BOARD POLICY 3310 RECORDS RETENTION AND DESTRUCTION

The Chancellor shall establish administrative procedures to assure the retention and destruction of all District records—including electronically stored information as defined by the Federal Rules of Civil Procedure—in compliance with Title 5. Such records shall include, but not be limited to student records, employment records and financial records.

Reference:
Title 5 Section 59020 et seq.;
Administrative Procedure 3310

Replaces:
Board Policy 6.32 Document Retention approved March 28, 2006
ADMINISTRATIVE PROCEDURE 3310 RECORDS RETENTION AND DESTRUCTION

Records of the Peralta Community College District shall be retained, as appropriate, in accordance with applicable provisions of state and federal law.

I. LEGAL DEFINITION OF RECORD CLASSIFICATIONS (Section 59020)

What a record is: All records, maps, books, papers, data processing output, student records, and electronic documents prepared or retained in the course of official district business.

What a record is not: Additional copies of documents beyond the original or one copy; correspondence between district employees that does not pertain to personnel matters or constitutes a student record; advertisements and other sales materials received; or textbooks used for instruction, and other instructional materials, including library books, pamphlets and magazines.

II. CLASSIFICATION OF RECORDS (Section 59022)

Records shall be classified as either Class 1 – Permanent, Class 2 – Optional or Class 3 – Disposable.

A. Class 1 – Permanent Records – As defined in California Code of Regulations Title 5, Section 59023. The original of each of the records, or one exact copy when the original is required by law to be filed with another agency, and must be retained indefinitely unless copied or reproduced on film or electronically.

1. Examples of Class 1 – Permanent Records (Section 59023)

a. Annual Reports:
   i. Official budget
   ii. Financial reports of all funds, including cafeteria and student body funds
   iii. Audit reports
   iv. Average daily attendance/full-time equivalent student (ADA/FTES) including Period 1 and Period 2 reports.
   v. Other major annual reports, including:
      1. Those relating to property, activities, financial conditions, or transactions.
      2. Those declared by the Board minutes to be permanent.

b. Official actions:
   i. Minutes of the Board or committee meetings thereof, including the text of a rule, regulation, policy, or resolution not set forth verbatim in the minutes but included therein by reference only.
   ii. Elections, including the call, if any, for and the result (but not including detail documents, such as ballots) of an election called, conducted or canvassed by the Governing Board for a Board Member, the Board Member's recall, issuance of bonds, incurring any long-term liability, change in maximum tax rates, reorganization, or any other purpose.
   iii. Records transmitted by another agency that pertain to that agency's action with respect to District reorganization.

c. Personnel records of employees:
   i. All records relating to employment, assignment, employee evaluations, amounts and dates of service rendered, termination or dismissal of an employee in any position, sick leave records, other absence records (such as vacation cards and other
absence cards), retirement records, time worked, rate of compensation, salaries or 
wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid.

d. Student records:
i. The records of enrollment and scholarship for each student, including but not limited 
to:
   1. Name of student
   2. Date of birth
   3. Place of birth
   4. Name and address of a parent having custody or a guardian, if the student is a 
major.
   5. Entering and leaving date for each academic year and for any summer session 
or other extra session.
   6. Subjects taken during each year, half year, summer session, or quarter
   7. If grades or credits are given, the grades and number of credits toward 
   graduation allowed for work taken.
   a. All records pertaining to any accident or injury involving a student for which a 
   claim for damages has been filed as required by law, including any policy of 
   liability insurance relating thereto, except that these records cease to be 
   Class 1 – Permanent Records one year after the claim has been settled or 
   applicable statute of limitations has run.

   ii. The following are NOT student records, as per Education Code Section
   1. Information provided by a student's parents relating to applications for financial 
      aid or scholarships
   2. Information related to a student compiled by a community college officer or 
      employee that remains in the sole possession of the maker and is not accessible 
      or revealed to any other person except a substitute.
   3. Student information created or maintained by a physician, psychiatrist, 
      psychologist, or other recognized professional or paraprofessional acting in 
      his or her professional or paraprofessional capacity that is created, 
      maintained, or used only in connection with treatment of that student
   4. Information maintained by a community college law enforcement unit, if 
      maintained solely for law enforcement purposes, and the information is not 
      made available to persons other than law enforcement officials of the same 
      jurisdiction.
   5. Information maintained in the normal course of business pertaining to 
      persons who are employed by a community college, if the information relates 
      exclusively to the person in that person's capacity as an employee.

e. Property records:
i. All detail property records relating to land, buildings, and equipment. In lieu of such 
detail records, a complete property ledger may be classified as Class 1 – 
Permanent, and the detail records may then be classified as Class 3 – Disposable, 
if the property ledger includes:
   1. All fixed assets
   2. An equipment inventory
   3. For each unit of property, the date of acquisition or augmentation, the person 
      from whom acquired, an adequate description or identification, and the amount 
      paid, and comparable data if the unit is disposed of by sale, loss or otherwise.

f. Archival records:
i. Not required by law to be kept permanently. District policy is to retain documents 
related to historical events of the District, yearbooks, plaques, awards, 
photographs, etc.
g. Foundation records (District and Colleges):
   i. All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations and corresponding regulations governing operation of Title 26, USC, Section 501(c)(3) tax exempt non-profit organizations.

B. Class 2 – Optional Records (Section 59024) – Not required by law to be retained permanently, but deemed worthy of further preservation as specified in Title 5, Section 59024. Any record not classified as Class 1 – Permanent may be classified as Class 2 – Optional and shall be retained until reclassified a Class 3 – Disposable.

C. Class 3 – Disposable Records (Section 59025) – Required retention periods and procedures for destruction or transfer of records as specified in Title 5, Section 59026 and 59029. All records, other than continuing records, not classified as Class 1 – Permanent or Class 2 – Optional shall be classified as Class 3 – Disposable including, but not limited to:
   1. Records basic to audit, including those related to attendance, full-time equivalent student, or a business or financial transaction (purchase orders, invoices, warrants, ledger sheets, cancelled checks and stubs, student body and cafeteria fund records, etc.), and detail records used in the preparation of any other report.
   2. Periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions.

III. MICROFILM, MICROFICHE, OPTICAL DISKS OR OTHER REPRODUCTION TECHNIQUES (Section 59022)

Whenever an original Class 1-Permanent record is photographed, microphotographed, or otherwise reproduced on film or electronically, the copy thus made is hereby classified as Class 1-Permanent. The original record, unless classified as Class 2-Optional, may be classified as Class 3-Disposable, and may then be destroyed in accordance with this chapter if the following conditions have been met:

A. The reproduction must be accurate in detail.

B. If the record is photographed or microfilmed, the reproduction must be on film of a type approved for permanent, photographic records by the United States Bureau of Standards.

C. The Director of General Services or his designee, has attached to or incorporated in the copy or system a signed and dated certification of compliance with the provisions of California Evidence Code Section 1531, stating in substance that the copy is a correct copy of the original, or a specified part thereof, as the case may be.

D. The copy was placed in an accessible location and provision was made for preserving permanently, examining and using same.

IV. RETENTION OF RECORDS (Section 59027)

Each fiscal year, and before January 1, the College President, Vice Chancellor, or appointed designee, shall classify and review every record originated during the prior fiscal school year. The retention period for Class 3 – Disposable Records should be designated and such records should be physically segregated by the fiscal year in which they are scheduled for destruction. In the inventory process, copies, which are no longer useful to the District (except one copy of an original required by law to be filed with another agency), may be destroyed without making an inventory record.

With respect to college records, the President or designee, and with respect to the District, the Vice Chancellor or designee shall:
A. Personally supervise the classification of records.

B. Using only District approved, standard-sized, record storage boxes, mark each label as to classification, record title, and the school year in which records originated. If the records are classified as Class 3 – Disposable Records, the officer or designee shall also mark the school year in which such records are to be destroyed. Do not mix different years or Class 1 – Permanent Records and Class 2 – Optional Records with Class 3 – Disposable Records because when the destruction occurs, the entire box of records will be destroyed.

C. Supervise the destruction of records.

V. RETENTION PERIOD (Section 59026)

A. Generally, a Class 3 – Disposable Record, unless otherwise specified, should be destroyed during the third school year after the school year in which it originated (e.g., 1993-94 plus three years = 1996-97).

B. With respect to records basic to an audit, Class 3 – Disposable Record shall not be destroyed until after the third July 1, succeeding the completion of the audit required by Education Code Section 84040 or of any other legally required audit, or that period specified by Section 59118 of this part, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later.

C. With respect to Class 2 – Optional Records, a continuing record shall not be destroyed until the third year after it has been classified as Class 3 – Disposable.

VI. DESTRUCTION OF RECORDS (Section 59029)

A. Class 1 – Permanent Records – Hard copy records can be destroyed only if originals have been microfilmed, microfiched, or similarly preserved. (Refer to Page 3, “III. Microfilm, Microfiche, and Optical Disks.”) After verification, hard copy records can be destroyed.

B. Class 2 – Optional Records and Class 3 – Disposable Records – Records can be destroyed after termination according to the retention period.

With respect to college records, the President or designee, and with respect to the District, the Vice Chancellor or designee shall submit to the governing board a list of records recommended for destruction and shall certify that no records are included in the list in conflict with these regulations in accordance with Section 59027 (b).

