Administrative Procedure 2410 Policy Development Process

A. Submission

New or revised draft Policies can be submitted to the Chancellor from any recognized PCCD group or individuals with area expertise. All drafts submitted to the Chancellor shall include a cover letter that addresses the following:

1. The name of the individual/group authoring the draft.
2. A concise explanation stating the reason(s) for the new or revised draft Policy. This statement may be used later as an inclusion in the Board packet.
3. References relative to State, Federal, Legal, Accreditation, Title 5 Code of Regulations, or any other appropriate references supporting the Policy.

B. Planning and Budgeting Council

All draft Policies will be forwarded to the Planning and Budgeting Council by the Chancellor or his designee to ensure an opportunity for consultation and participation in the development of the policy. The consultative group(s) response to the Chancellor should be documented in the form of meeting minutes in a timely manner. The constituent group’s position (supportive, not supportive, abstain), will be provided to the Board with the draft Policy.

C. The Board of Trustees

The Board will hear all Policy materials over at least two separate meetings. However, when unusual and compelling reasons or legal constraints exist, the Board may elect to review and act on Policy material during only one session. The action shall be recorded in the minutes of the Board.

D. Chancellor’s Cabinet

The Chancellor’s Cabinet will review all draft new or revised Policies for the Chancellor prior to a recommendation to the Governing Board.

E. Administrative Procedures

Administrative Procedures specify the regulations, rules, and practices by which Board Policies are implemented. The Chancellor shall provide each member of the Board with copies of the Administrative Procedure as applicable to specific Board Policies as they become available. Administrative Procedures shall be incorporated in the Board Policy manual in a manner that distinguishes between Board Policy and Administrative Procedures.

F. Implementation

After a favorable vote on Policy by the Board and/or approval of a Procedure by the Chancellor, the material will be posted on the District’s web site by the Assistant to the Chancellor. A paper copy will be maintained by the Chancellor’s office as the permanent record. The announcement of new Policies/Procedures will be the responsibility of the Chancellor’s Office.
G. Administrative Responsibility

The Chancellor has the primary administrative responsibility to recommend new or revised Policies to the Board of Trustees. The Chancellor approves all new or revised Administrative Procedures. The Chancellor may delegate the drafting of certain Board Policies or Administrative Procedures. The recording of the assignment and the tracking of the revision process will be kept in the Chancellor's office and distributed with revisions in a document called "Policy and Procedure Tracking Matrix".

H. The Academic Senate

Education Code 53200 et seq. states that the district shall rely primarily upon the advice of the Academic Senate with respect to "Academic and Professional Matters." Therefore, policies pertaining to chapter 4 "Academic Affairs" will also be reviewed by the Academic Senate who will make a separate recommendation in addition to the procedures described above.

I. Educational Employment Relations Act

Nothing in this procedure will be construed to interfere with the formation or administration of employee organizations or with the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code Sections 3540, et seq.

Reference:
Education Code Section 70902(b)(7)
California Code of Regulations Sections 53200 (Academic Senate), 51023.5 (staff), 51023.7 (students)
ACCJC Accreditation Standards I.B.7; I.C.5; IV.C.7; and IV.D.4 (formerly IV.B.1.b)

Approved by the Chancellor: January 4, 2012

Revised by the Chancellor: January 14, 2014
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. Deputy Chancellor

Serves as the principal management support to the Chancellor in handling a range of operational matters related the district service centers, and faculty, staff, students and public affairs issues; directly handles matters of institutional importance on behalf of the Chancellor, as appropriate. Oversees all facets of the daily operations of the District, and develop findings and makes recommendations to the Chancellor to ensure compliance with all relevant national, state, and local policies and regulations. Coordinates and integrates the activities of the Chancellor's Cabinet in the development and implementation of established core initiatives for the Office of the Chancellor. Directly oversees the Vice Chancellor of Finance and Administration, the Vice Chancellor of General Services, the Vice Chancellor of Human Resources and Employee Relations, the Associate Vice Chancellor of Information Technology, General Counsel and Risk Management.

D. Vice Chancellor, Finance and Administration

Represent the Chancellor and the Deputy Chancellor for the financial affairs of the district. Administers 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 procedure: Gifts, Foundation and Information Technology.

E. Vice-Chancellor, Educational Services

Represent the Chancellor for the academic affairs and student affairs of the district. For academic affairs 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

For student affairs 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.
F. **Vice-Chancellor, Human Resources**

Represent the Chancellor and the Deputy 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.

G. **Vice-Chancellor, General Services**

Represent the Chancellor and the Deputy 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 **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. Advises the Chancellor with respect to the legal issues. Responsible for the following General Institution policies and procedures: District Records Access and Conflict of Interest.

H. **Other Policies and Administrative Procedures**

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

References:
- Education Code Section 70902
- ACCJC Accreditation Standards IV.B.5, IV.C.12, IV.D.1 (formerly IV.B.1.j and IV.B.2)

Approved by the Chancellor: March 13, 2012

Revised by the Chancellor: February 7, 2014
Administrative Procedure 3200 Accreditation

A. The Accrediting Commission

The colleges of the Peralta Community College District are reviewed and accredited by the Accrediting Commission for Community and Junior Colleges (ACCJC) of the Western Association of Schools and Colleges (WASC). Community College Accreditation authorizes the district colleges to offer the first two years of university curricula.

B. Self Study and other Reports

In accordance with the standards of the ACCJC, the colleges shall conduct a comprehensive self-evaluation every six years and host a visit by an accreditation team. Mandatory midterm reports shall be prepared and submitted to the ACCJC in the third year of each six-year cycle. Other additional reports shall be submitted as required by the Commission.

C. Responsibilities of the College Presidents

Each college president shall ensure that the process for producing the written institutional self-evaluation document includes:

1. The appointment of an institutional self-evaluation Chairperson or Co-Chairs
2. The appointment of an Accreditation Liaison Officer
3. Active, campus-wide involvement of managers, faculty, staff, and students
4. Submission of required reports in time for Board of Trustees approval prior to Commission deadlines.

D. District Office Coordination

The Vice-Chancellor of Educational Services is delegated the responsibility to assist the colleges in the preparation of a coordinated response regarding district office matters if needed.

References:

ACCJC Accreditation Eligibility Requirement 21
ACCJC Accreditation Standards I.C.12 and 13 (formerly IV.B.1.i)
Title 5 Section 51016

Approved by the Chancellor: March 13, 2012
Revised and approved by the Chancellor: July 25, 2014
I. Educational Programs and other Services

The District shall provide access to its services, classes and programs without regard to, national origin, religion, age, sex or gender, gender identification, race or ethnicity, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, pregnancy or because he/she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics.

A. All classes, including credit, noncredit and not-for-credit, shall be conducted without regard to the gender of the student enrolled in the classes. As defined in the Penal Code, "gender" means sex, and includes a person's gender identity and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.

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

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

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

II. Employment

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

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

B. The District shall provide timely professional and staff development activities and training to promote understanding of diversity.

References:

ACCJC Accreditation Eligibility Requirement 20
ACCJC Accreditation Standard Catalog Requirement (formerly II.B.2.c)

Approved by the Chancellor: July 18, 2012
Revised and approved by the Chancellor: February 24, 2014
Revised and approved by the Chancellor: July 25, 2014
ADMINISTRATIVE PROCEDURE 3430 PROHIBITION OF UNLAWFUL HARASSMENT

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

I. Definitions

A. General Harassment

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

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

B. Verbal

Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race gender sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race nationality, sexual orientation or other protected status.

C. Physical

Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation or other protected status.

D. Visual or Written

The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

E. Environmental

A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class.
or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his/her immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

F. Sexual Harassment

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

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

This definition encompasses two kinds of sexual harassment:

a. "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.

b. "Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender is sufficiently severe or pervasive so as to alter the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile.

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

II. Examples:
Harassment includes, but is not limited to, the following misconduct:

A. Verbal

Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's protected status, including but not limited to sex. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse; threats or intimidation of a sexual nature; or sexist, patronizing or ridiculing statements that convey derogatory attitudes about a particular gender.
B. Physical
Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, fingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures.

C. Visual or Written
The display or circulation of offensive sexually-oriented or other discriminatory visual or written material. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

D. Environmental
An academic or work environment that is permeated with racially or sexually-oriented talk, innuendo, neulce or abuse not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. An environment may be hostile if unwelcome sexual behavior or other harassing behavior based on a protected status is directed specifically at an individual or if the individual merely witnesses unlawful harassment in his/her immediate surroundings. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

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

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

To the extent the harassment policies and procedures are in conflict with the District's policy on academic freedom, the harassment policies and procedures shall prevail. If the faculty member wishes to use sexually explicit materials in the classroom as a teaching technique, the faculty member must review that use with an administrator to determine whether or not this violates the sexual harassment policy.

Reference:
Education Code Sections 212.5, 44100, and 66281.5;
Title IX, Education Amendments of 1972; Title 5, Sections 59320 et seq.;
Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. Section 2000e
A campus safety plan will be provided to faculty and staff, and be available to all students to allow informed and involved decision making about personal safety related to crime prevention and response.

I. Plan Production and Distribution

The Vice Chancellor of General Services shall

A. Ensure the annual preparation and updating of the "Personnel Safety Handbook;"

B. Produce an annual written report to the Board of Trustees;

C. Annually produce a "Personnel Safety Handbook" document available to students, faculty, staff, and the public;

D. Annually update the Handbook available on the District web site.

II. "Personal Safety Handbook" Contents

A. Personal safety

B. Crime prevention

C. Crime reporting
   1. How to report
   2. Contact numbers

D. Emergency Communication

E. Sexual Assault

F. Drugs, Alcohol, and Tobacco

G. Weapons

H. Parking and Traffic

I. Crime reports in accordance with AP 3515 Reporting of Crimes

References:

Education Code Section 87014
Education Code Section 67380
20 U.S. Code Section 1092(f)
Education Code Section 212
Penal Code Section 245
20 U.S. Code Section 1232g
34 Code of Federal Regulations 668.46
34 Code of Federal Regulations 99.31(a)(13), (14)
Campus Security Act of 1990

Approved by the Chancellor: July 16, 2012
ADMINISTRATIVE PROCEDURE 3540 SEXUAL AND OTHER ASSAULTS ON CAMPUS

A. Peralta Police Services shall make available sexual assault awareness information to students and employees.

B. Any sexual assault or physical abuse, including, but not limited to, rape, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District’s facilities or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures.

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

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

E. “Domestic violence” includes felony or misdemeanor crimes of violence committed by:
   (1) a current or former spouse of the victim;
   (2) a person with whom the victim shares a child in common;
   (3) a person who is cohabitating with or has cohabitated with the victim as a spouse;
   (4) a person similarly situated to a spouse of the victim under California law, or
   (5) any other person against an adult or youth victim who is protected from that person’s acts under California law.

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

G. It is the responsibility of each person involved in sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

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

H. These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information.

I. All students, faculty members or staff members who allege they are the victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the Peralta Police Services, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until Peralta Police Services is authorized to release such information.
J. Peralta Police Services shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with a copy of the District’s policy and administrative procedure regarding domestic violence, dating violence, sexual assault, or stalking upon request, and the importance of preserving evidence and the identification and location of witnesses.

References:
- Education Code Sections 67385 and 67386
- 20 U.S. Code Section 1092 (f)
- 34 Code of Federal Regulations Section 668.48 (b) (11)

Approved by the Chancellor: January 30, 2013
Revised and approved by the Chancellor: January 21, 2014
ADMINISTRATIVE PROCEDURE 3560 ALCOHOLIC BEVERAGES

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

B. Alcoholic beverages on campus are permitted if:

1. The alcoholic beverage is beer or wine for use in connection with a course of instruction, sponsored dinner, or meal demonstration given as part of a culinary arts program at a community college campus, and the instructor or individual has been authorized to acquire, possess, use, sell, or consume it by the College President.

