 24, 2015 District Consultation Council

Presented to DCC 09/25/17

AP 4060 Delineation of Functions Agreement

Reference:

Education Code Section 8535; 8536

1.0 Delineation of Functions Agreement Development Process

- 1.1 In order to be in compliance with Education Code Sections 8535 and 8536, whenever the District is approached by another educational agency (public school district or community college district) to assume responsibility for any or all of that agency's adult education apportionment, the following procedure will be implemented.
 - 1.1.1 The Provost of the ~~School of~~ **North Orange** Continuing Education (~~SCE~~ **NOCE**) will receive the proposal from the requesting school district, containing a list of the courses, which they wish to transfer to NOCCCD, as well as an enrollment history for these courses for two years.
 - 1.1.2 The Provost will forward the proposal to the ~~SCE~~ **NOCE** curriculum Committee for review with respect to whether the proposed classes fit within the ~~SCE~~ **NOCE** mission and curriculum. Such review would consist of, but not be limited to, information on course titles, course content, projected enrollment, location of and faculty credential requirements. The Curriculum Committee will present the proposal to the Provost's Cabinet for review with a recommendation as to whether or not the proposed transfer should be accepted.
 - 1.1.3 If approved by the Provost's Cabinet, a memorandum of understanding specifying a Delineation of Functions Agreement will be developed jointly with the requesting school district. The agreement shall contain all legal and contractual obligations of either or both districts under the program with appropriate time requirements. Furthermore, the written transfer agreement shall specify 1) that only courses that qualify as community college noncredit education under California Education Code Section 84711 shall be transferred and 2) the number of FTES proposed to be transferred from the district with the existing program.
 - 1.1.4 The memorandum of understanding specifying the Delineation of Functions Agreement will be submitted to the NOCCCD Board of Trustees for approval.
 - 1.1.5 If approved by the Board, appropriate paperwork and reports required by the California Community College Chancellor's Office will be completed in a timely fashion and submitted for implementation.

Date of Adoption: June 22, 2004

Presented to DCC 09/25/17

AP 4102 Career and Technical Education Programs

Reference:

Title 5, Sections 55600, et seq.;
2 Code of Federal Regulations Part 200 (The Federal Education Department General Administrative Regulations, 2nd Edition);
34 Code of Federal Regulations Part 600 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);
ACCJC Accreditation Standard II.A.14;
WASC/ACS Criterion 6, Indicator 6.3; Criterion 4, Indicator 4.2

- 1.0 The competence of students completing vocational and occupational programs shall be evaluated by the same criteria that is used for all courses and in accordance with specific requirements established by the Colleges and the ~~School of~~ [North Orange](#) Continuing Education for individual programs.
- 2.0 Advisory committees for occupational/vocational programs shall be established by the colleges and the ~~School of~~ [North Orange](#) Continuing Education to assist in maintaining relevant curriculum, technology, equipment, and course content, and to serve as liaison with potential employers.
- 3.0 Members of advisory committees are appointed in accordance with processes established by the colleges and the ~~School of~~ [North Orange](#) Continuing Education and should include appropriate program faculty, employers and employees in the field for which the program is designed to train students; former and current students; the Department Coordinator or Program Director; and the Division Dean.
- 4.0 Consistent with federal regulations pertaining to federal financial aid eligibility, the Chancellor will ensure that the District complies with the United States Department of Education's disclosure requirements for each of the District's gainful employment programs, by disclosing federally-mandated information about the programs to prospective students. The District shall make the required disclosures available to prospective students in promotional materials and on its web site.
- 5.0 The Chancellor shall establish procedures to ensure that the District meets these reporting requirements whenever the District intends to add a new gainful employment program.

Date of Adoption: June 22, 2004

Date of Last Revision: September 14, 2016 Chancellor's Staff
August 24, 2015 District Consultation Council
November 14, 2011 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 4110 Honorary Degrees

Reference:

Educational Code Section 72122

- 1.0 Through established processes at the Colleges and ~~School of~~ [North Orange](#) Continuing Education, the awarding of honorary degrees may be recommended to the Board.

Date of Adoption: June 22, 2004

Presented to DCC 09/25/17

BP 4225 Course Repetition

Reference:

Title 5, Sections 55023-55024; 55030; 55040-55045; 56022; 56029; 58161

- 1.0 The colleges shall designate, in accord with relevant California regulations and statutes, those courses that are repeatable due to the activity (e.g., physical education) or performance (e.g., music, dance, art) nature of instructional activities contained in the courses. Students may repeat courses in colleges within the District and designated as repeatable up to the allowable limit established by the colleges, but in no case shall a student be allowed to repeat such courses more than three (3) times.
- 2.0 Students may repeat no more than two times the same course in colleges within the District in which substandard grades or W's were assigned. The colleges may establish local procedures to intervene and advise students who have received multiple substandard grades or excessive W's prior to re-enrolling in the same course in any college within the District.
 - 2.1 The colleges shall exclude the first two substandard grades a student has earned in a course offered at a college within the District in computing the overall GPA if the student repeats the course two times.
 - 2.2 An assignment of MW in accord with provisions related to military service shall not count toward the college computation or exclusion related to probation or dismissal.
 - 2.3 An assignment of MW shall not count toward the maximum allowable number of repetitions to which the student would otherwise be entitled.
 - 2.4 Students who have previously earned a grade of C or better in a course offered at the colleges within the District shall be allowed to repeat the course under the following conditions:
 - 2.4.1 There is a recency requirement for the course as a prerequisite at an accredited institution to which the student will be transferring, or
 - 2.4.2 The appropriate college curriculum committee has established a recency requirement in accord with the regular prerequisite approval process.
 - 2.4.3 When a student repeats a course offered at a college within the District under these provisions, the previous grade and credit will be disregarded in computing the student's cumulative GPA.
 - 2.5 In accord with a determination that such repetition is required as a disability-related accommodation for a particular student, repetition any number of times in a special class for students with disabilities offered at colleges within the District shall be allowed.
 - 2.5.1 The previous grade and credit will be disregarded in computing the student's cumulative GPA each time the course is repeated under this provision.

BP 4225 Course Repetition

- 2.6 A student may enroll in an open entry/open exit course offered at colleges within the District as many times as necessary to complete one time the entire curriculum of the course as described in the course outline of record. Repetition of any portion of such a course may be allowed only under the following provisions:
- 2.6.1 the course is required for legally mandated training, or
 - 2.6.2 the course is a special class for students with disabilities, or
 - 2.6.3 repetition of the course is justified due to extenuating circumstances, or
 - 2.6.4 the student wishes to repeat the course in accord with section 2.1 of this policy.
- 2.7 Each time a student enrolls in a physical education activity course offered in an open entry/open exit basis, regardless of the number of units for which the student enrolls, the enrollment shall count as a repetition of the course for purposes of section 1.0.
- 2.8 When course repetition of a portion of a course is permitted under the circumstances described in section 2.6, the previous grade and credit shall be disregarded in computing the student's cumulative GPA.
- 3.0 Students may repeat the same course in colleges within the District beyond the provisions indicated above if:
- 3.1 Apportionment is not claimed, and
 - 3.2 The chief instructional officer or the chief student services officer (as designated by the college) approves of such enrollment subsequent to review of a petition filed by the student.
- 4.0 The colleges shall establish local procedures to allow for the repetition of a course offered in the colleges within the District that is not designated as a repeatable course where a determination has been made that there are extenuating circumstances, which justify the repetition.
- 5.0 When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, ensuring a true and complete academic history.
- 6.0 Specific regulations regarding course repetitions will be included in the college catalogs and made available to students.
- 7.0 No limits are imposed on the repetition of non-credit courses. However, in the case of special non-credit courses, such as those for students with disabilities, restrictions on repeatability may be imposed when students are judged to have met the objectives of a course and/or are no longer making measurable progress.

See Administrative Procedure 4225.

BP 4225 Course Repetition

Date of Adoption: June 22, 2004

Date of Last Revision: March 8, 2011

Presented to DCC 09/25/17

AP 4225 Course Repetition

Reference:

Education Code Section 76224;
Title 5, Section 55040; 55041; 55042; 55043; 55253; 56029, [and 58161](#)

- 1.0 In accord with limitations established in BP4225, students may petition for approval to repeat courses in which the maximum number of substandard grades were awarded.
 - 1.1 Substandard grades are considered to be D, F, NC, or NP. A withdrawal from a course with a notation of “W” shall not be considered a substandard grade. The colleges are authorized to establish procedures for the exclusion of students from courses in which they have earned substandard grades or recorded withdrawals and repetitions beyond the specific limits established by the District.
- 2.0 Students who have received three substandard grades (D, F, or NC, or NP) in a course shall normally be prohibited from re-enrolling in the same course within the District. The colleges shall establish procedures for the consideration of requests from students to retake courses in which three or more substandard grades have been earned.
 - 2.1 Students may petition to have a substandard grade, grade points, and units excluded from computation of the student’s grade point average in accord with college procedures.
 - 2.2 Courses that are repeated shall be recorded on the student’s permanent academic record using an appropriate symbol. Annotating the permanent record shall be done in a manner that all work remains legible, insuring a true and complete academic history.
- 3.0 The colleges may establish procedures for the exclusion of students from courses in colleges within the District for which they have received excessive “W’s” in accord with BP4225, section 2.1. Specifically, the colleges may block students from re-enrolling in such courses. The colleges shall establish procedures for the consideration of requests from students to retake courses in which excessive “W’s” have been earned.
- 4.0 The colleges may adopt procedures consistent with Title 5, Section 55041(b), to allow repetition of courses for which substandard work has not been recorded in instances when such repetition is necessary for a student to meet a legally mandated training requirement as a condition of continued paid or volunteer employment.
 - 4.1 Students may repeat a cooperative work experience course pursuant to District policy any number of times as long as they do not exceed the limits on the number of cooperative work experience set forth in Title 5 Section 55253(a).
- 5.0 Specific regulations regarding course repetition shall be published in the college catalogs.
 - 5.1 Students should consult the college catalogs for specific procedures for courses that are exempt from repetition, provisions for repeating courses taken at another college, and provisions for repetition of work not recorded as substandard.

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ADMINISTRATIVE PROCEDURES
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AP 4225 Course Repetition

- 6.0 Students enrolled in non-credit special courses for students with disabilities may be subject to limitations on repeatability. Disabled Students Program & Services (DSPS) counselors, in conjunction with the faculty, will identify those students who have met course objectives and will recommend them for transition. Students who have been recommended for transition, but who wish to repeat courses in which they have met the objectives, will be referred to the Transition Committee that is comprised of ~~School of~~ [North Orange](#) Continuing Education (~~SCE~~ [NOCE](#)) DSPS faculty and administrators, as well as SCE resource faculty. This committee will review the students' records and progress and will make a decision on their request to repeat courses. If the Transition Committee recommends transition and students still wish to continue to repeat courses, they may appeal the Transition Committee's recommendation by following the DSPS Appeals/Complaints Procedures.

Date of Adoption: June 22, 2004

Date of Last Revision: September 26, 2016 District Consultation Council
February 14, 2011, Chancellor's Cabinet

Presented to DCC 09/25/17

AP 4231 Grade Changes

Reference:

**Education Code Section 76224, 76232;
Title 5, Section 55025**

- 1.0 When a grade given in error has been corrected, the incorrect grade shall be expunged from the student's permanent record.
- 2.0 Each college and the ~~School of~~ [North Orange](#) Continuing Education (~~SCE~~ [NOCE](#)) shall establish procedures for students who feel they have been graded unfairly to seek redress.
 - 2.1 The college procedures shall be referenced in the college catalog and student handbook, and made available in the Student Affairs and Counseling offices.
 - 2.2 The ~~School of~~ [North Orange](#) Continuing Education procedures shall be available in the ~~SCE~~ [NOCE](#) Counseling Offices and on the ~~SCE~~ [NOCE](#) website.

Date of Adoption: June 22, 2004

Date of Last Revision: March 5, 2008 Chancellor's Staff

Presented to DCC 09/25/17

AP 4240 Academic Renewal

Reference:

Title 5, Sections 55044 and 55046

- 1.0 The Academic Renewal Procedure (Section 51318, California Administrative Code) permits the alleviation of students' previously recorded substandard academic performance that is not reflective of a student's present demonstrated ability and level of performance. As a consequence, Academic Renewal may gain for students the benefits of their current level of ability and performance and not permanently penalize them for poor performance in the past.
- 2.0 The college may disregard particular previously recorded substandard work from a student's cumulative grade point average per procedures below:
 - 2.1 Only units taken at the colleges and the ~~School of~~ [North Orange](#) Continuing Education may be alleviated, not units taken from other college(s). The maximum number of units that may be alleviated is 24 units of substandard grades: D, F, and NCR.
 - 2.2 A student may be granted academic renewal only once and is irreversible once posted to the transcript.
 - 2.3 A minimum of twelve (12) units must be completed at any accredited college or university, with a grade-point average of 2.5 in all units since the last semester of requested renewal.
 - 2.4 A minimum of 12 months must have elapsed since the most recent coursework to be alleviated was recorded.
 - 2.5 Courses that meet the present educational goals of the students and that are appropriate for repetition may be exempt from consideration for alleviation.
 - 2.6 An Academic Renewal form must be submitted for review and is available in the Admissions and Records Office. Official transcripts from other colleges must be on file in the Admissions and Records Office.
 - 2.7 Academic renewal does not guarantee that other institutions outside the District will approve such action. This determination will be made by the respective transfer institution.
 - 2.8 The Admissions and Records Office shall maintain a record of action taken under academic renewal.

Date of Adoption: June 22, 2004

Date of Last Revision: May 6, 2009 Chancellor's Staff
August 20, 2008 Chancellor's Staff

Presented to DCC 09/25/17

BP 4250 Probation, Dismissal, and Readmission

Reference:

**Education Code Section 70902 (b)(3);
Title 5, Section 55030 through 55034**

1.0 Credit Program Students

1.1 Probation and Dismissal

- 1.1.1 Application of Provisions: This policy shall apply to all registered students equally, regardless of previous degrees earned or the number of units in which a student is enrolled, except that grades earned elsewhere prior to admission in a college within the North Orange County Community College District shall not be considered in determining probationary status.
- 1.1.2 For the purpose of this policy, semesters shall be considered consecutive based on the student's enrollment pattern, excluding the summer session.
- 1.1.3 Standards of Scholastic Probation:
 - 1.1.3.1 Academic Probation: A student who has attempted at least 12 semester units shall be placed on academic probation if the student has earned a cumulative grade point average below 2.0.
 - 1.1.3.2 Progress Probation: A student who has enrolled in a total of at least 12 semester units shall be placed on progress probation when the percentage of all units in which the student has enrolled and for which entries of "W" (Withdrawl), "I" (Incomplete), "NC" (No Credit), and "NP" (No Pass) were recorded reaches or exceeds fifty percent (50%).
- 1.1.4 Notification, Recording, and Appeal of Scholastic Probationary Status:
 - 1.1.4.1 Each college will make a reasonable effort to notify students when they are placed on scholastic probation.
 - 1.1.4.2 Students on scholastic probation shall be automatically considered "conditional" registrants with their programs subject to limitations, conditions and/or adjustments as determined by the colleges.
 - 1.1.4.3 A student who is placed on scholastic probation may submit an appeal in accordance with administrative procedure.
- 1.1.5 Removal from Scholastic Probation: A student on academic probation shall be removed from probation when the student's accumulated grade point average is 2.0 or higher. A student on progress probation shall be removed from probation when the percentage of units in the categories of "W," "I," "NC," and "NP" drops below fifty percent.

BP 4250 Probation, Dismissal, and Readmission

1.1.6 Standards for Scholastic Dismissal:

- 1.1.6.1 A student who is on academic probation shall be subject to dismissal if the student has earned a cumulative grade point average of less than 2.0 in all units attempted in each of two (2) consecutive semesters, excluding summer sessions.
- 1.1.6.2 A student who is on progress probation shall be subject to dismissal if the cumulative percentage of units in which the student has been enrolled for which entries of "W," "I," "NC," and "NP" are recorded in at least two (2) consecutive semesters reaches or exceeds fifty percent, excluding summer sessions.
- 1.1.6.3 A student whose academic performance warrants Scholastic Dismissal but in the third consecutive semester achieves a grade point average of 2.0 or higher, or receives grades of "W," "NC," "I," and "NP" for less than 50% of the current semester units enrolled, will not be dismissed, and notation of dismissal will not appear on the student's transcripts.

1.1.7 Notification, Recording, and Appeal of Scholastic Dismissal Status:

- 1.1.7.1 Each college shall make a reasonable effort to notify a student who is subject to academic and/or progress dismissal no later than the beginning of the fall semester each academic year.
- 1.1.7.2 Scholastic dismissal will be permanently noted on the student's transcript.
- 1.1.7.3 A student who is dismissed may submit a written appeal in compliance with administrative procedure.