Disposal of records should be supervised and accomplished by burning, shredding, pulping, or other means to assure destruction, and to prevent reconstruction of the records to any degree.

VII. PREPARING RECORD BOXES FOR STORAGE

A. Fill out Record Transmittal Form including the class code, description of contents, year in which the records originated, and the destruction date. Send the form to the Warehouse Department. If additional forms are needed, contact the Warehouse at extension 6381.

B. Records must be stored only in District-approved, storage boxes. Using the label provided, fill in the classification code, record title, and the year in which the records originated. (Boxes without the above information will not be picked up for storage). Retain all record boxes in your area. Upon receipt of your request, the Warehouse staff will pick up the box, assign a box number to each box, and add that number to the Record Transmittal form. A copy of the form will be given to the department to retain for future retrievals.
VIII. RETRIEVING AND RETURNING BOXES TO STORAGE

A. You must complete a Storage Records Request Form. (This form may be obtained from the Purchasing or Warehouse departments).

1. Indicate whether you are requesting a withdrawal or a re-file.
2. Indicate the site, department, and room where the box will be either picked up or delivered.
3. Indicate the box number, which was assigned by the Warehouse. (The number is located on your copy of the Records Transmittal Form.
4. Describe the contents of the box.
5. Obtain the proper administrator's signature.

B. Forward the completed form to the Warehouse (located at the District Office). The request may also be sent via fax (466-7279) to the Warehouse.

C. The turnaround time for retrieval is usually one (1) working day from the time the Warehouse receives the request.

D. If there are extraordinary circumstances, such as auditors, and time is most critical, please don't hesitate to contact the Warehouse at extension 7355.

IX. COMPANY TO USE FOR DESTRUCTION

A. Contact Director of General Services for vendor name and contact information.

B. Certification of destruction is provided.

APPENDIX

I. Class 1 – Permanent Records

Records to be retained permanently and the responsibility for maintenance and retention under the general direction of the Chancellor are as follows:

A. Chancellor

1. Board Documents
   a. Board policies and administrative procedures
   b. Minutes
   c. Board docket

2. Legal Counsel Opinions

3. Elections called by the Board
   a. Records of call and results

4. District Organizations
   a. Records relating to Board action, formation, naming, boundaries, changes in boundaries, reorganizations.

5. District Foundation
   a. All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations, financial audits and corresponding regulations governing operation of 501(c)(3) tax exempt non-profit organizations.

B. Vice Chancellor for Budget and Finance
1. Administrative Affairs
   a. Budgets: State form, annual
   b. Financial reports (quarterly and annual – all funds, including student body funds)
   c. Annual audit
   d. Budget allocation and planning review committee minutes
   e. Apportionment notices and worksheets
   f. Tentative budget
   g. Adopted/Final budget
   h. All worksheets and budget change forms/transfers
   i. State 320 reports

2. Fixed Assets and Property Records
   a. Buildings: Working drawings, blue prints and specifications of all structures, additions, alterations, certificates of approval of completion and related documents, change orders, contracts for construction, contractor payment requests, and appraisals.
   b. Equipment: All records relating to model numbers, quantity, type, identification number assigned, vendor, cost, date of acquisition and disposal.

3. Payroll Records
   a. Proven summary payroll of every employee
   b. Salaries, wages, deductions and withholdings
   c. Absence records (vacation cards and sick cards)
   d. Payroll register

4. Risk Management
   a. Certificates of Insurance from vendors
   b. Worker's Compensation Insurance Certificate from vendors

5. Safety
   a. Hazardous Waste Generator Reports
   b. Hazardous Bill of Lading
   c. Hazardous Waste Manifests

C. Vice Chancellor for Human Resources

1. Personnel Records – Classified and Academic Employees
   a. Dates of service rendered
   b. Employment, assignment and reassignment records
   c. Termination or dismissal notices
   d. Evaluations
   e. Retirement
   f. Professional growth reports
   g. Employee contracts
   h. Colloquial bargaining agreements
   i. Grievances
   j. Unfair labor practices

2. Risk Management/Employee Health Benefits
   a. Health and benefits contracts
   b. District certificates – proof of insurance certificates
   c. District worker's compensation insurance reports
   d. Workers' compensation claims files
   e. Liability claims files
   f. Insurance policies
   g. Insurance summary of loss runs
h. Employee benefits/fringe enrollment forms (retirees only)
   i. OSHA logs
   j. Accident or injury reports (all records for which a claim has been made)

D. College Presidents

1. Academic Affairs
   a. Catalog
   b. Class schedules
   c. Minutes of:
      i. Advisory committee meetings
      ii. Academic senate meetings
   d. Accreditation reports
   e. Faculty handbooks

2. Admissions & Records
   a. Attendance reports
   b. Class rosters
   c. Confidential records, correspondence
   d. Instructor grade sheets
   e. Permanent transcripts
   f. Reports of degrees and certificates

3. Commencement Program

4. Student Government Minutes

5. Foundations
   a. All documents of incorporation, governing by-laws and amendments, and all state and
      federal exemption designations and corresponding regulations governing operation of
      501(c)(3) tax exempt not-for-profit organizations.

II. Class II – Optional Records

Records not required to be retained permanently and the length of retention for each record are for three,
five, seven and ten years. Example:

<table>
<thead>
<tr>
<th>Record Description</th>
<th>Retention Period (Years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic and Classified Employment Applications</td>
<td>3</td>
</tr>
<tr>
<td>Application for Employment</td>
<td>3</td>
</tr>
<tr>
<td>Contract/Offer of Employment</td>
<td>3</td>
</tr>
<tr>
<td>Employment Tests</td>
<td>3</td>
</tr>
<tr>
<td>Letters of Recommendation</td>
<td>3</td>
</tr>
<tr>
<td>Reassignment Request</td>
<td>3</td>
</tr>
<tr>
<td>Tenure Review Files/Portfolios</td>
<td>3</td>
</tr>
<tr>
<td>Business Operations/Fiscal Services</td>
<td>7</td>
</tr>
<tr>
<td>Conflict of Interest Statements</td>
<td></td>
</tr>
<tr>
<td>District Accounting</td>
<td></td>
</tr>
</tbody>
</table>

1 Will be kept in personnel files of current employees until termination.
2 Tenure Review files shall be kept a minimum of one full year at the college site after tenure is granted, and three
   years in storage.
Account Request Forms 3
Appropriation Transfers/Budget Change Forms 3
"B" Warrant Listing 3
"B" Warrant Summaries 7
Cancelled Checks – Revolving Fund/Clearing Account 7
Cash Receipts/Deposits 7
Categorical Program File (Agreements/Contract/Claims) 7
Check Books – Revolving Fund/Clearing Account 7
Check Registers 7
Community College Enrollment Fee (CCEF Report) 7
County Reconciliation Reports 7
Financial Reports (Local) Monthly Expenditure/Revenue Request (BR0070) 7
Journal Vouchers 7
Nonresident Withholding Allocation Worksheet (587) 7
Nonresident Withholding Waiver Request (588) 7
Pay Vendor files with Supporting Documents 7
- Affidavit of Publication
- Invoices
- POs and Receivers
- Reimbursement Requests
- Non-Resident Refunds
Posed IFAS Batch Reports 3
Request for Taxpayer Identification Number and Certification (W9) 7
Revolving Cash Fund Receipts 7
Student Financial Aid Records 7
Trial Balances 7
Withholding Exemption Certificate (590) 7

4. Purchasing

Bids 3
Maintenance and Service Contracts 3
Purchase Order Listing and Supplement 3
Docket Awards and Independent Contractors 3
Purchase Orders 3
Purchase Requisitions 3

5. Facility Planning

Allocations for Property Use 3
Architects Agreements 3
Escrow Materials 3
Master Plan 10
Materials and Labor Bonds 3
Performance Bonds 3

6. Applications, correspondence, and records used for financial aid applications to federal, state and other agencies 7

7. Foundations (District & Colleges)

Account Transaction Forms (Request for Deposits and Payments) 5
Bank Statements (CD’s, Savings, and Checking Accounts) 5
Check Logs (Check Registers and Financial Transaction Logs) 5
End-of-Year Trial Balance and Balance Sheets 5
8. **Auxiliary Services**

- A/P Check Listings  
- Bank Book  
- Bank Statements  
- Bookstore Inventory (annual)  
- Budget  
- Cancelled Checks  
- Cash Receipts/Deposits  
- Check Stubs  
- Community Education Application/Receipts  
- Daily Cash Sales Reports  
- Expenditure Vouchers  
- Financial Reports (monthly)  
- Invoices  
- Purchase Orders  
- Sales Receipts  
- Sales and Use Tax Slips

9. **Maintenance**

- Inspection Reports  
- Preventative Maintenance Schedules  
- Surveys  
- Vandalism Reports  
- Vehicle Request Forms

10. **Safety & Security**

- Daily Activity Logs  
- Daily Dispatch Logs  
- Lost and Found Logs  
- Underground Storage Tanks Reports\(^3\)  
- On-Campus Incident Reports  
- Alameda County Public Health Department Inspection Reports\(^3\)  
- OSHA Inspection Reports\(^3\)  
- Parking Citations  
- Periodic Campus Safety Inspection Reports/Inspections\(^3\)  
- Petroleum Products Storage/Handler Training  
- Staff Training Records\(^3\)  
- Hazardous Waste Generator/Handler Training  
- Forklift Training  
- First Aid/CPR Training  
- Student Disciplinary Records  
- Underground Storage Tanks Reports