2. A student of at least 18 years of age tastes, but does not swallow or consume, beer or wine for educational purposes as part of the instruction in an enology or brewing degree program, and the beer or wine remains in the control of the instructor.

3. The alcoholic beverage is for use during a non-college event at a performing arts facility built on District property and leased to a nonprofit public benefit corporation.

4. The alcoholic beverage is wine produced by a bonded winery owned or operated as part of an instructional program in viticulture and enology.

5. The alcoholic beverage is wine that is for use during an event sponsored by the District or the Peralta Colleges Foundation in connection with the District's instructional program in viticulture or the District's instructional program in enology.

6. The alcoholic beverage is possessed, consumed, or sold, pursuant to a license or permit obtained for special events held at the facilities of a public community college during the special event. "Special event" means events that are held with the permission of the governing board of the community college district as delegated for approval by the College President (if the special event is held at the college) or by the Chancellor (if the special event is held at the district office) that are festivals, shows, private parties, concerts, theatrical productions, and other events held on the premises of the public community college and for which the principal attendees are members of the general public or invited guests and not students of the public community college.

7. The alcoholic beverage is acquired, possessed, or used during an event sponsored by the District or the Peralta Colleges Foundation at a community college-owned facility in which any grade from kindergarten to grade 12, inclusive, is taught, if the event is held at a time when students in any grades from kindergarten to grade 12, inclusive, are not present at the facility.

C. The alcoholic beverage is for use during a fundraiser held to benefit a nonprofit organization that has obtained a license under the Business and Professions Code to do so provided that no alcoholic beverage can be acquired, possessed or used at a football game or other athletic contest sponsored by the District.

Reference:
Business and Professions Code Sections 24045.4, 24045.6, 25608 and 25658;
34 Code of Federal Regulations Section 668.46(b)

Approved by the Chancellor: October 25, 2014
ADMINISTRATIVE PROCEDURE 4020 PROGRAM, CURRICULUM, AND COURSE DEVELOPMENT

The Chancellor directs The Peralta Community College District comply with and use the California Community Colleges Program and Course Approval Handbook (3rd edition, 2009).

I. Work Flow

The Peralta Community College District and the curriculum committees of the four colleges (Alameda, Berkeley City, Laney, and Merritt) (under the purview of the Academic Senate) use the curriculum management system, CurricUNET, for program, curriculum, and course development, and serves as a database for all curriculum documents.

A. Each of the colleges has in place an approval process for courses and programs in the CurricUNET system, which includes distance education and student learning outcomes. Faculty have primary responsibility for curriculum management.

B. Once curriculum actions have been finalized by the individual college curriculum committees, those actions are forwarded to the district Council on Instruction, Planning, and Development (CIPD) for review and approval. Because the district/ four colleges use uniform course numbering, there are instances when consultation between colleges or among the colleges must occur (see below). That consultation must happen prior to actions being sent to CIPD.

When a college submits a program (degree or certificate) to CIPD for approval, and that program will require approval by the State Chancellor’s Office, all required state paperwork must be completed prior to bringing the program to CIPD.

C. Career Technical Education programs must be approved by the Bay Area Community College Consortium after approval by CIPD and before being sent to the California Community Colleges Chancellor’s Office.

D. All curriculum and program actions once approved by CIPD are forwarded to the Board of Trustees for approval.

E. All courses and programs approved are reported to the California Community Colleges Chancellor’s Office.

F. All programs, curriculum, and courses are reviewed on a three-year cycle through Program Review. All programs complete an Annual Program Plan update.

II. Goals for Consultation among Colleges regarding Curriculum Issues

Consultation among colleges regarding curriculum issues is necessary to ensure

A. Program integrity
B. Appropriate use of district resources
C. Program delivery to students in convenient locations
D. Adequate enrollment in all programs at all colleges

III. Description of a Good Faith Effort at Consultation

Prior to proposing a substantive course change to the college curriculum committee, college representatives must contact by email (or by phone with a follow up email) the appropriate administrator and department chair at all affected colleges. The curriculum committee chair should be copied on this
email as well. If a regular district wide discipline meeting is part of the ongoing curriculum process in this
discipline, the membership of that group will also be consulted.

All consultations should be completed within two weeks of the initial email.

If there are unresolved disputes related to the valid curricular reasons outlined in the introductory
paragraph to these procedures, the issues will be discussed and resolved at CIPD.

IV. Consultation is Required among Colleges regarding the following Curriculum Issues:

A. Offering a new course, making a substantive change to an existing course, or course reinstatement
   when it is similar to any course offered at another college.
B. Substantive change to existing UCN course
C. New single course which overlaps courses offered as part of an approved program at another
   college
D. New programs (certificates or degrees) or substantive changes to programs which are similar to any
   other program or contains similar courses offered at other colleges (whether or not these programs
   are in the same discipline)
E. Borrowing a course

V. For purposes of federal financial eligibility, a “credit hour” shall be not less than:

A. One hour of classroom or direct faculty instruction and a minimum of two hours of out of class student
   work each week for approximately 15 weeks for one semester, or the equivalent amount of work over
   a different amount of time; or
B. At least an equivalent amount of work as required in the paragraph above, of this definition for other
   academic activities as established by the institution including laboratory work, internships, practica,
   studio work, and other academic work leading to the award of credit hours.

References:

Title 5 sections 51021, 55000 et seq., and 55100 et seq
Education Code Sections 70901(b), 70902(b), and 78016;
California Code of Administrative Regulations Sections 51000, 51022, 55100, 55130 and 55150
ACCCJC Accreditation Standard II.A
U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid
Programs under Title IV of the Higher Education Act of 1965, as amended

Approved by the Chancellor: February 22, 2012
ADMINISTRATIVE PROCEDURE 4025
PHILOSOPHY AND CRITERIA FOR THE ASSOCIATE DEGREE AND GENERAL EDUCATION

The Criteria for the associate degree and general education addresses the considerations contained in Title 5 Section 55061 and ACCJC Accreditation Standard II.A.3. These include, but are not limited to:

I. Philosophy

The programs of the District are consistent with the institutional mission, purposes, demographics, and economics of the community.

II. Board of Governors Policies

The criteria regarding the associate degree references the policy of the Board of Governors that the associate degree symbolizes a successful attempt to lead students through patterns of learning experiences and learning outcomes designed to develop certain capabilities and insight, including:

A. the ability to think and communicate clearly and effectively orally and writing
B. use mathematics
C. understand the modes of inquiry of the major disciplines
D. be aware of other cultures and times
E. achieve insights gained through experience in thinking about ethical problems
F. develop the capacity for self-understanding
G. develop the capacity to participate responsibly in a democratic and environmentally sustainable society.

III. Criteria

The criteria regarding general education references the policy of the Board of Governors that general education should lead to better self-understanding, including:

A. General education is designed to introduce students to the variety of means through which people comprehend the modern world.

B. General education introduces the content and methodology of the major areas of knowledge including the humanities and fine arts, the natural sciences, and the social sciences, and provides an opportunity for students to develop intellectual skills, information technology facility, affective and creative capabilities, social attitudes, an appreciation for cultural diversity, and a recognition of what it means to be an ethical human being and effective citizen.

C. The general education patterns applicable to the Associate of Arts for Transfer (AA-T) and the Associate of Science for Transfer (AS-T) are either the CSU GE Breadth Requirements or the IGETC requirements.

IV. Procedure

A. Courses proposed for general education are reviewed annually by the General Education Subcommittee of the Council on Instruction, Planning and Development (CIPD) and recommendations are forwarded to CIPD for action.

B. Academic departments review and propose new courses and revisions to current courses, certificates, programs, and/or majors based on changing industry standards and practices, baccalaureate transfer requirements, newly added associate degree standards, and/or recommendations from the State Chancellor's Office. The Curriculum Committee evaluates the content of every new and revised course, certificate, program, or major submitted for consideration.

References:
Title 5 Section 55061
Peralta Community College District

ACCJC Accreditation Standard II.A

Approved by the Chancellor: February 22, 2012
ADMINISTRATIVE PROCEDURE 4040 LIBRARY SERVICES AND LEARNING
OTHER INSTRUCTIONAL SUPPORT SERVICES

I. Library Services

A. The four colleges of the Peralta Community College District shall have library services, collections, and information competency instruction that are an integral part of the educational program. Those services shall meet the requirements set forth in Education Code Section 78100 and Accreditation Standard II.C.

B. Each library maintains a website that provides information about the library, as well as links to the online library catalog and library database subscriptions. Additionally, the College Catalogs contain information regarding the College library.


D. The college libraries shall conduct program review on a three-year cycle and will complete an annual unit plan update and Program Review will address the mission of the library, resource needs, and student learning outcomes and assessment.

II. Other Instructional Learning Support Services

Information regarding instructional learning support services is provided in the college catalogs.

References:
Education Code Section 78100;
ACCJC Accreditation Standard II.B (formerly II.C)

Approved by the Chancellor: May 11, 2012
ADMINISTRATIVE PROCEDURE 4050 ARTICULATION

I. Articulation/Four-year University or College

The Articulation Officers of the four colleges of the Peralta Community College District serve as the principal contact and liaison between the college and four-year institutions as they relate to the articulation of coursework. The Articulation Officers review and work to update articulation agreements with public universities that are documented in ASSIST. The Articulation Officers annually update the University of California Transfer Course Agreement, the CSU General Education Breadth Requirements, and the Intersegmental General Education Transfer Curriculum (IGETC).

The Articulation Officers shall serve as member and resource to the faculty; college curriculum committee; district Council on Instruction, Planning, and Development; and the district General Education Committee.

The Articulation Officers review and confirm the accuracy and information in the college catalogs pertaining to the transferability of courses and the general-education patterns for four-year institutions (specifically IGETC and CSU GE Breadth).

II. Articulation/High School

A. Purpose

The PCCD/ Secondary CTE and ROP Articulation Procedure provides a method by which college credit may be awarded for articulated career/technical education coursework completed at the high school level, thereby preventing students from duplicating coursework in college, and resulting in a smooth transition from ROP and secondary CTE programs to college CTE Programs. This articulation process will enhance cooperation and communication between PCCD and ROPs and secondary CTE Programs in the East Bay area. The ultimate objective is to allow students to more efficiently reach their educational and career goals.

B. Principles

1. The articulation process shall be based in CTE disciplines.

2. The articulation process shall be a collaborative effort between PCCD CTE Deans and faculty and the equivalent supervisors and faculty at Secondary CTE Programs and ROPs. When the articulated course is offered at more than one college, appropriate Peralta faculty will be included in the articulation process.

3. The standards and requirements for articulated courses shall be set at a collegiate level by CTE faculty. Final agreements on articulation shall be between the instructors of specific PCCD CTE courses and based on careful review and agreement that these courses are indeed equivalent and that they meet the rigorous standards of the Peralta CTE program.

4. Articulated courses shall be reviewed by PCCD CTE faculty biennially and updated as appropriate. The results of the review process will be communicated to appropriate administrative personnel at PCCD and Secondary CTE Programs and ROPs. Generally, requirements for articulated courses shall not be any greater than the requirements for satisfactory completion of the course as is typically offered at PCCD.

5. Differentiation between traditional “credit by exam” or advanced placement and articulated courses and programs shall be maintained.
6. The Office of Vice Chancellor of Educational Services will provide administrative coordination and supervision for the articulation process between PCCD and ROPs and Secondary CTE Programs and will designate the District Tech Prep Coordinator as the central point of access for information regarding articulation.

C Guidelines

The following guidelines apply for credit to be awarded:

1. Completion of coursework must correlate with the PCCD catalog published the year the student completed the career/technical course, to insure the articulated course was active during that period and is currently active.