- 1.1.8 Readmission: A dismissed student will be considered for readmission by filing a written petition of appeal/readmission. If readmitted, the student shall continue on academic probation until a cumulative grade point average of 2.0 or higher has been achieved, and/or progress probation until the percentage completed is greater than fifty percent (50%) of the units, which the student has attempted. Appeals/Readmission may be granted, denied, or postponed according to criteria established by administrative procedure.

2.0 Non-Credit Program Students

2.1 Probation and Dismissal

- 2.1.1 Non-credit terms shall be considered consecutive based on the student's enrollment pattern commencing with the student's initial enrollment.

BP 4250 Probation, Dismissal, and Readmission

- 2.1.2 Standards of Scholastic Probation: A student who has enrolled at the ~~School of~~ North Orange Continuing Education (~~SCE~~NOCE) shall be placed on program probation when the requirements for academic progress as defined by the department are not met. An ~~SCE~~ NOCE student will not be placed on program probation in their initial term of enrollment.
- 2.1.3 Notification, Recording, and Appeal of Scholastic Probationary Status: ~~SCE~~ NOCE will make a reasonable effort to notify students when they are placed on scholastic probation.
- 2.1.4 Removal from Scholastic Probation: An ~~SCE~~ NOCE student placed on program probation shall be removed from probation when the academic progress requirements as set forth by the department are met.
- 2.1.5 Standards for Scholastic Dismissal:
- 2.1.5.1 An ~~SCE~~ NOCE student on program probation shall be subject to dismissal if the academic progress requirements are not met for two consecutive terms, or equivalent thereof, in which the student was enrolled.
- 2.1.5.2 An ~~SCE~~ NOCE student whose academic performance warrants Scholastic Dismissal but is in the third consecutive term or the equivalent thereof meets the academic progress requirements will not be dismissed and notion of dismissal will not appear on the student's transcripts.
- 2.1.6 Notification, Recording, and Appeal of Scholastic Dismissal Status: ~~SCE~~ NOCE shall make a reasonable effort to notify a student who is subject to progress dismissal no later than the beginning of the term in which the standards of the progress dismissal are met.
- 2.1.7 Readmission: A dismissed student will be considered for readmission by filing a written petition of appeal/readmission. If readmitted, the ~~SCE~~ NOCE student shall continue on program probation until the academic progress requirements as set forth by the department are met. Appeals/Readmission may be granted, denied, or postponed according to criteria established by administrative procedure.

See Administrative Procedure 4250.

Date of Adoption: June 14, 2005

Date of Last Revision: June 28, 2016
February 24, 2009

Presented to DCC 09/25/17

AP 4250 Probation, Dismissal, and Readmission

Reference:

**Education Code Section 70902(b)(3);
Title 5, Sections 55030 - 55034**

1.0 Credit Program Students

1.1 Probation

- 1.1.1 Placement on Probation: A student is placed on academic probation when his or her cumulative grade point average falls below 2.0; a student is placed on progress probation when fifty percent (50%) or greater of all units attempted result in grades of "W," "NC," "I" or "NP." A student is not placed on probation until he or she has enrolled in 12 semester units in a college within the North Orange County Community College District.
- 1.1.2 Probation Notification: At the end of the fall or spring semester during which a student qualifies for probation status, a letter or other communication will be sent, including the district policy regarding probation and a description of support services available to help the student improve academic performance.
- 1.1.3 Appeal of Probation: A student placed on either academic probation or progress probation may file a written petition of appeal if he or she believes an error has been made. The appeal will be reviewed by the Admissions and Records Office.
- 1.1.4 Removal from Probation: A student will be removed from probation when his or her cumulative grade point average is 2.0 or greater, and/or the cumulative percentage of "W," "NC," "I" and "NP" grades is less than fifty percent (50%) of all units attempted.

1.2 Scholastic Dismissal

1.2.1 Standards for Dismissal:

- 1.2.1.1 Academic Dismissal: A student on academic probation shall be dismissed if the student has earned a cumulative grade point average of less than 2.0 in all units completed in each of two consecutive semesters excluding summer sessions.
- 1.2.1.2 Progress Dismissal: A student on progress probation shall be dismissed if his or her percentage of units for which a "W," "NC," "I" or "NP" were received reaches or exceeds fifty percent (50%) for two consecutive semesters excluding summer sessions.
- 1.2.1.3 Transcript Notation: Dismissal will be permanently noted on the student's transcript.

AP 4250 Probation, Dismissal, and Readmission

- 1.3 Dismissal Notification: At the end of the semester after which a student becomes eligible for scholastic dismissal, a letter or other communication will be sent, including a description of the dismissal status and the procedure to petition for readmission to the college.
- 1.4 Appeal of Dismissal: A student placed on either academic or progress dismissal may file a written petition of appeal if he or she believes an error has been made. The appeal will be reviewed by the Admissions and Records Office.
- 1.5 Readmission After Dismissal:
 - 1.5.1 Petition for Readmission: Students may petition for readmission to the college after being dismissed by filing a written petition. The procedure and deadlines to file a petition will be included in the Dismissal Notification as noted in section 1.3.
 - 1.5.2 Review of Petition for Readmission: The petition will be reviewed by the Admissions and Records Office.
 - 1.5.3 Standards for Readmission: The following will be considered during the review of a student's petition for readmission:
 - 1.5.3.1 Documentation of extenuating circumstances during the semesters on which the dismissal was based.
 - 1.5.3.2 A marked improvement between the semesters on which the dismissal was based.
 - 1.5.3.3 An atypical academic performance during the semesters on which the dismissal was based compared to prior academic history.
 - 1.5.3.4 Documentation of formal or informal educational experiences since completion of the semesters on which the dismissal was based.
 - 1.5.3.5 Documentation of an improved grade point average as a result of grade changes, fulfillment of incomplete courses or academic renewal.
 - 1.5.4 Denial of Petition for Readmission: If a student's petition for readmission is denied, the student may file a new petition for readmission after an absence of one semester.
 - 1.5.5 Approval of Petition for Readmission: If a student's petition for readmission is approved, the student will remain on probation until his or her cumulative grade point average is 2.0 or greater, and/or until his or her cumulative percentage of "W," "NC," "I" and "NP" grades is less than fifty percent (50%) of all units attempted.

AP 4250 Probation, Dismissal, and Readmission

1.5.6 Conditions After Readmission: A readmitted student is considered a conditional registrant and will be dismissed again the next semester if he or she does not maintain a grade point average of 2.0 or above and/or receives grades of "W," "NC," "I" and "NP" in fifty percent (50%) or more of his or her current units.

1.5.6.1 A readmitted student whose academic performance is 2.0 or above, and completes all courses attempted in the semester after readmission may continue as a conditional registrant even though the cumulative grade point average or withdrawal ratio remains in dismissal status.

2.0 Noncredit Program Students

2.1 Placement on Probation: A student enrolled at the ~~School of~~ **North Orange** Continuing Education (~~SCE~~ **NOCE**) is placed on program probation when the academic program requirements as set forth by the department are not met.

2.2 Probation Notification: At the end of the noncredit term or the equivalent thereof during which a student qualifies for probation status, a letter or other communication will be sent, including the District policy regarding probation and a description of support services available to help the student improve academic performance.

2.3 Appeal of Probation: A student placed on program probation may file a written petition of appeal if he or she believes an error has been made. The appeal will be reviewed by a designated dean at ~~SCE~~ **NOCE**.

2.4 Removal from Probation: A student enrolled at ~~SCE~~ **NOCE** will be removed from probation when the academic progress requirements as set forth by the department are met.

2.5 Dismissal

2.5.1 Standards for Progress Dismissal: An ~~SCE~~ **NOCE** student on program probation shall be dismissed if the academic progress requirements as set forth by the department are not met for two consecutive terms or the equivalent thereof.

2.5.2 Dismissal Notification: At the end of the term or the equivalent thereof after which a student becomes eligible for scholastic dismissal, a letter or other communication will be sent including a description of the dismissal status and the procedure to petition for readmission to ~~SCE~~ **NOCE**.

2.5.3 Appeal of Dismissal: A student placed on program dismissal may file a written petition of appeal if he or she believes an error has been made. The appeal will be reviewed by a designated dean at ~~SCE~~ **NOCE**.

AP 4250 Probation, Dismissal, and Readmission

2.6 Readmission after Dismissal

- 2.6.1 Petition for Readmission: Students may petition for readmission to ~~SCE~~ NOCE after being dismissed by filing a written petition. The procedure and deadlines to file a petition will be included in the Dismissal Notification as noted in section 2.5.2.
- 2.6.2 Review of Petition for Readmission: The petition will be reviewed by a designed dean at ~~SCE~~ NOCE.
- 2.6.3 Standards for Readmission: The following will be considered during the review of a student's petition for readmission.
- 2.6.3.1 Documentation of extenuating circumstances during the terms or equivalents thereof on which the dismissal was based.
- 2.6.3.2 An atypical academic performance during the terms or equivalents thereof on which the dismissal was based compared to prior academic history.
- 2.6.3.3 Documentation of formal or informal educational experiences since completion of the terms or equivalents thereof on which the dismissal was based.
- 2.6.4 Denial of Petition for Readmission: If a student's petition for readmission is denied, the student may file a new petition for readmission after an absence of one term or the equivalent thereof.
- 2.6.5 Approval of Petition for Readmission: An ~~SCE~~ NOCE student whose petition for readmission is approved will remain on probation until the academic progress requirements as set forth by the department are met.
- 2.6.6 Conditions after Readmission
- 2.6.6.1 A readmitted ~~SCE~~ NOCE student is considered a conditional registrant and will be dismissed again the next term or the equivalent thereof if the academic progress requirements as set forth by the department are not met.
- 2.6.6.2 A readmitted student may continue as a conditional registrant even though compliance with ~~SCE~~ NOCE academic progress requirements remains in dismissal status.

Date of Adoption: June 14, 2005

Date of Last Revision: May 23, 2016 District Consultation Council
August 24, 2015 District Consultation Council
December 8, 2008 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 4300 Field Trips and Excursions

Reference:

Title 5, Section 55220

- 1.0 The District may provide supervision of students involved in field trips or excursions by academic employees of the District and may engage instructors, supervisors, and other personnel as may be necessary for such field trips or excursions.
- 2.0 Transportation for field trips or excursions may be provided, at the discretion of the Chancellor/designee, by use of District equipment, by contracting with a transportation provider, or by arranging transportation by the use of other equipment. When District equipment is used, the District shall obtain liability insurance, and if travel is to and from a foreign country, the liability insurance shall be secured from a carrier licensed to transact insurance business in the foreign country.
- 3.0 All persons making a field trip or excursion shall be deemed to have waived all claims against the District and the Board of Trustees for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking such trips or excursions and all parents or guardians of minor students taking field trips or excursions shall sign a statement, in a form prescribed by the District, waiving such claims.
- 4.0 No student shall be prevented from taking a field trip or excursion, which is integral to the completion of a course because of lack of sufficient funds, with the exception of field trips or excursions offered as part of fee-based community services offerings. The colleges and the ~~School of~~ [North Orange](#) Continuing Education will develop procedures to assure the participation of students in required field trips and excursions, lack of funding notwithstanding.
- 5.0 Payments or reimbursements by the District in conjunction with field trips or excursions shall be in accordance with BP4300, Field Trips and Excursions, and shall require itemization and validation of expenses in a form prescribed by the Chancellor/designee.

Date of Adoption: June 22, 2004

Date of Last Revision: October 10, 2011 Chancellor's Cabinet
March 23, 2009 Chancellor's Cabinet
November 13, 2006 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 4400 Community Services Programs

Reference:

Education Code 78300
Title 5, Sections 55002(d) and 55160

- 1.0 The District's Community Services policy is based on the following standards against which the Board will measure specific requests:
 - 1.1 Community services may be established and maintained in civic, vocational, literacy, health, homemaking technical and general education, including, but not limited to, courses in the fields of visual and performing arts, handicraft, science, literature, nature study, aquatic sports and athletics.
 - 1.2 Community services offerings shall be open for the admission of adults and of those minors who may benefit from them, in the judgment of the Board.
 - 1.3 Community services offerings and activities are integral components of the educational programs of the ~~School of~~ [North Orange](#) Continuing Education. Community services offerings and activities may also be offered by the colleges.
 - 1.4 Cooperative agreements with a wide range of civic, cultural, educational, recreational, and commercial sources within the District and the surrounding areas are encouraged.

Date of Adoption: June 22, 2004

Date of Last Revision: February 23, 2009 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 4500 Student News Media

1.0 Philosophy

- 1.1 Student news media are any news/feature publications or broadcasts funded by the District, and produced by students as a learning experience that is an integral part of an instructional program. These media include, but are not limited to, a student newspaper, television/radio broadcast, and Internet site.
- 1.2 Student news media, shall provide vehicles to train students for careers in mass communication. Student news media should also serve the entire college community by reporting the news, including college events and activities, providing a forum for comment and criticism, and encouraging free expression as guaranteed in the First Amendment to the Constitution of the United States.
- 1.3 Student news media are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion. Student news media exercise editorial freedom in order to maintain their integrity as vehicles for free inquiry and free expression in the college community. At the same time, the editorial freedom of the student news media shall entail corollary responsibilities to learn and use professional ethics and practices.
- 1.4 The editorial and advertising materials published in each medium, including any opinions expressed, are the responsibility of the student staff. An editorial board, comprised of members of the student staff, shall be formed for each medium involved. Under appropriate state and federal court decisions, these materials are free from prior restraint by virtue of the First Amendment to the United States Constitution. These procedures are adopted to encourage a responsible exercise of such freedom.

2.0 Student News Media Complaint Procedures

- 2.1 The Colleges and the ~~School of~~ [North Orange](#) Continuing Education have established the following complaint procedures to provide an avenue for complaints about the content in student news media.
 - 2.1.1 Definition of a Complaint: A complaint is a statement that alleges facts which, if true, would demonstrate a violation of the complainant's right to free inquiry, free speech, or fair treatment; contains allegations that appear to be substantially credible; and is not frivolous.
 - 2.1.2 Complaint Proceedings:
 - 2.1.2.1 Individuals may submit a written complaint to the Editor-in-Chief or Producer of the student medium. Each complaint should be responded to in writing and in a timely manner, no later than four weeks after receiving the complaint.
 - 2.1.2.2 Individuals not satisfied with the medium's response may submit a copy of the original complaint to the appropriate Dean. A

AP 4500 Student News Media

meeting will be called by the Dean, with the complainant, the student Editor-in-Chief or Producer or the Faculty Advisor in the instructional program in attendance. The Dean will mediate the complaint and issue a written response after the meeting, outlining steps to be taken to resolve the issue(s). The decision made by the Dean may be appealed to the College President/Provost.

- 3.0 **Letters to the Editor:** All letters must be accompanied by the author's name and should contain the author's address, telephone number, and/or e-mail address. The author should be contacted to confirm he/she wrote the letter. Letters deemed obscene, libelous, and/or racially, sexually, or religiously offensive will not be published.

Date of Adoption: September 12, 2005

Presented to DCC 09/25/17

AP 5010 Admissions

Reference:

Education Code 76000;

34 Code of Federal Regulations Part 668.16(p) (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended);

ACCJC Accreditation Standard II.C.6;

WASC/ACS Criterion 2, Indicator 2.4 and Criterion 7, Indicator 7.3

- 1.0 Admission to the college is under the administration of the Admissions and Records offices. The Dean of Admissions and Records, ~~School of~~ [North Orange](#) Continuing Education Dean of Instruction, or designee makes final admission determinations.
- 2.0 All students must complete and sign a valid application to be admitted to the college or the ~~School of~~ [North Orange](#) Continuing Education.
- 3.0 Admission of all students includes determination of residency in the State of California (with the exception of ~~School of~~ [North Orange](#) Continuing Education students).
- 4.0 Specific and current admission procedures are published in the most recent versions of the college and ~~School of~~ [North Orange](#) Continuing Education schedule of classes, catalog, and web site.
 - 4.1 Persons eligible for admission may be high school graduates or equivalent; anyone 18 years of age or older, including those who have not graduated from high school; and transfer, out-of-state, or foreign students.
- 5.0 Admission of K-12 students is exclusively for advanced scholastic or vocational work (except for the ~~School of~~ [North Orange](#) Continuing Education High School Program).
- 6.0 Each K-12 student seeking admission must submit an application to the college or the ~~School of~~ [North Orange](#) Continuing Education (see sections 1.0 and 2.0) and follow the enrollment procedure as established by the colleges and the ~~School of~~ [North Orange](#) Continuing Education for special admittance students. See Administrative Procedures 5011.
- 7.0 The Chancellor shall establish procedures for evaluating the validity of a student's high school completion if the District or the United States Department of Education has reason to believe that the high school diploma is not valid or was not obtained from an entity that provides secondary school education.