11. **Payroll**

- Duplicate Copies of Tax Returns/Tax Deposits  
- Copies of W-2 (including returned copies)  
- Cancelled/Voiced Checks

\(^3\) Files are maintained at the District Office
12. Risk Management/Employee Health Benefits

On-Campus Incident Reports (copies of incident reports that have potential risk to the District are received from Safety)

Employee Benefit/Fringe Enrollment Forms

Property/Liability Reports

Reports on Theft and Vandalism

13. Admissions

Admissions & Guidance Petition (A&G)

Academic Records from Other Institutions

Academic Records from Other Institutions if Student Fails to Attend

Add/Drop Cards

Admission Application (College Credit)

Admission Application (Continuing Education)

Admission Application (International Students)

Attendance Forms, Op-Scan

Board of Governor Grant form (BOGG-C Waiver)

Career Advance Placement Form (CAP)

California Community College – Fiscal Service Unit (CCFS)

320 Contact Hours by Class Audit Reports

Correspondence

Credit by Examination

Credit/No Credit

Evaluations and Petitions

Graduation Petitions

International Student Records

Proficiency Exam

Registration Cards and Residency Statements

Student Disclosure Form

Student Folders

Substandard Course Repetition Form

Transcript Request

Veterans Certifications

Veterans Education Administration Record (VEA)

14. Students’ Health and Safety Records

Students’ Examinations and Health Records

Records Pertaining to Eligibility for Licensce Examinations

Records Pertaining to Patient Confidentiality

Unusual Occurrences

15. Grants and Categorical Programs

Correspondence with Funding Agency

Original Contracts and Contract Amendments

Periodic Progress and Final Reports

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4 Will be retained for seven (7) years after termination.
5 Beyond end of entire project (if more than one year or last independent program audit or litigation).
Student Eligibility and Participation Records

Responsible Manager: Director of General Services

Source of Law:
California Code of Regulations, Title 5, § 59020 et seq.

Approved by Chancellor:
BOARD POLICY 7400 TRAVEL

Members of the Board of Trustees and employees are authorized to travel to attend conferences, meetings, and other activities outside the boundaries of the district that are appropriate to the functions of the District provided such attendance is authorized in advance by the Chancellor. Out of state and international travel also require advance approval of the Board of Trustees. The Chancellor is delegated the authority to approve out of state and international travel if the Chancellor determines that the trip is imperative and could not have been anticipated sufficiently in advance for Board prior approval. All travel must be ratified by the Board of Trustees.

Actual and necessary authorized, documented expenses may be reimbursed, but will not exceed the per diem rates for lodging, meals, and incidentals established for the current year by the U.S. General Services Administration for the area visited with the following exception: the lowest discounted conference rate for the hotel(s) selected by a conference sponsor may be used as the per diem lodging reimbursement rate rather than the GSA federal rate.

The Chancellor shall establish regulations and administrative procedures regarding travel. The procedures shall include the documentation of the value of the travel to the district, authorized expenses, advance of funds, and reimbursement.

Reference:
Education Code Section 87302
Administrative Procedure 7400 Travel

Replaces:
Board Policy 6.39A Policy on International Travel for Members of the Board of Trustees adopted November 13, 2001
Board Policy 6.39B Policy on International Travel for Employees of the Peralta Community College District adopted May 14, 2002

Approved by the Governing Board: September 27, 2011
ADMINISTRATIVE PROCEDURE 7400 TRAVEL AUTHORIZATION

The Chancellor directs that the following travel authorization regulations apply to the Peralta Community College District.

I. Travel Purposes: The District recognizes the following purposes of travel, each of which requires authorization and documentation of participation before processing and/or reimbursement can occur.

A. Institutional Travel: The objective of institutional travel is to attend meetings with Federal, State, or local agencies; to meet with elected officials; to consult with colleagues at other institutions for such purposes as curriculum planning, administrative practices, student services, and community college funding, and to serve on an accreditation team.

B. Professional Travel: The objective of professional travel is to permit participation in activities of organizations whose primary purpose is advancing the legitimate and constructive cause of community college education in the State of California. Such organizations include, but are not limited to:
   - Academic Senate of the California Community Colleges
   - American Association of Community and Junior Colleges
   - California Association of School Business Officials
   - California Community College Trustees
   - California School Boards Association
   - National Association of Colleges
   - Other Community Colleges/Districts

C. Instructional Travel: The objective of instructional travel is to encourage faculty and staff to keep abreast of new knowledge and new techniques in their areas of responsibility.

   1. International Education. International travel is appropriate in order to develop or implement an international education program. Tax revenue shall not provide the funding for such travel.

   2. Recruitment of Out of State or International Students. Out of state or international travel is appropriate in order to recruit out of state or international students to attend Peralta Community College District. The funding for such travel shall be provided by revenue generated by out of state or foreign student tuition.

II. Applicability: This regulation applies to all Academic and Classified employees of the District. Members of the Board of Trustees are considered employees of the District for purposes of this regulation. This regulation does not apply to:

   1. Students or student employees. Students shall follow procedures developed for student travel.

   2. Consultants and contractors. Travel expenses incurred by a consultant or contractor are reimbursable only if such expense is specified as part of the consultant/contractor's contract with the District and submitted to the District via an invoice as a contractual expense.
III. **Authorized Activities:** For purposes of this regulation, off-campus travel is defined as attendance and participation at meetings, conferences, conventions, commissions, in-service training, and other groups whose principal business includes community college instruction and/or support functions or the advancement of the discipline or professional area in which the employee normally teaches or works. Off-campus travel does not include:

A. Meetings that pay a salary, expenses, or honorarium to the employee as a participant.
B. Meetings which are lobbying or legislative in nature without the prior approval of the Chancellor
C. Meetings of professional or other organizations whose interests are outside the scope of the employee’s normal work assignment.
D. Special interest group meetings outside the scope of the employee’s normal work assignment.

IV. **Travel Categories:** The District may authorize and reimburse travel for Peralta Community College District business-related expenses incurred as follows:

A. **Mileage, Tolls and Parking Reimbursement:** Employees authorized to use a personal vehicle in the performance of their assigned workday duties are eligible for reimbursement for mileage and parking fees incurred while on District business. All expense claims requested for reimbursement shall be substantiated and submitted on the District’s approved form. Employees receiving a monthly travel stipend shall not be eligible for mileage, tolls, and parking reimbursement of travel expenses for distances up to 30 miles one way or 60 miles round-trip.

1. **Multiple Work Locations:** Work related travel between two or more district locations in a single day is reimbursable.
2. **Direct Surface Route:** Mileage is reimbursable on the basis of a commonly-used direct surface route, e.g. “Google Maps”. The district cannot reimburse for extra miles logged due to a “roundabout” or other preferred route.
3. **Parking and Toll Fees:** Parking, toll and other related fees are reimbursable when the expense is substantiated.
4. **Call-Back Mileage:** In the event an employee is off-duty and called back to work by a supervisor, the employee may be paid for all mileage traveled in connection with that event or as specified in an applicable collective bargaining agreement.
5. **Not Reimbursable:** Employees shall not receive reimbursement for the following:
   a. Miles to and from the work location to the employee’s personal residence. If, at the start or end of the work day, the employee is required to travel on district business to a destination that is farther from the work location than the normal commute, only the excess miles are reimbursable.
   b. Gas purchases are not reimbursable because the reimbursement rate includes fuel expenses.
   c. Damage or theft to an employee’s vehicle or items kept within the vehicle. A portion of the reimbursement rate is intended to defray the individual’s insurance costs.

B. **Conference Attendance:** Trips requiring overnight absences, payment of a participant fee, and/or reimbursement for employee incurred actual and necessary expenses shall be requested prior to the employee’s attendance and participation. All conference attendance must be requested and approved prior to the employee’s participation using the District’s approved Form 7400A. All expense claims requested for reimbursement shall be on the District’s approved Form 7400B.

V. **Conference Attendance**

A. **Approval Processing Requirements:** When requesting off-campus travel, prior approval is required on the district’s official “Travel Request Form” to ensure the activity is related to District business.
adequate funding is budgeted in an appropriate line-item, and minimal interruption to District programs and operations occur. When appropriate, substitutes may be arranged. Since employees are expected to "shop" well in advance for reasonable prices, an approver may withhold full reimbursement if prices are found to be above the norm. An approver may also withhold full reimbursement in order to conserve limited budget funds. Signatures are required as follows:

1. The employee's President or Vice-Chancellor must approve all travel requests as confirmation the trip and related expenditures are appropriate for District business prior to the trip.

2. The administrator overseeing the charge account must approve the expenditure of funds and the Business Officer must confirm that the funds are available. Additional signatures are required as follows:

   a. The Chancellor's approval is also required in advance of the trip. The Chancellor's Office must receive the request no later than 10 business days in advance of the trip. The Board of Trustees approval is required for the Chancellor's or Board of Trustee's travel in advance, if possible. If the Board member or the Chancellor did not know about the trip in time for advance approval, then Board ratification is permitted.

   b. Travel must be approved or ratified by the Board of Trustees before an advance payment or reimbursement of expenses can be made.

   c. No travel advance funds or reimbursements can be processed without all the required approvals listed above.