2. In order to ensure coursework is current, credit will only be awarded up to four (4) years after the completion of the career/technical course unless otherwise stipulated in an individual course articulation agreement.

3. Students must receive a "satisfactory" grade as defined by PCCD in the Articulation Agreement to receive credit at PCCS. Generally, a "satisfactory" grade is identified as a grade of "C" or better.

4. The grade received in the articulated career/technical course will be the grade recorded on the PCCD transcript. Courses requiring a "satisfactory" grade of "C" or better will be notated on the list of articulated courses that is published in PCCD documents including catalogs, websites, etc.

5. The total amount of credit a student may earn through this articulation process is not to exceed 16 units.

6. The student must be enrolled in courses at PCCD before applying for credit by articulation.

7. Once everything is deemed in order, the evaluator will award credit immediately on the student’s transcript, regardless of the number of units the student has completed in residence at PCCD.

D. CTE Articulation Process

The following guidelines apply for credit to be awarded:

1. ROP/ Secondary CTE faculty member submits proposal (with course outline) for articulation and sends to Tech Prep Coordinator along with copy of course outline OR Peralta CTE faculty/Tech Prep Coordinator initiatives articulation for new course or update of previous course(s).

2. Tech Prep Coordinator submits proposal and course outline(s) to Peralta CTE instructor(s) and copies request to appropriate dean(s).

3. Peralta instructor completes Course-to-Course Comparison. If necessary, recommends changes; if necessary, ROP/CTE instructor completes course revisions; and Peralta instructor reviews course revisions.

4. Peralta instructor signs and returns packet to Tech Prep Coordinator.

5. Tech Prep Coordinator obtains additional required signatures: ROP/CTE Instructor; Peralta Instructor(s); Tech Prep Coordinator; Dean of College(s); Vice Chancellor of Educational Services.

6. Copies of articulation are sent to ROP/CTE Instructor(s); Peralta Instructor(s); Tech Prep Coordinator; Dean of College(s); Vice Chancellor of Educational Services; Articulation Officer(s),
College Curriculum Committee Chair, and ROP/High School Officer of Education. The Peralta District Curriculum Committee Chair will also receive a copy as information.

7. Tech Prep Coordinator keeps a copy of articulation packet on file. Obtains data and keeps records from ROPs/CTE programs on students eligible for articulation; and each semester, obtains data on students who enrolled in Peralta CTE programs to verify articulation.

8. Tech Prep Coordinator prepares information regarding articulation for appropriate Peralta Dept/Committees including Admissions, Institutional Research, CIPD, Student Services /Counseling and prepares information for College student publications.

9. Tech Prep Coordinator updates high schools and ROPs on courses that have been articulated and provides documentation for students and College publications and web site.

References:

Education Code Sections 66720-66744;
5 Section 51022(b)
ACCJC Accreditation Standard II.A.10 (formerly II.A.6.a)

Approved by the Chancellor: January 31, 2012
ADMINISTRATIVE PROCEDURE 4231 GRADE CHANGES AND STUDENT GRIEVANCE PROCEDURE

I. Regulations

A. The instructor of the course shall determine the grade to be awarded to each student. The determination of the student's grade by the instructor is final in the absence of mistake, fraud, bad faith, or incompetency (per Education Code Section 76224). "Mistake" may include, but is not limited to, errors made by an instructor in calculating a student's grade and clerical errors. "Fraud" may include, but is not limited to, intentional inaccurate recording or the change of a grade by any person who gains access to grade records without authorization.

B. No grade can be changed without the consent, in writing, by the instructor who assigned the grade except under the conditions of clerical errors, bad faith, fraud, and incompetency.

C. Grades are not subject to change by reason of a revision of judgment on the instructor's part.

D. No grade except "Incomplete" may be revised by the instructor on the basis of a new examination or additional work undertaken or completed after submission of final grades.

E. No grade will be changed later than two years after the calendar date ending the semester (including intersession and summer session) in which the grade was assigned.

F. Only the instructor is required to sign grade changes from "I" to a grade.

II. Procedural Steps

A. Instructor completes the "Request for Record Correction Form" and submits it to the Divisional Dean of Instruction with a copy of the Class Rollbook. The "Request for Record Correction Form" is available online at: http://web.peralta.edu/admissions/files/2011/06/Request-for-Record-Correction-12-23-2014.pdf

B. Divisional Dean of Instruction, after discussion with the instructor, makes a recommendation and submits the form to the Associate Vice Chancellor of Student Services, the Vice President of Instruction either approves or denies the request.

C. Upon approval, the request is then reviewed and approved or denied by the Vice Chancellor of Educational Services. Associate Vice Chancellor of Student Services and processed by the Admissions and Records Office.

D. Upon acceptance, the request will be processed by Admissions and Records.

III. Student Grievance

If a student alleges mistake, fraud, bad faith, or incompetence in the academic evaluation of the student's performance, the grievance procedure is as follows:

Both the informal and formal grievance procedure for "Academic (Grade) Grievance" is contained in the "Student Grievance Procedure" (also in AP 5530, Student Rights and Grievances) which was last revised and approved by the Board of Trustees on March 15, 2011.

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances. This procedure shall be available to any student who reasonably believes an experience or decision has adversely affected his or her status, rights or privileges as a student. A grievance may be
ADMINISTRATIVE PROCEDURE 5013 STUDENTS IN THE MILITARY

A. Residence Determinations for Military Personnel and Dependents

1. A student who is a member of the armed forces of the United States stationed in California on active duty, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.

2. An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. Such student shall retain resident classification if he/she is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.

3. A veteran who was discharged or released from at least 90 days of active service less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran’s state of residence is entitled to resident classification. A student who was a member of the armed forces of the United States stationed in California on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he or she lives in California after being discharged up to the minimum time necessary to become a resident.

4. A parent who is a federal civil service employee and his/her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.

5. A student claiming the residence classifications provided for in this procedure must provide a statement from the student’s commanding officer or personnel officer providing evidence of the date of the assignment to California, and that the assignment to active duty in California is not for educational purposes. A student claiming the residence classifications provided for here for the dependent of military personnel shall provide a statement from the military person’s commanding officer or personnel officer that the military person’s duty station is in California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5 Sections 54041 and 54042)

B. Withdrawal Procedure for Members of the Military

A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A withdrawal symbol may be assigned which may be a “W” or a “MW.” Military withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals. In no case may a military withdrawal result in a student being assigned an “FW” grade. In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

References:
Education Code Sections 68074, 68075, and 68075.5;
Title 5 Sections 35023, 55024 54041, 54042, 54050, and 58620
Military and Veterans Code Section 824
Peralta Community College District

Approved by the Chancellor: November 1, 2012
ADMINISTRATIVE PROCEDURE 5015 RESIDENCE DETERMINATION

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

1. A residence determination date is that day immediately preceding the opening day of instruction
for any session during which the student proposes to attend.

2. Residence classification is the responsibility of the District Office of Student Services. Initial
residence classification is determined by the District Office of Admissions and Records through a
student's self-reporting in OpenCCCApply (online admission application).

B. Definition of Residence.

1. A student who has resided in the state for more than one year immediately preceding the
residence determination date is a resident.

2. A student who has not resided in the state for more than one year immediately preceding the
residence determination date is a nonresident.

C. Rules Determining Residence. The residence of each student enrolled in or applying for enrollment
in any class or classes maintained by this District shall be determined in accordance with the
Education Code which states that every person has, in law, a residence. In determining the place of
residence, the following rules are to be observed:

1. Every person who is married or eighteen years of age, or older, and under no legal disability to do
so, may establish residence.

2. A person may have only one residence.

3. A residence is the place where one remains when not called elsewhere for labor or other special
or temporary purpose and to which one returns in seasons of repose.

4. A residence cannot be lost until another is gained.

5. The residence can be changed only by the union of act and intent.

6. A man or a woman may establish his or her residence. A woman's residence shall not be
derivative from that of her husband.

7. The residence of the parent with whom an unmarried minor child maintains his/her place of
dwelling is the residence of the unmarried minor child. When the minor lives with neither parent,
the minor's residence is that of the parent with whom the last place of dwelling was maintained,
provided the minor may establish his/her residence when both parents are deceased and a legal
guardian has not been appointed.

8. The residence of an unmarried minor who has a parent living cannot be changed by the minor's
own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of
control.
D. Determination of Resident Status. A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:

1. A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.

2. A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/she has resided in the state the minimum time necessary to become a resident.

3. A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence.

4. A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:

   a. He/she holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.

   b. He/she holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.

   c. He/she is enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259.

   d. A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.

5. A student who is a full-time employee of the California State University, the University of California or a community college, or of any state agency or a student who is a child or spouse of a full-time employee of the California State University, the University of California or a community college, or of any state agency may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident.

6. A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. If the member of the armed forces of the United States later transferred on military orders to a place outside this state, or retires as an active member of the armed forces of the United States, the student dependent shall not lose his or her resident classification so long he/she remains continuously enrolled in the District.

7. A student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the Armed Forces assigned for educational purposes to a state-
supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. If the student later transfers on military orders to a place outside this state, the student shall not lose his or her resident classification, so long as he or she remains continuously enrolled in the District.

8. A veteran who was discharged or released from at least 90 days of active service less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran’s state of residence is entitled to resident classification. A student who was a member of the armed forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he/she lives in this state after being discharged up to the minimum time necessary to become a resident.

9. A student who is a minor and resides with his or her parent in a district or territory not in a district shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester, quarter or term for which the student proposes to attend.

10. A student who is a Native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.

11. A student who is a federal civil service employee and his or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.

12. A student who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California’s child welfare system, or was served by California’s child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until he/she has resided in the state the minimum time necessary to become a resident.

13. A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his state or federal personal income tax return if he/she has sufficient income to have personal income tax liability shall be entitled to resident classification.

14. Students who attended high school in California for three or more years and graduated from a California high school or attained the equivalent thereof. In the case of a person without lawful immigration status, the student must file an affidavit with the institution of higher education stating that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so. (Education Code 68130.5).

15. A student demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of that deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three or more years, and upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District saying that he or she intends to establish residency in California as soon as possible.
E. Right To Appeal. Students who have been classified as non-residents have the right to a review of their classification (Title 5 Section 54010 (a)). Any student, following a final decision of residence classification by the Office of Admissions and Records, may make written appeal to the Vice Chancellor of Student Services within 30 calendar days of notification of final decision by the college regarding classification.

F. Appeal Procedure.

1. The appeal is to be submitted to the District Office of Student Services. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

2. The appeal will be forwarded to the Vice Chancellor of Student Services within five working days of receipt by the office.

3. The Vice Chancellor of Student Services shall review all the records and have the right to request additional information from either the student or the District Office of Admissions and Records.

4. Within 30 calendar days of receipt, the Vice Chancellor of Student Services shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

G. Reclassification. A student previously classified as a non-resident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

1. Petitions for reclassification are to be submitted to the District Office of Student Services.

2. Petitions must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

3. Written documentation may be required of the student in support of the reclassification request.

4. A questionnaire to determine financial independence must be submitted with the petition for reclassification. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college District (Education Code Section 68044).

5. A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:
   a. Has not and will not be claimed as an exemption for state and federal tax purposes by his/her parent in the calendar year prior to the year the reclassification application is made;
   b. Has not lived and will not live for more than six weeks in the home of his/her parent during the calendar year the reclassification application is made.

6. A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5 Sections 54020, 54022, and 54024.

7. Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one year requirement is met and demonstration of intent is sufficiently strong.
8. Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.

9. The Vice Chancellor of Student Services will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.

10. Students have the right to appeal according to the procedures above.

H. Non-Citizens. The District will admit any non-citizen who is 18 years of age or a high school graduate. If non-citizens are present in the United States illegally or with any type of temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.