Date of Adoption: June 14, 2005

Date of Last Revision: September 14, 2016 Chancellor's Staff
April 22, 2015 Chancellor's Staff
November 14, 2011 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students

Reference:

Education Code Sections 48800; 48800.5; 76001; 76002; and 76004

- 1.0 **Special Part-Time Student:** To be considered for admittance as a special part-time student at the colleges, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001.
- 1.1 Admission is subject to seat availability. The student must submit to Admissions & Records:
- 1.1.1 Completed and signed application for admission.
 - 1.1.2 Written and signed parental or guardian consent, on the District's Special Admit form.
 - 1.1.3 Written and signed approval of the applicant's school principal. (Note: A parent or guardian of a pupil who is not enrolled in a public or private school may petition directly to the College President or designee without the signature of a principal.)
 - 1.1.4 Demonstration that the student is capable of profiting from instruction. The Chancellor or designee has the authority to make the final decision whether a student can benefit from instruction.
 - 1.1.5 Signed parental or guardian Permission to Treat a Minor health form.
- 1.2 Admission to the ~~School of~~ [North Orange](#) Continuing Education as a special part-time student is subject to seat availability. The student must submit to the Provost, ~~School of~~ [North Orange](#) Continuing Education (~~SCE~~ [NOCE](#)), or designee a Request for Admission, completed and signed by the referring high school counselor. This request specifies which ~~SCE~~ [NOCE](#) course(s) the student is expected to complete and, if in the High School Program, the amount of high school credits to be earned.
- 1.2.1 Upon completion of the course work, if it is for High School Program credit, the request is completed by the corresponding ~~SCE~~ [NOCE](#) program's staff and returned to the high school registrar.
- 2.0 **Special Full-Time Student:** To be considered for admittance as a special full-time student, the student must meet the eligibility standards as established in Education Code Section 48800.05.
- 2.1 Admission is subject to seat availability. The student must submit to the Dean, Admissions & Records:
- 2.1.1 Completed and signed application for admission.
 - 2.1.2 Written and signed parental or guardian consent on the District's Special

AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students

Admit form.

- 2.1.3 Written and signed approval of the applicant's school principal. (Note: A parent or guardian of a pupil who is not enrolled in a public or private school may petition directly to the College President or designee without the signature of a principal.)
- 2.1.4 Demonstration that the student is capable of profiting from instruction. The Chancellor or designee has the authority to make the final decision whether a student can benefit from instruction.
- 2.1.5 Signed parental or guardian Permission to Treat a Minor health form.
- 2.1.6 Written approval of the governing board of the school district of attendance. The College President or designee has the authority to make the final decision whether a student can benefit from instruction.
- 2.2 Admission to the ~~School of~~ [North Orange](#) Continuing Education as a special full-time student is subject to seat availability. The student must submit to the Provost, ~~School of~~ [North Orange](#) Continuing Education (~~SCE~~ [NOCE](#)), or designee:
 - 2.2.1 A Minor Student Transfer Application, completed and signed by the student, parent, or guardian, and high school counselor or administrator.
 - 2.2.2 A transfer application, or release letter on district letterhead, specifying the release of the minor student from the resident high school district.
 - 2.2.3 Official transcripts from the referring high school district.
- 2.3 Upon review and approval of the eligibility criteria, the minor student will follow the same procedures for admission to the ~~SCE~~ [NOCE](#) High School Diploma Program as an adult student.
- 3.0 **Special Summer Session Student:** To be considered for admittance as a special summer session student, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001.
 - 3.1 The student must submit to Admissions & Records:
 - 3.1.1 Completed and signed application for admission.
 - 3.1.2 Written and signed parental or guardian consent on the District's Special Admit form.
 - 3.1.3 Written and signed approval of the applicant's school principal that the student has availed himself or herself of all opportunities to enroll in an equivalent course at his or her school of attendance.

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- 3.1.4 Demonstration that the student has adequate preparation in the disciplines to be studied.
 - 3.1.5 Signed parental or guardian Permission to Treat a Minor health form.
- 4.0 **High School Students:** For students attending high school, the Dean, Admissions & Records, or designee will review the materials, and will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the College President or designee shall be final. This determination may be made by evaluating the following criteria:
- 4.1 A review of the materials submitted by the student.
 - 4.2 Meeting with the student and his or her parent or guardian.
 - 4.3 Consultation with counselor for matriculation.
 - 4.4 Consideration of the welfare and safety of the student and others.
 - 4.5 Consideration of local, state and/or federal laws.
- 5.0 **Middle and Lower School Students:** For students attending middle and lower schools, the determination for admittance shall be made by the respective instructional Dean. The school must provide student records and written verification signed by the principal indicating how the student can benefit from instruction. The college special admittance procedure will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college, and that the student's safety and that of others will not be affected. The decision of the respective instructional Dean shall be final. Once a decision has been made, the student, his or her parent or guardian and the school principal shall be informed of the decision. This determination may be made by evaluating the following criteria:
- 5.1 A review of the materials submitted by the student.
 - 5.2 Meeting with the student and his or her parent or guardian.
 - 5.3 Consultation with a counselor for matriculation.
 - 5.4 Consideration of the welfare and safety of the student and others.
 - 5.5 Consideration of local, state and/or federal laws.
 - 5.6 Review of the content of the class in terms of sensitivity and possible effects on the minor.
 - 5.7 Requirements for supervision of the minor.
 - 5.8 Times the class(es) meet and the effect on the safety of the minor.

AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students

- 6.0 If a request for special part-time or full-time enrollment is denied for a pupil who has been identified as highly gifted, the Board shall provide written findings and reasons for the denial within 60 days. A recommendation regarding the request for admission, and the denial shall be submitted to the Board at a regularly scheduled meeting that falls within 30 days after the request for admission has been submitted.
- 6.1 The Board may restrict the admission or enrollment of a special part-time or full-time student during any session based on any of the following criteria:
- 6.1.1 Age.
 - 6.1.2 Completion of a specified grade level.
 - 6.1.3 Demonstrated eligibility for instruction using assessment methods and procedures established pursuant to Chapter 2 (commencing with Section 78210) of Part 48 and regulations adopted by the Board of Governors of the California Community Colleges.
 - 6.1.4 Content of requested course(s) deemed to be appropriate for a minor.
- 7.0 Students enrolled under the provisions of BP5011 shall earn college credit as identified in the college catalog.
- 8.0 For the purposes of receiving state apportionments:
- 8.1 A community college district may include K-12 pupils who attend a community college within the District pursuant to Sections 48800 and 76001 in the District's report of full-time equivalent students (FTES) only if those pupils are enrolled in community college classes that meet all of the following criteria:
- 8.1.1 The class is open to the general public.
 - 8.1.2 The class is advertised as open to the general public in one or more of the following:
 - 8.1.2.1 The college catalog.
 - 8.1.2.2 The regular schedule of classes.
 - 8.1.2.3 An addenda to the college catalog or regular schedule of classes.
- 8.2 If a decision to offer a class on a high school campus is made after the publication of the regular schedule of classes, and the class is solely advertised to the general public through electronic media, the class shall be so advertised for a minimum of 30 continuous days prior to the first meeting of the class.

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- 8.3 If the class is offered at a high school campus, the class may not be held during the time the campus is closed to the general public.
- 8.4 If the class is a physical education class, no more than 10 percent of the maximum enrollment specified for that section of the course may be comprised of special part-time or full-time students. A community college district may not receive state apportionments for special part-time and full-time students enrolled in physical education courses in excess of 5 percent of the District's total reported full-time equivalent enrollment of special part-time and full-time students.

- 9.0 **College and Career Access Pathways (CCAP):** The governing board has adopted all the legal requirements of Education Code Section 76004 in order to participate in the College and Career Access Pathways (CCAP) partnership with the governing board of a school district for the purpose of offering or expanding dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

The District may enter into a CCAP partnership with a school district partner that is governed by a CCAP partnership agreement approved by the governing boards of both districts. As a condition of, and before adopting, a CCAP partnership agreement, the governing board of each district, at an open public meeting of that board, shall present the dual enrollment partnership agreement as an informational item. The governing board of each district, at a subsequent open public meeting of that board, shall take comments from the public and approve or disapprove the proposed agreement.

- 9.1 The CCAP partnership agreement shall be filed with the office of the Chancellor of the California Community Colleges and with the department before the start of the CCAP partnership, and shall:
 - 9.1.1 outline the terms of the CCAP partnership and shall include, but not necessarily be limited to, the total number of high school students to be served and the total number of full-time equivalent students projected to be claimed by the District for those students; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses.
 - 9.1.2 establish protocols for information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses.
 - 9.1.3 identify a point of contact for the District and school district partner.
 - 9.1.4 certify that any District instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in Education Code Section 87010 or any controlled substance offense as defined in Education Code Section 87011.

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- 9.1.5 certify that any District instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus.
- 9.1.6 certify that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering college campus.
- 9.1.7 include a certification by the District of all of the following:
 - 9.1.7.1 A community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering college campus;
 - 9.1.7.2 A community college course that is oversubscribed or has a waiting list shall not be offered in the CCAP partnership; and
 - 9.1.7.3 Participation in a CCAP partnership is consistent with the core mission of the community colleges pursuant to Education Code Section 66010.4, and that pupils participating in a CCAP partnership will not lead to enrollment displacement of otherwise eligible adults in the community college.
- 9.1.8 certify that both the District and school district partners comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching a CCAP partnership course offered for high school credit.
- 9.1.9 specify both of the following:
 - 9.1.9.10 Which participating district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education; and
 - 9.1.9.11 Which participating district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.
- 9.1.10 certify that any remedial course taught by community college faculty at a partnering high school campus shall be offered only to high school students who do not meet their grade level standard in math, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering school district, and shall involve a collaborative effort between high school and District faculty to deliver an innovative remediation course as an intervention in the student's junior or senior year to ensure the student is prepared for college-level work upon graduation.

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- 9.2 The District shall not provide physical education course opportunities to high school pupils or any other course opportunities that do not assist in the attainment of at least one of the following goals:
- 9.2.1 developing seamless pathways from high school to community college for career technical education or preparation for transfer;
 - 9.2.2 improving high school graduation rates; or
 - 9.2.3 helping high school pupils achieve college and career readiness.
- 9.3 The District will not enter into a CCAP partnership with a school district within the service area of another community college district, except where an agreement exists, or is established, between those community college districts authorizing that CCAP partnership.
- 9.4 A high school pupil enrolled in a course offered through a CCAP partnership shall not be assessed any fee that is prohibited by Education Code Section 49011.
- 9.5 The District may assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school as described in Education Code Section 11300 and consistent with middle college high school provisions in Education Code Section 76001.
- 9.6 The District may limit enrollment in a community college course solely to eligible high school students if the course is offered at a high school campus during the regular school day and the community college course is offered pursuant to a CCAP partnership agreement.
- 9.7 The District may allow a special part-time student participating in a CCAP partnership agreement established pursuant to this article to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied:
- 9.7.1 The units constitute no more than four community college courses per term;
 - 9.7.2 The units are part of an academic program that is part of a CCAP partnership agreement established pursuant to this article; and
 - 9.7.3 The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.
- 9.8 The Board of Trustees exempts special part-time students from the following fee requirements:
- 9.8.1 Student representation fee (Education Code Section 76060.5)

AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students

- 9.8.2 Nonresident tuition fee and corresponding permissible capital outlay fee and/or processing fee (Education Code Section 76140)
- 9.8.3 Transcript fees (Education Code Section 76223)
- 9.8.4 Course enrollment fees (Education Code Section 76300)
- 9.8.5 Apprenticeship course fees (Education Code Section 76350)
- 9.8.6 Child development center fees (Education Code Section 79121)
- 9.9 The District shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment.
- 9.10 The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to this section is authorized attendance for which the community college shall be credited or reimbursed pursuant to Education Code Section 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity.
- 9.11 For each CCAP partnership agreement entered into pursuant to this section, the District shall report annually to the Office of the Chancellor of the California Community Colleges, the Legislature, the Director of Finance, and the Superintendent all of the following information:
 - 9.11.1 The total number of high school pupils by school site enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.
 - 9.11.2 The total number of community college courses by course category and type and by school site enrolled in by CCAP partnership participants.
 - 9.11.3 The total number and percentage of successful course completions, by course category and type and by school site, of CCAP partnership participants.
 - 9.11.4 The total number of full-time equivalent students generated by CCAP partnership community college district participants.

Date of Adoption: June 14, 2005

Date of Last Revision: September 26, 2016 District Consultation Council

Presented to DCC 09/25/17

AP 5015 Residence Determination

Reference:

Education Code Sections 68000 et seq., 68130.5; and 68075.7;
Title 5, Sections 54000 et seq.
38 U.S. Code Section 3679

1.0 **Residence Classification:** Residency classifications shall be determined for each student at the time of registration and whenever a student has not been in attendance for more than one semester. Residence classifications are to be made in accordance with the following provisions:

- 1.1 A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.
- 1.2 Residence classification is the responsibility of the Admissions & Records Office.
- 1.3 Students must be notified of residence determination within 14 calendar days of submission of application.
- 1.4 The colleges and the ~~School of~~ [North Orange](#) Continuing Education shall publish the residence determination date and summary of the rules and regulations governing residence determination and classification in the colleges' and ~~School of~~ [North Orange](#) Continuing Education's catalogs or addenda thereto.

2.0 **Rules Determining Residence**

- 2.1 A student who has resided in the state for more than one year immediately preceding the residence determination date is a resident.
- 2.2 A student who has not resided in the state for more than one year immediately preceding the residence determination date is a nonresident.
- 2.3 The residence of each student enrolled in or applying for enrollment in any class or classes maintained by the District shall be determined in accordance with the Education Code which states that every person has, in law, a residence. In determining the place of residence, the following rules are to be observed:
 - 2.3.1 Every person who is married or eighteen years of age, or older, and under no legal disability to do so, may establish residence.
 - 2.3.2 A person may have only one residence.
 - 2.3.3 A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
 - 2.3.4 A residence cannot be lost until another is gained.
 - 2.3.5 The residence can be changed only by the union of act and intent.

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- 2.3.6 A man or a woman may establish his or her residence. A person's residence shall not be derivative from that of his or her spouse.
- 2.3.7 The residence of the parent with whom an unmarried minor child maintains his/her place of abode is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last place of abode was maintained, provided the minor may establish his/her residence when both parents are deceased and a legal guardian has not been appointed.
- 2.3.8 The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishments of a parent's right of control.
- 3.0 **Determination of Resident Status:** A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:
- 3.1 A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.
- 3.2 A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/she has resided in the state the minimum time necessary to become a resident.
- 3.3 A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence.
- 3.4 A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:
- 3.4.1 He/she holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.
- 3.4.2 He/she holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.

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- 3.4.3 He/she is enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259.
- 3.4.4 A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.
- 3.5 A student who is a full-time employee of the California State University, the University of California, or a community college, or of any state agency, or a student who is a child or spouse of a full-time employee of the California State University, the University of California, or a community college, or of any state agency may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident.
- 3.6 A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. If the member of the armed forces of the United States later transfers on military orders to a place outside this state, or retires as an active member of the armed forces of the United States, the student dependent shall not lose his/her resident classification, so long as he/she remains continuously enrolled in the District.
- 3.7 A student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. If the student later transfers on military orders to a place outside this state the student shall not lose his/her resident classification, so long as he/she remains continuously enrolled in the District.
- 3.8 A veteran who was discharged or released from at least 90 days of active services less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran's state of residence is entitled to resident classification.
- 3.9 An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California and enrolls in the community college within three years of the Service Member's death in the line of duty following a period of active duty service of 90 days or more.

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- 3.10 A student who is a minor and resides with his or her parent shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester or term for which the student proposes to attend.
- 3.11 A student who is a Native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.
- 3.12 A student who is a federal civil service employee and his or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.
- 3.13 A student who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system, or was served by the California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until he/she has resided in the state the minimum time necessary to become a resident.
- 3.14 A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his state or federal personal income tax return if he/she has sufficient income to have personal income tax liability shall be entitled to resident classification.
- 3.15 A student who demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of the deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three or more years, and upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he/she intends to establish residency in California as soon as possible.
- 4.0 **Right to Appeal:** Students who have been classified as non-residents have the right to a review of their classification (Title 5, Section 54010(a)). Any student, following a final decision of residence classification by the Admissions & Records Office, may make written appeal to the Dean of Admissions and Records within 30 calendar days of notification of final decision by the college regarding classification.
- 5.0 **Appeal Procedure**

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- 5.1 The appeal is to be submitted to the Admissions & Records Office, which must forward it to the Dean of Admissions and Records or designee within five working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.
 - 5.2 The Dean of Admissions and Records or designee shall review all the records and has the right to request additional information from either the student or the Admissions Office.
 - 5.3 Within 30 calendar days of receipt, the Dean of Admission and Records or designee shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.
- 6.0 **Reclassification:** A student previously classified as a non-resident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.
- 6.1 Petitions are to be submitted to the Admissions & Records Office.
 - 6.2 Petitions must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.
 - 6.3 Written documentation may be required of the student in support of the reclassification request.
 - 6.4 A questionnaire to determine financial independence must be submitted with the petition for reclassification. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college district. (Education Code Section 68044)
 - 6.5 A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:
 - 6.5.1 Has not and will not be claimed as an exemption for state and federal tax purposes by his or her parent in the calendar year prior to the year the reclassification application is made.
 - 6.5.2 Has not lived and will not live for more than six weeks in the home of his or her parent during the calendar year the reclassification application is made.
 - 6.5.3 Has not and will not receive more than \$750 per year in financial assistance from his or her parent in the calendar year the reclassification application is made and in any of the three calendar years prior to such application.

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- 6.6 A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5, Section 54020, 54022, and 54024.
- 6.7 Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one-year requirement is met and demonstration of intent is sufficiently strong.
- 6.8 Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.
- 6.9 The Registrar or designee will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.
- 6.10 Students have the right to appeal according to the procedures above.
- 7.0 **Non-Citizens:** The District will admit any non-citizen who is 18 years of age or a high school graduate.
- 7.1 If non-citizens are present in the United States illegally or with any type of temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.
- 7.2 If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him or her to live permanently in the United States and she or he meets the California residency requirements, the student can be classified as a resident.
- 7.3 A student who is without lawful immigration status may be eligible for non-resident tuition exemption if he or she meets the following requirements:
- 7.3.1 High school attendance in California for three or more years.
- 7.3.2 Graduation from a California high school or attainment of the equivalent thereof.
- 7.3.3 Registration for classes not earlier than the fall semester or quarter of 2001-2002.
- 7.3.4 The filing of an affidavit that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so.

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- 7.4 The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Registrar. Students may appeal the decision to the Dean of Admissions and Records.

Date of Adoption: June 14, 2005

Date of Last Revision: September 26, 2016 District Consultation Council
August 24, 2015 District Consultation Council
February 23, 2015 District Consultation Council

Presented to DCC 09/25/17

BP 5040 Student Records, Directory Information, and Privacy

Reference:

Education Code Sections 76200, et seq.;
Title 5, Sections 54600, et seq.;
20 U.S. Code Section 1232g(i)
ACCJC Accreditation Standard II.C.8;
WASC/ACS Criterion 7, Indicator 7.5

- 1.0 A cumulative record of enrollment, scholarship, and educational progress shall be maintained for each student by the Admissions and Records Office of each college and the ~~School of~~ [North Orange](#) Continuing Education Student Records Office.
- 2.0 The Chancellor shall establish procedures to ensure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records, and may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.
- 3.0 Any currently enrolled or former student of the District has a right of access to any and all student records relating to him or her maintained by the District.
- 4.0 No instructor, official, employee, or governing board member shall authorize access to student records (or personally identifiable information contained therein) to any person without the written consent of the student, other than directory information as specified in Administrative Procedure 5040, except in compliance with a judicial order or lawfully issued subpoena, or as otherwise authorized by law.
- 5.0 Student information identified by the District as directory information shall be limited to the categories of directory information defined in Education Code Section 76210(b) and Title 20, section 1232g of the United States Code. The District may limit or deny the release of specific categories of directory information based upon a determination of the best interests of students.
- 6.0 Students shall be notified of their rights with respect to student records, including the categories of student information that the District has designated as directory information, and that they may limit the information to be released.

See Administrative Procedures 5040

Date of Adoption: June 14, 2005

Date of Last Revision: September 14, 2016 Chancellor's Staff
April 22, 2015 Chancellor's Staff
April 14, 2009

Presented to DCC 09/25/17

AP 5045 Student Records: Challenging Content and Access Log

Reference:

**Education Code Sections 76222 and 76232;
Title 5, Section 54630**

1.0 Challenging Content:

- 1.1 Any student may file a written request with the college Admissions and Records Office or the ~~School of~~ [North Orange](#) Continuing Education Dean of Instruction to correct or remove information recorded in his or her student records that the student alleges to be: 1) inaccurate; 2) an unsubstantiated personal conclusion or inference; 3) a conclusion or inference outside of the observer's area of competence; or 4) not based on the personal observation of a named person with the time and place of the observation noted.
- 1.2 Within 30 days of receipt of the request, the Dean of Admissions and Records, the ~~School of~~ [North Orange](#) Continuing Education Dean of Instruction, or designee shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the community college district. The Dean of Admissions and Records or designee shall then sustain or deny the allegations.
- 1.3 If the Dean of Admissions and Records, the ~~School of~~ [North Orange](#) Continuing Education Dean of Instruction, or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Dean of Admissions and Records, the ~~School of~~ [North Orange](#) Continuing Education Dean of Instruction, or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the President or designee.
- 1.4 Within 30 days of receipt of an appeal, the President or designee shall review all documents related to the student's request and may meet with the student and employee who recorded the information in question. If the President or designee sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the President or designee denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing to the governing board.
- 1.5 Within 30 days of receipt of an appeal, the governing board shall, in closed session with the student and the employee who recorded the information in question, determine whether to sustain or deny the allegations. If the governing board sustains any or all of the allegations, it shall order the Chancellor or his or her designee, to immediately correct or remove and destroy the information. The decision of the governing board shall be final.
- 1.6 If the final decision is unfavorable to the student, the student shall have the right to submit a written statement of his or her objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.

AP 5045 Student Records: Challenging Content and Access Log

- 1.7 Whenever there is included in any student record information concerning any disciplinary action, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.
 - 1.8 Whenever there is included in any student record information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within 10 days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.
- 2.0 **Access Log:**
- 2.1 A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing need not include any of the following:
 - 2.1.1 Students seeking access to their own records.
 - 2.1.2 Parties to whom directory information is released.
 - 2.1.3 Parties to whom written consent has been executed by the student.
 - 2.1.4 Officials or employees having a legitimate educational interest.
 - 2.2 The log or record shall be open to inspection only by the student and the Office of Admissions and Records, and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and state educational authorities as a means of auditing the operation of the system.

Date of Adoption: June 14, 2005

Date of Last Revision: November 5, 2008 Chancellor's Staff

Presented to DCC 09/25/17

BP 5140 Disabled Student Programs and Services

Reference:

**Education Code Sections 67310 and 84850;
Title 5, Sections 56000 et seq. and 56027**

- 1.0 Students with verified disabilities shall receive reasonable accommodations pursuant to federal and state requirements in all applicable programs in the District.
- 2.0 The Disabled Students Programs and Services (DSPS) program shall be the primary provider for academic adjustments, auxiliary aids, services, or instruction that facilitate equal educational opportunities for students with disabilities as mandated by federal and state laws.
- 3.0 DSPS services and accommodations shall be available to students with verified disabilities. The services to be provided include, but are not limited to, academic adjustments, accessible facilities, accessible equipment and technologies, instructional programs, and specialized counseling.
- 4.0 No student with disabilities is required to participate in the ~~Disabled Students Programs and Services~~ **DSPS** program. However, students requesting accommodations are required to provide evidence verifying the disability.
- 5.0 The Chancellor shall assure that District DSPS programs conform to all requirements established by the relevant law and regulations. The Chancellor shall also establish procedures to implement this policy that assure response in a timely manner to accommodation requests involving academic adjustments and for an individualized review of each such request, and permits interim decisions on such request pending final resolution by the appropriate administrator or designee.

Date of Adoption: June 14, 2005

Date of Last Revision: October 25, 2016
January 22, 2013

Presented to DCC 09/25/17

North Orange County Community College District
ADMINISTRATIVE PROCEDURES
Chapter 5
Student Services

AP 5200 Student Health Services

Reference:

**Education Code Section 76401;
Title 5, Section 53411**

- 1.0 Student Health Services assist students in maintaining and improving physical, emotional, and social well being so that they may succeed in their academic and vocational programs.
- 2.0 Student Health Services assist the District/college in maintaining a healthy and safe campus, one in which personal and public health is an accepted institutional commitment.
- 3.0 Personnel employed in Student Health Services shall meet minimum qualifications.
- 4.0 The scope of practice of health service professionals is regulated by the licensing boards of the professions.
- 5.0 The College Health Centers shall make known to the college community the existence and availability of health services. A description of the services and procedures for accessing those services shall be published in the college catalogs.
- 6.0 District employees, visitors to campus, and students in the ~~School of~~ [North Orange](#) Continuing Education may be treated only for conditions that require immediate intervention by medical staff.
- 7.0 Student Health Services may provide medical services for a fee.

Date of Adoption: June 14, 2005

Presented to DCC 09/25/17

BP 5500 Standards of Student Conduct and Discipline

Reference:

Education Code Section 66300 and 66301
ACCJC Accreditation Standards I.C.8 and 10
WASC/ACS Criterion 2, Indicators 2.1, 2.2, and 2.4; Criterion 8, Indicator 8.4

1.0 Standards of Student Conduct

For purposes of this policy, the term "District" as used herein means the North Orange County Community College District, Cypress College, Fullerton College, the ~~School of~~ [North Orange](#) Continuing Education, the Anaheim Campus, and other entities operated by, or property under the control of, the North Orange County Community College District.

Students enrolling in the programs and services of the North Orange County Community College District assume an obligation to conduct themselves in a manner compatible with the function of the colleges and the ~~School of~~ [North Orange](#) Continuing Education as educational institutions. A student who violates the standards of student conduct shall be subject to disciplinary action including, but not limited to, the removal, suspension or expulsion of the student. Misconduct, which constitutes "good cause" for disciplinary action includes, but is not limited to, the following:

- 1.1 Disruptive behavior, willful disobedience, habitual profanity or vulgarity, the open and persistent defiance of the authority of, or persistent abuse of, District personnel, or violating the rights of other students.
- 1.2 Failure to identify oneself when requested to do so by District officials acting in the performance of their duties.
- 1.3 Cheating, plagiarism in connection with an academic program (including plagiarism in a student publication), or engaging in other academic dishonesty.
- 1.4 Dishonesty, forgery, alteration, or misuse of District documents, records, or identification, or knowingly furnishing false information to the District.
- 1.5 Misrepresentation of oneself or of an organization to be an agent of the District.
- 1.6 Causing, attempting to cause, or threatening to cause physical injury or physical or verbal abuse or any threat of force or violence, to the person, property, or family of any member of the college community, whether on or off District property as defined above.
- 1.7 Willful misconduct which results in injury or death to a student or to District personnel, or which results in the cutting, defacing, or other damage to any real or personal property of the District.
- 1.8 Unauthorized entry into, unauthorized use of, or misuse of property of the District.
- 1.9 Stealing or attempting to steal District property or private property on District premises, or knowingly receiving stolen District property or stolen private property on District premises.

BP 5500 Standards of Student Conduct and Discipline

- 1.10 Causing or attempting to cause damage to District property, or to private property on District premises.
- 1.11 Unlawful use, sale, possession, offer to sell, furnishing, or being under the influence of any controlled substance listed in the California Health and Safety Code, section 11053 et seq., an alcoholic beverage, or an intoxicant of any kind, or any poison classified as such by Schedule D in Section 4160 of the Business and Professions Code or other State law defining controlled substance while on District property, or at a District function; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in the California Health and Safety Code, section 11014.5.
- 1.12 Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the District.
- 1.13 Possession, sale, use, or otherwise furnishing of explosives, dangerous chemicals, deadly weapons or other dangerous object including, but not limited to, any facsimile firearm, knife or explosive on District property, or at a District function, without prior written authorization of the Chancellor, college president, School of Continuing Education Provost, or authorized designee.
- 1.14 Engaging in lewd, indecent, or obscene behavior on District property, or at a District function.
- 1.15 Violation of municipal, state, or federal laws in connection with attendance in programs or services offered by the District, or while on District property or at District-sponsored activities.
- 1.16 Soliciting or assisting another to do any act (including the purchasing, transporting or consumption of any controlled substance), while under the supervision of a District official, which would subject a student to expulsion, suspension, probation, or other discipline pursuant to this policy.
- 1.17 Attempting any act constituting cause for disciplinary action as identified in the above sections of this policy.
- 1.18 Sexual assault or sexual exploitation regardless of the victim's affiliation with the District.
- 1.19 Committing sexual harassment as defined by law or by District policies and procedures.
- 1.20 Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
- 1.21 Engaging in physical or verbal intimidation or harassment of such severity or pervasiveness as to have the purpose or effect of unreasonably interfering with a student's academic performance, or District employee's work performance, or of creating an intimidating, hostile or offensive educational or work environment.

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- 1.22 Engaging in physical or verbal disruption of instructional or student services activities, administrative procedures, public service functions, authorized curricular or co-curricular activities or prevention of authorized guests from carrying out the purpose for which they are on District property.
- 1.23 Stalking, defined as a pattern of conduct by a student with intent to follow, alarm, or harass another person, and which causes that person to reasonably fear for his or her safety, and where the student has persisted in the pattern of conduct after the person has demanded that the student cease the pattern of conduct. Violation of a restraining order shall, without more, constitute stalking under this policy.
- 1.24 Persistent, serious misconduct where other means of correction have failed to bring about proper conduct or where the presence of the student causes a continuing danger to the physical safety of students or others.
- 1.25 Engaging in expression which is obscene, libelous, or slanderous according to current legal standards, or which so incites students as to create a clear and present danger of the commission of unlawful acts on District property, or the violation of the lawful administrative procedures of the District or the substantial disruption of the orderly operation of the District.
- 1.26 Use of the District's computer systems or electronic communication systems and services for any purpose prohibited by Administrative Procedure 3720, Computer & Electronic Communication Systems, or for any act constituting cause for disciplinary action as provided in this policy.
- 2.0 No student shall be suspended from a college or ~~School of~~ [North Orange](#) Continuing Education program or expelled unless the conduct for which the student is disciplined is related to college, ~~School of~~ [North Orange](#) Continuing Education or District activity or attendance.
- 3.0 Any violation of law, ordinance, regulation or rule regulating, or pertaining to, the parking of vehicles, shall not be cause for removal, suspension, or expulsion of a student.
- 4.0 The Chancellor shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of law. The procedures shall identify potential disciplinary actions including, but not limited to, the removal, suspension or expulsion of a student.
- 5.0 The Chancellor shall establish procedures by which all students are informed of the rules and regulations governing student behavior.

See Administrative Procedure 5500

Date of Adoption: January 28, 2003

Date of Last Revision: October 25, 2016
November 26, 2014 Chancellor's Staff
September 25, 2012
October 23, 2007

AP 5500 Standards of Student Conduct and Discipline

Reference:

Education Code Section 66300 and 66301;
ACCJC Accreditation Standards I.C.8 and 10;
WASC/ACS Criterion 2, Indicators 2.1, 2.2, and 2.4; Criterion 8, Indicator 8.4

- 1.0 The purpose of these administrative procedures is to provide a prompt and equitable means to address violations of the standards of student conduct in a manner consistent with requirements of due process of law. Nothing in these procedures is intended to infringe upon the rights of students to engage in the lawful exercise of free expression as protected by the state and federal constitutions and by the provisions of Education Code section 76120.
- 2.0 **Definitions**
- 2.1 Administrator: A management employee of the District having significant responsibilities for formulating District policies or administering District programs.
- 2.2 District: The North Orange County Community College District.
- 2.3 College: Cypress College, Fullerton College, and the ~~School of~~ North Orange Continuing Education and their respective programs.
- 2.4 Student: Any person currently enrolled as a student at a College or in any program offered by the District.
- 2.5 Instructor: Any instructional employee of the District in whose class a Student subject to discipline is enrolled.
- 2.6 Student Discipline Officer: The official at a College who is responsible for reviewing and processing student discipline matters.
- 2.7 President: The President of Cypress College, the President of Fullerton College, and the Provost of the ~~School of~~ North Orange Continuing Education.
- 2.8 Day: A day during which the District administrative offices are open for business. The time limits set forth in these procedures for action by the Student Discipline Officer, President, hearing officer or panel, and Board of Trustees are guidelines; failure to strictly adhere to these time limits shall not invalidate any action otherwise appropriately taken hereunder.
- 2.9 Expulsion: The involuntary removal of a student from the District and all District programs for one or more terms, or permanently, by action of the Board of Trustees.
- 2.10 Formal Hearing: A hearing conducted before a hearing officer or hearing panel in accordance with section 4.0 of these procedures during which the student and the District may call and examine witnesses and present documentary evidence.

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- 2.11 Informal Hearing: A meeting between the student and the Student Discipline Officer or designee in accordance with section 3.2.3 of these procedures to discuss the charges and provide the student with the opportunity to respond to the charges orally, or in writing.
- 2.12 Suspension: The involuntary removal of a student for good cause from one or more classes or from the college by the President or designee for a limited period of time, as follows:
- 2.12.1 Short-Term Suspension: Removal from one or more classes for a period of up to 10 consecutive days of instruction;
- 2.12.2 Long-Term Suspension: Long-term suspension may consist of:
- 2.12.2.1 Removal from one or more classes for the remainder of the academic term;
- 2.12.2.2 Removal from one or more classes for one or more academic terms; or
- 2.12.2.3 Removal from all classes and activities of the College for one or more academic terms.
- 2.12.3 A student placed on suspension from one or more classes may not, for the period of the suspension, be enrolled in any class or program at any College in the District that is substantially similar to the class(es) or program(s) from which the student is suspended.
- 2.12.4 A student placed on suspension from all classes and activities of a College may not be enrolled in any College or program in the District for the period of suspension.
- 2.13 Removal from Class: The involuntary removal of a student from class by an Instructor for a maximum period of two consecutive class sessions.
- 2.14 Removal from Facility: The involuntary removal of a student by an administrator from a District or College facility, or facility under the control of the District or College for a maximum period of two consecutive days.
- 2.15 Disciplinary Probation: A status between good standing and suspension or expulsion. It covers a stated trial period and disciplinary conditions required of the student. At the end of the trial period, it shall be determined, based on whether the probationary conditions have been met, whether the student is to be returned to good standing, suspended, recommended for expulsion, or subject to other disciplinary action.
- 2.16 Loss of Privileges: Disciplinary action involving the loss of certain student privileges, such as eligibility to participate in extracurricular activities, for a stated period of time.

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- 2.17 Formal Reprimand: Written admonition or warning to cease and desist from conduct that has been determined to violate the standards of student conduct. A formal reprimand becomes part of a student's permanent record and is considered in the event of future violations of the standards of student conduct.
- 2.18 Informal Reprimand: An oral admonition or warning to cease and desist from conduct that has been determined to violate the standards of student conduct. A record of the fact that an informal reprimand has been given may be retained as part of a student's record for a period of up to one year and is considered in the event of future violations of the standards of student conduct during the period of retention. It is the student's responsibility to request that the record be removed upon expiration of the period of retention.
- 2.19 Withdrawal of Consent to Remain on Campus: Withdrawal of consent by the President or the President's designee for a student or other person to remain on a College campus in accordance with California Penal Code section 626.4 where the College President has reasonable cause to believe that the student has willfully disrupted the orderly operation of the campus.

3.0 Procedures for Implementing Disciplinary Action

- 3.1 Removal of Student From Class or From a Facility
- 3.1.1 Removal From Class by an Instructor: An Instructor may order a student removed from class for good cause. Removal shall be for a maximum period of two class sessions, which shall be the day of the removal and the next class meeting.
- 3.1.2 Removal From a Facility by an Administrator: For good cause, an administrator may order a student removed from a facility for the day of the offense and the next day.
- 3.1.3 The student shall be advised of the removal and the reasons therefore. The Instructor or Administrator shall immediately report the removal, through established College administrative channels, to the Office of the President and to the Student Discipline Officer for appropriate action and shall submit, through those channels, a written report describing the conduct warranting the removal to the Student Discipline Officer within ten (10) days of the removal.
- 3.1.4 The appropriate program administrator or the Student Discipline Officer shall conduct a meeting with the student. If the student is a minor, the Student Discipline Officer shall ask the parent or guardian of the student to attend a parent conference with the Instructor, if the removal was from class, or if the removal was from a facility, with the administrator who ordered the removal, as soon as possible. If the Instructor, administrator, or the parent or guardian so requests, the Student Discipline Officer shall attend the conference.

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- 3.1.5 During the period of removal, the student shall not be returned to the class without the concurrence of the Instructor or, if the removal is from a facility, without the concurrence of the administrator who ordered the removal.
- 3.1.6 Nothing herein shall prevent the President or Student Discipline Officer from recommending further disciplinary action in accordance with these administrative procedures based on the conduct which prompted the removal.

3.2 Suspension or Expulsion

- 3.2.1 Except in the case of immediate interim suspension as provided in section 3.3 of these procedures, before implementing disciplinary action to suspend or expel a student, the student shall be provided with a written notice of the conduct warranting the discipline, which shall include:
 - 3.2.1.1 the section(s) of the Standards of Student Conduct the student is charged with violating;
 - 3.2.1.2 a brief statement of the facts supporting the charges;
 - 3.2.1.3 the right of the student to an informal hearing with the Student Discipline Officer or designee to discuss the charges, or to respond in writing; and
 - 3.2.1.4 the nature of the proposed disciplinary action.
- 3.2.2 The notice shall be provided to the student within thirty (30) days of the date on which the conduct occurred or the date on which an Instructor or other official of the District learned of the conduct; or, in the case of continuous, repeated, or ongoing conduct, the notice shall be provided within thirty (30) days of the date of the most recent occurrence. Within five (5) days of receiving the notice, the student may submit to the Student Discipline Officer a written request for an informal hearing, as provided in section 3.2.1.3. In addition to, or in lieu of requesting an informal hearing with the Student Discipline Officer, the student may submit a written response to the charges. Notice is deemed received as of the date it was personally delivered or three (3) days after it was placed in the United States mail.
- 3.2.3 If the student requests an informal hearing as provided in section 3.2.1.3, the Student Discipline Officer shall hold an informal hearing during which the student shall be given an opportunity to respond orally or in writing to the charges.
- 3.2.4 Within five (5) days after the informal hearing, or within ten (10) days after the student has received the written notice pursuant to section 3.2.1

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and has declined or failed to request a meeting, the Student Discipline Officer shall provide the President with a written recommendation regarding the specific disciplinary action to be imposed, if any, which shall include the factual findings regarding the charges and conclusions as to the standards of student conduct that were violated, if those findings and conclusions differ in any material respect from the initial notice.

3.2.5 Within five (5) days after receipt of the recommendation of the Student Discipline Officer, the President shall render a decision regarding the disciplinary action to be implemented, if any, and shall provide written notice of the decision to the student. The President may accept, modify or reject the recommendation of the Student Discipline Officer.

3.2.5.1 Short-Term Suspension or Lesser Disciplinary Action:

Where the decision of the President is to impose short-term suspension or some lesser disciplinary action, the decision of the President shall be final. The written notice to the student of the President's decision shall specify the length of time of the suspension or the nature and duration of the lesser disciplinary action.

3.2.5.2 Long-Term Suspension

3.2.5.2.1 Where the decision of the President is to impose long-term suspension, the student shall have the right to request a formal hearing before the suspension is imposed.

3.2.5.2.2 The written notice to the student of the President's decision shall specify the right of the student to request a formal hearing and shall include a copy of the formal hearing procedures.

3.2.5.2.3 Within five (5) days of receiving the written notice of the President's decision, the student may submit to the President a written request for a formal hearing. Notice is deemed received as of the day it was personally delivered or three (3) days after it was placed in the United States mail. The hearing, if requested, shall be conducted in accordance with the provisions of section 4.0 of these procedures. If the student does not request a hearing within five (5) days of receiving notice, the President's decision shall become final.

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3.2.5.2.4 Within five (5) days after receipt of the recommended decision of the hearing officer or panel, the President shall render a final decision regarding the disciplinary action to be implemented, if any, and shall provide written notice of the decision to the student. The President may accept, modify or reject the findings, conclusions and recommendations of the hearing officer or panel. If the President modifies or rejects the decision of the hearing officer or panel, the President shall review the record of the hearing and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the President shall be final.

3.2.5.3 Expulsion

3.2.5.3.1 A student may be expelled for good cause where other means of correction have failed to bring about proper conduct or when the presence of the student causes a continuing danger to the physical safety of students or others. Only the Board of Trustees may expel a student.

3.2.5.3.2 Where the decision of the President is to recommend expulsion to the Board of Trustees, the student shall have the right to request a formal hearing before expulsion is imposed.

3.2.5.3.3 The written notice to the student of the President's decision shall specify the right of the student to request a formal hearing and shall include a copy of the formal hearing procedures.

3.2.5.3.4 Within five (5) days of receiving the written notice of the President's decision, the student may submit to the President a written request for a formal hearing. Notice is deemed received as of the date it was personally delivered or three (3) days after it was placed in the United States mail. The hearing, if requested, shall be conducted in accordance with the provisions of section 4.0 of these procedures. If the student does not

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request a hearing within five (5) days of receiving the notice, the President's decision shall become final.

3.2.5.3.5 Within five (5) days after receipt of the recommended decision of the hearing officer or panel, the President shall render a decision regarding the disciplinary action to be implemented, if any. The President may accept, modify or reject the findings, conclusions and recommendations of the hearing officer or panel. If the President modifies or rejects the decision of the hearing officer or panel, the President shall review the record of the hearing and shall prepare a new written decision, which contains specific factual findings and conclusions.

3.2.5.3.5.1 Where the decision of the President is to impose suspension or some lesser disciplinary action, the decision of the President shall be final. The student shall be provided with a written notice of the President's decision, which shall specify the length of time of the suspension or the nature of the lesser disciplinary action.

3.2.5.3.5.2 Where the decision of the President is to recommend expulsion, the written recommendation of the President shall be submitted to the Board of Trustees for consideration in accordance with section 5.0 of these procedures. The Board of Trustees shall consider the recommendation for expulsion at the next regularly scheduled meeting of the Board following the meeting at which the recommendation was received.

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- 3.2.6 The College President shall report all suspensions of students to the Chancellor.
- 3.2.7 Whenever a minor student is suspended, the parent or guardian shall be notified in writing by the President or designee.
- 3.2.8 In cases of assault, the Chancellor or President shall, upon the expulsion or suspension of any student, notify the appropriate law enforcement authorities of any acts of the student which may be in violation of Section 245 of the Penal Code.
- 3.3 Immediate Interim Suspension: The President or designee may order the immediate suspension of a student where there is reasonable cause to believe that immediate suspension is required to protect lives or property and to ensure the maintenance of order. Where a student is placed on interim suspension, the procedural time limits specified in these procedures shall not apply. The student shall be given prompt notice of the charges and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, shall be afforded the student within ten (10) days of the imposition of interim suspension. The student shall not, without prior written permission from the President or designee, enter the campus of any College other than to attend the hearing. Violation of the interim suspension conditions shall be grounds for expulsion.
- 3.4 Withdrawal of Consent to Remain on Campus
- 3.4.1 The President or designee may withdraw consent for a student to remain on the College campus, in accordance with California Penal Code Section 626.4, where there is reasonable cause to believe that the student has willfully disrupted the orderly operation of the campus. A student who is on campus at the time consent is withdrawn shall promptly leave or be escorted off campus. Whenever consent is withdrawn by an authorized designee of the President, a written report shall be promptly submitted to the President.
- 3.4.2 Consent shall not be withdrawn for longer than fourteen (14) days from the date upon which consent was initially withdrawn. The student from whom consent has been withdrawn may submit a written request for a hearing to the Student Discipline Officer. The request must be submitted within the period of the withdrawal. A hearing, if requested, shall be held within seven (7) days of the date of receipt of the request. The hearing shall be conducted in accordance with the provisions of this procedure relating to interim suspensions.
- 3.4.3 A student from whom consent to remain on campus has been withdrawn and who willfully and knowingly enters or remains upon the campus or facility during the period for which consent has been withdrawn, except for the purpose of attending a meeting or hearing on the withdrawal, is subject to arrest.

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4.0 Formal Hearing Procedures

4.1 Hearing Officer or Panel

- 4.1.1 At the discretion of the President, a formal disciplinary hearing may be conducted using the services of a hearing officer, or the President may select an impartial hearing panel comprised of two educational administrators at the level of dean or vice president, one of whom shall be selected from another college within the District.
- 4.1.2 The President shall appoint one member of the panel to serve as the chair of the hearing panel. The decision of the chair shall be final on all matters relating to the conduct of the hearing.
- 4.1.3 No administrator who has any direct involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a hearing panel.

- 4.2 **Notification of Hearing:** The student, and the student's parent or guardian, if the student is a minor, shall be notified by registered or certified mail or by personal service of the date, time, and location of the hearing.

4.3 Conduct of Hearing

- 4.3.1 Prior to the hearing, the members of the hearing panel shall be provided with a copy of the charges against the student and any written response provided by the student.
- 4.3.2 The hearing shall be closed and confidential.
- 4.3.3 The student shall have the right to represent himself/herself at the hearing or to be represented by a person of the student's choice, except that neither the student nor the District shall be represented by legal counsel unless authorized by the hearing officer or panel, in which case both parties shall be entitled to be represented by legal counsel.
- 4.3.4 A record of the hearing shall be made by the District, either by means of tape recording or stenographic recording, and shall be the only recording made. In the event the record is by means of tape recording, the hearing panel chair shall, at the beginning of the hearing, ask each person present to identify himself/herself by name, and thereafter shall ask each witness to identify himself/herself by name. Tape recordings shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may receive a copy of the tape recording upon request.
- 4.3.5 Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

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- 4.3.6 The hearing officer or panel shall not have the authority to issue subpoenas on behalf of either the District or the student.
- 4.3.7 Charges against the student, along with supporting evidence from witnesses or other sources, will be presented by the District.
- 4.3.8 The student shall be given the opportunity to confront and cross-examine witnesses.
- 4.3.9 The student shall be given an opportunity to present a defense, including witnesses and documentary evidence.
- 4.3.10 The District shall have the opportunity to cross-examine the student and witnesses called by the student.
- 4.3.11 Unless the hearing officer or panel determines to proceed otherwise, the District and the student shall each be permitted to make an opening statement. Thereafter, the District representative shall make the first presentation, followed by the student. The District representative may present rebuttal evidence after completion of the student's presentation.
- 4.3.12 All testimony shall be taken under oath; the oath shall be administered by the hearing officer or hearing panel chair. Witnesses shall not be present at the hearing when not testifying. No witness who refuses to be recorded may be permitted to give testimony. Written statements of witnesses under penalty of perjury shall not be admissible unless the witness is unavailable to testify. A witness who refuses to be tape-recorded is not unavailable.
- 4.3.13 The hearing officer or hearing panel chair may determine that requiring live testimony of a proposed witness would subject the witness to an unreasonable risk of psychological or physical harm. After such a determination, the witness may be permitted to provide a written statement under penalty of perjury in lieu of testifying at the hearing.
- 4.3.14 The burden shall be on the District to introduce substantial evidence to support the charges against the student.
- 4.3.15 Within fifteen (15) days following the close of the hearing, the hearing officer or panel shall prepare and submit a written decision to the President. The decision shall include specific factual findings regarding the charges, conclusions as to the standards of student conduct that were violated, and a recommendation regarding the specific disciplinary action to be imposed, if any. Failure of the hearing officer or panel to submit its written decision within fifteen (15) days shall not invalidate the decision.

5.0 Procedures for Consideration of Expulsion by Board of Trustees

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- 5.1 The Board shall hold closed sessions when it considers disciplinary action regarding expulsion of a student. The Board shall notify the student, and the parent if the student is a minor, by registered or certified mail or by personal service of the intent of the Board to call a closed session to consider the expulsion. The notification shall specify the date, time and place of the meeting at which the Board will consider the disciplinary action and shall be provided at least three (3) days prior to the meeting. Final action by the Governing Board may be taken in closed session, provided that the action of the Board shall be reported in public session. The student shall not be identified by name or other designation that would disclose the identity of the student.
- 5.2 In considering a recommendation for expulsion, the Board may accept, modify or reject the findings decisions and recommendations of the President and/or the hearing officer or panel. If the Board modifies or rejects the decision of the President and/or the hearing officer or panel, the Board shall review the record of the formal hearing, and shall prepare a new written decision, which contains specific factual findings and conclusions. The decision of the Board shall be final. The student, and the student's parent or guardian, if the student is a minor, shall be notified in writing of the Board's decision.

Date Adopted: January 28, 2003

Date of Last Revision: September 14, 2016 Chancellor's Staff
February 23, 2015 District Consultation Council
September 10, 2007 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 5610 Voter Registration

Reference:

20 U.S. Code, Section 1094(a)(23)(A)

34 CFR, Section 668.14(d)(1)

- 1.0 The colleges of the District shall make a good faith effort to distribute voter registration forms through the Associated Students Office.
- 2.0 An active link to the California Secretary of State's voter registration web page or site shall be available to students during online registration.
- 3.0 The college designee for the California Secretary of State to contact regarding voter registration forms shall be the colleges' Director of Student Activities or the ~~School of~~ [North Orange](#) Continuing Education Public Information Officer.

Date of Adoption: August 27, 2012 District Consultation Council

Presented to DCC 09/25/17

North Orange County Community College District
BOARD POLICY
Chapter 6
Business and Fiscal Affairs

BP 6350 Hospitality

- 1.0 It is the general policy of the North Orange County Community College District to encourage public participation and awareness of college and college district programs and activities through direct personal contact with individuals and community groups. The Board of Trustees believes that the authorized activities specified under 1.1 facilitate communication and increase public participation in college/district sponsored meetings, events and activities.
- 1.1 The Board of Trustees hereby authorizes actual, reasonable and prudent expenditures incurred by the Colleges, ~~School of~~ [North Orange](#) Continuing Education Centers, and District Office for the following:
- 1.1.1 Functions for volunteers.
 - 1.1.2 Functions for retiring employees.
 - 1.1.3 Activities honoring individuals in education.
 - 1.1.4 College Week and/or Senior Days activities.
 - 1.1.5 Educational events sponsored by the Board, and Board meetings.
 - 1.1.6 Breakfast, luncheon and dinner meetings sponsored by state, municipal, county or other community agencies relating to college/district activities.
 - 1.1.7 Flowers and cards for special occasions.
 - 1.1.8 Seminars and workshops only with prior approval of the Board.
 - 1.1.9 Service club membership dues and fees at the discretion of the Chancellor and/or Vice Chancellors/President/Provost.
 - 1.1.10 Board appointed committee meetings.
 - 1.1.11 Group planning and operational meetings.
 - 1.1.12 Business related meals.
 - 1.1.13 Other activities to encourage public participation and awareness of college and district programs and activities through direct personal contact with individuals and community groups.
- 2.0 Each year in accordance with the budget requirements, the Vice Chancellor, Finance & Facilities, shall submit a hospitality budget for Board approval. The hospitality budget may be augmented at any time during the year pursuant to statutory requirements.
- 3.0 All expenditures authorized under article 1.1 shall be paid from interest income.

BP 6350 Hospitality

- 3.1 All expenditures related to hospitality activities shall be identified and remain separate and distinct from any and all other disbursements. A separate bank account may be established for the specific use of hospitality activities. Any such account shall be authorized by a Board resolution. In order to maximize budget and expenditure control, no disbursement, in payment of hospitality expenses, shall be made unless such expenditures have been budgeted and approved for payment by an authorized signature. The Chancellor, Vice Chancellors, Presidents, Executive Vice Presidents, and Provost may authorize disbursements.
- 3.2 Such approval may take the form of a disbursement order which must include where applicable, activity or event, participant(s), vendor name, quantity, unit price, and total price including applicable taxes.
- 4.0 The Chancellor will provide a financial report to the Board on all hospitality activities/events on an annual basis.

Date of Adoption: February 12, 2002

Presented to DCC 09/25/17

BP 6620 Naming Facilities & Properties

1.0 All recommendations for naming facilities and properties shall be submitted to the Board of Trustees by the Chancellor for action.

2.0 All recommendations shall comply with the following:

2.1 When an individual has brought extraordinary distinction, provided exemplary service, or made a significant material donation to one of the District colleges, the ~~School of~~ [North Orange](#) Continuing Education Program, or the District in general, a recommendation may be made to the Board of Trustees that a facility or property be named in honor of the individual.

2.2 Once the appropriate procedures for naming a facility or property have been followed, the final authority for naming District facilities and properties rests with the Board of Trustees. This authority includes the naming of facilities and properties such as: all buildings; major portions of buildings; college roads and access routes; athletic fields; and other major areas of assembly or activity; plazas, dining commons, and other areas of campus circulation; and all other highly visible facilities and properties. The Board delegates to the Chancellor the authority to name individual rooms, limited areas and individual features of buildings, individual landscape items or features, limited outdoor areas, and other minor properties.

2.2.1 When no gift is involved:

2.2.1.1 Recognition by the naming of a District facility or property may be recommended to honor any person who has achieved unique distinction through campus leadership, service to students, service to the community, uncommon achievement, and/or contributions to the advancement of the mission and goals of the District.

2.2.1.2 Recognition by the naming of a District facility or property may be recommended to honor any person who has worked for the District and has made an extraordinary contribution to the District, one of its colleges or one of its programs. Proposals to name a facility or property after an individual who has worked for the District will be considered a year or more after the individual has resigned, retired, or passed away.

2.2.2 When a gift is involved before or during construction of a facility or property:

2.2.2.1 When a significant bequest, gift, or donation is given to one of the colleges or to ~~School of~~ [North Orange](#) Continuing Education, or to the District in general, the naming of a District facility or property in honor of the donor may be recommended.

2.2.2.2 The procedures to be followed to name a District facility or property after an individual who has made a significant gift will include consultative channels as outlined in the administrative procedure for this policy. The District will take into consideration the significance and amount of the proposed gift as either or both

BP 6620 Naming Facilities & Properties

relate to the realization or completion of a facility or property and the enhancement of its value to the District.

- 2.2.3 When a gift is involved after construction of a facility or property, Sections 2.2.2.1 and 2.2.2.2 above shall apply. However, the bequest, gift, or donation may instead be applied to a purpose other than funding of the facility or property to be named after the donor. In these cases, the funding will be applied to a purpose established through campus consultative channels as outlined in the administrative procedure and in keeping with District and campus missions.

See Administrative Procedure 6620.

Date of Adoption: February 12, 2002

Date of Last Revision: March 28, 2006

Presented to DCC 09/25/17

BP 6700 Civic Center and Other Facilities Use

Reference:

**Education Code Sections 82537 and 82542;
Title 5 Sections 59601 et seq.**

- 1.0 The Vice Chancellor, Finance & Facilities shall establish procedures regarding the use of college property, including but not limited to facilities, equipment and supplies, by community groups and other outside contractors.

These administrative procedures shall reflect the requirements of applicable law, including Education Code Section 82537, regarding Civic Centers. The regulations shall include reasonable rules regarding the time, place and manner of use of District facilities. They shall assure that persons or organizations using college property are charged such fees as are authorized by law. Public use of District property shall not interfere with scheduled instructional programs or other activities.

- 2.0 No group or organization may use District property for purposes that discriminate on the basis of race, color, religion, ancestry, national origin, military or veteran status, disability, gender, gender identity, gender expression, or sexual orientation, or the perception that a person has one or more of the foregoing characteristics, or because a person associates with a person or group with one or more of these actual or perceived characteristics, or on any basis prohibited by law.
- 3.0 The District will provide free usage in accordance with Education Code Section 82542(a).
- 4.0 All District property will be subject to a facility use charge in accordance with Education Code Section 82542(b-f).

See Administrative Procedures 6700.

Date of Adoption: February 12, 2002

Date of Last Revision: September 14, 2016 Chancellor's Staff
April 14, 2015

Presented to DCC 09/25/17

AP 7120-4 Management Employee Hiring

Reference:

Education Code Sections 87100, et seq., 87400 and 88003;
ACCJC Accreditation Standard III.A.1;
WASC/ACS Criterion 2, Indicator 2.4; Criterion 3, Indicators 3.1 and 3.2

- 1.0 **Application:** This procedure shall apply to the selection of administrators for regular management positions within the North Orange County Community College District. This procedure shall not apply to the selection of temporary special project administrators.
- 2.0 **Allocation of Administrative Positions:** The need for administrator hiring and administrative staff allocations shall be determined by the Chancellor, in consultation with the executive officers of the District, taking into consideration local staffing recommendations developed in accordance with established planning processes, District-wide planning needs and budgetary considerations.
- 3.0 **Screening Committee Composition**
 - 3.1 Chancellor: The composition of the screening committee for the position of Chancellor shall be determined by the Board of Trustees and shall include representation broadly reflective of the District's constituencies. (See AP2431, Chancellor Selection.)
 - 3.2 Vice Chancellor: The screening committee for the position of Vice Chancellor shall be comprised of the following:
 - 3.2.1 Two (2) management representatives selected by the District Management Association.
 - 3.2.2 Two (2) faculty representatives jointly selected by the United Faculty and Adjunct Faculty United.
 - 3.2.3 Two (2) classified representatives selected by California School Employees Association (CSEA).
 - 3.2.4 One (1) faculty representative selected by each Academic/Faculty Senate.
 - 3.2.5 One (1) confidential representative selected by the Confidential Employees Group.
 - 3.2.6 One (1) student representative selected by each Associated Student Body (ASB).
 - 3.2.7 The Vice Chancellor of Human Resources or the Vice Chancellor of Finance and Facilities, as appropriate.
 - 3.2.8 Three (3) management representatives selected by the Chancellor, broadly reflective of the District community.

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- 3.2.9 One (1) community representative selected by the Chancellor (optional).
- 3.2.10 A non-voting Equal Opportunity/Diversity representative selected by the Chancellor.
- 3.3 President or Provost: The screening committee for the position of President or Provost shall be comprised of the following:
 - 3.3.1 One (1) management representative selected by the District Management Association.
 - 3.3.2 One (1) faculty representative jointly selected by the United Faculty and Adjunct Faculty United.
 - 3.3.3 Two (2) classified representatives selected by CSEA.
 - 3.3.4 Five (5) faculty representatives selected by the campus Academic/Faculty Senate.
 - 3.3.5 One (1) confidential representative selected by the Confidential Employees Group.
 - 3.3.6 One (1) student representative selected by the ASB (college) or the Academic Senate (~~SC~~ENOCE).
 - 3.3.7 The Vice Chancellor of Human Resources or designee.
 - 3.3.8 Four (4) management representatives selected by the Chancellor, broadly reflective of the campus community, including representation from the affected campus.
 - 3.3.9 One (1) community representative selected by the Chancellor (optional).
 - 3.3.10 A non-voting Equal Opportunity/Diversity representative selected by the Chancellor.
- 3.4 Executive Vice President or Vice President: The screening committee for the position of Executive Vice President or Vice President shall be comprised of the following:
 - 3.4.1 One (1) management representative selected by the District Management Association; or if the campus senate decides to include one (1) faculty union representative in 3.4.4 on the committee, then there will be two (2) management representatives selected by the District Management Association.
 - 3.4.2 Two (2) classified representatives selected by CSEA.

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- 3.4.3 Three (3) faculty representatives selected by the campus Academic/Faculty Senate.
- 3.4.4 One (1) faculty union representative selected according to the agreement(s) between the three Academic Senates and United Faculty and Adjunct Faculty United.
- 3.4.5 Two (2) management representatives selected by the President/Provost, broadly reflective of the campus community.
- 3.4.6 One (1) student representative selected by the ASB (college) or the Academic Senate (~~SC~~NOCE).
- 3.4.7 One (1) community representative selected by the President/Provost (optional).
- 3.4.8 A non-voting Equal Opportunity/Diversity representative selected by the President/Provost.
- 3.5 Dean: The screening committee for the position of Dean shall be comprised of the following:
 - 3.5.1 One (1) management representative selected by the District Management Association.
 - 3.5.2 Two (2) classified representatives selected by CSEA.
 - 3.5.3 One (1) faculty union representative selected according to the agreement(s) between the three Academic Senates, United Faculty, and Adjunct Faculty United.
 - 3.5.4 Three (3) faculty representatives selected by the campus Academic/Faculty Senate; or if the campus senate decides not to include the one (1) faculty union representative, then there will be four (4) faculty representatives selected by the campus Academic/Faculty Senate.
 - 3.5.5 Two (2) management representatives selected by the President/Provost, broadly reflective of the campus community.
 - 3.5.6 One (1) student representative selected by the ASB (college) or the Academic Senate (~~SC~~NOCE).
 - 3.5.7 One (1) community representative selected by the President/Provost (optional).
 - 3.5.8 A non-voting Equal Opportunity/Diversity representative selected by the President/Provost.
- 3.6. Other Administrator Positions

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- 3.6.1 The composition of screening committees for other administrator positions shall be determined by the appropriate Executive Officer using the appropriate consultation processes. The committee shall include representatives of affected constituencies appropriate to the nature of the position and may include the supervising administrator.
- 3.6.2 The screening committees for other administrator positions shall include a non-voting Equal Opportunity/Diversity representative selected by the Executive Officer.

4.0 Responsibilities of Screening Committee Members

4.1 Responsibilities of All Committee Members

- 4.1.1 Committee members shall participate in all aspects of the process, including, but not limited to, the following:
 - 4.1.1.1 Training in the management hiring procedure and equal opportunity employment objectives of the District.
 - 4.1.1.2 Development of rating criteria and interview questions.
 - 4.1.1.3 Establishment of timelines for screening and interviewing.
 - 4.1.1.4 Development of protocol for performance tests.
 - 4.1.1.5 Evaluation and rating of candidates.
 - 4.1.1.6 Interviewing of candidates.
 - 4.1.1.7 Recommendation of finalists.
- 4.1.2 Committee members shall maintain strict confidentiality throughout the entire hiring process and after the process is completed.
- 4.1.3 A committee member who fails to participate in the paper screening or all interviews shall be removed from the committee.

4.2 Responsibilities of Committee Chair

- 4.2.1 The committee chair shall be responsible for the following:
 - 4.2.1.1 Ensuring compliance with District policies and procedures in conjunction with the hiring process.
 - 4.2.1.2 Convening and conducting committee meetings, according reasonable consideration to the schedules of committee members.

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- 4.2.1.3 Coordination of candidate interviews.
- 4.2.1.4 Communicating with applicants, as required.
- 4.2.1.5 Maintaining committee records.
- 4.2.1.6 Performing other duties determined by agreement with the committee.

4.2.2 The hiring site will be responsible for providing clerical assistance to the chair.

4.2.3 The chair may be removed for nonperformance of duties specified in this section, by mutual agreement of the Executive Officer and a majority of the members of the screening committee.

4.3 Responsibilities of the Equal Opportunity/Diversity Representative

4.3.1 The Equal Opportunity/Diversity Representative shall ensure that no candidate is discriminated against on the basis of race, color, gender, sexual orientation, religion, national origin, age, disability, veteran, or marital status and shall serve as the committee liaison to the Executive Officer, with responsibility for reporting noncompliance.

4.3.2 Any allegation of noncompliance shall be investigated by the Director of Human Resources and reported to the Executive Officer, who shall take appropriate corrective action, if warranted.

4.3.3 The Equal Opportunity/Diversity Representative will be a nonvoting member of the committee and, except as to performance of the responsibilities described in section 4.3.1, will observe but not participate in paper screening or deliberations regarding the selection of candidates.

5.0 Development and Distribution of Job Announcement

5.1 Development of Job Announcement

5.1.1 The job announcement for the position shall be developed by the District Office of Human Resources in collaboration with the appropriate Executive Officer and the screening committee, and shall include the following information:

5.1.1.1 The position.

5.1.1.2 The major duties of the position as specified in the approved District job description, which shall also include the following statement: "Sensitivity to and understanding of the disabilities and diverse academic, socioeconomic, cultural, and ethnic background of students."

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5.1.1.3 The qualifications for the position, which shall include the minimum qualifications for service as required by law, and/or such other qualifications as established by the District.

5.1.1.4 The desirable qualifications for the position, which would clearly render the applicant better able to perform the job, but which are not required for satisfactory performance. Desirable qualifications must be bona fide occupational qualifications, which are specific and directly reflective of the screening criteria to be utilized in the selection process.

5.1.2 The job announcement shall be reviewed by the Executive Officer for final approval.

5.1.3 The District Office of Human Resources shall review the job description for accuracy, clarity, and consistency with legal requirements and District policy, and shall prepare and publish a final job announcement, which shall include complete information regarding the application procedure and requirements.

5.2 Distribution of Job Announcement

5.2.1 The District Office of Human Resources, in consultation with the screening committee chair, shall determine the closing date for the position such that the job announcement will be distributed at least six weeks prior to the closing date.

5.2.2 The District Office of Human Resources will advertise and distribute position announcements, as practicable and appropriate.

6.0 Application Requirements

6.1 Applications shall be submitted to the District Office of Human Resources.

6.2 A complete application packet must include the following:

6.2.1 Completed District application, signed by the applicant.

6.2.2 Letter of application, which provides examples from background and experience to demonstrate how the candidate's knowledge and expertise apply to the position.

6.2.3 Resume of education and professional experience.

6.2.4 Academic transcripts of undergraduate and graduate course work (unofficial transcripts may be submitted with application; candidates selected for employment will be required to provide official transcripts and verification of experience prior to the first day of service).

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- 6.2.5 Documentation of required licenses/certificates (unofficial documentation may be submitted with application; candidates selected for employment will be required to provide official documentation prior to the first day of service).
- 6.2.6 Additional requirements as may be established by the screening committee, including, but not limited to, the following:
 - 6.2.6.1 Current letters of recommendation.
 - 6.2.6.2 Current job description.
- 6.3 Except for letters of reference, required application materials must be submitted with the District application, as a complete packet. Applicants shall bear the sole responsibility for ensuring that application packets are complete when submitted. Facsimile applications, applications/materials received after the closing date, and loose materials submitted independently of the application packet (with the exception of letters of reference), will not be accepted. Examination of application packets for completeness will be the responsibility of the screening committee.
- 6.4 Applicants who apply for more than one position must submit a separate and complete application packet for each position.

7.0 Screening Committee Operating Procedures

- 7.1 The initial meeting of the screening committee shall be convened by the Executive Officer or designee, who shall provide each member of the committee with a copy of the hiring procedure. The committee, in consultation with the Executive Officer or designee, shall select a chair from among the committee membership and shall establish the decision-making process and the level of agreement required to act, particularly with respect to the selection of final candidates.
- 7.2 No additions or replacements to the committee membership shall be made subsequent to the initial meeting of the screening committee.
- 7.3 The screening committee shall develop the following for use in evaluating candidates against the advertised job announcement, which shall be approved by the District Office of Human Resources prior to consideration of applicant materials by the screening committee:
 - 7.3.1 Paper screening criteria and interview questions.
 - 7.3.2 Protocol for an administrative demonstration, writing sample, and/or other performance indicators appropriate for the position.
 - 7.3.3 Parameters for conducting interviews and administration of performance tests.
- 7.4 Initial Screening of Applications

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- 7.4.1 The screening committee, or such representatives of the committee as the committee may designate, will examine each applicant's materials for completeness and evidence of compliance with the required qualifications as advertised in the job announcement.
- 7.4.2 Materially incomplete applications and applications not signed by the applicant will not be considered.
- 7.4.3 After completion of the initial screening, the candidates remaining in the applicant pool shall be independently assessed by each member of the screening committee, using the rating criteria developed by the committee.
- 7.4.4 Committee members shall avoid any discussion of ratings, rankings, or recommendations of candidates until independent evaluations of all candidates have been completed by each committee member.
- 7.4.5 The committee will then discuss the ratings and evaluate the merits of the candidates to determine if there is an adequate pool of professionally qualified candidates with which to continue the selection process.
 - 7.4.5.1 If the pool is deemed adequate by the committee, the committee shall proceed with the selection of candidates for interview.
 - 7.4.5.2 If the pool is not deemed adequate by the committee, the committee shall discuss the matter with the Executive Officer or designee, who shall determine the action to be taken after consultation with the committee.

7.5 Selection of Candidates for Interview

- 7.5.1 The screening committee shall determine an initial pool of potential candidates for interview. Prior to scheduling of interviews, the committee chair and/or other representative(s) of the screening committee, as the committee prefers, shall consult with the Vice Chancellor of Human Resources or designee, to ensure that all candidates possess the required qualifications for the position.
- 7.5.2 After determination of the candidates cleared for interview pursuant to section 7.5.1, the committee chair shall:
 - 7.5.2.1 Notify the screening committee regarding the candidates cleared for interview.
 - 7.5.2.2 Establish an interview schedule and notify the candidates to be interviewed.
 - 7.5.2.3 Mail to each interview candidate a confirmation letter detailing the interview appointment and place, a map and parking permit, and other appropriate materials.

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7.5.3 The District Office of Human Resources will notify the candidates not selected for interview.

7.6 Interview and Performance Tests

7.6.1 The circumstances of each interview and performance test, if conducted, shall be as similar as is practicable.

7.6.2 Each committee member shall independently assess each candidate using the rating criteria developed by the committee.

7.6.3 Committee members shall avoid any discussion of ratings, rankings, or recommendations of the candidates until all interviews and performance tests have been completed and independent evaluations have been completed by each committee member.

7.7 Selection of Finalists

7.7.1 The committee chair shall lead discussion, which shall focus on the strengths and weaknesses of the candidates to determine the candidates to be recommended as finalists to the supervising administrator.

7.7.2 The committee chair and/or other members of the committee, as the committee prefers, shall conduct reference checks of each of the recommended finalists, which shall include investigation of professional experience and personal qualities relevant to performance in the position. Following a discussion of the results of the reference checks, the committee shall make a final determination of the candidates to be recommended as finalists.

7.7.3 The supervising administrator may meet with the committee to clarify the reasons for the number of finalists recommended by the committee.

7.7.3.1 If, after discussion, the supervising administrator is not satisfied with the committee's recommendation, the supervising administrator may request the committee to reconsider.

7.7.3.2 If, after reconsideration, the committee forwards the same recommendation, the appropriate Executive Officer, in consultation with the supervising administrator, will determine whether to continue the process.

7.7.4 The supervising administrator, committee chair, and/or the appropriate Executive Officer may conduct independent reference checks and interviews of the finalists.

7.7.5 Prior to any decision regarding the candidate to be offered the position, the supervising administrator will meet with the committee to discuss the strengths and weaknesses of the finalists.

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7.7.6 After discussion with the committee, the supervising administrator will recommend to the appropriate Executive Officer the candidate to be offered the position. Where the position is at the salary level of Dean or above, final recommendation of the candidate to be offered the position will be determined by the Executive Officer in consultation with the Chancellor. If approved, the supervising administrator shall notify the successful candidate and confirm the candidate's acceptance. Upon notification by the supervising administrator that a candidate has accepted the position, the District Office of Human Resources will notify the remaining candidates.

7.7.7 In the event the successful candidate does not accept the offer of employment, the appropriate Executive Officer, in consultation with the supervising administrator and the screening committee, shall determine the next action to be taken.

8.0 Executive Officer Positions

8.1 The Board of Trustees may employ a search consultant to administer the hiring process for executive officer positions. The provisions of section 7.1 notwithstanding, where the Board elects to retain a search consultant, the Board may designate the consultant as chair of the screening committee.

8.2 Campus forums and/or site visits may be conducted as part of the hiring process for executive officer positions.

8.2.1 If a site visit is conducted as part of the hiring process for the Chancellor position, the Board of Trustees shall determine the composition of the visiting team, which shall include one or more members of the screening committee.

8.2.2 If a site visit is conducted as part of the hiring process for an executive officer position other than the Chancellor, the composition of the visiting team shall be determined by the Chancellor. The visiting team shall include at least two members of the screening committee who shall be from different constituencies.

8.3 The Chancellor's Staff group will interview finalists for executive officer positions and provide feedback to the Board of Trustees for the Chancellor position, and to the Chancellor for other executive officer positions.

8.4 The Board of Trustees will interview finalists for the Chancellor position and make a final decision regarding the candidate to be offered the position.

8.5 The Board of Trustees will interview finalists for all other executive officer positions and, in consultation with the Chancellor, make a final decision regarding the candidate to be offered the position.

Date of Adoption: May 27, 2003

North Orange County Community College District
BOARD POLICY
Chapter 7
Human Resources

AP 7120-4 Management Employee Hiring

Date of Last Revision: September 14, 2016 Chancellor's Staff
February 23, 2015 District Consultation Council
July 28, 2008 (correction to section 5.1.1)
February 12, 2008

Presented to DCC 09/25/17

AP 7130-1 Payroll

1.0 **Payment for Services:** The rate of pay for each employee of the District shall be in accordance with the rate established for the position on the appropriate salary schedule, as approved by the Board of Trustees, unless the employee's compensation is otherwise fixed by the Board.

2.0 **Payment Schedule:** Payment to employees shall be in accordance with the schedule and procedures for school payrolls established by the Orange County Department of Education. This schedule, subject to change, provides for payments as follows:

2.1 Academic Payroll

2.1.1 Employees who are paid for their services on the academic payroll will be paid monthly on the last working day of each calendar month, except December. Payment for December will be made on the first working day of January. If a scheduled pay day falls on a Saturday, Sunday, or holiday, payment will be made on the preceding working day. Generally, the following categories of employees are paid in accordance with this schedule:

2.1.1.1 Regular (Tenured) and Contract (Probationary) Faculty

2.1.1.1.1 Regular and contract faculty with 175-day contracts will receive ten (10) equal payments for their services during the regular academic year.

2.1.1.1.2 Regular and probationary faculty with 193-day contracts will receive ten (10) equal payments for their services during the regular academic year. If the employee works at least one duty day of the regular contract assignment during July at the end of the academic year, the employee may elect to receive eleven (11) equal payments. If the employee works at least one duty day of the regular contract assignment during both July at the beginning of the academic year, and at least one duty day of the regular contract assignment at the end of the academic year, the employee may elect to receive twelve (12) equal payments.

2.1.1.2 Temporary (Adjunct) Faculty

2.1.1.2.1 Credit instructors teaching full-term classes will receive four (4) equal payments during the semester. The first payment for the fall semester will be made on the last working day of September; the first payment for the spring semester will be made on the last working day of February. Instructors teaching short-term and late-start classes will receive equal payments based on the number of pay

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periods during which the employment occurs as determined by the District Payroll Office. Instructors teaching during intersessions are paid in accordance with the schedule established by the District Payroll Office.

- 2.1.1.2.2 Noncredit instructors (~~SC~~NOCE) are paid monthly on the last working day of each month for hours worked in the previous month.

2.1.1.3 Academic Management Employees

- 2.1.1.3.1 Academic management employees who are employed twelve (12) months per fiscal year will receive twelve (12) equal payments for their services during the fiscal year.

- 2.1.1.3.2 Academic management employees who are employed fewer than twelve (12) months per fiscal year will receive eleven (11) equal payments for their services during the fiscal year, unless the employee requests twelve (12) equal payments. The employee must work at least one duty day of the regular assignment during July in order to receive twelve (12) payments.

2.2 Classified Payroll

- 2.2.1 Salaried employees who are paid for their services on the classified payroll will be paid twice each month on the 10th and 25th of each month. In order to receive a payment on the 25th of the month, the employee must have worked during the first ten days of the month. If a scheduled pay day falls on a Saturday, Sunday, or holiday, payment will be made on the preceding working day. Generally, the following categories of employees are paid in accordance with this schedule:

- 2.2.1.1 Classified (bargaining unit) employees.

- 2.2.1.2 Confidential employees.

- 2.2.1.3 Classified management employees.

- 2.2.1.4 Temporary Special Project Administrators.

- 2.2.2 Hourly employees who are paid for their services on the classified payroll will be paid monthly on the 10th of each month. If a scheduled pay day falls on a Saturday, Sunday, or holiday, payment will be made on the preceding working day. Generally, the following categories of employees are paid in accordance with this schedule:

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2.2.2.1 Short-term employees, substitute employees, and student employees who are employed pursuant to the provisions of Education Code section 88003.

2.2.2.2 Professional Experts.

3.0 Time Cards

3.1 Daily time reporting is required for all employees who are paid on an hourly basis. The time reported must be for the actual hours worked as of the payroll deadline for the reporting period. Projection of hours is not permitted.

3.2 Time cards must be signed and dated by the employee and the management supervisor after the employee has completed the work for which time is reported. Any subsequent corrections must be initialed and dated by the employee and the management supervisor. It is the responsibility of the management supervisor to ensure that the time reported by the employee is accurate and that the work has been performed. Where time reporting data is submitted or approved electronically, the submission or approval by an employee, supervisor, or responsible designee constitutes acknowledgment as to the accuracy of the data.

3.3 Special Program time cards must be used for all positions that are directly charged to federal, state, and locally-funded programs and for the employment of Professional Experts. Time cards must reflect an after the fact distribution of the actual activity of the employee charged to the program. Budget estimates or other distribution percentages determined before services are performed are not permitted.

4.0 **Payroll Errors:** Any payroll error resulting in insufficient payment for an employee shall be corrected, and a supplemental check issued within a reasonable time after the employee provides notice to the District Payroll Office. If an overpayment occurs, the Payroll Office will notify the employee. Normally, salary deductions for overpayment will commence with the next month's paycheck and the overpayment will be deducted in the same number of paychecks in which the overpayment occurred, except that when the period of overpayment exceeds one year, then the period over which deductions are made shall not exceed a period of one year.

Date of Adoption: December 10, 2007 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 7210-1 Equivalency

1.0 Equivalency Process

1.1 An evaluation under the equivalency process shall be required:

1.1.1 Where a person is claiming the equivalent of the minimum qualifications for a discipline, in which case the function of the process is to determine whether that is the case, subject to the equivalency criteria set forth in section 3.0 of this procedure.

1.1.2 Where a person is claiming qualification on the basis of a credential and where the subject matter designation of the credential is not the same as the title of a discipline, in which case the function of the process is to determine the discipline(s) in which the person is qualified to serve by virtue of the credential.

1.2 Applications for a determination of equivalency shall be forwarded to the District Equivalency Committee for evaluation in accordance with the relevant provisions of the contract and/or hiring policy. Applications shall not contain the name of the applicant or other identification with respect to gender, race, age, etc., unless embedded in the application in such manner as to make removal impossible without compromising other information. At least two weeks prior to consideration of an application by the Equivalency Committee, two copies of the application and notice of the scheduled date and time of the committee meeting during which the application will be evaluated will be submitted to the campus instruction offices and the office of the Provost of the ~~School of~~ North Orange Continuing Education (~~SCE~~ NOCE), as appropriate for the discipline under consideration. The notice will include a request for departmental representation to the Equivalency Committee as provided in section 2.1.2 of this procedure.

1.2.1 In the case of an applicant for employment:

1.2.1.1 The District Equivalency Committee shall act expeditiously so as to accommodate the hiring process, and direct its decision, with justification, to the hiring committee.

1.2.1.2 In cases of "emergency" where the District Equivalency Committee is in recess and a determination is required under this procedure, the Division Dean and the appropriate faculty department coordinator (or other representative designated by the department faculty or in ~~SCE~~ NOCE, designated by the ~~SCE~~ NOCE Academic Senate) shall be authorized to evaluate for equivalency the qualifications of an applicant for temporary employment, subject to the criteria specified in section 3.1 of this procedure.

1.2.1.2.1 A finding of equivalency shall require the mutual agreement of the Dean and the department coordinator. (In ~~SCE~~ NOCE, if there is no department coordinator, it will be another representative designated by the ~~SCE~~ NOCE Academic Senate.) The decision shall be considered conditional and an

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application shall be submitted to the District Equivalency Committee at its next regular meeting for final determination.

- 1.2.1.2.2 A position filled on the basis of a finding of equivalency by the dean and the department coordinator shall be temporary and of duration not longer than one semester or trimester.
- 1.2.1.3 A determination that an applicant's qualifications are equivalent to the minimum qualifications for a discipline shall not be construed as an indication that the applicant will be interviewed or hired.
- 1.2.2 In the case of a faculty member seeking a determination for purposes of qualifying for an additional discipline, the District Equivalency Committee shall act upon the application by the last day of the semester in which the application is submitted and direct its decision, with justification, to the District Office of Human Resources, which shall notify the applicant of the decision.
 - 1.2.2.1 Applications to be considered during the fall semester and the fall trimester shall be submitted to the committee not later than October 15.
 - 1.2.2.2 Applications to be considered during the spring semester shall the winter trimester be submitted to the committee not later than February 15.
 - 1.2.2.3 Applications to be considered during the spring trimester by March 31.
- 1.3 It shall be the responsibility of the applicant for equivalency to:
 - 1.3.1 Apply in accordance with established procedures.
 - 1.3.2 Supply all documents held in evidence for the determination.
 - 1.3.3 Be available for interview or examination.
- 1.4 It shall be the responsibility of the faculty of the department or area of the discipline under consideration to:
 - 1.4.1 Designate a department representative to the Equivalency Committee as provided in section 2.1.2 of this procedure;
 - 1.4.2 Determine the process for departmental assessment of equivalency applications;
 - 1.4.3 Communicate the department's assessment of equivalency to the department representative to the Equivalency Committee.

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2.0 District Equivalency Committee

2.1 Composition

2.1.1 The District Equivalency Committee shall have a standing membership consisting of the following:

2.1.1.1 One tenured faculty member appointed by each senate for a three-year term who shall serve as voting members.

2.1.1.2 One Chief Instructional Officer or ~~School of~~ [North Orange](#) Continuing Education Dean, to rotate annually between the campuses, who shall serve as a voting member; the remaining Chief Instructional Officers/~~School of~~ [North Orange](#) Continuing Education Dean shall sit as ex officio members.

2.1.1.3 The Vice Chancellor of Human Resources or designee possessing expertise with respect to statewide minimum qualifications, disciplines, and credentialing, who shall chair the committee and serve in a nonvoting capacity, except to cast the deciding vote in the case of a tie vote.

2.1.2 On a case-by-case basis, the standing membership shall be augmented to include one tenured faculty member from each campus whose primary assignment is in the discipline under consideration, and selected by the tenured faculty of the appropriate departments. If there is no tenured faculty member available whose primary assignment is in the discipline under consideration, a tenure-track faculty member or adjunct faculty member whose primary assignment is in the discipline under consideration may serve. While the particular application is being considered, the department representatives will participate fully in the committee deliberations and voting.

2.2 Policies and Procedures

2.2.1 No action shall be taken by the Equivalency Committee unless a quorum of the committee membership is present. A quorum shall consist of four voting members of the committee, exclusive of the Vice Chancellor of Human Resources or designee.

2.2.2 The standing membership shall determine the operational procedures of the committee.

2.2.3 The committee shall establish a fixed and regular meeting schedule, and members shall be available to meet as required. Faculty members of the committee shall be afforded scheduling accommodations, if necessary.

2.2.4 A committee member shall not sit in consideration of his or her own case, or in any case that would otherwise involve a conflict of interest. In such cases involving a standing member of the committee, the appropriate senate shall appoint an ad hoc replacement.

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2.2.5 The committee shall maintain thorough and accurate written records of its deliberations and decisions, which shall be preserved by the representative of the District Office of Human Resources.

2.2.6 The deliberations and records of the committee shall be confidential.

3.0 Equivalency Criteria

3.1 Equivalency is not a waiver of the minimum qualifications; rather, to be accorded equivalence, the applicant shall provide evidence, as specified herein, of qualifications that are at least equal to or greater than the prescribed minimum qualifications. A determination of equivalency will find qualifications that place the applicant in the same position as if he or she possessed the prescribed minimum qualifications.

3.2 For establishment of the equivalent of a required degree, the applicant shall be found to possess, by virtue of academic coursework, independent learning, experience, or a combination of these, at least the equivalent in level of achievement, breadth and depth of understanding and rigor of all of the following:

3.2.1 General education required for that degree.

3.2.2 Major coursework required for that degree.

3.2.3 Coursework required for the area of emphasis or specialization, if specified within the minimum qualifications.

3.3 For establishment of the equivalent of required experience, the applicant shall be found to possess, by virtue of the quantity, quality, and diversity of experience:

3.3.1 Demonstrated and specific discipline-related skills mastery, which will establish equivalence to the required experience.

3.3.2 Extensive and diverse knowledge of the working environment of the discipline;

3.3.3 Demonstrated mastery of the skills of the discipline, thoroughly enough for the specific assignment and broad enough to serve as a basis for teaching other courses in the discipline.

3.3.4 Certification and/or licensure equivalent to that required under the minimum qualifications.

3.4 In evaluating equivalency, the following may be considered:

3.4.1 Transcripts providing evidence of appropriate courses successfully completed at an accredited college/vocational institution or through an appropriate foreign institution.

3.4.2 Other evidence, of a clear and reliable nature, including, but not limited to, the following:

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- 3.4.2.1 Publications and other work products that show a command of the discipline and the major in question and that provide evidence of the general education and writing skills of the candidate.
 - 3.4.2.2 Resumes, employment statements, chronological listings, or other evidence of work experience relative to the discipline.
 - 3.4.2.3 Other evidence of demonstrated skill or accomplishment.
- 3.5 Determinations of equivalency shall exhibit uniformity, within and between cases. It is expected that prior decisions will be utilized as precedents in order to effect consistency, unless new factors or conditions indicate that a past decision is no longer valid.
- 4.0 **Review and Revision:** This procedure is subject to review and revision at the request of any senate or the Board of Trustees. Changes in this procedure shall require the joint agreement of the senates and the Board. Until there is joint agreement, this procedure will remain in effect.

Date of Adoption: November 13, 2006 Chancellor's Cabinet

Presented to DCC 09/25/17

AP 7210-4 Recognition of Academic Rank

- 1.0 Faculty are awarded academic rank designations on the following basis:
 - 1.1 Assistant Professor: Rank designation awarded a contract (tenure-track) faculty member during years one and two of the probationary tenure review period.
 - 1.2 Associate Professor: Rank designation awarded a contract (tenure-track) faculty member during years three and four of the probationary tenure review period.
 - 1.3 Professor: Rank designation awarded a regular (tenured) faculty member.
 - 1.4 Adjunct Instructor: Rank designation awarded a faculty member who is not a member of the regular and contract faculty.
 - 1.5 Professor Emeritus: Rank designation conferred upon a retired faculty member by approval of the Academic Senate.
- 2.0 The use of academic rank shall not be related to any salary schedule, nor shall it be a factor in determining salary.
- 3.0 Individual faculty members may use their current academic rank or title in any personal publication or other communication, and a faculty member's current academic rank or title may be used by the campus or District in response to any official request or communication from an outside agency.
- 4.0 No reference to academic rank or title of faculty members shall be made in any District or campus publication intended for general public distribution. Such publication shall include, but not be limited to, the college catalog, schedule of classes, or the staff directory.
- 5.0 Neither the District, nor the campus, nor any unit thereof, shall permit or condone any discriminatory practice related to the use of academic rank or title.
- 6.0 In September of each year, the Office of Instruction of each college and the ~~School of~~ North Orange Continuing Education shall prepare and distribute an official listing of the academic rank designation of each regular and contract faculty member.

Date of Adoption: October 13, 2008 Chancellor's Cabinet

Presented to DCC 09/25/17

BP 7240 Management Employees

Reference:

**Education Code Sections 72411 et seq., 87002(b), 87457- 87460;
Government Code Section 3540.1(g) and (m)**

- 1.0 Management employees are those employees of the District who are designated as "Management" by the Board of Trustees in accordance with the Educational Employees Relations Act of the State of California and are exempt under the Fair Labor Standards Act. The management positions designated by the Board are the Executive Officers of the District and those positions set forth on the Management Salary Schedule and the Temporary Special Project Administrator Daily Rate Schedule.
- 2.0 Academic management employees (educational administrators) are those management employees who are employed in an academic position designated by the Board of Trustees as having direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the colleges or District.
- 3.0 Classified management employees are those management employees who are not employed as academic management employees (educational administrators). The probationary period for classified management employees shall be one year.
- 4.0 **Executive Officers of the District**
 - 4.1 The following management employees are designated by the Board of Trustees as the Executive Officers of the District:
 - 4.1.1 The Chancellor, who shall serve as the Executive Secretary to the Board of Trustees.
 - 4.1.2 Vice Chancellors.
 - 4.1.3 College Presidents.
 - 4.1.4 Provost of the ~~School of~~ [North Orange](#) Continuing Education.
 - 4.2 The Chancellor shall be appointed by the Board of Trustees consistent with California State statutes. The Vice Chancellors, College Presidents, and Provost of the ~~School of~~ [North Orange](#) Continuing Education shall be appointed by the Board upon recommendation from the Chancellor.
 - 4.3 The Executive Officers shall be employed by contract for specified lengths of services, as determined by the Board of Trustees, not to exceed four (4) years.
 - 4.3.1 The terms of the employment contracts shall include, but not be limited to, the duration of the contract, work year, salary, fringe benefits, transportation allowance, vacation, and holidays.
 - 4.3.2 The Chancellor's contract may be extended annually upon approval of the Board of Trustees. The contracts with the Vice Chancellors, College Presidents, and Provost of the ~~School of~~ [North Orange](#) Continuing

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Education may be extended annually upon recommendation of the Chancellor, submission of their performance reviews, and approval of the Board.

- 4.3.3 The initial employment contract for any Executive Officer and any amendments thereto must be signed by the President of the Board of Trustees and the Executive Officer employed by the contract.
- 4.3.4 Unless provided otherwise by the terms and conditions of an employment contract or specifically excluded, the policies and administrative procedures of the Board of Trustees that are generally applicable to regular management employees of the District shall apply to the Executive Officers.

5.0 District Reorganization and Reassignment Rights

- 5.1 The Board of Trustees reserves the right to determine the management structure of the District and to reorganize and reassign management positions within the District.
- 5.2 Reassignment of Academic Management Employee to Faculty Position: The Board of Trustees may reassign an academic management employee to a faculty position for reasons satisfactory to the Board.
 - 5.2.1 The management employee shall be given written notice of the reassignment by the Board. Where the management employee is serving under a contract of employment, the term of which is longer than one year, notice shall be given at least six months in advance of the expiration of the contract unless the terms of the contract provide otherwise. For every other management employee, notice of the reassignment shall be given on or before March 15.
 - 5.2.2 A management employee receiving notice of reassignment to a faculty position shall be entitled to receive, upon request, a written statement of the reasons for the reassignment.
 - 5.2.3 The decision of the Board to reassign shall be final.

See Administrative Procedures:

- AP 7240-1 Management Employees - Workweek; Teaching by Managers
- AP 7240-2 Management Employees - Holidays
- AP 7240-3 Management Employees - Vacation Plan
- AP 7240-4 Management Employees - Leaves
- AP 7240-5 Management Employees - Personnel Files
- AP 7240-6 Management Employees - Professional Growth and Development Program
- AP 7240-7 Management Employees - Evaluation **[Under Construction]**
- AP 7240-8 Management Employees- Academic Management Employee Retreat Rights; Classified Management Employee Layoff and Bumping Rights

BP 7240 Management Employees

- AP 7240-9 Management Employees - Disciplinary Action
- AP 7240-10 Management Employees - Salary Provisions
- AP 7240-11 Management Employees - Complaint Process
- AP 7240-12 Management Employees - Proposals by District Management Association
Regarding Employee-Related Issues

Date of Adoption: May 27, 2008

Presented to DCC 09/25/17

**AP 7240-8 Management Employees – Academic Management
Employee Retreat Rights; Classified Management
Employee Layoff and Bumping Rights**

**1.0 Reassignment Right of Academic Management Employee (Educational
Administrator) to Faculty Position Upon Termination of Administrative Assignment**

1.1 Tenured Academic Management Employee

1.1.1 An academic management employee whose administrative assignment is terminated and who has acquired faculty tenure within the District shall have the right to be reassigned to a regular faculty position, provided the reason for the termination of the administrative assignment is other than dismissal for cause pursuant to Education Code section 87732.

1.1.2 Reassignment to a regular faculty position and salary placement upon reassignment shall be in accordance with the provisions of section 1.3 of this procedure.

1.2 Nontenured Academic Management Employee

1.2.1 An academic management employee whose administrative assignment is terminated and who does not have faculty tenure within the District shall have the right to be reassigned to a first-year probationary faculty position, subject to the following:

1.2.1.1 The reason for the termination of the administrative assignment is other than dismissal for cause pursuant to Education Code section 87732.

1.2.1.2 The administrative position from which the management employee is being reassigned is an educational administrative position as defined by Education Code and is not part of the classified service.

1.2.1.3 The management employee has completed at least two years of satisfactory service within the District, including any prior service as a tenure-track faculty member.

1.2.2 Reassignment to a first-year probationary faculty position and salary placement upon reassignment shall be in accordance with the provisions of section 1.3 of this procedure.

1.2.3 An academic management employee who is assigned to a first-year probationary faculty position shall be subject to the provisions of the tenure review process as specified in the Collective Bargaining Agreement between the District and the United Faculty.

1.3. Procedure for Reassignment

AP 7240-8 Management Employees – Academic Management Employee Retreat Rights; Classified Management Employee Layoff and Bumping Rights

1.3.1 Minimum Qualifications

An academic management employee may be reassigned as a faculty member only in a discipline for which the employee possesses the minimum qualifications, as specified in the list of disciplines as adopted by the Board of Governors of the California Community Colleges, and other such qualifications as may be required in accordance with the collective bargaining agreement between the District and the United Faculty. This determination shall be consistent with the provisions of Administrative Procedure 7210-1, Equivalency, and the faculty collective bargaining agreement.

1.3.2 Configuration of Assignment

1.3.2.1 When an academic management employee is reassigned to a faculty position, a reasonable attempt shall be made to configure a full-time assignment at a single college or within the ~~School of~~ North Orange Continuing Education.

1.3.2.1.1 The existence of a full-time assignment shall be determined by the President/Provost, in consultation with the Academic Senate, based on the following:

1.3.2.1.1.1 The existence of faculty assignments in a discipline or disciplines currently filled by temporary faculty and/or full-time faculty overload assignments sufficient to constitute an additional full-time assignment.

1.3.2.1.1.2 Evidence of growth in a discipline or disciplines sufficient to warrant additional full-time staffing.

1.3.2.1.2 If more than one college and/or the ~~School of~~ North Orange Continuing Education is able to configure a full-time assignment, then:

1.3.2.1.2.1 The academic management employee shall be assigned to the location of previous service, except as otherwise determined by mutual agreement of the academic management employee and the President/Provost of the alternative location.

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1.3.2.1.2.2 If the academic management employee has no previous service at a college or the ~~School of~~ [North Orange](#) Continuing Education, and mutual agreement between the Presidents/Provost of the alternative locations cannot be reached regarding the location of reassignment, the Chancellor shall make the determination.

1.3.2.2 Where a full-time assignment cannot be identified at a single college or within the ~~School of~~ [North Orange](#) Continuing Education, a reasonable attempt shall be made to configure a full-time assignment at multiple locations as determined by the Chancellor.

1.3.3 Seniority Rights

1.3.3.1 Any reassignment of an academic management employee pursuant to these provisions shall not cause the layoff or involuntary reassignment of a tenured faculty member.

1.3.3.2 Where the academic management employee is entitled to bumping rights by virtue of seniority or faculty service credit that would cause the layoff or involuntary reassignment of a contract (probationary) faculty member, such rights may be pursued only after an exhaustive attempt has been made to configure position from assignments currently filled by temporary faculty and/or full-time faculty overload assignments.

1.3.4 Salary Placement

1.3.4.1 An academic management employee who is reassigned to a faculty position shall be compensated in accordance with the Regular and Contract Faculty Salary Schedule.

1.3.4.2 For purposes of initial salary step placement upon reassignment, the following shall be counted:

1.3.4.2.1 Previous experience as an academic employee, including teaching, student services, administrative, or other service requiring minimum qualifications and related work experience, up to the maximum number of years of credit allowed by the provisions of the collective bargaining agreement in effect at the time of reassignment.

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1.3.4.2.2 Any years of employment with the District as an academic management employee or as a regular or contract (probationary) faculty employee.

1.4 Review and Revision: This procedure is subject to review and revision at the request of any senate, the District Management Association, or the Board of Trustees. Modifications shall require mutual agreement of the senates, District Management Association, and the Board. Until mutual agreement is reached regarding any proposed changes, these provisions shall remain in effect.

2.0 Classified Management Employee Layoff and Bumping Rights

2.1 Layoff

2.1.1 Layoff of classified management employees shall occur only for lack of work or lack of funds. Any layoff shall be affected within a classification within the classified management series.

2.1.2 The order of layoff shall be based on seniority within the classification and higher classified management classifications. A classified management employee with the least seniority within the classification plus higher classifications shall be laid off first.

2.1.3 Seniority shall be based on the number of hours an employee has been in paid status in the classification plus higher classified management classifications.

2.2 Bumping Rights

2.2.1 A classified management employee who is laid off from the employee's present classification may bump into a classified management position in the same classification, providing the laid-off employee's seniority within the classification plus higher classifications is greater than the seniority of the employee holding employment in the classification.

2.2.2 If there is no classified management position in the same classification, the employee may bump into a classified management position in an equal classification in which the employee has previously served, providing the laid-off employee's seniority within the equal classification plus higher classifications is greater than the seniority of the employee holding employment in the equal classification. For purposes of this provision, "equal classification" means a classified management position at the same salary range as the position from which the employee is laid off.

2.2.3 If there is no classified management position in an equal classification in which the employee has previously served or has greater seniority, then the employee may bump into a classified management position in the next

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lower classification in which the employee has previously served, providing the laid-off employee's seniority within the lower classification plus higher classifications is greater than the seniority of the employee holding employment in the lower classification. For purposes of this provision, "lower classification" means a classified management position at a lower salary range than the position from which the employee is laid off.

- 2.2.4 In the event the classified management employee is unable to bump into a classified management position as provided above, and the employee has previously held a confidential or classified bargaining unit position within the District, the employee may bump into the highest confidential or classified bargaining unit classification in which the employee has previously served, provided the classified management employee's seniority in the confidential or bargaining unit classification plus higher classifications, including classified management classifications, is greater than the seniority of the employee holding employment in the confidential or bargaining unit classification.

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