B. **Conference Location Reimbursement Limitation:** If a conference destination is within the boundaries of Peralta Community College District, the only conference expenses eligible for reimbursement are mileage and the payment of a registration/participant fee. Employees receiving a monthly travel stipend are not eligible for mileage or parking reimbursement of less than 30 miles one way or 60 miles round-trip.

C. **Internal Revenue Services (IRS) Regulations:** Employers are required to track the amount of expense reimbursement allowances paid to employees. Amounts employers pay employees to reimburse for substantiated business expenses are not generally subject to income tax or employment tax. Reimbursements can be subject to such taxes if the employer pays an amount in excess of the federal per diem rate and the employee does not return unsubstantiated expenses covered by the per diem rate to the employer. (IRS Publication 1542).

D. **Advance Payment:** An employee may request the Finance Office to pay 80% of approved estimated expenses (less the registration fee) in advance, if an approved Conference Request (Form 7400) and required documentation is submitted to the Finance Office in time for Board of Trustees authorization. If, upon submitting a final expenses claim, actual expenses are less than the 80% advanced, the employee must repay to the district the part of the advance in excess of expenses. No new travel requests will be approved if there is an outstanding balance. If an employee does not respond to a Finance Office request for repayment within 30 calendar days, no future advances to the employee will be made.

E. **Per Diem Rates** are the maximum daily allowances for lodging (excluding taxes), meals, and incidentals paid to employees attending activities under the District's conference attendance. Per Diem shall reflect those items and rates adopted by the United State General Services Administration (www.gsa.gov) or the Department of State except as detailed under paragraph "F" below. Expenses must be substantiated through receipts or other conference documentation (except for up to $25/day for incidentals) with the dates, prices and location. Table AP 7400-1, Per Diem Allowance Requirements summarizes the per diem concept.
**Per Diem Rates at Conference Hotel.** Where a conference hotel is selected by the conference, the discounted conference hotel rate may be used as the per diem lodging reimbursement rate rather than the GSA federal rate. Travelers must register early for a trip to receive the conference hotel guaranteed rate booked for the conference rooms. A copy of the conference hotel website page must be attached to the travel request and expense claim form for this rate to apply as the reimbursement rate. Lodging taxes are excluded from the conference hotel room rate cap. Lodging taxes in excess of the lodging reimbursement rate can be requested and claimed as a non-per diem expense. Where more than one hotel is offered for a conference, the lowest offered hotel rate shall be used as the base per diem hotel reimbursement rate. Should the conference rooms be unavailable, employees are reminded to ask the hotel for government employee, AAA, and senior rates, where applicable. Should no conference hotel be designated for a conference, then the GSA federal rates shall apply as the per diem hotel reimbursement rate. Receipts are required for any hotel per diem reimbursement.3

G. **Other than Per Diem Expenses:** Expenses classified as other than per diem expenses are reimbursed after the conclusion of travel upon the submission of the required District form 7400B and must be validated with receipts before reimbursement can be processed.

<table>
<thead>
<tr>
<th>TABLE AP 7400-1</th>
<th>PER DIEM ALLOWANCE REQUIREMENTS ¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>The per diem allowance (also referred to as subsistence allowance) is a daily payment instead of actual expenses up to the limit established by the federal government for lodging, meals, and related incidental expenses. The per diem allowance is separate from transportation expenses and other miscellaneous expenses. The per diem allowance covers all charges and services, including any service charges where applicable. Lodging taxes in the United States are excluded from the per diem allowance and are reimbursed as a non Per Diem Lodging taxes expense. The per diem allowance covers the following:</td>
<td></td>
</tr>
<tr>
<td>(a) <strong>Lodging.</strong> Includes expenses, except lodging taxes in the United States, for overnight sleeping facilities, baths, personal use of the room during daytime, telephone access fee, and service charges for fans, air conditioners, heaters and fireplace fires furnished in the room, when such charges are not included in the room rate.</td>
<td></td>
</tr>
<tr>
<td>(b) <strong>Meals.</strong> Expenses for breakfast, lunch, dinner and related tips and taxes (specifically excluded are alcoholic beverage and entertainment expenses, and any expenses incurred for other persons).</td>
<td></td>
</tr>
<tr>
<td>(c) <strong>Incidental Expenses (Miscellaneous Expenses).</strong> All expenses for tips, travel/parking for restaurants, public transit fees, business-related communication and computer-use charges (phone, fax, copying, email, etc.), service charges, and vending machine purchases are covered through the per diem rate.</td>
<td></td>
</tr>
</tbody>
</table>

**Place of public accommodation—**Any inn, hotel, or other establishment within a State that provides lodging to transient guests, excluding:  
(a) An establishment owned by the government;  
(b) An establishment treated as an apartment building by State or local law or regulation; or  
(c) An establishment containing not more than 5 rooms for rent or hire that is also occupied as a residence by the proprietor or that establishment.  

1 Based on United States General Services Administration Federal Travel Regulation 300-3.1 available from www.gsa.gov

H. **District Implementation:** When implementing Per Diem Allowances and Non Per Diem Reimbursement, the following shall apply:
1. Registration Fees (Non Per Diem Pre-Paid Expense)

   a. Registration fees charged in connection with approved attendance at conferences, conventions, seminars, and training sessions may be processed as a direct payment to the conference sponsor.

   b. The registration fee may include a daily stipend for meals and/or other expenses which should not be separately claimed as a per diem expense. Conference provided meals are only to be considered a non Per Diem "registration expense".

   c. A copy of the event's brochure or announcement showing sponsor, event purpose, date and times, event location, and applicable fees may be used to substantiate the event's purpose and employee's attendance.

2. Lodging (Per Diem Allowance)

   a. Allow lodging as an allowable per diem expense when the nature of the travel requires the employee to be absent overnight from his/her established residence and the destination is outside the District boundaries.

   b. Calculate lodging separately for each employee when employee's share lodging.

   c. Limit the Per Diem allowance to the single occupancy rate when the employee shares lodging facilities with a non-District person.

   d. Reimburse for lodging taxes as a non-per diem expense whenever such taxes increase lodging costs to an amount greater than the per diem lodging rate. Employees are encouraged to complete a "Hotel/Motel Transient Occupancy Tax Waiver" Form 7400C in order to avoid payment of lodging taxes.

   e. Lodging expenses are substantiated via a copy of the "hotel" bill.

   f. Full per diem rates are allowed for up to one day before the conference and one day after the conference, if warranted by an early start or late finish schedule of the conference. This can also accommodate any lodging assessment, or early or late check-in or check-out fees.

   g. The conference dates should be requested to be consistent with the required travel dates to attend all conference activities.

3. Meals (Per Diem Allowance)

   a. Allow the Per Diem allowance only for employees when the meal is associated with an approved conference attendance. Social events unrelated to the functions of the District are not reimbursable. Alcohol is not reimbursable.

   b. When applicable, use the meal amount stated in the registration fee of a meeting, conference, or other activity as part of the per diem allowance.

   c. Include tips in the Per Diem allowance.

   d. Meals are to be substantiated by a receipt. If a meal or tip is not substantiated by a receipt, it may be claimed as a portion of the $25/day undocumented allowance under incidental expenses.
4. Incidental (Per Diem Allowance)

a. Reimburse employees for reasonable expenses incidental to travel and/or miscellaneous expenses essential to District business. Receipts and/or other documentation are not required for incidental expenses of less than $25/day.

b. Include the expenses enumerated below as part of the Per Diem allowance which need not be documented provided they do not exceed $25/day:
   - Telephone, fax, internet access, email, etc.
   - Minor supplies, postage, and reproduction costs.
   - Porter service where charged as a specified fee.
   - Tips.
   - Laundry and valet expenses when employee's absence from regular service extends beyond five (5) nights.
   - Other miscellaneous items directly related to District business.

5. Transportation (Non Per Diem Direct Pay Expense and/or Reimbursable Expense)

a. Air / Rail Travel: The employee purchases their tickets directly and submits for reimbursement as an expense claim. Fares must be at the lowest possible rate, e.g., economy, coach, etc. Upgrades are not reimbursable. If an employee wishes to upgrade, it is done at the employee's expense. Baggage charges may be reimbursed subsequent to the trip with the submission of receipts. Employees are expected to "shop" well in advance and be sensitive to pricing. Travel agent fees are not reimbursable unless it can be demonstrated that the travel agent's total cost is less than available through normal internet booking capabilities. Management may withhold approval of full reimbursement if air travel prices are above the norm due to late booking.

b. Personal Airplane Use: In the event an employee desires to use his/her personal airplane, Chancellor approval is required. Reimbursement shall not exceed the economy/coach rate for public carriers.

c. Personal Vehicle: A personal vehicle is approved for travel. The lesser of mileage or air fare is reimbursed regardless of what mode of transportation is used. Mileage is calculated from the employee's worksite to the conference, and not from the employee's home.

d. Taxi and Shuttle Services: When an employee is on an approved conference, taxi, bus, rail, and shuttle services are the preferred transportation mode to and from the airport. A receipt is required for reimbursement unless claimed as an incidental expense. Employees should also explore the use of public transit, such as by bus, train, or BART.

e. Rental Cars: Employees on approved conferences outside of Alameda County may be authorized to rent a car when the cost of transportation is greater than the cost of other transportation modes, e.g., taxi, airport limousine, shuttle, multiple employees traveling together, etc.