1. If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him/her to live permanently in the United States and she or he meets the California residency requirements, the student can be classified as a resident.

2. Any students who are US citizens, permanent residents of the US, and aliens who are not nonimmigrants (including those who are undocumented) may be exempt from paying nonresident tuition if they meet the following requirements:
   a. high school attendance in California for three or more years or a combination of high school and elementary or secondary school;
   b. graduation from a California high school or attainment of the equivalent thereof;
   c. registration or enrollment in a course offered by any college in the district for any term commencing on or after January 1, 2002;
   d. completion of a residence questionnaire form-prescribed by the Chancellor and furnished by the District of enrollment, verifying eligibility for this nonresident tuition exemption; and
   e. in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he or she is eligible to do so.

3. The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Vice Chancellor of Student Services. Students may appeal the decision.

References:
Education Code Sections 68000 et seq. And 68130.5
Title 5 Sections 5400 et seq.

Approved by the Chancellor: November 1, 2012
ADMINISTRATIVE PROCEDURE 5500

STUDENT STANDARDS OF STUDENT CONDUCT, DISCIPLINE PROCEDURES AND DUE PROCESS

I. The purpose of this procedure is to provide a prompt and equitable means to address violations of the Student Standards of Conduct, which ensures to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

II. These procedures are specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, Education Code Section 76120, and will not be used to punish expression that is protected.

III. A student excluded for disciplinary reasons from one college in the Peralta Community College District may be denied enrollment into other colleges in the District, depending on the specific form of discipline. The President of a college may also deny admission to a student suspended or excluded for disciplinary reasons from other colleges or universities.

IV. Standards of Conduct. Students are responsible for complying with all laws and college regulations and for maintaining appropriate course requirements as established by the instructors.

A. Disciplinary action may be imposed on a student for violation of college rules and regulations, the California Education Code, California Penal Code, and the California Administrative Code. Student misconduct may result in disciplinary action by the college and prosecution by civil authorities. Student misconduct may also result in disciplinary action that is applicable to other college campuses and central administrative offices at the Peralta Community College District. The college may require restitution as part of the discipline to ensure the return of items or compensation for any loss to the college or district. Misconduct that may result in disciplinary action includes, but is not limited to, the following violations:

1. Violation of District policies or regulations including parking and traffic regulations (subject to Education Code Section 76036), policies regulating student organizations, and time, place and manner regulations in regard to public expression.

2. Wilful misconduct which results in injury or death of any person on college-owned or controlled property, or college-sponsored or supervised functions; or causing, attempting to cause, or threatening to cause physical injury to another person.

3. Conduct which results in cutting, defacing, damaging, or other injury to any real or personal property owned by the college or to private property on campus.

4. Stealing or attempting to steal college property or private property on campus; or knowingly receiving stolen college property or private property on campus.

5. Unauthorized entry to or use of college facilities.

6. Committing or attempting to commit robbery or extortion.

7. Dishonesty such as cheating, plagiarism (including plagiarism in a student publication), forgery, alteration or misuse of college documents, records, or identification documents, or furnishing false information to the college.
8. The use, sale, or possession on campus of, or presence on campus under the influence of, any controlled substance, or any poison classified as such by Schedule D in Section 4160 of the Business and Professions Code or any controlled substance listed in California Health and Safety Code Section 11053 et seq., an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia, as defined in California Health and Safety Code Section 11014.5.

9. Possession, sale or otherwise furnishing any firearm, knife, explosive or other dangerous object, including but not limited to any facsimile firearm, knife or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from an authorized college employee.

10. Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the governing board.

11. Lewd, indecent, or obscene conduct or expression on college-owned or controlled property, or at college sponsored or supervised functions; or engaging in libelous or slanderous expression; or expression or conduct which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or substantial disruption of the orderly operation of the college.

12. Disruptive or insulting behavior, willful disobedience, habitual profanity or vulgarity; or the open and persistent defiance of the authority of, refusal to comply with directions of, or persistent abuse of, college employees in the performance of their duty on or near the school premises or public sidewalks adjacent to school premises.

13. Obstruction or disruption of teaching, research, administrative procedures or other college activities.

14. Committing sexual harassment as defined by law or by college policies and procedures; or engaging in harassing or discriminatory behavior based on race, sex, religion, age, national origin, disability, or any other status protected by law.

15. Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.

B. In accordance with Education Code Section 76234, the results of any disciplinary action or appeal in connection with any alleged sexual assault, physical abuse or threat of the same shall be made available within 3 school days of the results, to the alleged victim, who shall keep such information confidential.

V. Forms of Discipline. Students facing disciplinary action are subject to any of the following actions:

A. Written or verbal reprimand. An admonition to the student to cease and desist from conduct determined to violate the Code of Student Conduct. Written reprimands may become part of a student's permanent record at the college. A record of the fact that a verbal reprimand has been given may become part of a student's record at the college for a period of up to one year.

B. Probation. A period of time specified for observing and evaluating a student's conduct, with or without special conditions. Probation will be imposed for a specific period of time; the student is considered removed from probation when the period expires. Violation of any conditions during the period of probation may be cause for further disciplinary action.
C. Loss of Privileges and Exclusion from Activities. Exclusion from participation in designated privileges and extracurricular activities for a specified period of time. Violation of any conditions or Code of Student Conduct during the period of sanction may be cause for further disciplinary action.

D. Educational Sanction. Work, research projects, counseling, or community service projects may be assigned. Violation of any requirements of assignment or Code of Student Conduct during the period of sanction may be cause for further disciplinary action.

E. Treatment Requirement. Require enrollment in anger management, drug and alcohol rehabilitation treatment. Such requirement must receive prior approval from the Vice President of Student Services (or designee).

F. Group Sanction. Sanctions for the misconduct of groups or organizations may include temporary or permanent revocation or denial of group registration as well as other appropriate sanctions.

G. Removal from Class. Exclusion of the student by an instructor for the day of the removal and the next class meeting. Instructor must immediately report the removal to the Vice President of Student Services (or designee).

H. Exclusion from Areas of the College. Exclusion of a student from specified areas of the campus. Violation of the conditions of exclusion or Code of Student Conduct during the period of exclusion may be cause for further disciplinary action.

I. Withdrawal of Consent to Remain on Campus. Withdrawal of consent by the Campus Police for any person to remain on campus in accordance with California Penal Code Section 626.4/626.6 where the Campus Police has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus. Any person as to whom consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest.

J. Short-term Suspension. Exclusion of the student by the President (or designee) for good cause from one or more classes for a period of up to ten consecutive days of instruction.

K. Long-term Suspension. Exclusion of the student by the President (or designee) for good cause from one or more classes for the remainder of the school term or school year, or from all classes and activities of the college and District for one or more terms.

L. Expulsion. Exclusion of the student by the Board of Trustees from attending all colleges in the District.

VI. Disciplinary action may be imposed on a student by:

A. A college faculty member who may place a student on probation or remove the student from class and/or a college activity for the remainder of that class/activity period.

B. The President (or designee) who may impose any form of discipline, including summarily suspending a student when deemed necessary for the welfare and safety of the college community.

C. The President who may recommend "expulsion" to the Chancellor.
D. The Board of Trustees who may terminate a student’s privilege to attend any college of the District.

VII. Due Process for Discipline, Suspensions and Expulsions

A. Definitions:

1. Student. Any person currently enrolled as a student at any college or in any program offered by Peralta Community College District.

2. Faculty Member. Any instructor (an academic employee of the District in whose class a student subject to discipline is enrolled), counselor, librarian, or any academic employee who is providing services to the student.

3. Day. A day during which the District is in session and regular classes are held, excluding Saturdays, Sundays, and District holidays.

4. Written Notice/Written Decision. Notice sent by personal service or by registered or certified mail with return receipt requested via the United States Postal Service.

B. Procedure. Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:

1. Notice. The Vice President of Student Services (or designee) will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:
   
   a. The specific section of the Code of Student Conduct that the student is accused of violating.
   b. A short statement of the facts (such as the date, time, and location) supporting the accusation.
   c. The right of the student to meet with the Vice President of Student Services (or designee) to discuss the accusation, or to respond in writing.
   d. The nature of the discipline that is being considered.

2. Time limits. The notice must be provided to the student within 5 days of the date on which the conduct took place or became known to the Vice President of Student Services (or designee); in the case of continuous, repeated or ongoing conduct, the notice must be provided within 5 days of the date on which conduct occurred or became known to the Vice President of Student Services (or designee) which led to the decision to take disciplinary action.

3. Conference Meeting. A student charged with misconduct must meet with the Vice President of Student Services (or designee) for a conference regarding the basis of the charge and the possible disciplinary action that may arise as a consequence. If the student fails to respond within 5 days after receipt of the written notice, the Vice President may proceed on the assumption that the charge(s) is (are) valid.

The conference with the Vice President of Student Services (or designee) will be for the purpose of:

a. Reviewing the written statement of the charge(s) as presented to the student;
   b. Providing a reasonable opportunity at the meeting for the student to answer the charge(s) verbally or in writing to the accusation;
   c. Informing the student in writing of possible disciplinary action that might be taken;
   d. Presenting to the student the College Due Process Procedures.
4. Meeting Results. One of the following scenarios will occur:

a. The matter is dismissed, in which case no public record of this incident shall be retained; however, an annual confidential report is required to be submitted to the Peralta Board of Trustees.

b. A disciplinary action is imposed, and the student accepts the disciplinary action.

c. A disciplinary action is imposed, and the decision of the Vice President of Student Services (or designee) is final due to the form of the discipline.

d. A disciplinary action of a long-term suspension is imposed and the student does not accept the long-term suspension. The student must file at the Office of the President a written notice of intent to appeal to the Student Disciplinary Hearing Panel within 5 days of the written decision from the Vice President of Student Services (or designee).

e. A recommendation for expulsion is made by the Vice President of Student Services (or designee) to the College President.

5. Short-term Suspension.

Within 5 days after the meeting described above, the Vice President of Student Services (or designee) shall decide whether to impose a short-term suspension, whether to impose some lesser disciplinary action, or whether to end the matter. Written notice of the Vice President of Student Services' (or designee's) decision shall be provided to the student. The written notice will include the length of time of the suspension, or the nature of the lesser disciplinary action. The Vice President of Student Services' (or designee) decision on a short-term suspension shall be final.

6. Long-term Suspension.

Within 5 days after the meeting described above, the Vice President of Student Services (or designee) may decide to impose a long-term suspension. Written notice of the Vice President of Student Services' (or designee) decision shall be provided to the student. The written notice will include the right of the student to request a formal hearing and a copy of the College Student Discipline (Due Process) Procedures describing the procedures for a hearing.

7. Expulsion.

Within 5 days after the meeting described above, the Vice President of Student Services (or designee) may decide to recommend expulsion to the President. The Student Disciplinary Hearing Panel shall be convened to provide a recommendation to the President. The President shall then decide whether to make a recommendation of expulsion to the Chancellor and Board of Trustees. Written notice of the President's (or designee) decision to recommend expulsion shall be provided to the student. The written notice will include the right of the student to a formal hearing with the Board of Trustees before expulsion is imposed, and a copy of the College Student Discipline (Due Process) Procedures describing the procedures for a hearing.

VIII. Hearing Procedures:

A. Request for Hearing. Within 5 days after receipt of the Vice President of Student Services' (or designee's) decision regarding a long-term suspension, the student may request a formal
hearing. The request must be made in writing to the President (or designee). Any charge(s) to which the student does not respond shall be deemed valid.

Any recommendation for expulsion by the Vice President of Student Services (or designee) shall be automatically reviewed by the Student Disciplinary Hearing Panel.