1) Employees are to rent the car in their name, not the District's name.

2) Reimbursable rental charges are limited to a compact or standard size car. If the employee wishes an upgrade, he/she may do so at his/her own expense.
3) Rental charges should be at the best promotional rate and/or net of any discounts.

4) Gasoline for rental car use is reimbursable with proper documentation, e.g., rental agreement requirement and receipt(s).

5) Peralta Community College District has insurance for vehicles rented for district business. Therefore, there is no reimbursement for insurance purchases as part of a car rental contract.

6) Employees are encouraged to use the district van for group travel rather than using a rented vehicle.

f. Parking and Related Fees

1) Metered or any other parking fee, or a toll fee, is reimbursable when receipts are provided as a part of a conference claim. If receipts are not available, these fees could be considered covered as part of the incidentals allowance.

2) Airport / Rail Station Parking: Parking fees for leaving an employee's personal vehicle at the airport / train station is reimbursable at the shuttle/long term parking lot rate. If the travel is for an extended period of time, an airport shuttle to/from the employee's home is reimbursable if the shuttle cost is less than parking cost.

3) Related Fees: Toll, bridge, and other related fees are reimbursable if a receipt is provided. If a receipt is not provided, the expense would be considered part of undocumented incidental expenses.

6. Table AP 7400-2, Allowable Conference Expenses, below, identifies expenses allowable and not allowable.

VI. Personnel Considerations

A. Leave of Absence: When a leave of absence of any kind is taken by an employee while on travel status, the exact date and hour of departure and return to duty shall be shown on the reimbursement claim. No expense of any kind will be allowed for time in a leave of absence status.

B. Salary-Status: An employee authorized to attend a conference is considered to be in regular status for the duration of the conference.

C. Disregard for District travel policy, regulations, and procedures and/or altering receipts can result in disciplinary action.

D. Overtime: Overtime is not permitted unless expressly authorized in advance by the Chancellor.

VII. Operating Procedures

The Vice-Chancellor for Finance shall establish the Form 7400 and instructions to implement this administrative procedure. Approved travel requests in excess of $1,000, as well as all out of state travel, will be included in the "Background Materials" as part of the Board of Trustees Meeting agenda.

Approved by the Chancellor: November 21, 2011
<table>
<thead>
<tr>
<th><strong>TABLE AP 7400-2</strong></th>
<th><strong>ALLOWABLE CONFERENCE EXPENSES</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PER DIEM</strong>&lt;sup&gt;1&lt;/sup&gt;</td>
<td></td>
</tr>
<tr>
<td><em>(Allowance Rate)</em></td>
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<tr>
<td><strong>OTHER THAN PER DIEM</strong>&lt;sup&gt;2&lt;/sup&gt;</td>
<td></td>
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<tr>
<td><em>(Receipts required/Reimbursable)</em></td>
<td></td>
</tr>
<tr>
<td><strong>NOT ALLOWED</strong></td>
<td></td>
</tr>
<tr>
<td><em>(Not Reimbursable)</em></td>
<td></td>
</tr>
<tr>
<td><strong>Lodging</strong></td>
<td>Lodging taxes to the extent such taxes increase lodging cost to an amount greater than the per diem lodging rate.</td>
</tr>
<tr>
<td></td>
<td>• Additional lodging costs resulting from additional travel time to the employee's convenience.</td>
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<td></td>
<td>• Lodging furnished by non-commercial or other means, e.g., staying with family/friends living in the conference area.</td>
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<td>• Mini-bar charges.</td>
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<tr>
<td><strong>Meals</strong></td>
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<tr>
<td></td>
<td>• Meals consumed while en route to/from the conference.</td>
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<td></td>
<td>• Alcoholic beverages and/or other intoxicating spirits.</td>
</tr>
<tr>
<td></td>
<td>• Cost of meals furnished by non-commercial or other means, e.g., family and/or friends.</td>
</tr>
<tr>
<td><strong>Incidental Expenses</strong></td>
<td><strong>Miscellaneous Expenses</strong></td>
</tr>
<tr>
<td>• Telephone, fax, internet, and/or other electronic communication methods.</td>
<td>• Personal vehicle mileage.</td>
</tr>
<tr>
<td>• Minor supplies, postage, and reproduction costs</td>
<td>• Air, rail, or bus fare to conference destination if receipted.</td>
</tr>
<tr>
<td>• Porter service where charged as a specified fee</td>
<td>• Airport parking.</td>
</tr>
<tr>
<td>• Laundry and valet expenses when employee’s absence from regular service extends beyond five (5) nights unless necessitated by an accident during the event.</td>
<td>• Vehicle rental / gas.</td>
</tr>
<tr>
<td>• Other miscellaneous items directly related to District business for which no receipt is available, i.e., metered parking, bridge fees, bus fare, etc.</td>
<td>• Taxi and shuttle service including tip.</td>
</tr>
<tr>
<td></td>
<td>• Registration fee.</td>
</tr>
<tr>
<td></td>
<td>• Training fees.</td>
</tr>
<tr>
<td><strong>Other Not Reimbursable Expenses</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Gasoline purchases associated with personal vehicle use.</td>
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<tr>
<td></td>
<td>• Avoidable “no-show” charges for hotel or car service.</td>
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<tr>
<td></td>
<td>• Upgrade fees.</td>
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<td></td>
<td>• Excess baggage fees.</td>
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<td></td>
<td>• Lost baggage.</td>
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<td>• Transportation to/from places of entertainment and similar facilities.</td>
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<td></td>
<td>• Conference-arranged leisure tours or personal side-trip expenses.</td>
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<tr>
<td></td>
<td>• Traffic or parking citation while using a district or private vehicle.</td>
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<td></td>
<td>• Entertainment expenses, radio or television rental, and other items of a similar nature.</td>
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<tr>
<td></td>
<td>• Individual membership dues or fees, e.g., airline clubs, gyms, etc.</td>
</tr>
<tr>
<td></td>
<td>• Personal telephone calls and other expenses of a personal nature.</td>
</tr>
<tr>
<td></td>
<td>• Loss / theft of personal property</td>
</tr>
<tr>
<td></td>
<td>• Gifts.</td>
</tr>
</tbody>
</table>

<sup>1</sup> Per diem rates combine lodging, meals, and incidental expenses for primary destinations. Receipts for less than $25/day are not required.

<sup>2</sup> Expenses may not exceed amount authorized on Form 7400A, Travel Request.
Administrative Procedure 2430 Delegation of Authority to the Chancellor’s Staff

A. Delegation of Authority

The Chancellor delegates the overall administration of the district to the following positions listed. The employees assigned are responsible to the Chancellor for successful performance. With respect to the Board of Trustees Policies and the Chancellor’s Administrative Procedures, the following specific assignments apply:

B. Presidents

Administer compliance of all their assigned college personnel with all Board Policies and Administrative Procedures. The Presidents shall provide leadership to their campus community, shared governance process in a systematic annual review of Board of Trustees Policies, District Administrative Procedures, and college operating procedures with the expectation that recommendations for improvement will be made.

C. Vice Chancellor, Finance and Administration

Represent the Chancellor for the financial affairs of the district. Administer compliance with all financial laws, regulations, and chapter 6 board policies and administrative procedures. Supervises the Bond Legal Counsel contract(s) and administers the appropriate financial controls over the bond construction funds and the OPEB bond funds. Responsible for the following General Institution policies and procedures: Gifts, Foundation and Information Technology.

D. Vice-Chancellor, Educational Services

Represent the Chancellor for the academic affairs of the district. Administer compliance with all academic laws, regulations, and chapter 4 board policies and administrative procedures. Responsible for the following General Institution policies and procedures: Accreditation, Admissions and Records, Institutional Planning, and Grants.

E. Vice-Chancellor, Human Resources

Represent the Chancellor for the human resources function of the district. Administer compliance with all human resources laws, regulations, and chapter 7 board policies and administrative procedures. Serves as Chief Negotiator. Supervise the Human Resources Legal Counsel contract(s). Responsible for the following General Institution policies and procedures: Nondiscrimination, Equal Employment Opportunity, and Prohibition of Harassment.
F. Vice-Chancellor, General Services

Represent the Chancellor for the general services function of the district. Administer compliance with all general services and construction laws, regulations, board policies and administrative procedures. Administer the safety, security, construction and maintenance of facilities. Responsible for the following General Institution policies and procedures: Capital Construction Planning, Citizens Oversight Committee, Use of Facilities, Campus Safety, Campus Security and Access, Emergency Response Plan, Workplace Violence Plan, Reporting of Crimes, Child Abuse Reporting, Local Law Enforcement, Weapons on Campus, Sexual and other Assaults on Campus, Drug Free Environment and Drug Prevention Program, and Alcoholic Beverages.

G. Vice-Chancellor, Student Services

Represent the Chancellor for the student services function of the district. Administer compliance with all student services laws, regulations, and chapter 5 board policies and administrative procedures including: financial aid, international and out-of-state students (residency), concurrent enrollment, student grievances, health services, student discipline, and district-wide student government.

H. General Counsel

Within the parameters of California Rules of Professional Conduct, including but not limited to, Rule 3-600, represent the Chancellor for the legal services function of the district. Advise the Chancellor with respect to the legal issues. Responsible for the following General Institution policies and procedures: District Records Access and Conflict of Interest.

I. Other Policies and Administrative Procedures

The Chancellor will administer the other policies and administrative procedures not enumerated above.

Approved by the Chancellor:
The following positions report directly to the Chancellor and have the overall responsibility for the management of the Peralta Community College District within their respective functions as is detailed in AP 2430. Each of the administrators listed below shall establish organizational charts that delineate the lines of management and supervisory responsibility within their organizational unit.
BOARD POLICY 3720 TELEPHONE, COMPUTER AND NETWORK USE

Employees and students who use District computers and communication networks and the information they contain, and related resources have a responsibility not to abuse those resources and to respect the rights of others. The Chancellor shall establish procedures that provide regulations for students and staff for the appropriate use of information technologies. The procedures shall include that users must respect software copyrights and licenses, respect the integrity of computer-based information resources, refrain from seeking to gain unauthorized access, refrain from using the resources for non-educational personal and/or private commercial purposes, and respect the rights of other computer users.

Reference:
Education Code Section 70902;
Government Code Section 3543.1(b);
Penal Code Section 502;
Cal. Const., Art. 1 Section 1;
17 U.S. Code Sections 101 et seq.
Administrative Procedure AP 3720 Telephone, Computer, and Network Use

New Policy
ADMINISTRATIVE PROCEDURE 3720 TELEPHONE, COMPUTER AND NETWORK USE

The Chancellor directs that the following regulations and procedures apply to all District students, faculty and staff and to any other persons granted use of District information resources. These regulations and procedures refer to all District information resources whether individually controlled or shared, stand-alone or networked. It applies to all telephone, computer and computer communication facilities owned, leased, operated, or contracted by the District. This includes telephones, personal computers, workstations, servers, network devices, and associated peripherals, software and information resources, regardless of whether used for administration, research, teaching or other purposes.

I. Legal Parameters

A. Property. The District Telephone, Computer and Network systems are the sole property of the Peralta Community College District. They may not be used by any person without the proper authorization of the District. The Computer and Network systems are for District instructional and work related purposes only.

B. Conditions of Use. Individual units within the District may define additional conditions of use for information resources under their control. These statements must be consistent with this overall procedure but may provide additional detail, guidelines and/or restrictions.

C. Regulations. This administrative procedure exists within the framework of the District Board Policy and state and federal laws. A user of District information resources who is found to have violated any of this administrative procedure’s regulations will be subject to disciplinary action up to and including but not limited to loss of information resources privileges, disciplinary suspension or termination from employment or expulsion; and/or civil or criminal legal action.

1. Copyrights and Licenses. Computer users must respect copyrights and licenses to software and other on-line information. In addition to software, all other copyrighted information (text, images, icons, programs, etc.) retrieved from computer or network resources must be used in conformance with applicable copyright and other law. Copied material must be properly attributed. Plagiarism of computer information is prohibited in the same way that plagiarism of any other protected work is prohibited.

2. Copying. Software protected by copyright may not be copied except as expressly permitted by the owner of the copyright or otherwise permitted by copyright law. Protected software may not be copied into, from, or by any District facility or system, except pursuant to a valid license or as otherwise permitted by copyright law.

3. Number of Simultaneous Users. The number and distribution of copies must be handled in such a way that the number of simultaneous users in a department does not exceed the number of original copies purchased by that department, unless otherwise stipulated in the purchase contract.

4. Removal of Equipment. Computer users must not attempt to remove telephones, computer equipment, software, or peripherals without management authorization.

II. Unauthorized Computer and Network Use

A. Interference with Access. Computer users must not interfere with others access and use of the District computers. This includes but is not limited to: the sending of chain letters or excessive messages, either locally or off-campus; printing excess copies of documents, files, data, or programs, running grossly inefficient programs when efficient alternatives are known by the user to be available; unauthorized modification of system facilities, operating systems, or disk partitions; attempting to
crash or tie up a District computer or network; and damaging or vandalizing District computing facilities, equipment, software or computer files.

B. Disruptive Programs. Computer users must not intentionally develop or use programs which disrupt other computer users or which access private or restricted portions of the system, or which damage the software or hardware components of the system. Computer users must ensure that they do not use programs or utilities that interfere with other computer users or that modify normally protected or restricted portions of the system or user accounts. The use of any unauthorized or destructive program may result in disciplinary action as provided in this procedure, and may further lead to civil or criminal legal proceedings.

C. Abuse of Computing Privileges. Users of District information resources must not access computers, computer software, computer data or information, or networks without proper authorization, or intentionally enable others to do so, regardless of whether the computer, software, data, information, or network in question is owned by the District. For example, abuse of the networks to which the District belongs or the computers at other sites connected to those networks will be treated as an abuse of District computing privileges.

D. Unlawful and Prohibited Messages. Users may not use electronic communication facilities to send defamatory, fraudulent, harassing, obscene, threatening, or other messages that violate applicable federal, state or other law or District policy, or which constitute the unauthorized release of confidential information

1. Information Belonging to Others. Users must not intentionally seek or provide information on, obtain copies of, or modify data files, programs or passwords belonging to other users, without the permission of those users.
2. Rights of Individuals. Users must not release any individual’s (student, faculty, and staff) personal information to anyone without proper authorization.
3. User Identification. Users shall not send communications or messages anonymously or without accurately identifying the originating account or station.
4. Political, Personal, and Commercial Use. The District is a non-profit, tax-exempt organization and, as such, is subject to specific federal, state, and local laws regarding sources of income, political activities, use of property and similar matters.
5. Political Use. District information resources must not be used for partisan political activities where prohibited by federal, state, or other applicable laws.
6. Commercial Usage. Electronic communication facilities may not be used to transmit commercial or personal advertisements, solicitations or promotions.

E. Prohibited Activities

1. Personal Use. District information resources should not be used for personal activities not related to appropriate District functions, except in an occasional, rare, and incidental manner.

2. Commercial Use. District information resources are not to be used for any commercial purposes. Users are reminded that the District’s license for the “.cc” and “.edu” domains on the Internet prohibits commercial use, and users may not conduct commercial activities with those domains.

III. Disclosure

A. No Expectation of Privacy. The District reserves the right to monitor all use of the District network and computer to assure compliance with these policies. Users should be aware that they have no expectation of privacy in the use of the District network and computer resources. The District will exercise this right only for legitimate District purposes, including but not limited to court ordered
discovery proceedings, freedom of information act disclosures, and ensuring compliance with this procedure and the integrity and security of the system.

B. Possibility of Disclosure. Users must be aware of the possibility of unintended disclosure of communications.

C. Retrieval. It is possible for information entered on or transmitted via computer and communications systems to be retrieved, even if a user has deleted such information.

D. Public Records. The California Public Records Act (Government Code Sections 6250 et seq.) includes computer transmissions in the definition of "public record" and nonexempt communications made on the District network and computers must be disclosed if requested by a member of the public.

E. Litigation. Computer transmissions and electronically stored information may be discoverable in litigation.

F. Dissemination and User Acknowledgement. All users shall be provided copies of these regulations and procedures, be directed to familiarize themselves with them, and be asked to "sign" and date the acknowledgment and waiver.

1. Procedure. A "pop-up" screen addressing these procedures shall be installed. The "pop-up" screen shall appear prior to accessing the secured system. Users shall sign and date the acknowledgment and waiver included in this procedure stating that they have read and understand this procedure, and will comply with it and its associated regulations. This acknowledgment and shall be in the form as follows:

2. Computer and Network Use Agreement. I have received and read a copy of the District Telephone, Computer, and Network Use Procedures and this Agreement dated ____________, and recognize and understand the guidelines. I agree to abide by the standards set in the procedures for the duration of my employment and/or enrollment. I am aware that violations of this Telephone, Computer and Network Usage Procedure may subject me to disciplinary action, including but not limited to revocation of my network account up to and including prosecution for violation of State and/or Federal law.

References:
17 U.S. Code Sections 101 et seq.
Penal Code Section 502, Cal. Const., Art. 1 Section 1;
Government Code Section 3543.1(b);
Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

Approved by the Chancellor:
Board Policy 4010 Academic Calendar

The Chancellor, in consultation with the appropriate groups, shall develop an academic calendar.

Reference:
Education Code Section 70902(b)(12)

Replaces:
No previous Board Policy.
Board Policy 4030 Academic Freedom

Academic Freedom

Intellectual freedom and responsibility:
Intellectual freedom is to be guarded as a basic right of all citizens in a free society. To this end, the colleges of the district are committed to free discussion and open inquiry in the pursuit of truth. It is recognized that freedom to think, to read, to speak and to question is necessary to the development of an informed citizenry. This freedom shall be integral to the philosophy of this district and is guaranteed to all staff and students.