B. Schedule of Hearing. The formal hearing shall be held within 10 days after a written request for hearing is received. Student’s failure to confirm attendance at hearing or failure to appear at the hearing without reasonable cause constitutes waiver of the student’s right to appeal. The formal hearing timeline may be tolled (postponed) pending a formal investigation of any discrimination claims by or against the student. Such investigation must be concluded no later than 90 calendar days as required by law.

C. Student Disciplinary Hearing Panel. The hearing panel for any disciplinary action shall be composed of one faculty (selected by the President of the Faculty Senate), one classified (selected by the President of the Classified Senate), one administrator (selected by the President of the College) and one student (selected by the Associated Students).

The President (or designee), at the beginning of the academic year, will establish the panel, along with alternates. The chair of the committee will be appointed by the President.

D. Hearing Panel Chair. The President (or designee) shall appoint one member of the panel to serve as the chair. The decision of the hearing panel chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by two other members of the panel to the contrary.

E. Conduct of the Hearing,

1. The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins.

2. The facts supporting the accusation shall be presented by a college representative who shall be the Vice President of Student Services.

3. The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter.


5. Unless the hearing panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by the preponderence of evidence that the facts alleged are true.

6. The student may represent himself or herself, and may also have the right to be represented by a person of his or her choice, except that the student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than 5 days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing panel may also request legal assistance; any legal advisor provided to the panel may sit with it in
an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

7. Hearings shall be closed and confidential unless the student requests that it be open to the public. Any such request must be made no less than 5 days prior to the date of the hearing.

8. In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.

9. The hearing shall be recorded by the District either by tape recording or stenographic recording, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the hearing panel chair shall, at the beginning of the hearing, ask each person present to identify himself or herself by name, and thereafter shall ask witnesses to identify themselves by name. Tape recording shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording.

10. All testimony shall be taken under oath; the oath shall be administered by the hearing panel chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape-recorded is not unavailable.

11. Within 10 days following the close of the hearing, the hearing panel shall prepare and send to the President (or designee) a written recommendation regarding the disciplinary action to be imposed, if any. The recommendation shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section of the Standards of Student Conduct were violated. The decision shall be based only on the record of the hearing, and not on matter outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing.

IX. President's (or designee's) Decision

A. Long-term suspension. Within 5 days following receipt of the hearing panel's recommendation, the President (or designee) shall render a final written decision based on the recommendations of the hearing panel and the Vice President of Student Services (or designee). If the President (or designee) modifies or rejects the hearing panel's recommendation, the President shall review the record of the hearing, and shall prepare a written decision that contains specific factual findings and conclusions. The decision of the President (or designee) shall be final.

B. Expulsion. Within 5 days following receipt of the hearing panel's recommendation, the President (or designee) shall render a written decision either to recommend expulsion or to impose a lesser form of discipline. If the President (or designee) modifies or rejects the hearing panel's decision, he or she shall review the record of the hearing, and shall prepare a written decision that contains specific factual findings and conclusions. If the President (or designee) decides to recommend expulsion, such recommendation shall be forwarded to the Chancellor and Board of Trustees.

X. Chancellor's Decision
A student may, within 10 days of the President's decision to impose long-term suspension or to recommend expulsion, appeal the decision in writing to the Chancellor. For long-term suspensions, the Chancellor (or designee) shall issue a written decision to the parties and the representatives within ten days of the receipt of the President's decision. For expulsions, the Chancellor shall forward the President's recommendation to the Board of Trustees within 10 days and provide an independent opinion as to whether he or she also recommends expulsion.

XI. Board of Trustees' Decision:

A. Long-Term Suspension Appeal:

The Chancellor's (or designee's) decision regarding long-term suspension may be appealed to the Board of Trustees within 10 days of receipt of the Chancellor's decision. The Board will consider the appeal request, along with the Chancellor's decision, at the next regularly scheduled meeting. The Board may reject the appeal request and uphold the Chancellor's decision, or accept the appeal and conduct a hearing. The Board's procedures for hearing of long-term suspension will be similar to the procedures required for expulsion hearings.

B. Expulsion:

1. The Board of Trustees shall consider any recommendation from the President for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision.

2. The Board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures. (Education Code Section 72122)

3. The student shall receive written notice at least three days prior to the meeting of the date, time, and place of the Board's meeting.

4. The student may, within 48 hours after receipt of the notice, request that the hearing be held as a public meeting.

5. Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in closed session.

6. The Board may accept, modify or reject the findings, decisions and recommendations of the President (or designee) and Chancellor (or designee). If the Board modifies or rejects the decision, the Board shall review the record of the hearing, and shall prepare a written decision that contains specific factual findings and conclusions. The decision of the Board shall be final.

7. The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.

XII. Time Limits

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence by all parties.
XIII. Student Grievance:

A. Students who believe that they have been improperly subjected to any of the disciplinary measures stated in this policy may file a Student Grievance with the Vice President of Student Services in accordance with Board Policy 5530 Student Rights and Grievance.

B. Students in Allied Health Programs:

Board Policy 5531 (Allied Health: Student Appeal of Dismissal for Clinical Performance) may apply in lieu of this Board Policy to students who are enrolled in the Allied Health program for clinical performances.

References:

- Education Code Sections 66300 and 66301
- ACCJC Accreditation Standards I.C.8 and 10 (formerly II.A.7.b)

Approved by the Chancellor: December 5, 2012
Revised and Approved by the Chancellor: January 3, 2014
I. Budget Calendar

Each January the Board will adopt a budget development calendar that identifies activities and sets dates for each step in the budget development process.

II. Budget Directives

Each February the Board will give direction for budget development to include:

A. Reaffirmation of mission;

B. Resource allocation (set level of Reserve for Contingency, Workers’ Compensation Reserve, and any special project reserve);

C. Determination of the amount of resources estimated to be available for General Fund expenditure with potential increases or decreases during the budget preparation period;

D. Preliminary establishment of base budget for the District and each site.

III. Budget Preparation

A. Prior to March 1 information will be provided to Cost Center managers that will include the status of current expenditures, state and county estimates of revenues, site “based budget” allocations, and targets for the increases or decreases.

B. Each college and the central services offices will prepare a site budget through the Cost Center Managers using the information provided. Each President may provide additional directions or forms for site budget development to compliment these general procedures.

C. Each college will work with the Vice Chancellor for Finance and Administration and Vice Chancellor for Educational Services in analyzing class offerings as they apply to the development of both revenue and expenditure plans.

D. Each President and Vice Chancellor will submit their respective budget to the Vice Chancellor for Finance and Administration in the prescribed format. The submission will clarify that the site budget has met the Board-approved budget development guidelines.

E. The District will develop the annual budget with an objective of improving the equity among the colleges by following the principles and guidelines incorporated into the Budget Allocation Model as recommended by the Planning and Budgeting Council and approved by the Chancellor.

IV. Budget Consolidation

The Vice Chancellor of Finance and Administration’s Office will:

A. Check forms for compliance with instructions;

B. Check mathematical accuracy;

C. Ensure that the aggregate of the budgets submitted is within the site allocation; and

D. Enter the data into the computer and provide each site a copy of the budget for review.
V. Budget Presentation and Adoption

A. Preliminary budget

1. No later than the last board meeting in May, the Vice Chancellor for Finance and Administration will present the Preliminary Budget to the Board. No formal action is required by the Board on the Preliminary Budget.

2. Between the time that the Preliminary Budget is developed and the Final budget is adopted, changes to the budget will be made as additional information is received from the state based on the state budget adoption process.

B. Tentative budget

No later that July 1, the Board will adopt a Tentative Budget. This budget will reflect changes made to the Preliminary Budget.

C. Final budget

As prescribed by the California Code of Regulations, Title V, Section 58305, the Board will adopt a final budget for the District by September 15. This budget reflects changes made to the Tentative Budget and provides the operational budget base for the fiscal year of adoption.

VI. Budget Presentation and Adoption

It is the responsibility of each Cost Center Manager to control the budget(s) within his/her assignment. The Vice Chancellor for Finance and Administration's Office will provide a monthly budget report and assistance in budget analysis and management as required.

References:

- Education Code Section 70902 (b) (5)
- Title 5 Sections 58300 et seq.
- ACCJC Accretion Standard III.D

Approved by the Chancellor: September 24, 2012
ADMINISTRATIVE PROCEDURE 6300 GENERAL ACCOUNTING

A. Functions

The Accounting Office, under the direction of the Vice Chancellor for Finance and Administration and the Associate Vice Chancellor for Finance shall provide the following functions:

1. Central accounting functions for all District funds.
2. Preparation of documents for transmittal to the County Treasurer's office for payroll and commercial warrants.
3. Preparation of payroll reports.
4. Preparation of revolving cash checks.
5. Processing of payments to vendors.
6. Disbursement of scholarship, financial aid and loan funds.
7. Accounting services for sponsored programs, student financial aid, auxiliary enterprises, and student body funds.
8. Maintenance of accounting data on the District's data processing system.

B. Internal Controls

To provide adequate internal controls, it is necessary for certain procedures to be followed at the operating level to prevent errors from occurring. The work of an employee is verified by the work of another, each working separately and independently. One employee should not have control of a complete financial transaction that includes authorizing the transaction, receiving, disbursing, recording and/or posting the transaction. Instead, different employees should participate at various stages in the transaction so that each will arrive at the same result independently and, without unnecessary duplication of work, verify the accuracy of the work of others. Such a division of duties provides a procedure whereby errors of omission or commission, whether intentional or unintentional will be minimized.
C. Accounts Receivable

1. Types of Accounts Receivable:
   a. Receivables from students
   b. Sponsored third party receivables
   c. Receivables from other district funds
   d. Employee receivables

2. Controls:
   a. Access to accounts receivable ledger is controlled by a security access.
   b. Each entry to the accounts receivable ledger file is supported by documentary evidence.
   c. All invoices are pre-numbered and all numbers are accounted for.
   d. Subsidiary ledgers are balanced monthly.
   e. Postings are made by someone other than those having access to incoming receipts.
   f. Statements are mailed in a timely manner by someone other than the bookkeeper or cashier.
   g. All non-cash credits such as credit memos, allowances, or bad debts are properly authorized.
   h. Holds are placed on student records for students who have a financial obligation to the District.
   i. A PCCD invoice will be prepared for all transactions where an obligation to the District is incurred.
   j. A copy of the invoice is kept on file in the Accounting Office in the outstanding invoices file until the remittance is received.
   k. All accounts receivable remittances will be sent to the Campus Business Office on campus or to the Accounting Office in the District Office.
   l. The Accounting Office must be notified of any collection so that the invoice can be removed from the "outstanding" file.
   m. The collection of cash receivables should be handled as an ordinary cash transaction according to cash receipting procedures.

3. Student Loans:
   a. All student loan transactions will be accounted for through subsidiary ledgers.
   b. Billing functions should be separated from collection functions and general ledger postings.
   c. Upon receipt of a duly authorized promissory note, a loan receivable record will be initiated by the Accounting Office/Financial Aid Section. The file of these records becomes the subsidiary ledger.
   d. The record must contain the student's social security number, loan number, address, telephone number, loan amount, interest rate, payments received, and current balance due.
   e. Upon receipt of payment, a cash receipt will be prepared. A copy of the payment will be sent to the Accounting Office/Financial Aid Section for posting to the subsidiary ledger.
   f. The receipt will be posted to the general ledger by the Financial Aid Accountant. The subsidiary balance will be reconciled to the general ledger balance on a monthly basis.
   g. The Student file and general ledger may be posted simultaneously, but a District receipt should be prepared as a secondary source document.

4. Grant and Sponsored Program Accounting:
   In addition to the District procedures listed here, state and federal grants require special accounting procedures. General directions are provided in the board policy on Grants and Sponsored Programs. Recipients of grant awards are also cautioned to study specific requirements of the grant that may vary from traditional procedures.
D. **Cash Disbursement**

1. Disbursement Procedures  
   a. Disbursements must be properly authorized and supported by adequate documentation.  
   b. All disbursements shall be made by check unless required by contractual terms.  
   c. All checks shall be pre-numbered.  
   d. All disbursements shall be substantiated by supporting documents including evidence of purchase, receipt, and approval.  
   e. All supporting documents shall be canceled in such a manner as to preclude their reuse.  
   f. Bulk check stock shall be adequately controlled and accounted for.  
   g. Daily use check stock shall be issued to the check-preparer on an adequate transfer/control document.  
   h. There shall be adequate separation of duties to reduce the risk of collusion and fraud.  
   i. The drawing of a warrant to "cash" or "bearer" is prohibited.  
   j. Electronic signature plates shall be secured and issued only to authorized individuals.

2. Documentation  
   Documentation shall include:  
   a. A purchase order authorizing the commitment of funds by an appropriate approving authority;  
   b. An original invoice;  
   c. An original receiving report with date and signature of an employee acknowledging receipt of goods or services.

3. Authorization  
   All checks must bear a Board authorized signature.

4. Controls  
   a. All invoices and/or supporting documents will be marked with the check number in ink to prevent their reuse.  
   b. Checks will be recorded in the check registers as of the date written and the register closed promptly at the end of each month.  
   c. Unused checks shall be adequately controlled through sign-out logs, listing where bulk stock is located and by warrant number.  
   d. Voided checks shall be mutilated or spoiled to prevent reuse.  
   e. Checks shall be signed only after comparing them with authorizations and supporting documents.

5. Records  
   a. All original invoices and supporting documents shall be stamped to prevent duplicate payments.  
   b. All voucher documents shall be attached to the documentation and filed in the vendor file in alphabetic order.
E. Cash Receipts

   a. Persons who receive cash shall not have access to the general ledger. All cash received must be recorded by cash register receipt, pre-numbered cash receipt, or terminal receipt. These documents provide the accounting controls and are prepared by the employee first receiving checks or cash. An independent audit trail must be maintained for all cash receipts. The receipt must be given or mailed to the client.
   b. All cash received must be adequately safeguarded and promptly deposited. All cash shall be deposited in the Campus Business Office within 24 hours of receipt.
   c. All checks must be made or endorsed payable to the Peralta Community College District, College of Alameda, Berkley City College, Laney College, or Merritt College.
   d. All checks shall be stamped “For Deposit Only” upon receipt with the appropriate endorsement stamp.
   e. Payments received in the mail shall be logged and routed to a party who can write receipts and make deposits.
   f. Cash registers/drawers/terminals shall be cleared daily even if no receipts are recorded. Tape totals, including those with zero receipts, shall be signed by the individual responsible for the cash drawer and submitted to the Campus Business Office.
   g. Cash receipts shall be reconciled against cash register tapes, log-outs and/or handwritten receipts and signed by the individual responsible for the cash drawer.
   h. Cash, checks, credit card slips and deposit slips from one register shall not be commingled with receipts from another register. Cash, checks, credit card slips and deposit slips from one receiving date shall not be commingled with receipts from another date.

2. Deposit of Cash Receipts
   a. All cash receipts shall be received through the Central Cashier in the Campus Business Office except those received authorized by the Vice Chancellor for Finance and Administration to receive cash. Cash receipts received in locations other than the Campus Business Office shall be deposited intact in the Campus Business Office as prescribed above. When the deposit is made in the Campus Business Office, the deposit must be verified in the presence of the depositor or the depositor’s supervisor.
   b. Cash inadvertently received by offices not authorized to accept cash shall be routed to the Campus Business Office for deposit.
   c. Deposits of money into any account other than an authorized Campus Business Office account are prohibited. Violation of this policy may result in disciplinary action.

3. Pre-numbered Receipts
   Any area/department that receives cash and does not have a cash register shall use pre-numbered receipts provided by the Campus Business Office. Part one goes to the individual/group who makes the payment, part two goes to the Campus Business Office with the cash deposit, and part three stays with the office which accepts the cash.

4. Registration Fees
   a. During periods of registration terminal receipts are required except in those instances where source identification is necessary and/or where the office receiving the fees does not have access to a computer terminal (off-campus, etc.).
   b. The operator log-out report will be used as the primary source document. The operator’s cash drawer should reconcile to the operator log-out report.
   c. Receipts shall be conveyed to the Campus Business Office daily. The Campus Business Office shall prepare a deposit ticket for each day’s deposit.
   d. Admissions and Records receiving clerks shall reconcile the drawer(s) against the daily log-outs, sign the log-outs verifying the reconciliation, and submit receipts and signed log-outs to the Director of Admissions and Records, Registrar or designee.
   e. The Director of Admissions and Records, Registrar, or designee shall verify the receipts and log-outs, prepare and sign the reconciliation form attesting to its accuracy, and prepare the daily receipts for transmission to the Campus Business Office.
f. The Director of Admissions and Records, Registrar, or designee, with college police escort, shall transmit receipts daily to the Campus Business Office.
   i. When hand-carries are impractical, the receipts are to be transported by the campus via locked bank bag to the Campus Business Office.
   ii. The locked bank bag should be placed in the locked trunk of the police vehicle for transport. Receipts, when transported in this manner, must have been verified by two independent sources prior to giving them to the college police for transport.
   iii. The college police should receive a dated receipt for the locked bank bag from the Campus Business Office.
   iv. The Campus Business Office shall verify the daily receipts, provide a receipt to the original source of receipts, and prepare a deposit slip by the close of the next business day following receipting. Any exception requires notification of the Vice Chancellor for Finance and Administration or the Associate Vice Chancellor for Finance.

F. Petty Cash

1. Authorization
   A petty cash fund may be approved by the Vice Chancellor for Finance and Administration to pay for small emergency purchases of supplies or services. The Vice Chancellor for Finance and Administration will review each request for the establishment of a petty cash fund and set the dollar amount of the fund if it is approved. Approval for expenditures from the fund must be granted by the appropriate Responsibility Center Manager or the fund custodian.

2. Establishment of a Petty Cash Fund
   A Responsibility Center Manager may request a petty cash fund. The request must identify the fund custodian and a requested dollar amount. Upon approval, a check will be forwarded to the requesting party payable to the designated fund custodian.

3. Petty Cash Custodian’s Responsibility
   a. The petty cash custodian will sign for and assume responsibility for the safeguarding and proper utilization of the petty cash fund. The petty cash custodian is the only individual who may make cash transactions. If an authorized change in custodian occurs, the status of the fund should be verified before any transactions are completed by the new custodian. A status memo signed by both the outgoing and incoming custodians must be sent to the Vice Chancellor of Finance and Administration.
   b. The petty cash fund will be maintained at the approved amount, and will at times be kept in balance with cash, petty cash vouchers, and receipts.
   c. A copy of the Petty Cash Reconciliation Form will be retained by the custodian for a minimum of two years.
   d. All cash, sales receipts, and other related documents shall be kept in a locked metal box. When unattended, the box shall be placed in a safe, desk or cabinet that is also to be kept locked.

4. Purchase Authorizations and Procedures
   a. Single disbursements from petty cash may not exceed $100.00.
   b. The petty cash custodian must approve all expenditures from the fund. The custodian must sign a Petty Cash Disbursement Voucher for each expenditure.
   c. The purchaser may request a cash advance or be reimbursed for authorized purchases. If a cash advance is made, the purchaser must provide a sales receipt and change, if any, to the custodian and sign a petty cash voucher indicating reimbursement.
   d. A sales receipt must be kept with each Petty Cash Disbursement Voucher.

5. Replenishment Procedure
   a. The petty cash fund will be replenished when substantially depleted. On June 30 of each fiscal year the account must be fully replenished or closed in order for expenditures to be recorded in the proper fiscal year.
   b. A request for replenishment will be made on a purchase requisition signed by the Responsibility Center Manager.
   c. An itemized list of expenditures is to be recorded on the Petty Cash Reconciliation Form. Separate Petty Cash Disbursement Vouchers with sales receipt shall be presented for each expenditure.
d. Reimbursements of petty cash are to be the only deposits into the fund.

6. Accounting Audit
   a. Any shortage must be adequately documented and explained by the fund custodian. Replenishment requests for shortages in excess of $5 must be approved by the Vice Chancellor for Finance and Administration. Overages must be deposited with the revolving cash account.
   b. The Vice Chancellor for Finance and Administration or designee or designated accounting personnel will periodically make unannounced audit reviews of the petty cash fund. The independent auditors will also make test counts and review the petty cash fund. The fund custodian and responsible manager should ensure the fund is balanced and available for audit at any time.
   c. The internal control checklist is to be completed by each petty cash fund custodian at least once a year. The Vice Chancellor for Finance and Administration or designee will periodically review the petty cash operation and determine if the operation of the fund is in compliance with the checklist.

G. Change Funds

1. Change Funds
   A change fund may be approved by the Vice Chancellor for Finance and Administration for the sole purpose of making change in the conduct of business. The funds shall not be used for cash advances, purchases, reimbursements, or other activities appropriate to a petty cash fund.

2. Establishment of a Change Fund
   A Responsibility Center Manager may request a change fund from the Vice Chancellor for Finance and Administration. The request must identify the fund custodian and a requested dollar amount. Upon approval a check will be forwarded to the requesting party payable to the designated fund custodian.

3. Change Fund Custodian's Responsibility
   The custodian will sign a receipt for the change fund and assume responsibility for its security and proper use. The Vice Chancellor for Finance and Administration must be notified in writing if there is a change in the custodianship of a change fund. The change fund will be maintained at the approved amount and will at all times be kept in balance.

4. Accounting/Audit
   The Accounting Department will retain records and documentation for all change funds. Change funds must be available for audit at any time.

H. Revolving Cash

1. Revolving Cash
   The revolving cash fund shall be used only when goods, services, or payroll are required prior to the date available within the normal purchasing process. Disbursements shall be supported by proper documentation and authorization as prescribed in the Cash Disbursement Policy. There shall be adequate separation of duties to reduce the risk of collusion and fraud.

2. Procedures
   a. The fund shall be managed so that accountability for the fund, including proper identification of fund resources, can be readily established.
   b. Cash funds are maintained on an imprest basis with the same standards of developing documentary evidence as for other disbursements.
   c. Disbursements from the fund shall be limited to transactions that cannot be paid through the regular disbursement process in a timely manner.
   d. The Accounting Department will review, and the Associate Vice Chancellor for Finance must approve, requests for payment through the Revolving Cash Fund.
   e. Employees shall not authorzie revolving fund checks payable to cash or to themselves.
   f. Check stock shall be kept in a secure place.
   g. The Revolving Cash Fund shall be replenished in a timely manner through the normal purchasing procedure.
   h. Daily balances will be maintained on the check stub; the fund shall be reconciled monthly.
References:
Education Code Section 84040 (c)
Title 5 Section 58311
ACCJC Accreditation Standard III.D.9 (formerly III.D.2)

Approved by the Chancellor: September 29, 2011
I. Purchasing

A. Authority to Purchase

The authority to contract for goods and/or services is vested in the Board of Trustees. Authority to purchase supplies, materials, apparatus, equipment and services is annually delegated by Board action to designated District officers. The purchase of goods and services shall be made through the Purchasing Department following authorized procedures in accordance with established policies and laws. Any purchase made by an employee without proper authorization will be considered an obligation and liability of the employee and not the Peralta Community College District.