For each faculty member, intellectual freedom is both a right and a responsibility. As a right, it guarantees the instructor freedom to interpret personal findings and to communicate the conclusions without being subjected to interference, molestation, or penalty because the conclusions are at variance with those of other persons. As, a responsibility, it carries the obligation to study, to investigate, to present, to discuss and to interpret fairly and objectively facts and ideas related to the instructor's assignments.

Since human knowledge is limited and changeable, the instructor will acknowledge the facts on which controversial views are based and show respect for opinions held by others. While striving to avoid bias, the instructor will cite the evidence available and present the conclusions to which the instructor believes this evidence points without limiting the freedom of the student to express and defend the students own views and beliefs. With the understanding that the student must also respect the rights of others, the student shall have the freedom to question and differ without jeopardy to the student's scholastic standing.

The college faculty member is a citizen, a member of a learned profession, and an employee of an educational institution. As a person of learning and an educational employee, the faculty member should remember that the public judges the profession and the institution by his/her utterances. Hence, the faculty member should at all times be accurate, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesperson. To insure these principles of intellectual freedom for this district's colleges, the administration and the board, as the governing body of the district, will demonstrate their support by actively working toward a climate which will foster this freedom. Such participation will extend to the point of defending and supporting any tenured or non-tenured faculty member who, while maintaining the high standards of the profession, finds personal freedom of expression unfairly attacked or curtailed.

Freedom of Speech, Political Activities:
The governing board recognizes the right of any employee of the district to take or refrain from taking a stand on any political issue and to support or oppose any issue or candidate. In accordance with the Education Code, such activities must be conducted on the employee's own time. The employee will exercise reasonable care to show that he/she is acting in his/her capacity as a private citizen. Nothing in this policy shall prevent:

1. The discussion and study of political, social, and moral issues when such discussion and study are appropriate to the subject matter of a course.
2. The conducting of student and employee elections and campaigning connected therewith.

References:
California Education Code Section 70902
Government Code Title 1, Division 7, Chapter 3.5, Sections 6254 (D-6267).
Title 5, Section 5123
"Faculty as Professionals: Responsibilities, Standards and Ethics," Academic Senate for
California Community Colleges (Spring, 2002).

Replaces:
Board Policy 5.15 Code of Faculty Professional Standards first adopted March 15, 1965 and last revised November 18, 2008 which included merging Board Policy 5.10 Intellectual Freedom with BP 5.15; and also merges BP 5.45 Public Forums.
Board Policy 4106 Nursing Programs

Nursing students who have already earned a baccalaureate or higher degree from a regionally accredited institution of higher learning are not required to complete any general education requirements that may be required for an associate degree. Instead, these students only need to complete the coursework necessary for licensing as a registered nurse.

The district shall utilize criteria published on the Merritt College Nursing department's web site, current catalog, and current nursing department brochure when screening students for admission to the nursing program.

See Administrative Procedure 4106

References:
Education Code Sections 66055.8, 66055.9, 70101-70107, 70120, 70124, 70125, 70128.5, 78260, 78261, 78261.3, 78261.5, 87482, 89267, 89267.3, and 92645;
Title 5 Sections 55060 et seq. and 55521;
Health and Safety Code Section 128050

Replaces: No previous Board Policy.
Board Policy 4110 Honorary Degrees

Honorary degrees may be awarded at commencement or some other equally appropriate time. The names of persons receiving honorary degrees must be approved by the Board.

The Chancellor shall establish procedures and criteria for the award of honorary degrees.

Reference:
Education Code Section 72122

Replaces:
No previous Board Policy.
Board Policy 4225 Course Repetition

Course repetition shall be in compliance with the provisions in Title 5.

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

Reference:
Title 5 Sections 55040, 55041, 55042, 55044, 55043 55253, 56029, and 58161

Replaces:
Course repetition was covered in Board Policy 5.22 Academic Standards/ Standards of Scholarship first approved March 17, 1981 and last revised March 18, 2011.
Board Policy 4235 Credit by Examination

Credit may be earned by students who satisfactorily pass authorized examinations. The Chancellor shall establish administrative procedures to implement this policy.

See Administrative Procedure 4235

Reference:
Title 5 Section 55050

Replaces:
Credit by Examination was covered in Board Policy 5.22 Academic Standards/ Standards of Scholarship first approved March 17, 1981 and last revised March 18, 2011.
Board Policy 4240 Academic Renewal

Previously recorded substandard academic performance may be disregarded if it is not reflective of a student's demonstrated ability. The Chancellor shall establish procedures that provide for academic renewal.

Reference:
Title 5 Section 55046

Replaces:
Academic Renewal was covered in Board Policy 5.22 Academic Standards/Standards of Scholarship first approved March 17, 1981 and last revised March 18, 2011
Board Policy 4250 Probation, Disqualification, and Readmission

Probation
A student shall be placed on academic probation if he or she has attempted a minimum of 12 semester units of work and has a grade point average of less than a "C" (2.0).

A student shall be placed on progress probation if he or she has enrolled in a total of at least 12 semester units and the percentage of all units in which the student has enrolled, for which entries of "W," "I," "NC," "NP," and "FW" were recorded reaches or exceeds 50 percent.

A student who is placed on probation may submit an appeal/petition in accordance with procedures to be established by the Chancellor.

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," "NP," and "FW" drops below 50 percent.

Dismissal
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 1.75 in all units attempted in each of three consecutive semesters.

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," "NP," and "FW" are recorded in at least three consecutive semesters reaches or exceeds 50 percent.

A student who is subject to dismissal may submit a written appeal/petition in compliance with administrative procedures.

Readmission
A student who has been dismissed may request reinstatement through petition.

Readmission may be granted, denied, or postponed according to criteria contained in administrative procedures.

The Chancellor shall develop procedures for the implementation of this policy that comply with the Title 5 requirements.

References:
Education Code Section 70902(b)(3);
Title 5 Sections 55030-55034

Replaces:
Probation, Disqualification, and Readmission was covered in Board Policy 5.22 Academic Standards/Standards of Scholarship first approved March 17, 1981 and last revised March 18, 2011
Board Policy 4400 Community Service Programs

Per the provision of Education Code Section 78300, the colleges of the Peralta Community College District may offer Community Service courses (fee based courses).

Community services courses shall be open for admission of adults and of minors who can benefit from the courses.

Community Services classes and activities are those instructional and enrichment offerings, not supported by state apportionment, that are designed for the physical, mental, moral, economic, or civic development of persons in attendance. These activities which exist in various formats extend the regular and traditional educational services of the District for broader community and individual benefits.

No General Fund monies may be expended to establish or maintain community services courses. Students involved in community services courses shall be charged a fee not to exceed the cost of maintaining the courses.

Reference:
  Education Code Section 78300

Replaces:
Board Policy 6.65 Community Service (Fee-Based) Program first adopted February 15, 1983 and last revised July 8, 1997.
Administrative Procedure 4010 Academic Calendar

The academic year consists of 175 days of instruction (see Note 1 below). Flexible days are considered part of the 175 days of instruction. Statutory holidays are observed on the dates noted, or on alternate dates in accordance with Education Code 79020, and include:

- New Year's Day (January 1)
- Dr. Martin Luther King, Jr. Day (Third Monday in January)
- Lincoln Day (February 12 or see Note 2 below)
- Washington Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Veterans Day (November 11 or see Note 2 below)
- Thanksgiving Day (Fourth Thursday in November)
- Christmas Day (December 25)

Per the approval of the Board of Trustees (July 20, 2010), Cesar Chavez Day also is a recognized district holiday.

Other Holidays: The Board of Trustees annually determines other days to be holidays and closes the Colleges and offices when good reason exists. (These holidays traditionally have been New Year's Eve day, the day after Thanksgiving, and Christmas Eve day.)

Note 1: Per the "Student Attendance Accounting Manual" (CCCO, 2001), "For a day to count towards meeting the requirements of the California Code of Regulations, the total hours of course offerings scheduled during the regular college day must be offered for a minimum of three hours during the period of 7 a.m. and 11 p.m."

Note 2: Education Code 79020 addresses the scheduling of Lincoln Day, Veterans Day, and holidays that fall on weekends.

References:
Education Code Section 79020;
Title 5 Sections 55700 et seq. and 58142

Approved by the Chancellor:
Peralta Community College District

Administrative Procedure 4030 Academic Freedom

Board Policy 4030 adequately addresses Academic Freedom. There is no specific need for an administrative procedure.

References:
Title 5 Section 51023
Accreditation Standard II.A.7

Approved by the Chancellor:
Administrative Procedure 4104 Contract Education

The District/Colleges may contract for instructional classes to be offered at the request of public or private agencies or groups.

These courses shall be provided to such organizations on a contract basis as the need arises.

Instructional courses shall be consistent with the goals of the District/Colleges, and responsive to the educational requirements of the respective public or private agencies or groups requesting them.

These programs are normally closed to the general public and are therefore not eligible for apportionment in accordance with the Education Code.

Reference:
Title 5 Section 55170

Approved by the Chancellor:
Administrative Procedure 4106 Nursing Programs

Nursing students who have already earned a baccalaureate or higher degree from a regionally accredited institution of higher learning are not required to complete any general education requirements that may be required for an associate degree. Instead, these students only need to complete the coursework necessary for licensing as a registered nurse.