B. The District shall not purchase goods or services from any vendor or sources in which a requisitioned or an authorized purchasing agent or member of the Board has any proprietary interest. Any proposed exception must be reviewed by the Vice Chancellor of Finance and Administration and approved by the Board. Employees and Board members are prohibited from accepting gratuities, in any form, the value of which could compromise their objectivity in selecting vendors or awarding purchase contracts.

C. General Purchasing Information

1. Except for small purchases from petty cash, all purchases or commitments to buy are made through the use of a purchase order. Purchase orders will be issued by the Purchasing Department only upon receipt of a properly authorized purchase requisition.

2. Specifications
   Departments may submit their own specifications for supplies and/or equipment; however, the Purchasing Department has the authority to question need, quality, quantity and materials requested and to make recommendations where the general health and welfare or economy is in question.

3. Selection of Vendor
   The Purchasing Department will accept recommendations from the requesting department for potential vendors. Final vendor designation will be made by the Purchasing Department. The Purchasing Department will initiate a project to establish “Pre-Qualified Vendors” by commodity.

4. Price Quotations
   Purchases of less than $10,000 – Only one (1) quotation is required for purchases under $10,000 however, if the purchase is over $2,500 the quote must be in writing. Such items may be purchased from any vendor offering the required goods or services at a reasonable price. Examples of reasonable price are: items purchased based on vendor’s catalog prices, or based on a comparison of vendor’s price lists; or items purchased on historical price data, or based on prior bid solicitations.

   The solicitor of the quotation (or the Business Office) must forward the quotation along with an approved Purchase Requisition to the District Purchasing Office for issuance of a Purchase Order.

   Purchases between $10,000 and $83,400 (or adjusted annually by price Deflation Index) – informal competitive bidding is required. Informal competitive bidding requires that the department obtain three (3) written bids/price quotations specifically describing the goods and their prices. The bids/price quotations may be obtained either on a Quotation Request Form or on the vendor’s letterhead stationery. In either case, the bid must be written in ink and signed by an authorized representative of the vendor.
The bids/price quotation must be summarized on a bid recapitulation (Recap) sheet. The solicitor of bids must sign the Recap sheet, generate a requisition, and forward the bids and the Recap sheet for approval by the Department Head/Business Office. Subsequently, the Department Head/Business Office should forward the quotes, Recap sheet, and Requisition to the District Purchasing Office for the issuance of a Purchase Order.

5. Date of Delivery
   Materials and services must be charged against and paid from appropriations within the fiscal year in which the material or service is actually received.

D. Purchase Requisitions
   A purchase requisition is prepared by an individual or department to request the Purchasing Department to buy specific items. The requested information on the requisition provides guidance to the Purchasing Department as to the requester's preferences regarding vendor, specifications, etc.

E. Purchase Order
   After a purchase requisition has been reviewed and approved, a purchase order is prepared which authorizes the vendor to deliver the supplies/equipment or provide the service requested.

F. Emergencies
   In the event of an emergency, authority to purchase may be obtained from the Purchasing Department and a purchase order can be issued by telephone. Such approval must be obtained from the Purchasing Department in advance of the purchase.

II. Bid Requirements and Procedures

A. Bid Requirements
   Any purchase over $15,000 for public works projects (construction services), or $83,400 for equipment or supplies must go through the formal bid process. Public works projects include, but are not limited to construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any District owned or operated facility. The Board of Governors of the California Community Colleges shall annually adjust the dollar amount required for bid to reflect the percentage change in the annual average of the Implicit Price Deflator for State and Local Government Purchase of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the prior fiscal year (Public Contract Code 20651). The annual adjustments shall be rounded to the nearest one hundred dollars ($100). The Purchasing Department may require formal bids for items regardless of the cost if it determines that such bids would be in the best interest of the District. All vendors involved in a bid process shall be notified that Board action is required before materials are delivered or a project can begin.

B. Approval
   All purchases requiring bid procedures require an "award of bid" by the Board. All vendors involved in a bid process shall be notified that Board action is required before materials are delivered or a project can begin.

C. Purchase and Contract Specifications
   Bid documents or requests for price quotations must contain specifications and/or drawings, if appropriate, which standardize the purchase and provide a basis for selection of a vendor. The Purchasing Department can advise on the level of specificity required based on the nature of the purchase. In general, specifications should be generic in nature and not specify a particular brand, manufacturer or vendor. It may be necessary to involve a consultant in the development and/or
review of specifications. Some specifications may require legal review. Development of specifications may require several weeks or months.

D. Energy Efficiency Specifications
Vendors must provide equipment and appliances that earn the ENERGY STAR and meet ENERGY STAR specifications for energy efficiency where ratings exist. Complete product specifications and updated lists of qualifying products may be found at www.energystar.gov.

E. Bid Documents
Bid documents are prepared by the Purchasing Director in consultation with the individual initiating the request. Bid documents contain a variety of standard provisions required by law and are supplemented by specifications and special requirements. Bid documents are made available to vendors through the Purchasing Department.

F. Advertisement for Bids
Advertisements for bids are prepared by the Purchasing Director to meet the legal bidding requirements. Ads are placed in newspapers and through other sources that are designed to reach the appropriate vendors. Ads must appear twice, once a week for two consecutive weeks. Vendors are usually allowed three to four weeks to prepare their bids.

G. Bid Opening
A time and place of bid opening is stated in the bid document and the bid advertisement. Bids are accepted in the Purchasing Department up to the exact time of the bid opening. Bids received before the opening are kept unopened until the designated time. A public bid opening is held during which all bids are opened and read aloud. Bids are a matter of public record and the results are available in the Purchasing Department after the bid opening. Bids are considered to be "responsive" if they meet the specifications as published. The services of an outside consultant may be required to evaluate responsiveness. Reference checks may be applied to any and all bids that are responsive and competitive. A summary of the prices quoted is prepared for the Board.

H. Bid Bonds/Guarantees
Bid bonds or other bid guarantees may be required of all bidders and are kept on file until the Board awards a contract. Bonds/guarantees are returned to all bidders after the award of bid.

I. Award of Bid
A summary of the bids is prepared for the Board. Results of reference checks are evaluated and a recommendation is made to the Board for award of bid. The award does not automatically go to the lowest bidder and only the board can award a bid. As a general rule the bid is awarded to the lowest bidder unless referenced information or other mitigating circumstances suggest an alternate choice. Contracts are not signed until after the bid award and no bidder should move to deliver supplies or equipment or start of project until after the Board takes action. The Board has the right to reject all bids or waive any irregularities. If that occurs, bidders will be notified in writing.

J. Separation of Projects
It is not permissible and unlawful to split or separate into smaller projects any project for the purpose of evading the competitive bidding provisions of this Administrative Policy. Any procurement with a single organization, individual or vendor within a single fiscal year will be considered a single procurement for purposes of bidding and the requirement for prior Board approval.
H. Amendments
   1. Any changes to the bid document prior to the award of bid must be provided to all prospective
      bidders in writing prior to the bid opening. If the change will require substantial time for bidders to
      reconfigure their quotes, the bid opening may have to be extended.

   2. Any change to specifications of terms and conditions of the bid after the opening will require a
      change notice.

III. Professional Services

   Professional services are defined as persons or entities furnishing to the District special services or
   advice in financial, economic, accounting, engineering, legal, or administrative matters.

IV. "Piggyback" Purchases From Other Public Agencies

   The District may purchase materials and equipment for contracts obtained from bids of other districts or public
   agencies.

V. CAL CARD

   1. The Chancellor or designee may issue a Cal Card to certain authorized employees for qualified
      business transactions associated with minor purchases or travel expenditures when traveling on
      District business.

   2. The Cal Card is to be used exclusively for District business purposes and is not meant to replace
      purchase orders for authorized ongoing expenditures and major purchases. All purchases must be
      eligible, based on the allowable criteria as established in the administrative procedures, and charges
      to the Procurement Card require the appropriate documentation to adequately support the charge.

   3. The Procurement Card will have the following spending limits established based on employment and
      need:

      a. A dollar limitation of purchasing authority per transaction
      b. A dollar limitation of purchasing authority for the total of all charges made during each monthly
         billing cycle

   4. If credit limits need to be increased temporarily, the necessary increase will need to be approved by
      the college President, Vice Chancellor, or Chancellor. All cardholders must sign and accept the
      terms and conditions of the Peralta Community College District Cal Card Program Cardholder
      Agreement.

   5. Each cardholder is responsible for the card issued to him/her and must comply with these
      administrative procedures. All cards are subject to ongoing audit for compliance and enforcement of
      this administrative procedure.

References:
   Education Code Section 81656
   Public Contract Code Sections 20650 and 20651

Approved by the Chancellor: February 19, 2013
Revised by the Chancellor: January 3, 2014
ADMINISTRATION PROCEDURE 6700 CIVIC CENTER AND OTHER FACILITIES USE

I. Responsibilities

Each President is responsible for the Civic Center Program at their college and the Vice Chancellor of General Services is responsible for the Civic Center Program at the District Administrative Center (DAC) by:

A. Identifying those Civic Center Facilities which may be used by the public when such use does not conflict with District programs and operations.

B. Directing public use of those facilities

C. Administering appropriate charges as defined in District policy. At the close of each academic year, the college presidents shall review the facility use rate schedule and provide recommenced revisions for the next school year to the Chancellor.

II. Delegation

Each president shall designate the business manager to administer the facility use program under his or her authority. The business manager (or the Vice Chancellor of General Services at the DAC) so designated shall:

A. Provide information to prospective users of the facilities;

B. Review applications, establish all related costs and maintain financial records for accountability purposes for each facility use;

C. Obtain all necessary documentation related to each facility use;

D. Coordinate scheduled uses of facilities with other appropriate campus/District offices involved;

E. Prepare annual reports of all campus facilities uses.

III. Regulations

A. The College and District reserves the right to deny an application or revoke any agreement at any time if actions resulting from such application or permission may be harmful to the best interest of the District/College or if there is a conflict with any previously scheduled event. The District/College, at its discretion, has the right to cancel and terminate an agreement immediately and without notice upon its discovery of a violation of any term, condition, or provision of the agreement on the part of the applicant. Should any such violation occur, the District/College, at its discretion, shall have the right to deny any future requests by the applicant for the use of any other District/College property or facilities.

B. Except as provided by Board Policy or Administrative Procedure, or as authorized by law, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken.

C. Alcoholic beverages and controlled substances are prohibited on all Peralta Community College District property and within the District's facilities. Alcoholic beverages and controlled substances are prohibited on all Peralta Community College District property and within the District's facilities. As provided by state law and pursuant to Administrative Procedures 3560, permission may be requested for an exemption to the prohibition against alcoholic beverages if authorized by the Chancellor or College President.
D. The complete Civic Center application must include a certificate of insurance and a hold harmless and indemnification agreement by the user group accepting financial responsibility for any losses, damages, or injuries incurred as a result of their use of the facilities. The approved permit must be available for inspection by security and district personnel during the event.

IV. APPLICATION AND APPROVAL PROCESS

Application fee: A $25.00 application fee must be paid for each request before processing begins. If a Preferred User is granted free use of the facilities, the application fee will be waived or refunded. If a Preferred User is eligible for Preferred User charges, the application fee will be applied to the charges incurred. Facilities use application is not considered approved until all of the following steps have been completed.

A. Obtain an Application for Use of College Facilities form from the Business Manager at the appropriate college or the Vice Chancellor General Services at the DAC.

Berkeley City College (510)981-2840
College of Alameda (510)748-2211
Laney College (510)464-3232
Merritt College (510)434-3967
Dept. of General Serv. (510)466-7346

B. Pay the $25.00 application fee at the time the completed application form is submitted. Be sure to specify on the application form what services, equipment, and facilities setup or preparation you are requesting.

C. Pay a $200.00 security deposit if appropriate. This deposit may or may not be charged to Preferred Users, depending on the nature and scope of the event and the facility requested. All non-Preferred Users are required to pay this security deposit. If a security deposit is made, it will be refunded, or applied to total charges, if, after inspection at the conclusion of the use, it is determined that the facility is in its original condition. College presidents may increase the amount of the security deposit for profit-making activities if the number of expected attendees exceeds 200.

D. Provide a copy of appropriate insurance certification or purchase appropriate insurance through the college where the facility is to be used.

E. Obtain written confirmation of facility availability from the appropriate college. Please do not publicize your event until you receive this written confirmation.

F. Pay all applicable charges in full at least ten working days prior to the scheduled event. This includes all personnel, user or fair rental value and equipment fees.

V. REFUND POLICY

All fees except the $25.00 application fee are refundable if the event is canceled more than ten working days before the scheduled event. The application fee is not refundable. If an event is canceled less than ten working days before it is scheduled to occur, 75 percent of the fees will be refunded. Security deposits are fully refundable if the event is canceled, regardless of the date of cancellation. Preferred Users will be refunded all charges paid. Refunds will be paid within three weeks of written notice of cancellation.

VI. SCHEDULE OF PERSONNEL SERVICES CHARGES

Preferred Users may be charged only for personnel services when the personnel are not regularly on duty. If the event is scheduled at a time when personnel are not normally on duty (such as evenings and weekends), the Preferred User shall be charged only for personnel necessary to open and close
the facility, supervision, and janitorial service. The charge for such personnel shall be that necessary to cover anticipated costs of the normal hourly rate paid for the job classification, plus overtime and benefits if applicable. A minimum of four hours of work for each employee must be charged in accordance with contractual agreements with employees if the schedule of work involves a "call-back" (requiring the employee to report for work at a time not within or contiguous to his or her regularly scheduled shift).

Even if a user of facilities does not request District personnel, the college president may deem it necessary to have District personnel at the event, in which case the user will still be responsible for the costs incurred.

Non-Preferred Users shall be charged for all personnel services necessitated by the organization's use of the facilities if the schedule of work involves a "call-back" (requiring the employee to report for work at a time not within or contiguous to his or her regularly scheduled shift). Charge for each employee per hour is a flat $25.00 for any type of service provided.

Civic Center Facilities Use Fee Schedule 6700
Preferred and Fair Rental Value

Preferred Users (PU): Public agencies, colleges, non-profit private organized community groups such as youth track club.
Fair Rental Value (FRV): Any group that is not part of the groups referenced above and for profit groups.

<table>
<thead>
<tr>
<th>FACILITY – COLLEGES</th>
<th>PU/hr.</th>
<th>FRV/hr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Classroom (50 &amp; under)</td>
<td>$35</td>
<td>$50</td>
</tr>
<tr>
<td>Classroom (51 - 100)</td>
<td>$55</td>
<td>$75</td>
</tr>
<tr>
<td>Conference Rcm/Lecture Hall (100+)</td>
<td>$65</td>
<td>$90</td>
</tr>
<tr>
<td>Forum</td>
<td>$80</td>
<td>$160</td>
</tr>
<tr>
<td>Theater</td>
<td>$80</td>
<td>$160</td>
</tr>
<tr>
<td>Music Room</td>
<td>$40</td>
<td>$80</td>
</tr>
<tr>
<td>Choral Room</td>
<td>$40</td>
<td>$80</td>
</tr>
<tr>
<td>Student Center</td>
<td>$75</td>
<td>$125</td>
</tr>
<tr>
<td>Library</td>
<td>Not Available to the Public</td>
<td></td>
</tr>
<tr>
<td>Cafeteria</td>
<td>Not Available to the Public</td>
<td></td>
</tr>
<tr>
<td>Dining Room</td>
<td>Not Available to the Public</td>
<td></td>
</tr>
<tr>
<td>Gym</td>
<td>$85</td>
<td>$170</td>
</tr>
<tr>
<td>Weight Room</td>
<td>$80</td>
<td>$160</td>
</tr>
<tr>
<td>Apparatus Room</td>
<td>Not Available to the Public</td>
<td></td>
</tr>
<tr>
<td>Locker Room</td>
<td>$50</td>
<td>$50</td>
</tr>
<tr>
<td>Swimming Pool</td>
<td>$110</td>
<td>$220</td>
</tr>
<tr>
<td>Tennis Court*</td>
<td>$85</td>
<td>$170</td>
</tr>
<tr>
<td>Baseball Field</td>
<td>$160</td>
<td>$320</td>
</tr>
<tr>
<td>Football Field</td>
<td>$175</td>
<td>$350</td>
</tr>
<tr>
<td>Track**</td>
<td>$150</td>
<td>$300</td>
</tr>
<tr>
<td>Parking Lot***</td>
<td>$80</td>
<td>$80</td>
</tr>
<tr>
<td>Hard Surface</td>
<td>$50</td>
<td>$50</td>
</tr>
<tr>
<td>Turf Area</td>
<td>$100</td>
<td>$100</td>
</tr>
<tr>
<td>Dance Studio</td>
<td>$80</td>
<td>$80</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>FACILITY – DISTRICT ADMINISTRATIVE CENTER</th>
<th>PU/Hr.</th>
<th>FRV/hr.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atrium ***</td>
<td>$75</td>
<td>$125</td>
</tr>
<tr>
<td>Kitchen ****</td>
<td>$50</td>
<td>$100</td>
</tr>
<tr>
<td>Boardroom ***</td>
<td>$75</td>
<td>$125</td>
</tr>
</tbody>
</table>

+ Cost to rent facilities by the hour. All facilities must be rented for a minimum of three hours.
* Additional tennis courts are &$15 per hour
** Additional $30 per three hours of light
*** A $200 Cleaning deposit is required. Authorization to refund the deposit may be granted by the Director of Facilities.
**ATHLETIC FACILITIES USE FEE SCHEDULE**

**Definitions:**
- **Special Preferred Users (SPU):** Programs sponsored by middle and High Schools in the PCCD service area, who have students the District want to recruit.
- **Preferred Users (PU):** Public agencies, colleges, non-profit private organized community groups such as youth track
- **Fair Rental Value (FRV):** Any group that is not part of the two groups referenced above and for profit groups.

<table>
<thead>
<tr>
<th><strong>Baseball/Softball Fields</strong></th>
<th><strong>SPU/HR.</strong></th>
<th><strong>PU/HR.</strong></th>
<th><strong>FRV/HR.</strong></th>
<th><strong>PERSONNEL REQUIRED</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Practice</td>
<td>$75</td>
<td>$95</td>
<td>$170</td>
<td>Supervisor</td>
</tr>
<tr>
<td>Game</td>
<td>$150</td>
<td>$160</td>
<td>$320</td>
<td>Supervisor + Grounds</td>
</tr>
<tr>
<td><strong>Scoreboard</strong></td>
<td>$65</td>
<td>$55</td>
<td>$110</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Sound System</strong></td>
<td>$50</td>
<td>$50</td>
<td>$100</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Football Field (3 hr. min)</strong></td>
<td><strong>FEES APPLICABLE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Practice</td>
<td>$100</td>
<td>$125</td>
<td>$350</td>
<td>Supervisor</td>
</tr>
<tr>
<td>Game</td>
<td>$150</td>
<td>$175</td>
<td>$350</td>
<td>Supervisor + Grounds</td>
</tr>
<tr>
<td><strong>Scoreboard</strong></td>
<td>$75</td>
<td>$75</td>
<td>$75</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Sound System</strong></td>
<td>$75</td>
<td>$75</td>
<td>$75</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Gym</strong></td>
<td><strong>SPU/HR.</strong></td>
<td><strong>PU/HR.</strong></td>
<td><strong>FRV/HR.</strong></td>
<td><strong>PERSONNEL REQUIRED</strong></td>
</tr>
<tr>
<td>Practice</td>
<td>$75</td>
<td>$85</td>
<td>$170</td>
<td>Supervisor</td>
</tr>
<tr>
<td>Game</td>
<td>$150</td>
<td>$170</td>
<td>$340</td>
<td>Supervisor + Grounds</td>
</tr>
<tr>
<td><strong>Scoreboard</strong></td>
<td>$50</td>
<td>$50</td>
<td>$100</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Sound System</strong></td>
<td>$50</td>
<td>$50</td>
<td>$100</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Soccer: Grass Field (3 hr. min)</strong></td>
<td><strong>SPU/HR.</strong></td>
<td><strong>PU/HR.</strong></td>
<td><strong>FRV/HR.</strong></td>
<td><strong>PERSONNEL REQUIRED</strong></td>
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<tr>
<td>Practice</td>
<td>$75</td>
<td>$85</td>
<td>$170</td>
<td>Supervisor</td>
</tr>
<tr>
<td>Match</td>
<td>$75</td>
<td>$100</td>
<td>$200</td>
<td>Supervisor + Grounds</td>
</tr>
<tr>
<td><strong>Soccer: Stadium (3 hr. min)</strong></td>
<td><strong>SPU/HR.</strong></td>
<td><strong>PU/HR.</strong></td>
<td><strong>FRV/HR.</strong></td>
<td><strong>PERSONNEL REQUIRED</strong></td>
</tr>
<tr>
<td>Practice</td>
<td>$75</td>
<td>$85</td>
<td>$170</td>
<td>Supervisor</td>
</tr>
<tr>
<td>Match</td>
<td>$100</td>
<td>$125</td>
<td>$350</td>
<td>Supervisor + Grounds</td>
</tr>
<tr>
<td><strong>Scoreboard</strong></td>
<td>$75</td>
<td>$75</td>
<td>$150</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Sound System</strong></td>
<td>$75</td>
<td>$75</td>
<td>$150</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Tennis for 6 courts</strong></td>
<td><strong>SPU/HR.</strong></td>
<td><strong>PU/HR.</strong></td>
<td><strong>FRV/HR.</strong></td>
<td><strong>PERSONNEL REQUIRED</strong></td>
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<tr>
<td>Practice</td>
<td>$80</td>
<td>$70</td>
<td>$140</td>
<td>Supervisor</td>
</tr>
<tr>
<td>Match</td>
<td>$75</td>
<td>$85</td>
<td>$170</td>
<td>Supervisor + Grounds</td>
</tr>
<tr>
<td><strong>Track (3 hr. minimum)</strong></td>
<td><strong>SPU/HR.</strong></td>
<td><strong>PU/HR.</strong></td>
<td><strong>FRV/HR.</strong></td>
<td><strong>PERSONNEL REQUIRED</strong></td>
</tr>
<tr>
<td>Practice</td>
<td>$50</td>
<td>$70</td>
<td>$140</td>
<td>Supervisor</td>
</tr>
<tr>
<td>Meet</td>
<td>$125</td>
<td>$150</td>
<td>$300</td>
<td>Supervisor + Grounds</td>
</tr>
<tr>
<td><strong>Timing System</strong></td>
<td>$75</td>
<td>$80</td>
<td>$150</td>
<td>Operator</td>
</tr>
<tr>
<td><strong>Sound System</strong></td>
<td>$75</td>
<td>$150</td>
<td>$250</td>
<td>Operator</td>
</tr>
</tbody>
</table>

**ATHLETIC RENTAL FEES**

- *Swimming Pool (2 hr. min)*
  - Practice: $46, $55, $110
  - Meet (Two Teams): $75, $85, $200
  - Meet (Three Teams or More): $100, $110, $220

  *Must have a lifeguard at all pool activities.*

**Flat Fee**
- Scoreboard: $50, $50, $100

**FACILITIES USAGE**
- Utility Engineer/Pool Operator: $75
- Grounds Services: $60
- Custodial Services: $60
- Audio Visual Technician Services: $60
- Supervisor: $150

*Any fee change set by the Board of Trustees*