The district shall utilize criteria published on the Merritt College Nursing Department's web site, current catalog, and current nursing department brochure when screening students for admission to the nursing program.

Merritt College Nursing program admission information as of January 2012 is as follows:

The [Associate Degree Nursing (ADN)](http://www.merrittcollege.edu) program is approved by the California Board of Registered Nursing. This program is designed to prepare students for beginning positions in Registered Nursing. Upon successful completion of the program, students are eligible to take the state licensing examination for registered nurses. The course of study includes instruction in applied nursing sciences, related natural and social/behavioral sciences, and clinical nursing experience in hospitals and healthcare facilities located in the San Francisco Bay Area.

The [AS degree in Nursing](http://www.merrittcollege.edu) will be awarded upon satisfactory completion of the Group A Prerequisite requirements, the Group B General Education/Graduation requirements, and the Group C Major course requirements.

Applications are accepted each year from December 1 – March 1 for the class admitted the following Fall semester. All applications with supporting data (all transcripts, etc.) must be received no later than March 1. Applications may be hand-delivered or mailed to the Merritt College Associate Degree Nursing Program. Nonresident foreign students must first be cleared for admission through the International Student Advisor's Office. It is highly recommended that all students interested in the Nursing program see a counselor for guidance in preparation for the program and evaluation of prerequisites prior to applying.

**NO MATERIALS WILL BE ACCEPTED AFTER THE APPLICATION DEADLINE DATES. LATE OR INCOMPLETE APPLICATIONS WILL NOT BE EVALUATED.**

**Students may apply for admission only once per year.**

In order to apply for admission into the ADN Program, students must complete the admission prerequisites (Group A courses). After completion of the Group A courses, students may apply to the ADN Program. Applications are evaluated to determine if the student is eligible to continue in the application process based upon the Chancellor's Advisory Model Prerequisites.

**Eligibility Requirements:**

1. The student must be a graduate of an accredited high school or have passed the GED test or equivalent.
2. All prerequisite courses in Group A must be completed before applying for admission into the program.
3. Foreign transcripts must be submitted to an international education service for evaluation and official sealed results submitted with the application. Forms may be obtained from the Counseling Office.
4. Nonresident foreign students must see the International Student Advisor before applying.
Admission Criteria Effective as of Fall 2008:

The process by which students are admitted to the Associate Degree Nursing Program (ADN) changed for students applying for admission into the Program in Fall 2008 and subsequent terms. The Program adopted the Chancellor's Advisory Model Prerequisites for Enrollment in Associate Degree Nursing Program admission criteria. Students must complete all Group A prerequisites prior to applying to the ADN Program for admission. While it is highly recommended that students complete both Group A and Group B courses prior to entry into the ADN Program, admission into the ADN Program will be based upon the Chancellor's Advisory Model Prerequisites for Enrollment in the Associate Degree Nursing Program (Group A courses).

Application and Admission Process:

The application and admission process consists of the following criteria:
1. All English coursework: 2.0 GPA or above is required.
2. Biology Core (anatomy, physiology, and microbiology): 2.5 GPA or above is required.
3. A formula approved by the State Chancellor's Office computes each student's cut score. A cut score of 80% or higher is required to meet eligibility requirements. Biology core repetitions adversely affect the overall score. All repeats, regardless of the grade (including a withdrawal “W” grade), are counted as a repetition.
4. Students who have met the minimum cut score (80%) must also pass a diagnostic assessment test, the TEAS Exam. Students who fail to achieve a passing score will be required to complete additional Pre-Nursing coursework prior to admission and enrollment in the Nursing program. Pre-Nursing coursework and clearance of diagnostic assessment deficiencies must be completed to become eligible for admission to the program.
5. A lottery is conducted that includes all students who show academic readiness by having received a passing score on the TEAS Exam. This lottery is used for selecting the students who will be admitted to and enrolled in the Nursing Program.

Prior to Admission:

All students selected for admission to the program must meet the following additional requirements:
1. A recent (within 6 months) physical examination certifying good physical health must be satisfactorily completed, at the student's own expense. This includes proof of negative results of annual tuberculosis (TB) screening.
2. CPR (Basic Life Support) certification must be current within one year at the time of application and must remain current throughout the length of the program.
3. Criminal background check and drug screening.

Upon admission to the college, students should obtain an Initial Evaluation Request Form from the college's Admissions and Records Office for courses completed at other colleges or universities.

Course Requirements:

Group A – Prerequisite Requirements:

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<tr>
<th>Dept/No.</th>
<th>Title</th>
<th>Units</th>
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</thead>
<tbody>
<tr>
<td>BIOL 20A</td>
<td>Human Anatomy and Physiology (5)</td>
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<td></td>
<td>and</td>
<td></td>
</tr>
<tr>
<td>BIOL 20B</td>
<td>Human Anatomy and Physiology (5)</td>
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<tr>
<td></td>
<td>OR</td>
<td></td>
</tr>
<tr>
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<td>Human Anatomy (5)</td>
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<td></td>
<td>and</td>
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<td>Dept/No.</td>
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<td>Units</td>
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<td>BIOL 4</td>
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<td>BIOL 3</td>
<td>Microbiology</td>
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<td>ENGL 1A</td>
<td>Composition and Reading</td>
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<td><strong>Total Required Prerequisite Units:</strong></td>
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**Group B – General Education/Graduation Requirements:**

Although Group B courses meet General Education (GE)/Graduation Requirements and can be completed prior to or after admission into the ADN Program, it is highly recommended that these courses be completed prior to admission into the program. Each Group B course must be completed with a grade of “C” or better (letter grade only) except for Ethnic Studies and Computer Literacy. “C-” is not acceptable.

<table>
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<tbody>
<tr>
<td>MATH 203</td>
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<tr>
<td>ENGL 1B</td>
<td>Composition and Reading (4)</td>
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<td></td>
<td>or</td>
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</tr>
<tr>
<td>ENGL 5*</td>
<td>Critical Thinking in Reading and Writing (3)</td>
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<tr>
<td>PSYCH 1A</td>
<td>Introduction to General Psychology</td>
<td>3</td>
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<tr>
<td>SOC 1</td>
<td>Introduction to Sociology (3)</td>
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<td>or</td>
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</tr>
<tr>
<td>ANTHR 3</td>
<td>Introduction to Social and Cultural Anthropology (3)</td>
<td>3</td>
</tr>
<tr>
<td>COMM 20</td>
<td>Interpersonal Communication Skills</td>
<td>3</td>
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**Plus:**

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<th>Title</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>NURS 1</td>
<td>Fundamentals in Nursing: Beginning</td>
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<td></td>
<td>Principles of Health Care</td>
<td>9</td>
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<tr>
<td>NURS 3A</td>
<td>Perinatal Nursing</td>
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<tr>
<td>NURS 3B</td>
<td>Pediatric Nursing</td>
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<tr>
<td>NURS 4A</td>
<td>Intermediate Medical-Surgical Nursing</td>
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<td>NURS 4B</td>
<td>Psychiatric Nursing</td>
<td>4</td>
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<tr>
<td>NURS 5</td>
<td>Advanced Medical-Surgical Nursing: Disruption in Homeostasis</td>
<td>9</td>
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<tr>
<td>NURS 10</td>
<td>Leadership and Management</td>
<td>1</td>
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</tbody>
</table>

**Group C – Degree Major Requirements:**

The following courses are to be completed **after admission into the ADN program.** These courses must be completed with a grade of “C” or better (a 75% passing grade) in lecture and satisfactory clinical performance in each section of a course (“C-” is not acceptable):
NURS 11  Ethics and Law  1
NURS 12  Calculation of Drug Dosages for Health Professionals  1
NURS 13  Pharmacology in Nursing  3
NURS 14  Nutrition and Diet Therapy in Nursing  2
Total Required Major Units:  42
Total Required Program Units:  81-82

Students with prior experience in the healthcare field, such as Licensed Vocational Nursing (LVN), may apply to challenge courses within the Nursing curriculum and seek advanced placement in the program. Contact the Allied Health Department for details. For written information regarding advanced placement, challenge by examination, transfer, or the 30-unit option (BRN Regulation, Section 2736.6), contact the Allied Health Department Office located in Building D, Room 102.

Note: Transfer-in or advanced-placement students will be admitted only on a space-available basis.

References:
Education Code Sections 66055.8, 66055.9, 70101-70106, 70120, 70124, 70125, 70128.5, 78260, 78261, 78261.3, 78261.5, 87482, 89267, 89267.3, and 92645;
Title 5 Sections 55060 et seq. and 55521;
Health and Safety Code Section 128050

Approved by the Chancellor:
Administrative Procedure 4110 Honorary Degrees

The conferring of honorary Associate in Arts or Associate in Science degrees provides the Board of Trustees and the District a method to recognize and honor individuals for meritorious and outstanding service to the district/college community.

Any group or individual on or off campus may make a recommendation for a recipient of an honorary degree. All recommendations are forwarded to the College President and then to the Chancellor.

A recommendation to award an honorary degree will go through a formal approval process at the college, as well as by the Chancellor.

It is understood that honorary degrees will be awarded very infrequently. When they are approved, they will be awarded at the annual commencement ceremony.

Reference:
Education Code Section 70902

Approved by the Chancellor: