

MT. SAN ANTONIO COLLEGE ADMINISTRATIVE PROCEDURES

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Chapter 2 - Board of Trustees

AP 2015 Student Member

Reference:

Education Code Section 72023.5

The procedure and criteria for selection of a Student Representative to the Board of Trustees includes:

A. Requirements to be a candidate:

1. Be recommended by three faculty members, not more than two of whom should be from the same department.
2. Have a cumulative grade point average of not less than 2.0.
3. Participate in an orientation session organized by the Chief Student Services Officer and the current Student Trustee.

B. Requirements to serve as Student Trustee:

1. Maintain a minimum of five units per semester and 2.0 cumulative grade point average while serving as Student Trustee, except for the summer session.
2. Attend all meetings of the Board of Trustees.
3. Prepare for each Board of Trustees Meeting by reading information about agenda items and conducting the necessary research.
4. Report to the Associated Students Senate once a month and attend a minimum of two Associated Students Senate Meetings each month. It is recommended the Student Trustee attend as many Associated Students Meetings as possible.
5. Serve as ex-officio member of the Associated Students Executive Board.
6. Read and be familiar with the Board Policy Manual, Administrative Procedures, and Associated Students Government Constitution and Directives.
7. Participate in a Student Trustee Orientation Program provided by the College President/CEO. The objective is to familiarize the new Student Trustee with the Board Policies and Administrative Procedures; the administrative organization of the College; the mission, vision, and values of the College; and the role of the Board and Student Trustee.
8. Meet with the Associated Students President, Associated Students Vice Presidents, and Associated Students Advisor a minimum of once per month to learn of student issues, concerns, and recommendations, and to share any pertinent policy issues under review by the Board of Trustees.

Chapter 2 - Board of Trustees

AP 2105 Election of Student Member

Reference:

Education Code Section 72023.5

Electing the Student Member

The student member shall be elected by a plurality vote of those voting in a regular election of the student body. All currently enrolled Mt. San Antonio College students shall be eligible to vote. General student body elections will be held in March/April and will be completed in time for the student member to take office on June 1. Elections for the student member shall be held in accordance with the Associated Students Election Directive.

Recalling the Student Member

The Student Member may be recalled in an election conducted in the same manner as the election to office. An election will be called upon presentation to the College President/CEO of a petition signed by at least 100% of the number of students who voted in the contested election. A simple majority of verified registered students voting in the election is required for the recall to be certified. No recall election will be held if the petition is received within 60 days of a regularly scheduled election for student member.

Filling the Vacancy for the Position

Upon notice to the College President/CEO that a vacancy has occurred, the College President/CEO in consultation with the Chief Student Services Officer, shall, within 30 school days, establish a date for a special election. No special election will be called if the vacancy occurs within 60 days of a regularly scheduled election for student member. The office shall become vacant if the student member becomes ineligible for the office, resigns, or is recalled. Provisional appointment of a Student Trustee will be made by the Associated Students Executive Board in accordance with Student Trustee eligibility requirements.

Chapter 2 - Board of Trustees

AP 2110 Vacancies on the Board

References:

Education Code Sections 5090 et seq.; Government Code Sections 1770 and 6061

Posting the Vacancy

When the Board of Trustees determines to fill the vacancy by appointment, the College President/CEO shall assure that there is ample publicity to and information for prospective candidates. Publicity shall include posting in three public places in the District and at least once in a newspaper publication of general circulation.

The posted notice of vacancy shall include directions regarding applications or nominations of legally qualified candidates. Persons applying must meet the qualifications required by law for members of the Board of Trustees.

Applying for an Appointment

Persons applying for appointment to the Board of Trustees shall receive a letter from the College President/CEO containing information about the College and the Board of Trustees, including a candidate information sheet to be completed and returned by a specific date.

Candidate Interviews

The Board of Trustees may request personal interviews with candidates. Interviews will be conducted in a public hearing scheduled for that purpose.

Each member of the Board of Trustees will review all candidate information sheets, with final selection made by a majority vote of the members of the Board of Trustees at a public meeting called for that purpose.

Provisional Appointments

Whenever a provisional appointment is made, the Board of Trustees shall, within ten days of the provisional appointment, post notices of both the actual vacancy or the filing of a deferred resignation and the provisional appointment in three public places in the District. It shall also publish a notice at least once in a newspaper of general circulation.

The notice shall state the fact of the vacancy or resignation and the date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation. It shall also contain the full name of the provisional appointee to the Board of Trustees, the date of appointment, and a statement that unless a petition calling for a special election, containing a sufficient number of signatures, is filed in the Office of the Los Angeles County Superintendent of Schools within 30 days of the date of the provisional appointment, it shall become an effective appointment.

A provisional appointment confers all powers and duties of a Board member upon the appointee immediately following his or her appointment.

Term of Office

A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for Board members.

Chapter 2 – Board of Trustees

AP 2210 Officers

References:

Education Code Sections 85232, 85233, and 87412

The power and duties of the Board of Trustees include:

Contracts and Signatures:

A. Preparation of Contracts

As a general rule, preparation and negotiation of contracts will be carried out in consultation with the College's legal counsel. Where contracts use a standard agreement form that has been developed by legal counsel (such as construction, consulting services, and use of facilities), the contract need not be reviewed by legal counsel as to form. However, if there are significant changes in the general provisions of any of these contracts, then they should be reviewed with counsel. A contract presented to the district in a form established by another agency or party will be thoroughly reviewed by counsel. It is preferred that the College's form of a contract be used rather than contracting party documents.

B. Processing of a Contract

1. Employees authorized by the Board of Trustees to sign documents are named in Board Policy 6150 (Designation of Authorized Signatures). Established policy refers only to the College President/CEO and two Vice Presidents. In addition, those approved by Board resolution (updated every December) may sign contracts or documents. This includes purchase orders; facilities agreements; construction contracts; payroll warrants; and county, State, and federal reports.
2. The general rule is that the Board of Trustees will approve contracts prior to the signing of these agreements. Exceptions to this rule may occur when (a) it is considered to be an emergency in terms of the health and safety of the students and employees; (b) where it is budgeted and below required bid limits; (c) where it is ordinary and routine, such as the purchase of supplies; (d) where the timing of a Board of Trustees Meeting would incur financial loss if prior approval were required. Exceptions will be kept to a minimum and specifically approved by the College President/CEO prior to entering into agreements subject to ratification.
3. All cost contracts will be reviewed by the Chief Fiscal/Business Officer prior to submission to the Board of Trustees. (Cost is defined as any contract where money or something of value is exchanged between parties.)
4. Signed copies of all cost contracts shall be distributed as follows: (a) one copy to contractor; (b) one copy to the county, if required; (c) one copy to the cost contract master file in the Mt. San Antonio College Accounting Office; and (d) one copy to the manager responsible for administering the contract.

5. It is understood that contracts that are driven by Board of Trustees approved rate schedules, such as use of facilities or by specific budget appropriation that would be approved in due course through approval of purchase orders, need not be specifically agendized for Board of Trustees approval. It is important to note, however, that any contract which varies from fee schedule, or is a negotiated fee, or involves new programs or considerations, will be agendized for Board of Trustees approval.

C. Administration of Contracts

1. If a contract calls for the College to pay, the responsible administrator will verify that all goods or services contained in the contract have been received or accomplished in accordance with the provisions of the contract. This will provide the Mt. San Antonio College Accounting Office with authority to pay under the terms of the contract.
2. If the contract calls for the College to receive payment, the responsible administrator shall verify that the College has met its obligations under the contract before the Mt. San Antonio College Accounting Office invoices the other party.

Chapter 2 - Board of Trustees

AP 2320 Special and Emergency Meetings

References:

Government Code Sections 54956 and 54956.5; Education Code Sections 72023.5 and 72129

Special Meetings

Whenever a special meeting of the Board of Trustees is called, the College President/CEO shall cause the call and notice to be posted at least 24 hours prior to the meeting in a location freely accessible to the public. The College President/CEO shall also ensure that the following notices of the meeting are delivered either personally or by other means:

- Written notice to each member of the Board of Trustees, including the Student Trustee.
- Written notice to each local newspaper of general circulation and each radio or television station that has previously requested in writing to be provided notice of special meetings.
- The written notice must be received at least 24 hours before the time of the meeting as set out in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed.

Emergency Meetings

Whenever an emergency meeting of the Board of Trustees is called, the College President/CEO shall cause notice to be provided by telephone at least one hour prior to the meeting to each local newspaper of general circulation and each radio or television station that has requested notice of special meetings. If telephone services are not functioning, the College President/CEO shall provide the newspapers, radio stations, and television stations with information regarding the purpose of the meeting and any action taken at the meeting as soon after the meeting as possible.

Chapter 2 - Board of Trustees

AP 2365 Recording

References:

Government Code Sections 6250 and 54953.5

The President's Office is responsible for maintaining audio recordings of Board Meetings, excluding closed sessions. When the Board of Trustees approves the minutes for the audio recorded meeting, the tapes from that meeting are erased. The audio recordings of meetings are available to the public and the news media in accordance with the California Public Records Act, Government Code Section 6250 until the Board of Trustees approves the minutes for that specific meeting.

Chapter 2 - Board of Trustees

AP 2435 Evaluation of the College President/CEO

Reference:

Accreditation Standards

Basis of Evaluation

The evaluation of the College President/CEO will be based on the job description, goals and objectives of the past year, characteristics of performance, and other elements previously agreed upon. As part of the evaluation process, the College President/CEO and the Board of Trustees shall mutually agree upon the goals and objectives to be considered for the following year. The Board of Trustees will include in the goals and objectives for the following year those items that appear to have merit for future evaluation.

Evaluation Process

The annual evaluation shall be scheduled to coincide with the conclusion of the College President's/CEO's contract year. The evaluation forms will be distributed to the members of the Board of Trustees one month prior to the end of the contract year. The final evaluation will be based upon progress toward goals and objectives, a composite of the evaluation forms completed by individual members of the Board of Trustees, and the College President/CEO's self evaluation.

The Board of Trustees, as a whole, will meet with the College President/CEO to discuss the final evaluation. A copy of the final evaluation shall be furnished to the College President/CEO prior to that meeting. The evaluation shall include a discussion of both strengths and weaknesses. Each judgment will be based upon an objective review derived from an examination of available information. A final written summary evaluation shall be prepared by the Board of Trustees. A signed copy will be retained by the College President/CEO and one will be placed in the College President/CEO's personnel file.

Chapter 2 - Board of Trustees

AP 2410 Process for Revision of Administrative Procedures or Board Policies

Administrative Procedures (AP) and Board Policies (BP) are often revised, updated, or edited for a variety of reasons including changes to Title 5 language, recommendations from the Community College League of California, Academic Senate resolutions, or recommendations from units across the campus. It is important to follow a systematic review process for these revisions to ensure accuracy and broad institutional dialogue as the basis for building consensus.

The revision process assumes appropriate review and discussion by designated groups on campus whose work is affected by changes to policies and procedures. These groups may include the Academic Senate, the classified unions, and the Faculty Association, along with the appropriate councils and committees whose purpose and function determine their participation given the particular issues under discussion.

The revision process begins with the determination of whether a proposed or revised policy and/or procedure is appropriate for institutional review and/or whether it may be considered an "Academic and Professional" matter. The Academic Mutual Agreement Council (AMAC) determines whether a proposed policy and procedure should be considered an academic and professional matter. The Classified Governance Group will make recommendations regarding non-academic policies and procedures appropriate for institutional review.

Next, an administrator is assigned by AMAC members to take the proposed revisions for editing and review by the appropriate council or committee.

If the issue is deemed an "Academic and Professional" matter, the new or revised AP or BP will go from the appropriate council or committee to the Academic Senate Executive Board. Once reviewed by the Academic Senate Executive Board, the revision will go to the full Senate. If the Senate approves the revision, the proposed revision returns to the Academic Mutual Agreement Council. Should the Academic Mutual Agreement Council then approve the proposed revision, the AP or BP will go to the College President. If the President proposes any change of language to the policy or procedure, it will be returned to AMAC for reconsideration of additional review. Upon the President's approval of APs or BPs as presented, the changes are considered to have been adopted by the college and the modified AP shall be posted to the web. However, if the revision is a proposed Board Policy, then it must also be approved by the Board of Trustees before it will be considered adopted by the college and posted to the web.

If the issue is deemed appropriate for institutional review, the proposed new procedure or policy or revision goes directly to the appropriate council or committee for review and then to the College President for approval. In addition, if the issue is a working condition it will also be forwarded to the appropriate collective bargaining unit for its approval before it goes to the College President. The collective bargaining units will have 30 days to respond; if no response is forthcoming, the new or revised procedure or policy will proceed to the next step of the review process. Upon approval by the College President, the proposed revision is then considered by the President's Advisory Council. Should the President's Advisory Council then approve the proposed revision to an Administrative Procedure, the changes are considered

to have been adopted by the college and the modified AP shall be posted to the web. If the revision is a Board Policy, it must also be approved by the Board of Trustees before it will be considered adopted by the college and posted to the web.

Approved: April 25, 2011

According to Title 5, Article 2, Section 53200, "Academic and Professional matters" include the following:

1. Curriculum including establishing prerequisites and placing courses within disciplines
2. Degree and certificate requirements
3. Grading policies
4. Education program development
5. Standards or policies regarding student preparation and success
6. District and college governance structures, as related to faculty roles
7. Faculty roles and involvement in accreditation
8. Policies for faculty professional development activities
9. Processes for program review
10. Processes for institutional planning and budget development
11. Other academic and professional matters as mutually agreed upon between the governing board and the academic senate

Chapter 2 - Board of Trustees

AP 2610 Presentation of Initial Collective Bargaining Proposals

Reference:

Government Code Section 3547

The following is an illustrative example that meets all legal requirements.

Whenever an initial collective bargaining proposal is received from an exclusive representative of College employees, or whenever the College's own negotiator presents an initial proposal, the following actions must be taken at public meetings of the Board of Trustees:

The exclusive representative or the College must present the initial collective bargaining proposal orally or in writing to the Board of Trustees at a public meeting.

The public shall have an opportunity to respond to the exclusive representative's or College's initial proposal at a subsequent public Board of Trustees Meeting. The opportunity for public response shall appear on the Board's regular agenda. Public response shall be taken in accordance with the Board's Policies regarding speakers.

After the public has an opportunity to respond to an initial proposal presented by the College, the Board of Trustees shall, at the same meeting or a subsequent meeting, adopt the College's initial proposal. The adoption shall be indicated as a separate action item on the Board agenda. There shall be no amendment of the College's initial proposal unless the public is again afforded a reasonable opportunity to respond to the proposed amendment at a public meeting.

If new subjects of meeting and negotiating arise after the presentation of initial proposals, the following procedure shall be followed: all new subjects of meeting and negotiating, whether proposed by the exclusive representative or the College, shall be posted by the College in the same public place Board agendas are posted within 24 hours after their presentation in negotiations.

When a request to reopen a collective bargaining agreement, as required by the agreement, is received from an exclusive representative or is made by the College, the public notice procedure outlined in this procedure shall be followed.

When the College and the exclusive representative agree to amend an executed collective bargaining agreement in accordance with the agreement, the following procedure shall be followed:

- The amendment shall appear on the Board of Trustees agenda as a notice item, for action at a subsequent Board Meeting.
- The public shall have an opportunity to respond to the amendment at a subsequent Board of Trustees Meeting.

Chapter 2 - Board of Trustees

AP 2710 Conflict of Interest

References:

Government Code Sections 87105 and 87200-87210; Title 2 Sections 18700 et seq.; and as listed below.

Incompatible Activities (Government Code Section 1126)

Board of Trustees members and employees shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the College.

Financial Interest (Government Code Sections 1090 et seq.)

Board of Trustees members and employees shall not be financially interested in any contract made by the Board of Trustees or in any contract they make in their capacity as members of the Board of Trustees or as employees.

A Board of Trustees member shall not be considered to be financially interested in a contract if his or her interest meets the definitions contained in applicable law (Government Code Section 1091.5).

A Board of Trustees member shall not be deemed to be financially interested in a contract if he or she has only a remote interest in the contract and if the remote interest is disclosed during a Board of Trustees Meeting and noted in the official Board minutes. The affected Board of Trustees member shall not vote or debate on the matter or attempt to influence any other member of the Board to enter into the contract. Remote interests are specified in Government Code Section 1091(b); and include, but are not limited to, the interest of a parent in the earnings of his or her minor child.

No Employment Allowed (Education Code Section 72103(b))

An employee of the College may not be sworn in as an elected or appointed member of the Board of Trustees unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. This provision does not apply to an individual who is usually employed in an occupation other than teaching and who also is employed part-time by the College to teach no more than one course per semester or quarter in the subject matter of that individual's occupation (Education Code Section 72103(b)).

Financial Interest in a Decision (Government Code Sections 87100 et seq.)

If a member of the Board of Trustees or employee determines that he or she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of an employee, this announcement shall be made in writing and submitted to the Board of Trustees. A member of the Board of Trustees, upon identifying a conflict of interest, or a potential conflict of interest, shall do the following prior to consideration of the matter.

- Publicly identify the financial interest in detail sufficient to be understood by the public;
- Recuse himself or herself from discussing and voting on the matter;
- Leave the room until after the discussion, vote, and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A member of the Board of Trustees may, however, discuss the issue during the time the general public speaks on the issue.

Gifts (Government Code Section 89503)

Members of the Board of Trustees and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law.

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests.

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89506.

A gift of travel does not include travel provided by the College for Board of Trustees members and designated employees.

Board of Trustees members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501 and 89502).

Designated employees shall not accept any honorarium that is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. The term "honorarium" does not include:

- Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade or profession is making speeches.
- Any honorarium that is not used and, within 30 days after receipt, is either returned to the donor or delivered to the College for donation into the general fund without being claimed as a deduction from income tax purposes.

Representation (Government Code 87406.3)

Elected officials and the President/CEO shall not, for a period of one-year after leaving their position, act as an agent or attorney for, or otherwise represent for compensation any person appearing before that local government agency.

Revised April 2011

Chapter 2 - Board of Trustees

AP 2712 Conflict of Interest Code

References:

Title 2 Section 18730; Government Code Sections 87103(e), 87300-87302, 89501, 89502, and 89503

(Incorporation of FPPC Regulation 18730 (2 California Code of Regulations, Section 18730) by Reference)

The Political Reform Act (Government Code Section 81000, et seq.) requires State and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730), which contains the terms of a standard conflict of interest code. After public notice and hearing, it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated into the conflict of interest code of this agency by reference. This regulation and the attached Exhibits designating official and employees and establishing economic disclosure categories shall constitute the conflict of interest code of this agency.

Place of Filing of Statements of Economic Interests

All officials and employees required to submit a statement of economic interests shall file their statements with the agency head, or his or her designee. The agency shall make and retain a copy of all statements filed by its Governing Board Members, Alternate Board Members, as appropriate, and its agency head, and forward the originals of such statement to the Executive Office of the Board of Supervisors of Los Angeles County.

The agency shall retain the originals of statements for all other Designated Positions named in the agency's conflict of interest code. All retained statements, original or copied, shall be available for public inspection and reproduction (Gov. Code Section 81008).

EXHIBIT "A"

CATEGORY 1

Persons in this category shall disclose all interest in real property within the jurisdiction. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.

Persons are not required to disclose property used primarily as their residence or for personal recreational purposes.

CATEGORY 2

Persons in this category shall disclose all investments and business positions.

CATEGORY 3

Person in this category shall disclose all income and business positions.

CATEGORY 4

Person in this category shall disclose all business positions, investments in, or income (including gifts and loans) received from business entities that manufacture, provide or sell service and/or supplies of a type utilized by the agency and associated with the job assignment of designated positions assigned this disclose category.

CATEGORY 6

Individuals who perform under contract the duties of any designated position shall be required to file Statement of Economic Interests disclosing reportable interest in the categories assigned to that designated position.

In addition, individuals who, under contract, participate in decisions which affect financial interests by providing information advice, recommendation or counsel to the agency which could affect financial interest shall be required to file Statements of Economic Interests, unless they fall within the Political Reform Act's exceptions to the definition of consultant. The level of disclosure shall be as determined by the executive officer (or head) of the agency.

EXHIBIT "B"

Designated Positions	Disclosure Categories
1. Board Members	1,2,3
2. College President/CEO	1,2,3
3. Vice President, Administrative Services	1,2,3
4. Vice President, Instruction	2,3
6. Vice President, Student Services	4
7. Vice President, Human Resources	4
8. Chief Technology Officer	4
9. Director, Facilities Planning & Management	4
10. Associate Vice President, Fiscal Services	4
11. Purchasing Manager	4
12. Director of Development & the Mt. SAC Foundation	4
13. Consultant	6

Revised March 2009

Chapter 2 - Board of Trustees

AP 2715 Code of Ethics/Standards of Practice

The following standards of excellent performance establish a norm for members of the Board of Trustees. They are a commitment to a set of values guiding the performance of the Board of Trustees. Each member of the Board of Trustees will:

- A. In all decisions, hold the educational welfare of the students of the district as his/her primary concern. Communicate the Board's interest in respect for student accomplishments by attending student ceremonies and events.
- B. Ensure the College maintains equality of opportunity for all students regardless of race, color, religion, sex, national origin, marital status, medical condition (cancer-related), handicap, age, sexual orientation, or veteran status.
- C. As an agent of the public entrusted with public funds protect, advance, and promote the interest of all citizens. Maintain independent judgment unbiased by private interest or partisan political groups.
- D. Through establishment of policies and appointment of administrative personnel, uphold, implement, and enforce all laws and codes applying to the College.
- E. Support and encourage innovation and change through established channels.
- F. Recognize and actively communicate that authority rests with the Board only in a legally-constituted meeting, not with individual members.
- G. Attend and participate in all meetings insofar as possible, having prepared for discussion and decision by studying all agenda materials.
- H. Conduct all meetings according to current law and the Brown Act.
- I. Maintain confidentiality of all Board of Trustees discussions held in closed session.
- J. Avoid any situation that may constitute a conflict of interest. Inform the entire Board of Trustees or the Board President when a matter under consideration might involve or appear to involve such a conflict.
- K. Enhance his/her ability to function effectively as a Trustee through devotion of time to study of contemporary educational issues as well as attendance at professional workshops and conferences on the duties and responsibilities of trustees.
- L. Promote and maintain good relations with other members of the Board of Trustees by:
 - 1. Recognizing the importance of keeping an open mind and promoting the opportunity to think through other facts and points of view which may be presented at the legally constituted sessions of the Board of Trustees.
 - 2. Respecting the opinions of others and abiding by the principle of majority rule.

3. Respectfully working with other members of the Board of Trustees in the spirit of harmony and cooperation. Giving each member courteous consideration of his/her opinion.
- M. Promote a healthy working relationship with the College President/CEO and his/her staff by:
1. Appointing and nurturing a College President/CEO and supporting his/her administrative recommendations by maintaining a climate of "no surprises."
 2. Supporting the College's personnel in the appropriate performance of their duties and ensuring that they have the requisite responsibility and necessary authority to perform effectively.
 3. Referring complaints and/or criticisms through the appropriate channels as previously agreed upon by the College President/CEO and the Board of Trustees.
- N. Be an advocate of the College in the community by encouraging support for and interest in Mt. San Antonio College.

Revised March 2010

Chapter 2 - Board of Trustees

AP 2745 Board Self-Evaluation

Self-Evaluation Assessment

The Board of Trustees will conduct a self-assessment process every two years and will include the following:

- Completion of a self-assessment instrument by each member of the Board,
- Discussion and compilation of the results to the Board of Trustees, and
- Development of a set of objectives for the next year (or next two years).

MT. SAN ANTONIO COLLEGE ADMINISTRATIVE PROCEDURES

Chapter 3 - General Institution

- AP 3100 Organizational Structure**
- AP 3200 Accreditation**
- AP 3250 Institutional Planning**
- AP 3255 Participation in Local Decision Making**
- AP 3300 Public Records**
- AP 3310 Records Retention and Destruction**
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- AP 3720 Computer and Network Use**
- AP 3750 Use of Copyrighted Material**
- AP 3820 Gifts and Donations**
- AP 3900 Flag at Half Staff**
- AP 3910 Solicitation, Advertising, and Sales**
- AP 3911 Student Credit Card Solicitations**

Chapter 3 - General Institution

AP 3100 Organizational Structure

References:

Education Code Section 72400; Title 5 Section 53200

Mt. San Antonio College's organizational structure includes a locally elected Board of Trustees with the Office of the College President/CEO reporting to the Board of Trustees. The supporting organizational structure includes the following areas headed by executive level managers: Administrative Services, Human Resources, Instruction, and Student Services. The Instruction area includes eight divisions (Arts Division, Business and Economic Development Division, Community and Noncredit Education Division, Humanities and Social Sciences Division, Natural Sciences Division, Physical Education Division, Technology and Health Division, and the Library and Learning Resources Division) with departments reporting to the related division.

The Office of the College President/CEO has the main responsibility for maintaining the College's organizational charts.

Chapter 3 - General Institution

AP 3200 Accreditation

References:

Accreditation Eligibility Requirement 20 and Accreditation Standard IV.B.1.i

Mt. San Antonio College is reviewed and accredited by the Accrediting Commission for Community and Junior Colleges (ACCJC) of the Western Association of Schools and Colleges (WASC). The accreditation authorizes the College to offer courses that parallel the first two years of the curricula for State universities. The ACCJC can be contacted in writing at 10 Commercial Boulevard, Suite 204, Novato, California 94949 or by phone at (415) 506-0234.

In accordance with the standards of the ACCJC, Mt. San Antonio College shall conduct a comprehensive self study every six years and host a visit by an accreditation team. Mandatory midterm, or other reports shall be prepared and submitted to the ACCJC in the third year of each six-year cycle.

The process for producing the written self study document must include:

- A Self Study Chairperson or Co-Chairs,
- The Accreditation Liaison Officer, and
- Active, campus-wide involvement of managers, faculty, staff, and students.

When the self study is completed, it must be reviewed and approved by the Board of Trustees prior to submission to the ACCJC a minimum of 45 days prior to the accreditation team visit.

Chapter 3 - General Institution

AP 3250 Institutional Planning

References:

Accreditation Standards; Title 5 Sections 51008, 51010, 51027, 53003, 54220, 55080, 55190, 55510, and 56270 et seq.

The College has an institutional planning body, known as the President's Advisory Council (PAC), which includes representatives from management, faculty, staff, and Associated Students. The charge of PAC is to represent the overall interests of the College consistent with the College's Mission, Vision, and Core Values. One of the functions of PAC is to assure the effect of ongoing planning processes by periodically reviewing and recommending institutional planning decisions and processes that are coordinated and consistent with the established direction and focus of the College.

These planning processes include but are not limited to the following:

- Planning for Institutional Effectiveness
- Accreditation Criteria
- Student Equity Plan
- Facilities Plan
- Long Range Educational or Academic Master Plan
- Faculty and Staff Diversity Plan
- Matriculation Plan
- Strategic Plan
- Budget Processes

These plans are recommended to PAC by established governance committees with distinct responsibilities related to overall planning of the institution.

The institution assures the effectiveness of its ongoing planning processes by systematically reviewing, evaluating and modifying, as appropriate, all parts of the cycle, including institution and other research efforts.

Program Review

The Institutional Effectiveness Committee will coordinate and periodically evaluate the College's program review process. The goal of program review is to conduct unit/department based planning and evaluation that supports and aligns with College procedures for budget development and resource allocation as well as integrate with the intentions and practices relating to student learning outcomes. The College recognizes that an effective planning and evaluation process should be user friendly, data driven, and ongoing (as opposed to multi-year cycles).

References revised February 2008

Chapter 3 - General Institution

AP 3255 Participation in Local Decision Making

References:

Education Code Section 70902(b)(7); Title 5 Sections 53200 et seq., 51023.5, and 51023.7; Accreditation Standards; BP 3255

Appropriate members of the College advise the President on matters related to planning for the future and in developing policies, regulations, and recommendations under which the College is governed and administered.

In adherence to Title 5, Subchapter 2, Academic Senates, Sections 53200-53204, the Board of Trustees, and, as appropriate, the College President, will rely primarily upon the faculty, acting through its Senate, in the following academic and professional matters:

- Curriculum, including establishing prerequisites and placing courses within disciplines,
- Degree and certificate requirements,
- Grading policies,
- Educational program development,
- Standards or policies regarding student preparation and success, and
- Policies for faculty professional development activities.

The faculty and the Board of Trustees, and, as appropriate, the College President, shall reach mutual agreement on the following academic and professional matters:

- District and College governance structures, as related to faculty roles,
- Faculty roles and involvement in the accreditation processes, including self study and annual reports,
- Process for program review,
- Processes for institutional planning and budget development, and
- Any other District and College policy, procedure, or related matter that the District Board of Trustees determines will have a significant effect on students.

In accordance with Title 5 Section 53203(f), the appointment of faculty members to serve on College committees, task forces, or other groups dealing with academic and professional matters, shall be made, after consultation with the College President/CEO or his/her designee, by the Academic Senate.

In accordance with Education Code Section 70901.2, the exclusive representative of classified employees shall appoint the representatives for the respective CSEA unit members for designated councils, committees, task forces, and other groups. The Classified Senate, representing all College and Auxiliary Services employees, also makes appointments to designated councils, committees, task forces, and other groups.

General Goals and Operating Principles

1. To base the participatory governance process on cooperation, trust, and shared values rather than on confrontation.
2. To reach solutions that are made better through the expertise of the participants and made more acceptable through the participatory process.
3. To foster a climate of mutual trust, creative conflict resolution, and positive communications skills.
4. To communicate regularly and accurately with those directly affected by decisions made in the participatory governance process.
5. To create effective decision making and use of time by streamlining the process and by avoiding duplications of effort. This implies the expanded use of ad-hoc task specific work groups rather than the proliferation of standing committees.
6. To assign management, faculty, staff and/or students appropriate for the committee function and to adhere to the principle of balance of representation. Committees that report to the Academic Senate will have a faculty chair or co-chair.
7. To establish working size committees no larger than is required to do the task at hand.
8. To have reasonable resources available to faculty and management in order to carry out and complete assignments efficiently and effectively, including adequate reassigned time for faculty leadership.
9. To establish regular meeting times to permit members to plan their schedules.
10. To expect representatives to committees to become familiar with committee functions, to be responsible for attendance and for consulting with and keeping their constituents informed.

The following includes definitions used in the College's committee structure:

- **Governance:** Any organization or group of people who participate in the short and long term global planning of the College. Functions of these bodies include: recommending rules, procedures, direction, and processes.
- **Academic Senate:** Any organization or group of people whose primary function is to make recommendations with respect to academic and professional matters as mandated by law.
- **Operational:** Any group of people who participate in the short and long term planning of individual departments or cross department groups. These bodies recommend and make decisions affecting local projects and operations.

- **Task Forces:** Any group of people assembled to accomplish a specific charge which must be completed by a specific date.

List of Committee Designations

1. **Governance Committees**
 - President's Advisory Council
 - Budget Committee
2. **Academic Senate Committees**
 - Academic Mutual Agreement Council
 - Assessment and Matriculation
 - Distance Learning
 - Educational Design
 - Student Learning Outcomes
 - Student Preparation and Success
 - Curriculum and Instruction Council
 - Equivalency
 - Student Equity
3. **Operational Committees**
 - Appeals
 - Insurance
 - Campus Equity and Diversity
 - Information Technology Advisory Council
 - Professional Development Council
 - Health and Safety Issues
 - Scholarship
 - Institutional Effectiveness
4. **Other**
 - Associated Students
 - CSEA (2)
 - Management Steering
 - Classified Senate
 - Faculty Association

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AP 3300 Public Records

References:

Government Code Sections 6250 et seq.

The release of student records is addressed in AP 5040 (Student Records and Directory Information). The Human Resources Office may release information regarding the status of current and former employees through a verification of current or former employment only.

Members of the public may request to inspect or copy public records. A request by a member of the public may be delivered by mail or in person to the Human Resources Office.

Any request shall identify with reasonable specificity the records that are sought. If additional information is needed, the Human Resources Office may request it be provided in writing.

Any request to inspect records shall be made sufficiently in advance of the date of inspection to allow staff members time to assemble the records and identify any records that may be exempt from disclosure.

Records that are exempt from disclosure under the Public Records Act or any other provision of law may not be inspected by members of the public.

Members of the public shall be assisted in identifying records or information that may respond to their request. Assistance that will be provided includes: the information technology and physical location in which the records exist; practical suggestions for overcoming denial of access to the records or information; and the estimated date and time when the records will be made available.

Within ten days, the Human Resources Office will determine whether or not the records can be produced and will communicate the determination to the member of the public requesting the record(s).

The records listed below are exempted from designation as public records:

- Student records (Education Code Section 76243);
- Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business, provided that the public interest in withholding the records clearly outweighs the public interest in disclosure (Government Code Section 6254(a));
- Records pertaining to pending litigation or to claims until the pending litigation or claim has been finally adjudicated or otherwise settled (Government Code Section 6254(b));
- Personnel, live scan reports, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code Section 6254(c));

- Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination (except for standardized tests provided for by Education Code Section 99150 et seq.) (Government Code Section 6254(g));
- The contents of real estate appraisals or engineering or feasibility estimates and evaluations relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code Section 6254(h));
- Internet posting of home address or telephone numbers of local elected officials (Government Code Section 6254.21);
- Home addresses and home telephone number of employees of a school district or county office of education other than to an agent or family member of the employee, to an officer of another school district when necessary, to an employee organization, or to an agency or employee of a health benefit plan (Government Code Section 6254.3).
- Records regarding alternative investments (i.e. an investment in a private equity fund, venture fund, hedge fund, or absolute return fund; limited partnership, limited liability company, or similar legal structure) involving public investment funds, unless already publicly released by the keeper of the information.

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AP 3310 Records Retention and Destruction

References:

Title 5 Sections 59020 et seq., Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45

Definitions

“Records” means all records, maps, books, papers, data processing output, and documents of the District required by Title 5 to be retained, including but not limited to records created originally by computer and “electronically stored information” (ESI), required by the Federal Rules of Civil Procedure.

Period of Retention

Records shall be classified as required by Title 5 and other applicable statutes, federal and State regulations.

The College must preserve ESI that is relevant to actual or potential litigation pursuant to the Federal Rules of Civil Procedure. The College shall comply with the Federal Rules of Civil Procedure and produce relevant ESI in the form in which it is ordinarily maintained or readily usable.

Records shall annually be reviewed to determine whether they should be classified as defined in Title 5:

- Class 1 – Permanent (The original or one exact copy, unless microfilmed or otherwise permanently electronically stored, shall be retained indefinitely):
 - Annual Reports;
 - Official budget;
 - Financial report of all funds, including food services and student body funds;
 - Audit of all funds;
 - California Community College Apportionment Attendance Report (CCFS-320);
 - Other major annual reports, including those containing information relating to property, activities, financial condition, or transaction; or those declared by Board minutes to be permanent;
 - Official Actions (such as Board Minutes, labor agreements, legal settlement agreements, etc.);
 - Minutes of the Board of Trustees, including the text of a rule, regulation, policy, or resolution not set forth verbatim in the minutes but included there in reference only;
 - Elections, including the call, if any, for the result (but not including detail documents, such as ballots) of an election called, conducted, or canvassed by the Board of Trustees for a Board member, the Board member's recall, issuance of

bonds, incurring any long-term liability, change in maximum tax rates, reorganization, or any other purpose;

- Records transmitted by another agency that pertain to that agency's action with respect to the community college district's reorganization;
- Personnel Records of Employees;
- All detailed records relating to employment, assignment, employee evaluations, amounts and dates of service rendered, termination or dismissal of an employee in any position, sick leave record, rate of compensation, salaries or wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid. (In lieu of the detail records, a complete proven summary payroll record for every employee of the College containing the same data may be classified as Class 1 – Permanent and the detailed records may then be classified as Class 3 – Disposable);
- Student Records: The application, enrollment, and academic records for all students will be retained and stored through secure methods to ensure an accurate accounting of all students' academic work. Related financial aid documents will also be retained pursuant to federal and State regulations;
- All records pertaining to any accident or injury involving a student for which a claim for damages has been filed as required by law, including any policy of liability insurance relating thereto, except that these records cease to be Class 1 - Permanent records one year after the claim has been settled or after the applicable statute of limitations has expired;
- Property Records: The records for capital projects including Bid Conditions (advertised), Capital Outlay Bids (successful bidder), Notice of Completion (certified by the County Assessor's Office), Construction Change Orders, and Lease Agreements; and
- Property Records: All detail records relating to land, buildings, and equipment. In lieu of such detail records, a complete property ledger may be classified as Class 1 - Permanent, and the detail records may then be classified as Class 3 - Disposable, if the property ledger includes:
 - All fixed assets
 - An equipment inventory.
 - For each unit of property, the date of acquisition or augmentation, the person from whom acquired, an adequate description or identification, and the amount paid, and comparable data if the unit is disposed of by sale, loss, or otherwise.
- Class 2 – Optional (Not required by law to be retained permanently until classified as Class 3 – Disposable). If the College President/CEO, or other designee, determines that classification should not be made by the time specified in Section 59022, all records of the prior year may be classified as Class 2 – Optional, pending further review and classification within one year.
- Class 3 – Disposable (Records shall not be destroyed until the third year after it has been classified as Class 3 - Disposable) including, but not limited to, detail records relating to:

- Records basic to audit, including those relating to attendance, average daily attendance, or a business or financial transaction (purchase orders, invoices, warrants, ledger sheets, cancelled checks and stubs, student body and cafeteria fund records, etc.) and detail records used in the preparation of any other report; and
- Period Reports, such as daily, weekly, and monthly reports, bulletins, and instructions.

An annual report shall be made to the Board of Trustees regarding the classification and destruction of records.

Class 3 – disposable records shall be maintained for the period required by applicable law or regulation, but in any event shall be retained for at least three college years after the year in which they were originally created.

Destruction is by any method that assures the record is permanently destroyed, e.g. shredding and burning.

Revised September 1, 2010

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AP 3410 Nondiscrimination

Education Programs

References:

Education Code Sections 66250 et seq., 200 et seq., and 72010 et seq.; Accreditation Standards

The College shall provide access to its services, classes, and programs without regard to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex (gender), age, sexual orientation, or the perception that a person has one or more of these characteristics.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes.

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

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

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

Employment

References:

Education Code Sections 87100 et seq.; Government Code Sections 11135 et seq. and 12940 et seq.; and Title 5 Sections 53000 et seq.

The College shall provide equal employment opportunities to all applicants and employees regardless of race, religious creed, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sex (gender), age, sexual orientation, or the perception that a person has one or more of these characteristics.

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 College's needs.

All College employees are encouraged to be involved in the active promotion of diversity in employment, including recruitment.

The College shall, as necessary, provide professional and staff development activities and training to promote understanding of diversity.

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AP 3420 Equal Employment Opportunity

References:

Education Code Sections 87100 et seq.; Title 5 Sections 53000 et seq. and Sections 59320 et seq.

The Equal Employment Opportunity (EEO) Plan is a written plan that is public record implementing the College's EEO Program per Title 5 and addresses the following:

- The College EEO Plan and appropriate revisions are submitted to the Chancellor's Office of the California Community Colleges for review and approval as required.
- The Chief Human Resources Officer is delegated responsibility and authority for implementing the plan and assuring compliance with the requirements of related procedures;
- The procedure for filing EEO complaints and the person with whom such complaints are to be filed;
- A process for notifying all College employees of the provisions of the plan and the policy statement required;
- A process for ensuring that College employees who are to participate on screening or selection committees shall receive appropriate training on the requirements of the applicable Title 5 regulations and of State and federal nondiscrimination laws;
- A process for providing annual written notice to appropriate community-based and professional organizations concerning the College's plan and any request for assistance from such organizations in identifying qualified applicants for openings within the College;
- An analysis of the number of persons from "monitored groups," as defined by Title 5 Section 53001(i), who are employed in the College's work force and those who have applied for employment in each of the job categories listed below.
- An analysis of the degree to which underrepresented groups in comparison to the numbers of persons from such groups whom the Chancellor's Office of the California Community Colleges determines to be available and qualified to perform the work required for each such job category and whether or not the under-representation is significant;
- The steps the College will take to promote diversity in its workforce;
- Methods for addressing any discrimination that is detected in the College's hiring practices, and;
- Additional steps to address any significant under-representation of groups identified in the plan.

- All managers and supervisors shall be given copies of the plan when revised and any guidelines for implementing the plan. Copies of the plan shall be provided to the Academic Senate and the exclusive representatives of any units of employees. Statements of nondiscrimination shall be posted at locations where applications for employment are distributed. Such plans shall be reviewed regularly and, if necessary, revised and submitted to the Chancellor's Office of the California Community Colleges for approval.

The College shall make a continuous good faith effort to comply with the requirements of the plan.

Annual Evaluation

The College will conduct and disseminate an annual survey of its employees and applicants for employment in order to evaluate progress in implementing the EEO Plan and to provide data needed for required analyses. The annual report requested by the Chancellor's Office of the California Community Colleges shall be submitted regarding the results of its annual survey of employees. The report shall identify each employee as belonging to one of the following seven job categories:

- executive/administrative/managerial
- faculty and other instructional staff
- professional non-faculty
- secretarial/clerical
- technical and paraprofessional
- skilled crafts; and
- service and maintenance.

The annual evaluation provides an opportunity for each employee to identify his or her gender, ethnicity and, if applicable, disability. This opportunity must allow for a person to designate multiple ethnic groups with which he or she identifies. However, the person may only be counted in one group for reporting purposes.

- If the College determines that a particular monitored group is significantly underrepresented with respect to one or more job categories, the College shall consider tabling the following actions:
 - review its outreach and recruitment procedures;
 - review the minimum requirements of the position;
 - consult with counsel to determine whether there are additional measures that may be undertaken that are required and/or permitted by law; and/or
 - consider various other means of reducing the under representation.

EEO Advisory Committee

- The College shall establish and maintain an EEO Advisory Committee which shall include a diverse membership.

The responsibilities of the committee shall include, but not be limited to, the following:

- review, monitor, and provide input for changes and updates to the College's annual EEO Report and the College's EEO Plan;
- receive and review reports related to recruitment efforts and other aspects of the hiring, retention, and promotion processes that impact the College's ability to attract and retain a diverse faculty and staff;
- provide input and advice regarding the College's obligation to hire faculty, managers, and staff with a demonstrated sensitivity to, and understanding of, the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of community college students;
- promote communication with community groups and organizations for people with disabilities;
- promote hiring of faculty who have graduated from a community college;
- communicate with College departments to foster understanding of the Plan and Complaint Procedure (as cited in AP 3435);
- advise the College President/CEO regarding special training or staff development needs; and
- review and approve the annual written report to the College President/CEO, the Board of Trustees, and the Chancellor's Office for the California Community Colleges.

Employment Procedures

Job Analysis and Validation

- The Chief Human Resources Officer shall assure that a proper job analysis is performed for every job filled by the College to determine and validate the knowledge, skills, abilities, and characteristics an employee must possess to perform the job satisfactorily.
- A statement of bona fide essential functions and minimum qualifications shall be developed for all positions.

Job Description

- Every job description shall provide a general statement of job duties and responsibilities.
- Job specifications shall include functions and tasks; knowledge; skills; ability; and job related personal characteristics, including but not limited to sensitivity to and understanding of the diverse academic, socioeconomic, cultural, linguistic, disability, and ethnic backgrounds of community college students.

Recruitment for Employment Vacancies

- Recruitment shall be conducted actively within and outside the College work force. Open recruitment is mandated for all new full-time and part-time positions, except under limited circumstances. Recruitment efforts will utilize outreach strategies designed to ensure that all qualified individuals, from all monitored groups, are provided the opportunity to seek employment with the College. Recruitment timelines will provide for a minimum of ten work days to ensure an open recruitment process.

- All outreach and recruitment efforts will be based on the requirement to communicate to diverse communities the open and equitable access to apply for open positions. The requirements of the open positions will be clearly stated in all postings and will be in alignment with the approved job descriptions.
- All job announcements shall contain this statement:
“The College is an equal opportunity employer. The policy of the College is to encourage applications from ethnic and racial minorities, women, persons with disabilities, and Vietnam-era veterans. No person shall be denied employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex (gender), age, sexual orientation, or the perception that a person has one or more of these characteristics.”

Applicant Pools

- The application for employment shall afford each applicant an opportunity to identify himself or herself voluntarily as to gender, ethnicity and, if applicable, his or her disability. This information shall be maintained in confidence and shall be used only for research, validation, monitoring, evaluation of the effectiveness of the Plan, or as authorized by law.
- After the application deadline has passed and prior to the initial meeting of the screening committee, the initial applicant pool shall be analyzed to determine whether the projected representation has been achieved for underrepresented groups. If these projections have not been met, the College shall immediately determine whether the failure to meet the projected representation of underrepresented groups in the initial pool was due to discriminatory practices or administrative omissions. If not, the hiring process may continue to the next level. If, however, the College determines that discriminatory practices or administrative omissions caused the under representation, the College shall immediately, and before the selection process continues, consult with legal counsel to determine what, if any, corrective action is required by law.

Screening and Selection

Screening, selecting and interviewing candidates for all positions shall include thorough and fair procedures that are sensitive to issues of diversity and fair employment laws. Procedures must address:

- The establishment of a diverse and representative screening committee which shall be chaired by a manager or other full-time employee who has been trained in EEO laws, policies, and procedures.
- The specific composition of screening committees will be based on the classification of the position: part-time or full-time classified staff; part-time or full-time faculty; part-time or full-time management.
- Every screening and selection committee must include an individual trained to monitor conformance with EEO requirements. This role may be delegated to the chair of the committee.

- The Chief Human Resources Officer assures that the screening and selection process conforms to accepted principles and practices, including the preparation of job related questions in advance; the maintenance of records of screening records and rating scales, which shall be signed and kept on file; maintenance of notes related to the screening criteria, and the reasons candidates were not selected for an interview and/or reasons candidates were not forwarded for a final interview.
- Selection must be based on the established criteria for the position.

Delegation of Authority – EEO Officer

- The EEO Officer is charged with overseeing the day-to-day implementation of the EEO Plan and compliance with EEO laws and regulations. The EEO Officer is responsible for overseeing the EEO Complaint Procedure. If the EEO Officer is named in the complaint, the College President/CEO will appoint another designee or employ an outside investigator to serve in this capacity.

Chapter 3 - General Institution

AP 3430 Prohibition of Harassment

References:

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. § 2000e.

The College 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 College.

Definitions:

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 the perception that a person has one or more of these characteristics is illegal and violates College policy. Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment.

Harassment comes in many forms, including but not limited to the following conduct:

- **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, 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, disability, or other protected status.
- **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, nationality, sexual orientation, disability, or other protected status.
- **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, disability, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics or electronic media transmissions.

- **Environmental**: A hostile academic or work environment exists where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation, disability, or other protected status; or gratuitous comments regarding gender, race, sexual orientation, disability, 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, disabilities, or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his or her immediate surroundings, although the conduct is directed at others. A final scenario for a hostile work environment is one in which behaviors are directed at specific individuals for the purpose of aggressively humiliating, belittling, and/or ridiculing them. 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.

Sexual Harassment: Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:

- submission to the conduct is made a term or condition of an individual's employment, academic status, or progress;
- submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
- 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; or
- submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding working conditions, employment or enrollment status, benefits and services, or activities available at or through the community college.

This definition encompasses two kinds of sexual harassment:

- "**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.
- "**Hostile environment**" sexual harassment occurs when unwelcome conduct based on a person's gender or specific attributes 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 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.

Consensual Relationships

Romantic or sexual relationships between supervisors and employees or between managers, 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 manager, 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 College 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 College is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

Academic Freedom

To the extent the harassment policies and procedures are in conflict with the College'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 the Department Chairperson and Division Dean who may consult with the Human Resources Office to determine whether or not this violates the sexual harassment policy.

Sexual Harassment Training

By January 1, 2006, Mt. San Antonio College shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees who are employed as of July 1, 2005. All new supervisory employees must be provided with the training and education within six months of their assumption of a supervisory position. After January 1, 2006, Mt. San Antonio College shall provide sexual harassment training and education to each supervisory employee once every two years.

The training and education required by this procedure shall include information and practical guidance regarding the federal and State statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

Training of all staff will be conducted. Training for academic staff should emphasize environmental harassment in the classroom.

In years in which a substantive policy or procedural change has occurred, all College employees will attend a training update and/or receive a copy of the revised policies and procedures.

A training program or informational services will be made available to all students at least once annually. The student training or informational services shall include an explanation of the policy, how it works, and how to file a complaint.

Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the College's potential liability, or that they did not understand the policy and desire further training.

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AP 3435 Discrimination and Harassment Investigations

References:

Education Code Section 66281.5; Government Code 12950.1; Title 5 Sections 59320, 59324, 59326, 59328; and 59300 et seq.; 34 C.F.R. Section 106.8(b)

Filing a Timely Complaint

The College strongly encourages employees and students who believe they are being harassed or discriminated against to file a complaint within 30 days of the alleged incident. All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

Communicating that the Conduct is Unwelcome

The College further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste and/or inappropriate.

Oversight of Complaint Procedure

The Chief Human Resources Officer, or his/her designee, is the "responsible College officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation.

The actual investigation of complaints may be assigned to the Chief Human Resources Officer, or his/her designee, to other staff or to outside persons or organizations under contract with the College. This shall occur whenever the Chief Human Resources Officer, or his/her designee, is named in the complaint or implicated by the allegations in the complaint.

Where to File a Complaint

A student or employee who believes he or she has been discriminated against or harassed in violation of the College's policy and procedures may make a complaint orally or in writing, within one year of the date of the alleged harassment or the date on which the complainant knew or should have known of the facts underlying the complaint.

If a complainant decides to file a formal written unlawful discrimination or harassment complaint against the College, he or she must file the complaint on a form prescribed by the Chancellor's Office of the California Community Colleges. These approved forms are available from the Chief Human Resources Officer or his /her designee and at the following URL: www.cccco.edu/divisions/legal/discrimination/discrimination.htm

The completed form must be filed with any of the following:

- the Chief Human Resources Officer, or his/her designee;
- (identify others, including the Chief Student Services Officer, the Administrative Services/Risk Management Office (?), and College President/CEO); and/or
- the Chancellor's Office of the California Community Colleges.

- Employee complainants shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH) and complaints filed with the EEOC and/or the DFEH should be forwarded to the Chancellor's Office of the California Community Colleges. Any College employee who receives a harassment complaint shall notify the Chief Human Resources Officer, or his/her designee, immediately.

Intake and Processing of the Complaint

Upon receiving notification of a harassment or discrimination complaint, the Chief Human Resources Officer, or his/her designee, shall:

- Undertake efforts to uniformly resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules, obtaining apologies, providing informal counseling and/or training, etc.;
- Advise the complainant that he or she need not participate in an informal resolution of the complaint, as described above, and that he or she may file a complaint with the Office of Civil Rights of the U.S. Department of Education. The Chief Human Resources Officer, or his/her designee, shall also notify the Chancellor's Office of the California Community Colleges of the complaint.
- Authorize the investigation of the complaint, and supervise and/or conduct a thorough, prompt and impartial investigation of the complaint, as set forth below. Where complainants opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. In the case of a formal complaint, the investigation will include interviews with the complainant, the accused, and any other persons who may have relevant knowledge concerning the complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual or sexual conduct, and the context in which the alleged incidents occurred.
- Set forth the results of the investigation in a written report. The written report shall include a description of the circumstances giving rise to the complaint, a summary of the testimony of each witness, an analysis of any relevant data or other evidence collected during the investigation, a specific finding as to whether discrimination did or did not occur with respect to each allegation in the complaint, and any other appropriate information.

- Provide the complainant and accused with a copy or summary of the investigative report within ninety days from the date the College received the complaint. The complainant and accused shall also be provided with a written notice setting forth the determination of the Chief Human Resources Officer, or his/her designee, as to whether harassment or other discriminatory conduct did or did not occur with respect to each allegation in the complaint; a description of action taken, if any, to prevent similar problems from occurring in the future; the proposed resolution of the complaint; and notice of the parties' rights to appeal to the College's Board of Trustees and the Chancellor's Office of the California Community Colleges. The results of the investigation and the determination as to whether harassment or other discriminatory conduct occurred shall also be reported to the accused, and the appropriate academic or administrative official(s). Reports to the complainant shall be prepared so as not to violate any applicable privacy rights of the accused.

Investigation of the Complaint

The College shall promptly investigate every complaint of harassment or discrimination. No claim of workplace or academic harassment or discrimination shall remain unexamined. As set forth above, where the complainant opts for an informal resolution, the Chief Human Resources Officer, or his/her designee, may limit the scope of the investigation as appropriate. The College will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation.

- **Investigation Steps:** The College will fairly and objectively investigate harassment and discrimination complaints utilizing the following steps: interviewing the complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses, if any; reminding all individuals interviewed of the College's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion.
- **Timeline for Completion:** The College will undertake its investigation promptly and as swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the College receiving the complaint.
- **Cooperation Encouraged:** All employees are expected to cooperate with a College investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the College to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the College of its obligation to investigate. The College will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

Discipline and Corrective Action

If harassment, discrimination, and/or retaliation occurred in violation of the policy or procedure, the College shall take disciplinary action against the accused and any other

remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense. If discipline is imposed, the nature of the discipline will not be communicated to the complainant.

Disciplinary actions against faculty, staff and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The College shall also take reasonable steps to protect the complainant from further harassment and/or discrimination and to protect the complainant and witnesses from retaliation as a result of communicating the complaint and/or assisting in the investigation. The College shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the College's ability to investigate and respond effectively to the complaint.

Appeals

If the complainant is not satisfied with the results of the administrative determination, he or she may, within 15 days, submit a written appeal to the Board of Trustees. The Board of Trustees shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Board of Trustees shall issue a final College decision in the matter within 45 days after receiving the appeal. A copy of the decision rendered by the Board of Trustees shall be forwarded to the complainant and to the Chancellor's Office of the California Community Colleges. The complainant shall also be notified of his or her right to appeal this decision.

If the Board of Trustees does not act within 45 days, the administrative determination shall be deemed approved and shall become the final decision of the College in the matter.

The complainant shall have the right to file a written appeal with the Chancellor's Office of the California Community Colleges within 30 days after the Board of Trustees issues the final College decision or permits the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Section 59350 of Title 5 of the California Code of Regulations.

In any case involving employment discrimination, including workplace harassment, the complainant may, at any time before or after the issuance of the final decision of the College, file a complaint with the Department of Fair Employment and Housing. In such cases, the complainant may also file a petition for review with the Chancellor's Office of the California Community Colleges within 30 days after the governing board issues the final decision or permits the administrative decision to become final.

Within 150 days of receiving a formal complaint, the College shall forward to the Chancellor's Office of the California Community Colleges the original complaint, the investigative report, a copy of the written notice to the complainant setting forth the results of the investigation, a copy of the final administrative decision rendered by the Board of Trustees or indicating the date upon which the decision became final, and a copy of the notification to the complainant of his or her appeal rights. If, due to circumstances beyond its control, the College is unable to comply with the 150-day deadline for submission of materials, it may file a written request for an extension of time no later than ten days prior to the expiration of the deadline.

Dissemination of Policy and Procedures

College Policy and Procedures related to harassment will be provided to all students, faculty members, members of the administrative staff and members of the support staff, and will be posted on campus.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the College's course catalogs and orientation materials for new students.

Chapter 3 - General Institution

AP 3500 Campus Safety

References:

Education Code Sections 38001.5, 72330, and 72330.5; Penal Code Section 832.3(g)

The Mt. San Antonio College Public Safety Department is the designated authority established by the Board of Trustees in accordance with Education Code Section 72330.5 to enforce the Student Discipline Code of Conduct under the Education Code and Penal Codes of the State of California.

The Mt. San Antonio College Public Safety Department is not a police department and department incident reports are not official police reports. If an official police report is required, the Los Angeles County Sheriff's Department in Walnut is the appropriate agency to contact.

The Mt. San Antonio College Public Safety Department is the liaison with the Los Angeles County Sheriff's Department and local police agencies, including federal and State law enforcement entities.

The Public Safety Department is responsible for the safety and security of all members of the College community. Every effort is made to inform students, faculty, administrators, and staff members of criminal activity or any other concern that may be an immediate threat to the safety and security of those on campus. Information and workshops on crime prevention are made available to College students, faculty, administrators, and staff members.

The Mt. San Antonio College's Chief Student Services Officer is the designated authority that enforces the Student Discipline Code of Conduct and has designated the Director, Public Safety to prepare, publish, and annually update mandated reports of all criminal occurrences that are reported to the Public Safety Department. This includes arrests for crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs or alcohol intoxication, and all occurrences of non-criminal acts of hate violence reported to campus authorities. A written report will be submitted to the Board of Trustees.

It is the responsibility of every member of the College community to act in ways that promote the safety of self, others, and the protection of College property. To ensure that the Public Safety Department Officers are in a position to protect themselves and others in the event of a violent attack, it is directed that Public Safety Officers be issued Pepper Spray and Tactical Batons after being properly trained and certified by the State of California Department of Consumer Affairs and Bureau of Security and Investigative Services. It is also directed that Parking Control Officers be issued Pepper Spray.

Use of Pepper Spray

The only chemical spray authorized for use by members of the Public Safety Department is Oleoresin Capsicum (OC), also known as Pepper Spray. Pepper Spray is a non-lethal weapon which may cause injury. Pepper Spray may only be used when force is justified by law to: 1) incapacitate an individual who represents an immediate danger to the officer or other person; 2) overcome resistance to an apprehension; or 3) prevent the unlawful forcible entry to College property by persons who are not authorized and may cause immediate danger to persons.

Pepper Spray shall only be used when it is unlikely that physical restraint alone would expose the officer or others to substantial risk of injury. Pepper Spray shall not be used in any College building unless absolutely necessary to protect officers or others and not used as a means of threatening noncompliant students who are not following College policies.

Pepper Spray may be used as a defensive or control weapon in those instances that threaten the safety of an officer or other person from sustaining injury or to subdue and arrest combative persons. Only the Pepper Spray issued by the Department of Public Safety shall be authorized.

Use of Baton

The baton is to be used in overcoming resistance to a lawful apprehension in defense of the officers or others. Only the batons authorized by the Department of Public Safety shall be used.

In all situations, officers shall use force only when necessary and fully justified by the circumstances. Officers shall use only that degree of force necessary to protect themselves and others from injury or to overcome resistance to their lawful authority.

At no time should a Public Safety Officer strike any person with a baton in the area of the head, neck/throat, clavicle/collarbone, chest, kidneys/liver, spine, or the tailbone, as it would constitute the use of deadly force that is unauthorized by the District.

Revised November 2008

Revised April 2009

Chapter 3 - General Institution

AP 3503 Emergency Procedures

Reporting Emergencies

Students and staff should report serious crimes and emergencies, i.e., fire/medical, occurring on campus to the Public Safety Department or call **911**. When using an on-campus extension, call **9-911**. Incidents may be reported to Public Safety by calling **(909) 594-5611, ext. 4555**, 24 hours a day, 7 days a week. Public Safety may also be contacted during and after business hours from public telephone locations on campus by dialing **star-91**.

In the event of an emergency, students and staff are requested to make a prompt and accurate report to the Public Safety Department. The Public Safety Department is located at the southeast portion of the campus off Bonita Drive in Building 48.

Assistance from Student Health Services

If a medical emergency exists, the Student Health Services Office should be notified immediately. If the person can walk to the Student Health Services Office without assistance, he/she should be referred or escorted, if needed, for first aid. An accident report shall be filled out and filed with the Director, Student Health Services before the person reporting the accident leaves campus that day. When the Student Health Services Office is closed, first aid kits located in campus offices should be used to care for minor injuries. Care may be obtained from private medical providers or urgent care centers within the community. The employee is to report the accident to the Student Health Services Office the next available business day.

Chapter 3 - General Institution

AP 3510 Workplace Violence Plan

References:

Cal/OSHA; Labor Code Sections 6300 et seq.; Title 8 Section 3203; Code of Civil Procedure Section 527.8; Penal Code Sections 273.6, 626.9, 626.10, and 12021

Mt. San Antonio College is committed to providing a safe work environment that is free of violence and the threat of violence. Violence or the threat of violence against or by any employee of the College or any other person is unacceptable. Should a non-employee on College property demonstrate or threaten violent behavior, he/she may be subject to criminal prosecution or other legal action. Should an employee, during working hours, demonstrate or threaten violent behavior he/she may be subject to disciplinary action, including dismissal.

Reporting Violent Acts and/or Threats of Violence

The top priority in this process is effectively handling critical workplace incidents related to actual or potential violence.

The following actions are considered violent acts:

- Striking, punching, slapping, or assaulting another person.
- Fighting or challenging another person to fight.
- Grabbing, pinching, or touching another person in an unwanted way whether sexually or otherwise.
- Engaging in dangerous, threatening, or unwanted horseplay.
- Possession, use, or threat of use, of a firearm, knife, explosive, or other dangerous object, including, but not limited to, any facsimile firearm, knife, or explosive, on College property, including parking lots, other exterior premises, College vehicles, or while engaged in activities for the College in other locations, unless such possession or use is a requirement of the job.
- Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- Bringing or possessing any dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds, unless the person is authorized to possess such a weapon in the course of his or her employment, has been authorized by a College employee to have the knife, or is a duly appointed peace officer who is engaged in the performance of his or her duties.

Any employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a College employee or a non-employee, shall immediately report the incident to his/her supervisor or other appropriate person.

No one, acting in good faith, who initiates a complaint or reports an incident under this policy, will be subject to retaliation or harassment.

Any employee reported to be a perpetrator will be provided both due process and representation before disciplinary action is taken.

In the event the College fears for the safety of the perpetrator or the safety of others at the scene of the violent act, Mt. SAC Public Safety staff members, or local law enforcement personnel will be called.

Violent acts which are life threatening or emergencies should be reported by calling 911 or the Mt. SAC Public Safety Department.

In the event an employee obtains a restraining order against another person, the employee shall report this information to his/her supervisor and to the Mt. SAC Public Safety Department to assure a safe workplace. Reasonable adjustment will be made to accommodate a restraining order. A description of the individual (photograph, if available) against whom the restraining order is filed should be provided to the Mt. SAC Public Safety Department if possible. If the restraining order is to be enforced on the College campus, then it must be on file at the Walnut Sheriff's Station.

Investigation

Each known threat or act of violence will be investigated as soon as reasonably possible after the conduct in question has been reported and/or observed. As appropriate, the investigation will be conducted by the Mt. SAC Public Safety Department and, if necessary, the Los Angeles County Sheriff's Office or other College personnel.

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AP 3515 Reporting of Crimes

References:

Penal Code Section 245; Education Code Sections 212, 67380, and 87014; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998; 20 U.S.C. § 1232g; 34 C.F.R. 668.46; 34 C.F.R. 99.31(a)(13), (14); Campus Security Act of 1990

Whenever any employee of Mt. San Antonio College is attacked, assaulted, or menaced, the employee shall promptly report the attack or assault to the Mt. SAC Public Safety Department. In addition, any individual who is a victim or a witness of a crime occurring on campus should immediately report the crime to the Mt. SAC Public Safety Department.

In the event an employee is assaulted, attacked or menaced by a student, the employee shall notify his or her supervisor as soon as practical after the incident. The supervisor of any employee who is attacked, assaulted or menaced shall assist the employee to promptly report the attack or assault to the Mt. SAC Public Safety Department. The supervisor himself or herself shall make the report if the employee is unable or unwilling to do so.

The College shall publish warnings to the campus community about crimes that are considered to represent an immediate threat to other students and employees in a manner that is timely and will aid in the prevention of similar crimes. The information shall be disseminated by the College's Public Information Officer in consultation with the College President/CEO in a manner that aids the prevention of similar crimes.

The College shall annually collect and distribute statistics concerning crimes on campus. All College staff with any responsibility for student and campus activities shall report crimes about which they receive information.

The College shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, hate crimes, sexual assault, victims' assistance program, student discipline, campus resources, and other matters. The College shall make the report available to all current students and employees. The College will also provide perspective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting of the College Public Safety Department, by viewing the College web page located at www.mtsac.edu, or by reviewing the published information in the current Schedule of Classes.

The College may disclose the final results of disciplinary proceeding to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The College may also disclose to anyone, the final results of a disciplinary proceeding in which it concludes that a student violated College policy with respect to a crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are:

- Arson,
- Assault offenses,

- Burglary,
- Criminal homicide – manslaughter by negligence,
- Criminal homicide – murder and non-negligent manslaughter,
- Destruction, damage, or vandalism of property,
- Kidnapping or abduction,
- Robbery, and
- Forcible sex offenses.

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The College shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his or her right to confidentiality.

Chapter 3 - General Institution

AP 3516 Registered Sex Offender Information

References:

Education Code 72330.5; Penal Code 290 and 290.01; 34 CFR 668; Campus Sex Crimes Prevention Act 42 U.S.C. § 14071j; 20 U.S.C. § 1092(f)(1)(I); 20 U.S.C. § 1232g(b)(7)(A)

The College shall include in its Annual Security Report a statement advising the campus community where information pertaining to registered sex offenders may be obtained.

Sex offenders are required to register with law enforcement in the jurisdiction in which they reside and with the Police Department of any institution of higher learning if they are students there or if they work there as employees, contractors, or volunteers. The Mt. San Antonio College Public Safety Department is not a Police Department but a non-sworn Security Department in accordance with Education Code Section 72330.5. Sex offenders who are required to register in accordance with Penal Code Section 290.01 should do so at the Los Angeles County Sheriff's Department Station at 21695 East Valley Boulevard, Walnut, California.

Information concerning registered sex offenders can be obtained from the Los Angeles County Sheriff's Department Station located at the above address in Walnut.

Chapter 3 - General Institution

AP 3518 Child Abuse Reporting

References:

Penal Code Sections 261, 264.1, 273a, 273d, 285, 286, 288, 288a, 289, 647a, and 11164-11174.3; Welfare and Institutions Code Sections 300, 318, and 600; Family Code Sections 7802, 7807, 7808, 7820-7829, 7890, and 7892.

Mt. San Antonio College recognizes the responsibility of its staff to report to the appropriate agency when there is a reasonable suspicion that an abuse or neglect of a child may have occurred. A child protective agency is a police or sheriff's department, a county probation department, or a county welfare department (Penal Code Section 11165.9). Mt. SAC's Public Safety Department is not a child protective agency. Mandated reporters include faculty members, educational managers, and classified staff. Volunteers are not mandated reporters but are encouraged to report suspected abuse or neglect of a child.

Child abuse is defined as physical abuse, neglect, sexual abuse, and/or emotional maltreatment. This procedure addresses the sexual assault, sexual exploitation, and/or sexual abuse of a child; the willful cruelty or unjustifiable punishment of a child; incidents of corporal punishment or injury against a child; abuse in out-of-home care; and the severe and/or general neglect of a child (definitions contained in Penal Code Section 11165).

"Reasonable suspicion" occurs when "it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position drawing when appropriate on his or her training and experience, to suspect child abuse" (Penal Code Section 11166(a)).

Any person not mandated by law to report suspected child abuse has immunity unless the report is proven to be false and the person reporting knows it is false or the report is made with reckless disregard of the truth or falsity of the incident. Reporting is an individual responsibility. An employee making a report cannot be required to disclose his or her identity to the employer (Penal Code Section 1116(f)). However, a person who fails to make a required report is guilty of a misdemeanor punishable by up to six months in jail and/or up to a \$1,000 fine (Penal Code Section 11172(e)).

Conditions of Employment

As a prerequisite to employment of any "child care custodian" on or after January 1, 1985, such persons must sign a statement that they have been informed of the California Penal Code Section 11166, which requires the reporting of child abuse.

Procedures for Informing Employees of Obligation to Report Child Abuse

Persons to be employed in "child care custodian" positions will be provided the following items:

- Form: "Condition of Employment Pursuant to California Penal Code Section 11166.5; Child Abuse Reporting." Signed and dated copy to be placed into employee's personnel file.

- Copies of the following Penal Code Sections:
 1. Penal Code Section 11166(a), Obligation to Report
 2. Penal Code Section 11166.5, Requirements
 3. Penal Code Section 11165.7, Mandated Reporters
 4. Penal Code Section 11172(a), Limits

Mandated reporters must report immediately any reasonable suspicion of child abuse to a local child protective agency and follow up with a written report within 36 hours. The written report may be mailed or submitted by facsimile or electronic transmission. Reports will be made to the local Child Abuse Reporting Hotline at 1-800-540-4000.

Child abuse reporting forms are available at the Child Development Faculty Office and at the Child Development Center.

No mandated reporter who reports a known or suspected instance of child abuse shall be civilly or criminally liable for any report required or authorized by the Penal Code. Any person other than a child care custodian reporting a known or suspected instance of child abuse shall not incur any liability as a result of making any report of child abuse, unless it can be proven that a false report was made and the person knew that the report was false (Penal Code Section 11172(a)).

When the Child Development Center Director, the Child Development Specialist II, the Dean of Business and Economic Development, the Associate Dean of Business and Economic Development, or the Mt. SAC Public Safety officer releases a minor pupil to a peace officer for the purpose of removing the minor from the campus, the College official shall take immediate steps to notify the parent or guardian regarding the release of the minor to the officer, and regarding the place to which the minor is reportedly being taken (Education Code Section 87044), except when a minor has been taken into custody as a victim of suspected child abuse, as defined in Section 11165 of the Penal Code, or pursuant to Section 305 of the Welfare and Institutions Code. In those cases, the official shall provide the peace officer with the address and telephone number of the minor's parent or guardian.

Non-accidental physical injury is considered to be a health and safety emergency, and parental consent is not required for release of student information under the Family Education Rights and Privacy Act, or the California Student Records Act (Ed Code Section 76200 et seq.).

Information relevant to the incident of child abuse may be given to an investigator from a child protective agency who is investigating the known or suspected cause of child abuse (Penal Code Section 11167(b)).

Mt. San Antonio College shall provide a mandated reporter with a statement informing the employee that he or she is a mandated reporter and inform the employee of his or her reporting obligations under Penal Code Section 11166 and of his or her confidentiality rights under subdivision (d) of Penal Code Section 11167. Mt. San Antonio College shall provide a copy of Penal Code Sections 11165.7, 11166, and 11167 to the employee. Prior to commencing his or her employment and as a prerequisite to that employment, the employee

shall sign and return the statement to Mt. San Antonio College. The signed statements shall be retained by Mt. San Antonio College (Penal Code Section 11166.5).

The College will distribute this procedure to all “child care custodian” employees and volunteers.

Chapter 3 - General Institution

AP 3520 Local Law Enforcement

Reference:

Education Code Section 67381

Mt. San Antonio College has a written agreement with the Los Angeles County Sheriff's Department which designates the Sheriff's Department as the law enforcement agency that has responsibility for the investigation of all criminal incidents (including all Part I crimes as defined in the Uniform Crime Reporting Handbook of the Federal Bureau of Investigation) that occur at Mt. San Antonio College.

This written agreement is required by law and Board Policy and is available for inspection by members of the public upon request made to the College Public Safety Department.

Chapter 3 - General Institution

AP 3530 Weapons on Campus

References:

Penal Code Sections 626.9 and 626.10

Firearms, knives, explosives or other dangerous objects, including, but not limited to, any facsimile firearm, knife or explosive, are prohibited on the College campus or in any facility operated by the College. Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed blade longer than 2½ inches upon the grounds is prohibited.

Before taking place, activities on College property involving firearms or other weapons conducted under the direction of College officials or as authorized by an official law enforcement agency shall be reported to the College Public Safety Department who in turn may as necessary notify the Los Angeles County Sheriff's Station in Walnut.

Revised April 2010 (Reference citations only)

Chapter 3 - General Institution

AP 3540 Sexual Assaults on Campus

References:

Education Code Sections 67385 and 67385.7; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; 34 C.F.R. § 668.46(b)(11)

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 College property, or on an off-campus site or facility maintained by the College, or on grounds or facilities maintained by a student organization, is a violation of College policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures (also see AP 5500 - Standards of Student Conduct).

“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. These written procedures and protocols are designed to ensure victims of sexual assault receive treatment and information. All students or employees, who allege that they are the victims of sexual assault on College property shall be provided with information regarding options and assistance available to them. Information shall be available from the Public Safety Department or the Student Health Center, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until College officials are authorized to release such information.

The College official managing the incident shall provide all alleged victims of sexual assault with the following, upon request:

- A copy of the College's Board Policy and Administrative Procedure regarding sexual assault;
- Following is a list of personnel on campus who should be notified of the assault and procedures for such notification, if the alleged victim consents:

(The order of response will depend upon the first person notified of the incident. Generally, the response will proceed in this manner.)

- Step 1 The individual initially notified about a sexual assault will report the assault to the Mt. SAC Public Safety Department. Anonymous records of the report will be kept for statistical purposes by the Mt. SAC Public Safety Department.
- Step 2 Public Safety staff members will make an initial assessment of the condition of the victim and scene of assault. Care will be taken to secure all clothing, potential articles of evidence, and to assure that the victim does not wash hands or any other body parts. 911 will be called if emergency treatment is needed.

- Step 3 Public Safety staff members will notify local law enforcement, Student Health Services, and immediate supervisor.
- Step 4 During Student Health Services operating hours, the victim will be transported by Public Safety to Student Health Services for immediate medical attention.
- Step 5 The Director, Health Services and the Chief Student Services Officer will be notified of all sexual assaults.
- Step 6 The Director, Student Health Services will assure that:
1. the victim receives information on sexual assault;
 2. notify family or friends as requested by the victim; and
 3. notify community/health agencies who will arrange a rape counselor to accompany the victim through hospital procedures, encounters with law enforcement agencies and future court appearances.
- Step 7 Director, Student Health Services and the Chief Student Services Officer will:
1. notify appropriate College officials;
 2. offer academic support and counseling;
 3. track victim's academic progress and assist when requested;
 4. initiate appropriate disciplinary action against perpetrator;
 5. inform victim of status of disciplinary actions within 72 hours without disclosing identity of perpetrator.
- Step 8 Public Information Officer will:
Interface with media, general public, students, and staff (specific details of the assault will be released only when essential to the health and safety of the individual assaulted or that of other members of the campus community).

Response to sexual assault cases reported more than 72 hours after the assault:
If more than 72 hours have elapsed since the sexual assault, the victim will be referred to Student Health Services. The Director, Student Health Services will notify the Director, Public Safety and assure that appropriate follow-up care and services are provided as needed.

Response to sexual assault cases involving College employees as victims:
aforementioned procedures apply to employees of the College who have been sexually assaulted with the exception of Step 12, which is changed to read as follows:

- Step 9 Chief Human Resources Officer will:
1. Notify the Mt. SAC President's Office of the circumstances. Respect for the victim's right to confidentiality will be observed;
 2. Explain Mt. SAC disciplinary procedures;
 3. Offer support and counseling;
 4. Track work performance and assist when requested;
 5. Initiate disciplinary action, as appropriate, against perpetrator.

All alleged victims of sexual assault on College property shall be kept informed, through the Mt. SAC Public Safety Department of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of sexual assault are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality.

The College shall maintain the identity of any alleged victim or witness of sexual assault on College property, as defined above, in confidence unless the alleged victim or witness specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged sexual assaults on College property shall be referred to the College's Public Information Officer, which shall work with College officials to assure that all confidentiality rights are maintained.

Additionally, the Annual Security Report will include a statement regarding the College's programs to prevent sex offenses and procedures that should be followed after a sex offense occurs. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses;
- Procedures to follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a victim's option to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the victim in notifying these authorities, if the victim so requests;
- Information for victims about existing on- and off-campus counseling or other services for victims of sex offenses;
- Notice that the campus will change a victim's academic situation after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available;
- Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged sex offense. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act. For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses.

Education and Prevention Information

- The Public Safety Department in cooperation with the Student Health Services Office shall provide, as part of the College's established on-campus orientation program, education and prevention information about sexual assault. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations.
- Information regarding violence prevention and education information will be posted on the College's internet website.

Chapter 3 - General Institution

AP 3550 Drug Free Environment and Drug Prevention

BEING REVISED

Chapter 3 - General Institution

AP 3555 HIV/AIDS

“Universal Precautions” are procedures and protocols used in all health care situations but especially with individuals known to be carrying a specific virus such as HIV or the virus causing Hepatitis B.

The following "Universal Precautions" will be used in care of all individuals, but especially in emergency-care settings in which the risk of blood and body fluids exposure is increased and the infection status of the person is usually unknown. Body fluids will include all human products which are wet, such as urine, blood, saliva, vomit, stool, etc.

- A. Gloves will be worn when touching blood and body fluids, mucous membranes, or non-intact skin. Gloves will be changed when torn and after contact with each person or situation.
- B. Hands and other skin surfaces will be washed immediately and thoroughly if contaminated with blood or other body fluids. Hands will also be washed immediately after gloves are removed.
- C. Non-permeable protective clothing should be worn if blood/body fluid splattering is likely, such as emergency situations.
- D. Masks and protective goggles will be worn if spraying or splattering of blood or body fluids are likely to occur.
- E. Mouthpieces, resuscitation bags, or other ventilation devices should be strategically located and available for use in areas where the need for resuscitation is likely to occur.
- F. Needles and syringes will be handled in such a manner to prevent accidental cuts or punctures. These objects should not be bent, broken, reinserted into their original sheath or unnecessarily handled. They shall be discarded intact immediately after use into a readily accessible disposable rigid puncture proof container.
- G. All puncture wounds with blood or body fluids must be reported immediately to your supervisor.
- H. A disinfectant solution such as a 1:10 dilution of bleach, shall be used to clean up any blood/body fluid spills. Gloves should be worn while cleaning up.
- I. Persons who have open lesions or oozing skin conditions should refrain from all direct contact with other individuals and from handling equipment which would be touched by others until the condition is resolved.
- J. Pregnant women are not known to be at greater risk of contacting HIV infection than women who are not pregnant. If a woman develops HIV infection during pregnancy, the infant is at risk of infection. Because of this risk, pregnant women should strictly adhere to precautions to minimize the risk of HIV transmission.
- K. Specific precautions shall be developed by each area. A copy of these precautions shall be available in each area.

Chapter 3 - General Institution

AP 3560 Alcoholic Beverages

References:

Business and Professions Code Sections 24045.4, 24045.6, and 25608

Alcoholic beverages are permitted on campus if:

- The alcoholic beverage is for use in connection with a course of instruction and the instructor has been authorized to use it by the department chair and the Chief Instructional Officer or his/her designee.
- The alcoholic beverage is for use during a non-College event at the Sophia B. Clarke Performing Center leased to a nonprofit public benefit corporation that has obtained a one-day license through the State Department of Alcoholic Beverage Control. No alcoholic beverages are to be issued or sold to minors.
- The alcoholic beverage is for use during a fundraiser held to benefit the College by the Mt. San Antonio College Foundation, a nonprofit corporation that has obtained a liquor license from Alcohol Beverage Control.
- No alcoholic beverage may be acquired, possessed, or used at an athletic contest sponsored by the College.

Chapter 3 - General Institution

AP 3565 Smoking on Campus

Reference:

Government Code Sections 7596, 7597, and 7598

Smoking is prohibited within 20 feet of a main exit, entrance, or operable window of all campus buildings. Smoking is banned in the swimming pool area, Hilmer Lodge Stadium, athletic field areas, and in all College vehicles. Violations of the smoking law shall be reported to the Mt. SAC Public Safety Department who may contact local law enforcement agencies to enforce State law.

Chapter 3 - General Institution

AP 3600 Auxiliary Organizations

References:

Education Code Sections 72670 et seq.; Government Code Sections 12580 et seq.;
Title 5 Sections 59250 et seq.

Definitions

Board of Directors - The term Board of Directors as used herein means the governing board of an auxiliary organization.

Board of Trustees - The term Board of Trustees as used herein means the Board of Trustees of the College.

Board of Governors - The term Board of Governors as used herein means the Board of Governors of the California Community Colleges.

Chief Executive Officer - The term Chief Executive Officer (CEO) as used herein means the President of the College or designee.

College - The term College as used herein means Mt. San Antonio College.

Associated Students - The terms Associated Students, Associated Student Organization, Student Association, Student Organization, or AS as used herein means an organization formed by any group of students from the College in accordance with the provisions of Education Code Section 76060. All clubs and organizations recognized by an Associated Student Body or Organization shall be included in any auxiliary organization established by the Student Body or Organization.

Recognition and Establishment of Auxiliary Organizations

The College President/CEO shall submit a recommendation to the Board of Trustees to establish an auxiliary organization when the organization will serve the College. The recommendation includes, but is not limited to, the following:

- The purpose(s) for which the auxiliary organization is to be established,
- Whether the proposed auxiliary organization will primarily serve the College,
- The functions which the auxiliary organization is intended to perform,
- The proposed bylaws and articles of incorporation for the auxiliary organization, including the size and composition of the Board of Directors, and
- The proposed written agreement between the auxiliary organization and the College, as required in Title 5 Section 59259.

The process of recognition shall be as follows:

- When the College President/CEO receives a request to establish an auxiliary organization, the College President/CEO shall submit a recommendation concerning the establishment of said organization to the Board of Trustees within three months.

- The Board of Trustees shall hold a public hearing on each recommendation concerning the establishment of an auxiliary organization.
- At a subsequent scheduled meeting after the public hearing, the Board of Trustees shall announce its decision concerning the establishment of the organization, and, if approved, authorize the functions it may perform, identify the number and category or categories of the Board of Directors and approve contractual arrangements.

At such time as the College recognizes an auxiliary organization, it shall submit to the Chancellor's Office of the California Community Colleges any written agreements with the auxiliary organization, as well as the articles of incorporation, bylaws, or other governing instruments.

Recognized Services, Programs, and Functions

The Auxiliary shall provide the following campus services to the College:

- Bookstore operation and management;
- Food Services to include meals, fast food, and vending;
- Administration of the Athletic Services Program;
- Administration and supervision of the fiscal operations for the Associated Students and Mt. SAC student clubs/organizations;
- Administration, in coordination with the College's Financial Aid Office, of a \$20,000 loan fund to provide emergency loans to students to assist them with their enrollment fees and other costs related to registration;
- Supervision of Financial Aid disbursements, collections, scholarships, and loans. The College reimburses Auxiliary Services for a Bookkeeper I salary and fringe benefits;
- Collection and disbursement of funds for the Mt. San Antonio College Relays at the direction of the College;
- Administration and supervision of the fiscal operations of the Bursar Office for the College. The College will reimburse Auxiliary Services for Bursar Office salaries and fringe benefits, hourly as needed help, office supplies, and equipment;
- Administration and supervision of the processing of requests for refunds at the Bursar Office with a processing charge on each refund check that is retained by the Auxiliary;
- Administration and supervision of the fiscal operations of the Photo I.D. Office, located at the Bursar Office. The College will reimburse Auxiliary Services for the Photo I.D. Office salaries and fringe benefits, hourly as needed help, office equipment, and supplies; and
- Administration of gifts, bequests, devises, endowments, and trusts for the College.

The College President/CEO shall decide, after consulting with the donor, whether a donor's proposed gift to the College should be accepted by the College or referred to an auxiliary organization. Gifts to the College thereof shall be accepted under the provisions of Education

Code Section 72241 or 72303. Gifts to an auxiliary organization shall be accepted as authorized by these procedures.

Student loans, scholarships, stipends, and grants-in-aid shall only be given to currently admitted students. In no case shall the scholarship, stipend, or grant-in-aid exceed the amount necessary to cover the cost of books, College fees, and living expenses, except as provided under trust funds used specifically for the purpose designated in the instrument creating the trust. A record of such financial assistance shall be forwarded on a timely basis to the College's Financial Aid Office and shall be documented on student financial aid recipient records kept in that office. All such financial assistance provided from student organization funds shall be approved by the College's Financial Aid Office before such funds are expended and shall not exceed amounts to be provided under regulations of federal and State financial aid programs.

No auxiliary organization shall be authorized by the Board of Trustees to engage in any other function unless the Board of Governors amends Section 59259 of Title 5 by adding said function to the list of approved functions of auxiliary organizations. This section shall not be construed to prohibit an auxiliary organization from taking actions essential to satisfy the non-profit corporation or tax laws of the State of California or the federal tax laws.

In accordance with Education Code Section 72671, the services, programs, and functions may be performed by an auxiliary organization as part of a joint powers agreement.

Authority and Responsibility of Auxiliary Organizations

Participation in workshops, conferences, or institutes offered by auxiliary organizations shall not be included in reports to the state for the purpose of receiving apportionment funding.

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

- To provide the fiscal means and the management procedures that allow the College to carry on educational related activities not normally funded by State apportionment;
- To eliminate the undue difficulty that would otherwise arise under the usual governmental budgetary, purchasing and other fiscal controls except as expressly prohibited by the Education Code or Title 5 or the College's procedures; or
- To provide financial procedures and management systems that allow effective coordination of the auxiliary activities with the College in accordance with sound business practices.

Composition of Boards of Directors

The Board of Directors of the Auxiliary Services organization shall be appointed in accordance with the organization's articles of incorporation or bylaws and shall be comprised initially of the positions listed below:

- Chief Fiscal Officer, Chair

- Associated Students' President,
- Two members appointed by the Chief Fiscal Officer for one-year terms and selected from one or more of the following categories:
 - Administration
 - Classified staff
 - Faculty
 - Students
 - Members of the community

The size of the Board of Directors of the Auxiliary Services organization shall be at least large enough to accommodate the one or more categories from which board members are selected.

The Board of Directors shall have the advice and counsel of at least one attorney admitted to practice in California and at least one certified public accountant. Upon being notified of the certified public accountant selected by an auxiliary organization, the College shall forward the applicable auditing and reporting procedures to the selected certified public accountant.

Conduct of the Board of Directors

No member of the Board of Directors of the Auxiliary Services organization shall be financially interested in any contract or other transaction entered into by the Board of which he/she is a member. Any contract or transaction entered into in violation of this section is void.

No contract or other transaction entered into by the Board of Directors of the Auxiliary Services organization is void under the provisions of Education Code Section 72677; nor shall any member of the Board of Directors be disqualified or deemed guilty of misconduct in office under such provisions, if both of the following conditions are met:

- The fact of such financial interest is disclosed or known to the Board of Directors and noted in the minutes, and the Board of Directors thereafter authorizes, approves, or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such financially interested member or members.
- The contract or transaction is just and reasonable as to the Auxiliary Services organization at the time it is authorized or approved.

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

Bylaws

The bylaws of an auxiliary organization shall include, but not be limited to, specifying:

- The number of members of the Board of Directors, the categories from which members shall be selected, and the method by which they shall be selected;
- The size of the Board of Directors;
- That at least one public business meeting will be held each quarter;
- The time table for the preparation and adoption of its program and annual budget and the submission of both for review to the College President/CEO;
- That an attorney admitted to practice in California and a licensed certified public accountant shall be selected to provide advice and counsel to the Board of Directors. Each shall have experience appropriate to the responsibility and shall have no financial interest in any contract or other transaction entered into by the Board which he/she serves. Neither the attorney nor the certified public accountant needs to be a member of the Board of Directors;
- The procedures for approving expenditures; and
- The procedures for accepting gifts, donations, bequests, trusts and specially funded grants, and other income.

Master Agreement between the College and the Auxiliary Services Organization

In the recognition and establishment of the Auxiliary Services organization, there shall be a written agreement between the College and Auxiliary Services which sets forth the purposes of the auxiliary organization as permitted under this Regulation and Title 5 Section 59259.

Should the Auxiliary Services organization provide more than one service, program, or function, such service, program, or function may be authorized in one of more written contracts with the College. Such services, programs, and functions thereby performed by the Auxiliary Services organization may also be part of a joint powers agreement in accordance with Education Code Section 72671 and Government Code Sections 6500 et seq.

The Auxiliary Services organization shall provide only those services, programs, or functions authorized by a written agreement. No other service, program, or function shall be permitted or performed unless a written agreement between the College and the Auxiliary Services organization is amended to provide otherwise.

The agreement shall include, but is not limited to, the following provisions:

- The services, programs, or functions the Auxiliary Services organization is to manage, operate, or administer;
- A statement of the reasons for administration of the functions by the Auxiliary Services organization instead of by the College under usual College procedures,

- The areas of authority and responsibility of the Auxiliary Services organization and the College;
- The facilities and services to be made available by the College to permit the Auxiliary Services organization to perform the services, programs, or functions specified in the written agreement;
- The charge or rental to be paid to the College by the Auxiliary Services organization for the facilities used or services provided in connection with the performance of its function. (The charge or rental specified shall be identified in sufficient time before it is incurred so that the organization may determine to what extent it is liable.);
- Full reimbursement to the College for services performed by College employees in support of the Auxiliary Services organization. (Student body auxiliary organizations may be exempt from reimbursing all or any portion of the costs for such services. Methods of proration where services are performed by College employees for the organization shall be as mutually determined.);
- A mutually agreed upon method of determining in advance to what extent the organization shall be liable for indirect costs relating to specially funded programs (including federally sponsored programs);
- The responsibility for maintenance and payment of operating expenses;
- Maintenance: The Auxiliary agrees to keep and maintain College facilities in a clean and orderly condition and shall, at its own expense and at reasonably frequent intervals and in a lawful manner, dispose of all waste generated from its use of College facilities.
- Repairs: The Auxiliary agrees to keep College facilities in good repair.
- Operating Expenses: The Auxiliary shall be responsible for all operating expenses associated with the use of College facilities.
- Proposed expenditures for public relations or other purposes which would serve to augment College appropriations for operation of the College. (With respect to these expenditures, the Auxiliary may expend funds in such amount and for such purposes as are approved by the Board of Directors of the organization. The Board of Directors shall file with the College President/CEO a statement of such policy on accumulation and use of public relations funds. The statement shall include the policy and procedure on solicitation of funds, source of funds, amounts, and purpose for which the funds will be used, allowable expenditures, and procedures of control.);
- The disposition to be made of net earnings derived from the operation of the Auxiliary, including earnings derived from facilities owned or leased by the organization and provisions for reserves;
- The disposition to be made of net assets and liabilities on dissolution of the Auxiliary Services organization or cessation of the operations under the agreement;

- The covenant of the Auxiliary to maintain its organization and to operate in accordance with Sections 72670 through 72682 of the Education Code and with the regulations contained in Title 5 Section 59250 et seq. as well as College Board Policies;
- The understanding that the Auxiliary shall obtain the services and counsel of an attorney admitted to practice in California whenever the need arises; and
- The understanding that the Auxiliary shall not enter into any contract or other business arrangement involving real property either by lease involving payments of more than \$25,000 per annum and duration terms of more than one year or by purchase without prior notification and consultation with the College President/CEO.

Personnel

The Auxiliary shall develop general regulations to govern its operations, including policies and regulations concerning the salaries, working conditions, and benefits of its employees.

The aforesaid regulations shall not conflict with the implementing policies adopted by the Board of Trustees or with these procedures.

Except as otherwise provided in any Board rules, the Board of Directors of the Auxiliary shall, pursuant to Education Code Section 72672, provide salaries, working conditions, and benefits for its full-time employees that are comparable to those provided to College employees performing substantially similar services. For those full-time employees who perform services that are not substantially similar to the services performed by College employees, the salaries established shall be comparable to the salaries prevailing in other educational institutions in the area or commercial operations of like nature in the area.

Regular College employees may be employed by the Auxiliary Services organization. College employees must resign or request a personal leave of absence from the College in order to accept employment with the Auxiliary. College officers and employees who are required by the College's Conflict of Interest Code (AP 2712) to file disclosure of financial information are responsible to determine whether or not they are eligible to accept employment with the Auxiliary immediately upon resignation from the College.

The Board of Directors of the Auxiliary Services organization may provide retirement benefits different from those provided comparable College employees and may withhold retirement benefits or permanent status benefits or both from temporary employees. For the purposes of this procedure, a temporary employee is:

- An employee employed for a specific research project, workshop, institute or other special project funded by any grant, contract or gift; or
- An employee whose contract of employment is for a fixed term not exceeding three years.

The Board of Directors of the Auxiliary Services organization may withhold permanent status benefits from executive employees. For the purposes of this procedure, an executive employee is any management employee with responsibility for the development and

execution of the Auxiliary's policies and includes, but is not limited to, general managers, managers, directors and the like, as determined by the Board of Directors of the organization.

Should retirement benefits be provided, they may but need not be provided by the Public Employees' Retirement System. Any newly created auxiliary organization is exempted from the requirement of providing retirement benefits for a period not to exceed three years from the date on which the Board of Trustees recognizes the establishment of such auxiliary organization.

An auxiliary organization may contract with the College for the services of a College employee and reimburse the College for that portion of the employee's full-time assignment (and corresponding benefits) that is spent in providing said services.

Accounting and Reporting for the Auxiliary Services Organization

The fiscal year of the Auxiliary shall coincide with that of the College.

The Auxiliary Services organization shall develop an accounting system that is in accordance with generally accepted accounting principles.

The Auxiliary shall implement financial practices that will assure its fiscal viability. Such standards shall include professional management, adequate working capital, adequate reserve funds for current operations, capital replacements, contingencies, and adequate provisions for new business requirements.

The Auxiliary shall submit its programs and budgets for review at a time and in a manner specified by the College President/CEO.

Funds derived from indirect cost payments shall only be appropriated with the specific approval of the College President/CEO. All uses of such funds shall be regularly reported to the College's Board of Trustees.

Should the College President/CEO determine that any program or appropriation planned by the Auxiliary Services organization is not consistent with College policy, the program or appropriation shall not be implemented. Further, should a program or appropriation which has received approval, upon review, be determined by the College President/CEO to be operating outside the acceptable policy of the Board of Governors or the College, then that program or appropriation shall be discontinued by direction of the College President/CEO until further review is accomplished and an appropriate adjustment is made.

The Board of Directors of the Auxiliary shall approve all expenditure authorizations.

Records and Annual Report of the Auxiliary Services Organization

Personnel and payroll records shall be maintained as permanent records by the Auxiliary Services organization.

Adequate records of all other transactions of the organization shall be maintained for a minimum of five years. Transactions of the organization include, but are not limited to, purchases, disbursements, and investments.

An annual report shall be submitted to the Board of Directors of the Auxiliary Services organization and to the College President/CEO by September 15. The report shall include, but is not limited to:

- All financial statements required to be filed with the State Chancellor's Office;
- A comparison of budgeted and actual expenditures;
- A description of major accomplishments of the organization; and
- A description of improvements proposed for operation of the organization.

Annual Audit

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

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

- Publishing the audited financial statement in a campus newspaper or
- Publishing a notice in a campus newspaper indicating the on-campus location where copies of the financial statement may be obtained or reviewed or
- Publishing or noticing the audited statement in a campus bulletin or other appropriate medium if a campus newspaper is unavailable.

Insurance

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

- Comprehensive liability;
- Property and extended coverage, when applicable;
- All risks, money, and securities;
- Fidelity and performance bonds covering its chief fiscal officer;
- Automotive liability when applicable; and
- Workers' Compensation.

In any insurance policy secured by the Auxiliary, the College shall be named as additional insured.

A copy of each policy or endorsement or insurance certificates setting forth the coverage and limits shall be provided to the College within 30 days from the receipt of the document.

In obtaining the insurance coverage, the Auxiliary may secure the insurance directly through its own broker or through the College.

Use of Facilities by the Auxiliary Service Organization

Facilities may be made available by the College to the Auxiliary Services organization to perform the functions specified in these regulations or in an agreement, under the following circumstances:

- The Auxiliary may occupy, operate, and use College facilities designated as the Sac Book Rac, Dining Services, the Mountie Stop, the Mountie Grill, the Short Stop, the Express Stop, the Quick Stop, and various vending locations on campus. The Auxiliary will administer the functions and services related to these locations utilizing the trade fixtures, supplies, and assets currently available for these operations.
- In consideration for use of these facilities and assets, the Auxiliary agrees to pay to the College rent of \$10,000, payable in one payment by December 31, each year.

List of Auxiliary Organizations in Good Standing

Each year, the College President/CEO shall provide to the Board of Trustees a list of all auxiliary organizations in good standing. All auxiliary organizations which, after periodic review in the manner specified hereinafter in these regulations, are found to be in compliance with applicable laws, policies, and regulations shall be included in the list.

When the College President/CEO has reason to believe that a particular organization should be removed from the list of auxiliary organizations in good standing, a conference shall be held to determine whether such grounds for removal do in fact exist. The Board of Directors of such organization shall be entitled to participate in this conference and shall have a minimum of one month's notice to prepare response to the issues which have been raised.

Based upon such conference, the College President/CEO shall decide whether the particular organization shall be removed from the list of auxiliary organizations in good standing.

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

- Use the name of the College;
- Have as a director any official in the College acting in his/her official capacity;
- Operate a commercial service for the benefit of the College; and
- Receive gifts, property, or funds to be used for the benefit of the College.

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

Limitation on Transfer of Funds to Auxiliary Organizations

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

Compliance Review by the College President/CEO

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

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

If the College President's/CEO's designee considers the proposed corrective actions to be acceptable, the Auxiliary shall be so informed. A second compliance review shall be held at the end of the time agreed to and the results communicated in writing to the College President/CEO and to the Board of Directors.

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

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

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

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

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

Chapter 3 - General Institution

AP 3720 Computer and Network Use

References:

Education Code Section 70902; 17 U.S.C. § 101 et seq. (Copyright Act); Penal Code Section 502

The College Computer and Network systems are the sole property of Mt. San Antonio College. They may not be used by any person without the proper authorization of the College. The Computer and Network systems are for College instructional and work related purposes.

This procedure applies to all Mt. San Antonio College students, faculty and staff and to others granted use of College information resources. This procedure refers to all College information resources whether individually controlled or shared, stand-alone, or networked. It applies to all computer and computer communication facilities owned, leased, operated, or contracted by the College. This includes personal computers, workstations, mainframes, minicomputers, and associated peripherals, software and information resources, regardless of whether used for administration, research, teaching or other purposes.

Conditions of Use

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

Legal Process

This procedure exists within the framework of the College Board Policy and State and federal laws. A user of College information resources who is found to have violated any of these policies will be subject to disciplinary action up to and including but not limited to loss of information resources privileges; disciplinary suspension or termination from employment or expulsion; and/or civil or criminal legal action.

Copyrights and Licenses

Computer users must respect copyrights and licenses to software and other on-line information.

- Copying - Software protected by copyright may not be copied except as expressly permitted by the owner of the copyright or otherwise permitted by copyright law. Protected software may not be copied into, from, or by any College facility or system, except pursuant to a valid license or as otherwise permitted by copyright law.
- Number of Simultaneous Users - The number and distribution of copies must be handled in such a way that the number of simultaneous users in a department does not exceed the number of original copies purchased by that department, unless otherwise stipulated in the purchase contract.
- Copyrights - In addition to software, all other copyrighted information (text, images, icons, programs, etc.) retrieved from computer or network resources must be used in

conformance with applicable copyright and other law. Copied material must be properly attributed. Plagiarism of computer information is prohibited in the same way that plagiarism of any other protected work is prohibited.

Integrity of Information Resources

Computer users must respect the integrity of computer-based information resources.

- Modification or Removal of Equipment - Computer users must not attempt to modify or remove computer equipment, software, or peripherals that are owned by others without proper authorization.
- Unauthorized Use - Computer users must not interfere with others access and use of the College computers. This includes, but is not limited to: the sending of chain letters or excessive messages, either locally or off-campus; printing excess copies of documents, files, data, or programs, running grossly inefficient programs when efficient alternatives are known by the user to be available; unauthorized modification of system facilities, operating systems, or disk partitions; attempting to crash or tie up a College computer or network; and damaging or vandalizing College computing facilities, equipment, software or computer files.
- Unauthorized Programs - Computer users must not intentionally develop or use programs which disrupt other computer users or which access private or restricted portions of the system, or which damage the software or hardware components of the system. Computer users must ensure that they do not use programs or utilities that interfere with other computer users or that modify normally protected or restricted portions of the system or user accounts. The use of any unauthorized or destructive program will result in disciplinary action as provided in this procedure, and may further lead to civil or criminal legal proceedings.

Unauthorized Access

Computer users must not seek to gain unauthorized access to information resources and must not assist any other persons to gain unauthorized access.

- Abuse of Computing Privileges - Users of College information resources must not access computers, computer software, computer data or information, or networks without proper authorization, or intentionally enable others to do so, regardless of whether the computer, software, data, information, or network in question is owned by the College. For example, abuse of the networks to which the College belongs or the computers at other sites connected to those networks will be treated as an abuse of College computing privileges.
- Reporting Problems - Any defects discovered in system accounting or system security must be reported promptly to the appropriate system manager so that steps can be taken to investigate and solve the problem.
- Password Protection - A computer user who has been authorized to use a password-protected account may be subject to both civil and criminal liability if the user discloses the password or otherwise makes the account available to others without permission of the system manager.

Usage

Computer users must respect the rights of other computer users. Attempts to circumvent these mechanisms in order to gain unauthorized access to the system or to another person's information are a violation of College procedure and may violate applicable law.

- Unlawful Messages - Users may not use electronic communication facilities to send defamatory, fraudulent, harassing, obscene, threatening, or other messages that violate applicable federal, State or other law or College policy, or which constitute the unauthorized release of confidential information.
- Commercial Usage - Electronic communication facilities may not be used to transmit commercial or personal advertisements, solicitations or promotions (see Commercial Use, below). Some public discussion groups have been designated for selling items and may be used appropriately, according to the stated purpose of the group(s).
- Information Belonging to Others - Users must not intentionally seek or provide information on, obtain copies of, or modify data files, programs, or passwords belonging to other users, without the permission of those other users.
- Rights of Individuals - Users must not release any individual's (student, faculty, and staff) **personal** information to anyone without proper authorization.
- User identification - Users shall not send communications or messages anonymously or without accurately identifying the originating account or station.
- Political, Personal and Commercial Use - The College is a non-profit, tax-exempt organization and, as such, is subject to specific federal, State and local laws regarding sources of income, political activities, use of property, and similar matters.
- Political Use - College information resources must not be used for partisan political activities where prohibited by federal, State or other applicable laws.
- Personal Use - College information resources should not be used for personal activities not related to appropriate College functions, except in a purely incidental manner.
- Commercial Use - College information resources should not be used for commercial purposes. Users also are reminded that the ".cc" and ".edu" domains on the Internet have rules restricting or prohibiting commercial use, and users may not conduct activities not appropriately within the those domains.

All Mt. San Antonio College related email communications must be conducted using an email address assigned by the College. This restriction is necessary because email originating at the College may contain proprietary information regarding students, staff, or internal College business. The College is responsible for the security of this information and cannot assume that other email providers will provide adequate levels of data backup, security, and virus protection. Therefore, forwarding of email from a Mt. San Antonio College email address to a non Mt. San Antonio College email address is not authorized or allowed. Additionally, users may not configure any email program or service to use an automated process for forwarding Mt. San Antonio College email to any other email address.

Employees must not use their personal electronic mail accounts with an Internet Service Provider (ISP) or any other third party provider while using Mt. San Antonio College

computers. To do so would circumvent logging, anti-virus scanning controls, and backup controls that the College has established.

Nondiscrimination

All users have the right to be free from any conduct connected with the use of the Mt. San Antonio College network and computer resources which discriminates against any person on the basis of BP 3410. No user shall use the College network and computer resources to transmit any message, create any communication of any kind, or store information which violates any College procedure regarding discrimination or harassment, or which is defamatory or obscene, or which constitutes the unauthorized release of confidential information.

Disclosure

No Expectation of Privacy – Mt. San Antonio College reserves the right to monitor all use of the College network and computer to assure compliance with these policies. Users should be aware that they have no expectation of privacy in the use of the College network and computer resources. Mt. San Antonio College will exercise this right only for legitimate College purposes, including, but not limited to, ensuring compliance with this procedure and the integrity and security of the system.

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

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

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

Litigation - Computer transmissions may be discoverable in litigation.

Dissemination And User Acknowledgment

All users shall be provided copies of these procedures and be directed to familiarize themselves with them.

Users shall sign and date the acknowledgment and waiver included in this procedure stating that they have read and understand this procedure, and will comply with it. This acknowledgment and waiver shall be in the form as follows:

Employee Acceptable Use Agreement

Mt. San Antonio College (hereinafter also referred to as the “College”) provides broad access to its computing, communications and information resources. These resources support the delivery of the College's academic mission and, accordingly, they must be used responsibly. These resources include the physical data communications network and all computers,

printers, scanners and other hardware attached to that network, as well as all system software, telephone systems, and means of access to the Internet.

With regard to the computing, communications and information resources of Mt. San Antonio College, it is understood and agreed that:

- Mt. San Antonio College's computing, communication and information resources are provided for the support of its educational and service goals and the use of such resources for other purposes is prohibited. However, incidental personal use is permissible so long as: (a) it does not consume more than a trivial amount of system resources, (b) it does not interfere with the productivity of other campus employees, and (c) it does not preempt any College activity.
- The College and its employees are to abide by this policy along with any local, State, and federal laws that may apply. All users are subject to both the provisions of this agreement, as well as any policies specific to the individual systems they use.
- The confidentiality of student and staff information is protected under federal and State law and/or regulations. Any information regarding students or staff that an employee (acting alone or on behalf of the College) might access in the course of a work assignment through a computer, student file, or other documentation, is to be used strictly to perform job duties and may only be shared with those who are authorized to have such information. Employees (acting alone or on behalf of the College) may not change, alter, copy, or divulge any such information unless it is required to carry out a Mt. SAC job assignment.
- To protect the integrity of computing resources, passwords, access codes or account names must not be shared with others. Additionally, passwords may be subject to complexity requirements and employees may be required to change their passwords periodically.
- Most educational materials (both commercial and faculty-created, including software) are protected under copyright. Any violation of the rights of a person or entity protected by copyright law is prohibited. The unauthorized duplication, installation, or distribution of computer software utilizing the College's computing, communications and information resources is specifically prohibited.
- Unauthorized software installed on College owned computers will not be supported and may be removed if deemed necessary.
- Employees may not connect any system or install software which could allow any user to gain access to the College's system and information without written approval from the Chief Technology Officer or his/her designee.
- Employees may not use Mt. San Antonio College resources for conducting a private business or for personal financial gain.
- Intentionally sending or accessing pornography or patently obscene material other than for authorized research or instructional purposes is prohibited. The definitions of "pornography" and "obscene" shall be as determined by law.
- Employees found in violation of the College's computer use policies are subject to proper disciplinary action, including the reporting of such activity to the appropriate authorities as required by law.

- Employees must consider the open nature of information transferred electronically, and should not assume an absolute guarantee of privacy or restricted access to such information. The College provides the highest degree of security possible when transferring data, but disclaims responsibility if these security measures are circumvented and the information is compromised.
- Mt. San Antonio College is not responsible for loss of data, time delay, system performance, software performance, or any other damages arising from the use of College computing resources. Therefore, employees are encouraged to secure backup copies of their own files.
- Authorized College personnel may, while performing routine or investigative operations, have access to data, including electronic mail, web browser information, and any other personal data stored on College computers. However, the College shall not routinely or arbitrarily monitor incidental personal use of college resources. Neither the College nor any of its employees (acting alone or on behalf of the College) shall disclose the contents of observed personal data to any other person or entity except as required by law or Board Policy.
- Activities that place excessive strain on network resources, (e.g.: net radio, other similar streaming media, or online gaming) are not allowed without written approval from the Chief Technology Officer or his/her designee.

Selected Examples of Unacceptable Use:

- Revealing passwords to others, or allowing someone else to use one's account.
- Utilizing network or system id numbers/names that are not assigned for one's specific use on the designated system.
- Attempting to authorize, delete, or alter files or systems not created by oneself without authorization from the Chief Technology Officer or his/her designee.
- Watching Internet videos or listening to Internet radio on one's computer without authorization from the Chief Technology Officer or his/her designee.
- Not complying with requests from designated personnel to discontinue activities that threaten the integrity of computing resources.
- Attempting to defeat data protection schemes or to uncover security vulnerabilities.
- Registering a Mt. San Antonio College IP address with any other domain name.
- Unauthorized network scanning or attempts to intercept network traffic.
- Malicious disruptions such as intentionally introducing a computer virus to the campus network.
- Harassing or threatening other users of the campus network.
- Connecting unauthorized equipment directly to the campus network. (Devices such as PDAs, printers, and USB drives that connect to a computer and not directly to the network are acceptable.)

The above stated provisions and terms constitute the entire agreement between the College and employee as to their agreed upon rights and duties as such relate to the

utilization of the Computing, Communications and Information Resources at Mt. San Antonio College. These terms are subject to change only upon mutual written agreement between the College and the Faculty Association. The College shall make the current version of this document available at <http://infosecurity.mtsac.edu>. All Parties are put on notice that a violation of the above terms and provisions may result in civil, criminal, or other administrative action.

As an employee of Mt. San Antonio College, I certify that I have read and have received a copy of this agreement.

Name: _____ Date: _____

Chapter 3 - General Institution

AP 3750 Use of Copyrighted Material

References:

U.S. Code Title 17, Copyright Act of 1976; Education Code Sections 32360 and 67302

Employees and students shall not reproduce copyrighted materials without prior permission of the copyright owner, except as allowed by the “fair use” doctrine.

Fair Use

Reference:

Copyright Act Section 107

The “fair use” doctrine permits limited use of copyrighted materials in certain situations, including teaching and scholarship. In some instances, copyright may be required for works that fall within “fair use.”

Note: The following is excerpted from the legislative history of the 1976 Copyright Act, which established congressionally endorsed guidelines related to classroom copying for educational use.

1. Single Copying for Teachers

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

- A. A chapter from a book
- B. An article from a periodical or newspaper
- C. A short story, short essay or short poem, whether or not from a collective work
- D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

2. Multiple Copies for Classroom Use

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

- A. The copying meets the tests of brevity and spontaneity as defined below; and
- B. Meets the cumulative effect test as defined below; and
- C. Each copy includes a notice of copyright.

Definitions:

Brevity:

- A. Poetry: (1) A complete poem if less than 250 words and if printed on not more than two pages or (2) from a longer poem, an excerpt of not more than 250 words.
- B. Prose: (1) Either a complete article, story or essay of less than 2,500 words, or (2) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words. (Each of the numerical limits stated in "i" and "ii" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph).
- C. Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.
- D. "Special" works: Certain works in poetry, prose, or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph "i" above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof may be reproduced.

Spontaneity:

- A. The copying is at the instance and inspiration of the individual teacher; and
- B. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect:

- A. The copying of the material is for only one course in the school in which the copies are made.
- B. Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.
- C. There shall not be more than nine instances of such multiple copying for one course during one class term. (The limitations stated in "ii" and "iii" above shall not apply to current news periodicals and newspapers and current news sections of other periodicals).

3. Prohibitions

Notwithstanding any of the above, the following shall be prohibited:

- A. Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur

whether copies of various works or excerpts there from are accumulated or are reproduced and used separately.

- B. There shall be no copying of or from works intended to be "consumable" in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.
- C. Copying shall not:
 - 1. substitute for the purchase of books, publisher's reprints or periodicals
 - 2. be directed by higher authority
 - 3. be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of the photocopying.

Compilations

Reference:

Basic Books, Inc. v. Kinko's Graphics Corp. (S.D.N.Y. 1991) 758 F.Supp. 1522; and Princeton University Press v. Michigan Document Services, Inc. (6th Cir. 1996) F.3d 1381.

Permission from the copyright owner should be obtained when using excerpts of copyrighted work to create anthologies or "coursepacks," even if the excerpts fall under the definitions in the "fair use" doctrine.

Online Courses

References:

The TEACH (Technology, Education and Copyright Harmonization) Act, USC 17, Copyright Act, Sections 110(2) and 112

The Teach Act provides instructors greater flexibility to use third party copyrighted works in online courses. An individual assessment will be required to determine whether a given use is protected under the Act. The following criteria are generally required:

- The online instruction is mediated by an instructor.
- The transmission of the material is limited to receipt by students enrolled in the course.
- Technical safeguards are used to prevent retention of the transmission for longer than the class session.
- The performance is either of a non-dramatic work or a "reasonable and limited portion" of any other work that is comparable to that displayed in a live classroom session.
- The work is not a textbook, course pack, or other material typically purchased or acquired by students for their independent use and retention, including commercial works that are sold or licensed for the purposes of digital distance education.
- The College does not know, or have reason to know, that the copy of the work was not lawfully made or acquired.

- The College notifies students that the works may be subject to copyright protection and that they may not violate the legal rights of the copyright holder.

Obtaining Permission to Use Copyrighted Material

Faculty members and others shall honor all obligations to obtain permission to use copyrighted material as defined by the copyright holder(s).

Chapter 3 - General Institution

AP 3820 Gifts and Donations

Reference:

Education Code Section 72122

All gifts and donations to the College of personal property or money shall be reviewed and then recommended by the Chief Financial/Business Officer to the College President/CEO. Upon approval by the College President/CEO, the gift shall be placed on the Administrative Services section of the Board agenda for approval.

The College is not responsible for assessing the value of any gift for tax purposes. Because there must be a qualified appraisal for the donor to receive tax benefits for a gift valued over \$5,000, it is important that donors be aware of College policy. Therefore, any manager contacted by a donor should inform the donor of the College policy.

All gifts and donations will be evaluated first in terms of value to the instructional or other programs and services of the College. An evaluation will be made of the cost of receiving the gift to include transportation, installation, maintenance, space utilization, and insurance.

A proposal for the donation of a gift of art should be made to the Chief Financial Officer of the College and should include: a description of the art including its medium, size, value, presentation, biographical information about the artist, and a color photograph or rendering of the work.

Chapter 3 - General Institution

AP 3900 Flag at Half Staff

The College Flag will be flown, to the right of the flag of the United States, on all days on which the College is open for business, whether classes are in session or not, and at other times as designated by the Mt. San Antonio College Board of Trustees and/or the College administration. The College Flag will be flown at half staff whenever the flag of the United States and the State Flag are so flown and may be flown on the day of the funeral of any member of the College's student body, College employee, Board of Trustees, or Mt. SAC Foundation.

The flag of the United States shall be flown at half staff when the entire nation is in mourning. These periods of mourning are proclaimed either by the President of the United States for national remembrance or the State Governor for local remembrance in the event of a death of a member or former member of the federal, State, or territorial government or judiciary. The heads of departments and agencies of the federal government may also order that the flag be flown at half staff on buildings or grounds under their jurisdiction.

On Memorial Day, the flag of the United States should be flown at half staff from sunrise until noon only and then raised briskly to the top of the staff until sunset in honor of the nation's battle heroes.

The flag of the United States should only fly at half staff for 30 days at all federal buildings and grounds throughout the United States after the death of a President, the Chief Justice of the United States Supreme Court, a retired Chief Justice of the United States Supreme Court, or the Speaker of the House of Representatives.

The flag is to be flown at half staff from the day of death until interment for an Associate Justice of the Supreme Court, a member of the Cabinet, a former Vice President, the President Pro Tempore of the Senate, the Majority Leader of the Senate, the Minority Leader of the Senate, the Majority Leader of the House of Representatives, or the Minority Leader of the House of Representatives.

Upon the death of the Governor of a State, the flag should be flown at half staff on all federal facilities in the Governor's State from the day of death until interment.

The President of the United States may order the flag of the United States to be flown at half staff to mark the death of other officials, former officials, or foreign dignitaries. In addition to these occasions, the President of the United States may order half staff display of the flag of the United States after other tragic events.

The flag of the United States should be briskly run up to the top of the staff before being lowered slowly to the half staff position.

Chapter 3 - General Institution

AP 3910 Solicitation, Advertising, and Sales

Definition

Any individual or business, or collection of individuals or businesses engaged in marketing, promoting, selling, or otherwise offering their products and/or services for consideration by the College or its students, faculty, or staff members is defined as a vendor.

Permitting a vendor to operate on the College campus entails the following policies and procedures:

- BP and AP 3600 Auxiliary Organizations
- BP 3910 Solicitation, Advertising, and Sales
- BP and AP 5550 Speech: Time, Place, and Manner
- BP and AP 6300 Fiscal Management
- BP and AP 6330 Purchasing
- BP 6340 Contracts
- AP 6340 Bids and Contracts
- BP and AP 6500 Property Management
- BP and AP 6540 Insurance

Advertising

General Advertising: The College will engage in advertising activities that market the institution itself as well as promote its various programs, services, and events.

Administrative Procedures

- A. The Public Information Officer will develop the College's advertising strategy in consultation with key campus stakeholders and manage its implementation based on budget resources approved by the Board of Trustees.
- B. All College advertising strategy and creative media buys/placements must be coordinated through the Marketing and Public Information Office to ensure strategy, branding, and message consistency as well as proper market positioning.

Advertising in the Class Schedule

- A. The College may elect to solicit display advertising in the printed class schedule from businesses and organizations to offset production costs.
- B. The Marketing and Public Information Office will coordinate solicitation and placement of all class schedule advertising.
- C. The Public Information Officer shall determine the appropriate amount of space in the class schedule to be reserved for advertising and shall set the advertising rates,

including any discounts for nonprofit advertisers. The Public Information Officer shall adjust ad rates as appropriate.

- D. Fiscal Services, in conjunction with the Public Information Officer, will bill advertisers and collect fees as required.
- E. Acceptable advertising is that which markets products and services beneficial or of interest to the Mt. San Antonio College community, including students, faculty, staff, and local residents who receive the class schedule in the mail.
- F. Acceptance of any advertisement is not an implicit or explicit endorsement by the College of a product, service, agency, or individual. This information shall be included in a printed disclaimer in each edition of the class schedule.
- G. The Public Information Officer reserves the right to reject any advertising deemed inappropriate, including on (but not limited to) the following:
 - Any illegal products or services
 - Any alcoholic beverages or tobacco products
 - Any business or service that excludes minors
 - Any business or service of a prurient nature (including escort services)
 - Any instructional program of an educational institution that does list tuition or fees prominently in the advertisement
 - Any other community college advertising
 - Any advertising of a political nature

Solicitation and Sales to the College

- College Personnel with Approval Authority
The Purchasing Department buys most materials and services for the College. Auxiliary Services purchases food and food services, textbooks, student supplies, and promotional materials.
- Process to be a College Vendor
Vendors interested in doing business with the College should send a letter of interest to the College's approval authority describing the products and services they offer. Bid lists are maintained only for those products and services the College regularly uses, but vendor information is forwarded to potential users. Contractors interested in major construction projects will be sent a "Prequalification Application," which must be returned to the Purchasing Office and approved before submitting a bid.
- Vendor Conditions
Even though direct departmental contacts may occur, only the Purchasing Office and the Auxiliary Services Office are authorized to issue purchase orders. Purchases made in the name of the College without an authorized purchase order shall be considered an obligation of the person making the purchase and not an obligation of the College.

It is the responsibility of a vendor approved to do business with the College to comply with all College policies and procedures related to the goods or services being provided. Promotional efforts shall not include gifts, favors, or any form of personal gratuity to any College employee.

Solicitation, Advertising, and Sales to Students and Employees

This procedure does not provide for the marketing, promoting, selling, or offering of goods or services for consideration by individuals or groups of students, faculty, or staff.

Special exceptions to this procedure may be granted in cases where it is deemed to be in the best interest of the College to engage in or contract for services of particular vendors for a College sanctioned event or activity. Special exceptions are granted by the College President/CEO.

- **Associated Students' Vendor Day:**

The Associated Students will designate one day each semester for a special Vendor Day to allow established student organizations an opportunity to present items for sale or distribution. All items and vendors must comply with the terms established by the College for these designated days. It is the intent of the College to allow the Associated Students to assess a flat fee for any approved vendor participating in Vendor Day. All fees collected from Vendor Day will be deposited in accounts with the Auxiliary Services and distributed amongst approved, participating student or College organizations according to pre-approved guidelines.

- **Authorization for Special Exceptions:**

Vendors participating in Vendor Day or approved through special exception, must comply with the established procedures by completing a Vendor Agreement Form at which time a Special Vendor Permit will be granted by the Office of Student Life. Vendors must follow and abide by the Vendor Rules and Regulations as specified on the Vendor Agreement Form. The Special Vendor permit will specify the event, the specific day(s), time(s), and location(s). The Special Vendor Permit may be revoked at any time should the vendor or any related parties violate Board Policies, Administrative Procedures, or College processes.

Chapter 3 - General Institution

AP 3911 Student Credit Card Solicitations

References:

Title 5 Section 54400; Civil Code Section 1747.02(m); Education Code Section 99030

Student credit cards may be marketed only with the authorization of the Student Life Office and only at sites designated by Student Life. Marketers of student credit cards are prohibited from offering gifts to the College and to staff members or students who complete credit card applications. Credit card and debt education information provided by nonprofit credit counseling organizations shall be included in the Student Handbook.

MT. SAN ANTONIO COLLEGE
ADMINISTRATIVE PROCEDURES
Chapter 4 - Academic Affairs

AP 4010	Academic Calendar
AP 4020	Program and Curriculum Development
AP 4021	At Risk Programs and Program Discontinuance
AP 4024	Units to contact Hour Relationship
AP 4025	Philosophy & Criteria for the Associate Degree and General Education (Note: This AP has been replaced by AP 4270 and AP 4280)
AP 4026	Philosophy and Criteria for International Education
AP 4027	Catalog Rights
AP 4030	Academic Freedom
AP 4040	Library and Other Instructional Support Services
AP 4050	Articulation
AP 4060	Delineation of Functions Agreements
AP 4100	Graduation Requirements for Degrees and Certificates
AP 4101	Independent Study
AP 4102	Career and Technical Education
AP 4103	Work Experience
AP 4104	Contract Education
AP 4105	Distance Education
AP 4110	Honorary Degrees
AP 4220	Standards of Scholarship – Delegation
AP 4221	Dean’s and President’s Lists
AP 4222	Remedial Coursework
AP 4225	Course Repetition and Withdrawals
AP 4228	Course Repetition – Significant Lapse of Time
AP 4230	Grading Symbols
AP 4231	Grade Changes
AP 4232	Pass/No Pass Grading
AP 4233	Security of Grades
AP 4235	Credit by Examination
AP 4240	Academic Renewal
AP 4250	Probation
AP 4255	Dismissal and Reinstatement
AP 4260	Pre-requisites and Co-requisites
AP 4270	Use of General Education Courses Completed at Other Accredited Institutions
AP 4275	Guidelines for Certifying Baccalaureate Level Courses
AP 4280	Use of Baccalaureate or Higher Degree to Waive Associate Requirements
AP 4285	Credit for Extra-Institutional Learning
AP 4290	Academic Honesty
AP 4300	Field Trips and Excursions
AP 4350	Student Travel Guidelines
AP 4400	Community Services
AP 4500	Athletics
AP 4555	Mt. SAC Relays
AP 4600	News Media
AP 4700	Classroom Visitors and Other Attendees

Chapter 4 – Academic Affairs

AP 4010 Academic Calendar

References:

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

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

- New Year's Day (January 1)
- Dr. Martin Luther King, Jr. Day (Third Monday in January)
- Lincoln Day (February 12 *or see Note below*)
- Washington Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Veterans Day (November 11 *or see Note below*)
- Thanksgiving Day (Fourth Thursday in November)
- Christmas Day (December 25)
- Cesar Chavez Day and Native American Day are local options if collectively bargained (Education Code Sections 79020(k) and 79020(l))

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

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

The academic calendar must be approved by the Board of Trustees annually.

The Mt. San Antonio College Catalog contains the most recent information regarding the College Calendar. This document is updated annually for currency and correctness.

Chapter 4 – Academic Affairs

AP 4020 Program and Curriculum Development

References:

Title 5 Sections 55000 et seq., and 55100 et seq.; Accreditation Standard II.A

The College defines a program as an approved sequence of courses leading to a certificate or degree. The Program and Course Approval Handbook for the California Community Colleges (March 2009) as well as the Course Outline of Record: A Curriculum Reference Guide (Spring 2008) are the reference documents used for curriculum and program development at the College.

A. Curriculum Review

The curriculum review process shall at a minimum be in accordance with the following:

- The College will have an established Educational Design Committee and its membership structure will be mutually agreed upon by the College administration and the Academic Senate.
- The Academic Senate assigns the task of course and program review to the Educational Design Committee. The Educational Design Committee shall forward its recommendations to the Curriculum and Instruction Council for review. All recommendations of the Educational Design Committee must be approved by the full Academic Senate prior to sending to the Board of Trustees for final approval.
- The Educational Design Committee also reviews course prerequisites, corequisites, and advisories in a manner that meets each of the requirements under Title 5 Section 55003 and those specified in the College's curriculum review process.

B. Publication of Changes and Maintenance of Records

After Board approval, all new programs, or changes to existing programs, commence with the next academic year and must be published in the College Catalog. All changes in course numbering must be reflected in the next year's College Catalog and class schedules showing both the old and new number to provide students with a clear path of transition.

C. Review of Courses Approved for General Education

Courses that fulfill general education requirements must:

1. Require post-secondary level skills in reading, writing, quantitative reasoning, and critical thinking.

2. Improve students' abilities to:

- a. communicate ideas effectively orally and in writing;
- b. define problems, design solutions, and critically analyze results;
- c. use available media to access, research, and retrieve reliable and authoritative information;
- d. work effectively, both cooperatively and independently;
- e. develop and question personal and societal values, make informed choices, and accept responsibility for their decisions;
- f. function as active, responsible, and ethical citizens; and
- g. acquire curiosity and skills essential for lifelong learning.

3. Impart understanding, knowledge, and appreciation of:

- a. our shared scientific, technological, historical, and artistic heritage, including the contributions of women, ethnic minorities, and non-western cultures;
- b. the earth's ecosystem, including the processes that formed it and the strategies that are necessary for its maintenance;
- c. human social, political, and economic institutions and behavior, including their interrelationships; and
- d. the psychological, social, and physiological dimensions of men and women as individuals and as members of society.

The Educational Design Committee will annually review proposals for additions and deletions to the General Education course list, maintaining consistency with the CSU area designation approval. The Committee will recommend to the Academic Senate any changes in the General Education course list. The Mt. SAC General Education course list will be published each year in the College Catalog and schedule of classes.

D. Stand-Alone Courses Approval Process

- a. The Educational Design Committee shall review proposals of stand-alone courses in a manner that meets each of the requirements under Title 5 Section 55100 and those specified in the College's curriculum review process.
- b. Procedures for course approval of degree and nondegree-applicable credit courses not part of a Chancellor's Office approved educational program must address the following criteria:
 - Courses must be recommended by the Educational Design Committee, approved by the Academic Senate, and Board of Trustees.
 - Individuals on the Educational Design Committee must receive stand-alone course training provided for in Title 5 section 55100 each year before September 30th.
 - Unless modified to address the reasons for denial, no courses may be offered that were previously denied separate approval by the California Community Colleges Chancellor.
 - Students may count no more than 17 semester units of degree-applicable stand-alone credit courses toward satisfying the requirements for a certificate or completion of an associate degree.

- No more than 17 semester units of stand-alone courses within a single four-digit Taxonomy of Programs (TOP) code linked to one another by prerequisites or corequisites may be approved.
- All approved stand-alone courses must be reported to the California Community Colleges Chancellor's Office to obtain a course control number for Management Information System (MIS) reporting.

Revised November 2009

Chapter 4 – Academic Affairs

AP 4021 At Risk Programs and Program Discontinuance

References:

Education Code 78016; Title 5 Sections 51022 and 55130

The procedure for discontinuance of career and technical education programs should include:

- Process for reviewing such programs every two years to ensure they meet legal standards.
- Process for termination of program by the Board of Trustees if legal and other College standards are not met.

A program is an approved sequence of courses leading to a certificate or degree.

Process for Identification of an “At Risk” Program

- A. Identification of “At Risk” Program: After a program has received Chancellor’s Office approval, the yearly program review, prepared by program faculty, will present key information about the program’s progress. Program review may indicate, based on trend data and other relevant information, that the program may be “at risk.” Other indicators not included in the program review may also precipitate determining that a program is “at risk.” “At risk” means that the program’s student enrollment, certificates awarded, student transfer, job placement, student retention and/or student success has either not met expected goals or diminished over time.
- B. Evaluation: Key faculty involved in the program and division leadership will review the program’s annual review reports and gather information to determine causes and possible solutions. The program’s advisory committee, the program’s students, and employers in the workforce are among the groups that will be surveyed. Appropriate faculty and management representatives will design an intervention plan for review by AMAC and appropriate Associations.
- C. Develop Plan: The intervention plan may include, but is not limited to, the following strategies:
 - Recruitment activities
 - Cooperative ventures with local employers, transfer institutions, and other community colleges
 - Enhanced career and academic counseling
 - Adjustment of course scheduling
 - Analysis of program demographics

The plan will also include the timeline and budget necessary to carry out the identified strategies and deadlines when the program will be reevaluated to measure the result. Additionally, the plan will address how students, faculty, and staff currently involved in the program will be reassigned should the program be discontinued.

- D. Implementation: Key faculty and other appropriate College personnel will execute the intervention plan and provide a progress report following the designated time period. If it is determined that the program should be discontinued, the termination phase will begin.

Process for Termination of a Program

- A. Identification and Evaluation

Key faculty and College personnel will review the findings of the progress made with the intervention plan. This committee, in conjunction with AMAC, will make a recommendation as to whether a program will be terminated.

- B. Develop Plan

If the evaluating team determines that the program should be terminated, it would recommend a final plan for notifying and accommodating students currently in the program. The plan will also describe where faculty and staff would be relocated and/or retrained.

- C. Implementation

If a program will be discontinued, the plan for accommodating students, faculty, and staff will be set in place. After approval by the Board of Trustees, the Chancellor's Office of the California Community Colleges will be advised.

Revised October 2008

Chapter 4 – Academic Affairs

AP 4024 Units to Contact Hour Relationship

References:

Title 5 Section 55002.5 and 55256.5; Program and Course Approval Handbook
(California Community Colleges)

Mt. San Antonio College establishes the following relationships between the number of units assigned to a given course and the number in the course outline:

For each 1 unit credit:

- 16-18 lecture contact hours + a minimum of 32-36 additional hours of related independent student work (total of 48-54 hours) OR
- 48-54 laboratory or activity contact hours.

The exception shall be:

- Work Experience and internship courses, which shall award credit in compliance with Title 5 specifications under section 55256.5 as follows: 1 unit for each 75 hours or paid work OR 60 hours of unpaid work.

As course contact hours increase, additional credit shall be awarded in half unit increments per the above standards. In addition, a course shall not be offered for zero (0) units.

November 18, 2009

Chapter 4 – Academic Affairs

AP 4025 Philosophy and Criteria for Associate Degree and General Education

This procedure was replaced by AP 4270 and AP 4280 in Fall 2010.

Chapter 4 – Academic Affairs

AP 4026 Philosophy and Criteria for International Education

Reference:

Education Code 66015.7

International education should encourage programs that support learning about other cultures, global issues, and the exchange of Californians and international students and scholars, such as:

- Develop courses of study in as many fields as possible to increase students' understanding of global issues and cultural differences.
- Offer courses in languages other than English to train students to communicate effectively in other cultures and to enhance their understanding of other nations' values.
- Provide opportunities for students in all majors to participate in study abroad programs to enrich their academic training, perspectives, and personal development.
- Provide opportunities for domestic and international students to interact effectively and routinely share their views, perceptions, and experiences in educational settings.
- Develop innovative public educational forums and venues to explore global issues and showcase world cultures.
- Encourage the presence of qualified students from other countries with sufficient geographic diversity to inspire an appreciation for differences among cultures and a deeper understanding of the values and perspectives of other people.

The Mt. San Antonio College Catalog contains the most recent information regarding admission of international students. This document is updated annually for currency and correctness.

Chapter 4 – Academic Affairs

AP 4027 Catalog Rights

References:

Title 5 Section 40401

1. A student remaining in continuous attendance in regular sessions at a regionally accredited post-secondary institution may, for the purpose of meeting graduation requirements from Mt. San Antonio College, elect to meet the requirements in effect at any time between entrance to Mt. San Antonio College and graduation from Mt. San Antonio College.
2. The division dean may authorize substitutions for discontinued courses.
3. For purposes of this section, students are considered in “continuous attendance” if any of the following exist:
 - a. the student was enrolled in any credit course at Mt. San Antonio College at the time of the class census date during either of the past two regular sessions (Intersession attendance does not apply towards catalog rights.);
 - b. the student completed any units in a credit course at another regionally accredited post-secondary institution in at least one regular semester or two regular quarters in the previous academic year (Intersession attendance does not apply towards catalog rights.); or
 - c. the student was on a leave approved by Mt. San Antonio College.
4. Exception: A student who meets the requirements noted above, but who has not been enrolled in any credit course at Mt. San Antonio College at the time of the class census date during any of the previous four regular sessions (two years), may not use requirements more than two academic years prior to the current requirements, except as required by law.

May 26, 2010

Chapter 4 – Academic Affairs

AP 4030 Academic Freedom

References:

Title 5 Section 51023; Accreditation Standard II.A.7, Article XIV (Faculty Evaluation Procedures), Section O from the Faculty Association Contract

It is agreed that it shall be the policy of the College to maintain and encourage freedom for its faculty, within the law, of inquiry, teaching and research, and the pursuit of knowledge. No evaluation shall be made of any professor based on the exercise of these freedoms. In the exercise of this right, the professor may discuss his/her subject or area of competence in the classroom, as well as other relevant matters, including controversial materials, so long as he/she distinguishes between personal opinions and what is contemporarily regarded as factual information by leading academicians in the discipline being discussed.

The professor shall use no materials in any teaching assignment nor make any speech in order to incite students or others to unlawful acts or to create a clear and present danger to the students and/or the College and/or the community. In addition to evaluation of those criteria identified as their responsibility in the evaluation process, administrators have the right to investigate any performance criterion listed in Section B (in Article XIV of the Faculty Contract) if and when a complaint is received which identifies the complainant and is specific and precise as to the nature of the complaint and the time and place of the alleged incident. Professors may not use the classroom to promote a particular religious belief.

It is further agreed that nothing in this section shall be regarded as inconsistent with the philosophy and policy of the Mt. San Antonio College Board of Trustees as established in Board Policy 4030 titled Academic Freedom adopted on May 26, 2004 which sections shall not be changed except by mutual consent between the Board and the Association. Furthermore, it is agreed that nothing in this section shall relieve any professor of his/her obligations to fulfill his/her responsibility under item “5” of Section B (in Article XIV of the Faculty Contract).

Chapter 4 – Academic Affairs

AP 4040 Library and Other Instructional Support Services

References:

Education Code Sections 67302 and 78100; Accreditation Standard II.C; 36CFR Section 11135; 42 U.S.C. Section 12101

The Mt. San Antonio College Catalog contains information regarding the College library and related support services. This document is updated annually for currency and correctness.

All library materials are accessible to individuals with disabilities. Upon request, library materials will be provided in alternate formats (Braille, e-text, tactile graphics, audio recording closed-captioned, or enlargements). To the extent possible, the alternate format shall be in the mode of communication that is preferred by the individual and shall be produced in a timely manner. Requests for alternate media should be directed to the librarian in charge.

Chapter 4 – Academic Affairs

AP 4050 Articulation

References:

Title 5 Section 51022(b); Accreditation Standard II.A.6.a; Section 55753.5, CSU Executive Order 595, Handbook of California Articulation Policies and Procedures

Articulation with Post-Secondary Institutions

Articulation is the process of developing, a formal, written and published agreement that identifies courses (or sequences of courses) on a “sending” campus that are comparable to, or acceptable in lieu of, specific course requirements at a “receiving” campus.

Successful completion of an articulated course assures the student and the faculty that the student has taken the appropriate course, received the necessary instruction and preparation, and that similar outcomes can be assured, enabling progression to the next level of instruction at the receiving institution.

Course articulation agreements are classified under the following categories:

- Courses accepted for baccalaureate credit;
- Transfer credit agreement;
- General education-breadth agreements;
- Course-to-course agreements;
- Lower division major preparation agreements

The process of developing and reviewing curriculum and coursework to determine course comparability between institutions rests with the faculty at the respective institutions. Faculty members in each discipline are responsible for the review of course content, the identification of comparable courses, and the authorization of acceptance of specific courses for transferring students.

The Articulation Officer is responsible for the following:

- Initiating faculty-approved articulation agreements between institutions of higher education.
- Serving as a consultant to faculty and academic units, providing needed materials, and information about course articulation proposals and acceptances.
- Serving as an advocate for the faculty and campus academic programs.
- Serving as an advocate for the other articulating institution, responsible for accurately communicating and conveying information and concerns about that institution’s curriculum to the faculty.
- Serving as a moderator and mediator of problems or disagreements between the faculties of the home campus and the articulating institutions.
- Serving as the campus liaison to the segmental system-wide office – often responsible for disseminating policy changes and update information.
- Serving on Educational Design Committee

- Managing and updating campus articulation data and information.
- Disseminating current, accurate, articulation data to appropriate departments, staff, students, and campuses.
- Facilitating campus participation in intersegmental programs (i.e., CIAC, CAN, ASSIST, ICC, ICAS, counselor conferences, and segmental meetings).
- Advocating for the transfer student and seeking to ease the transfer process.

The Mt. San Antonio College Catalog contains the most recent information regarding articulation with high schools, ROPs, and Adult Schools. This document is updated annually for currency and correctness.

Chapter 4 – Academic Affairs

AP 4060 Delineation of Functions Agreements

References:

Education Code Sections 8535 and 8536

In order to be in compliance with Education Code Sections 8535 and 8536, whenever the College is approached by another educational agency (public school district or community college district) to assume responsibility for any or all of that agency's adult education apportionment, the following procedure will be implemented:

- The Chief Instructional Officer will receive the proposal from the requesting educational agency, containing a list of the courses which they wish to transfer to the Mt. San Antonio Community College District, as well as an enrollment history for these courses for the most recent two years.
- The Chief Instructional Officer will review the proposal with respect to whether the proposed courses fit within the College's Community Education curriculum. Such review would consist of, but not be limited to, information on course titles, course content, projected enrollment, location of and faculty credential requirements. The Chief Instructional Officer will review the proposal with other administrators and committees as appropriate.
- If approved, a memorandum of understanding specifying a Delineation of Functions Agreement will be developed jointly with the requesting educational agency. The agreement shall contain all legal and contractual obligations of either or both educational agencies under the program with appropriate time requirements. Furthermore, the written transfer agreement shall specify 1) that only courses that qualify as community college noncredit education under Education Code Section 84711 shall be transferred and 2) the number of FTES proposed to be transferred from the educational agency with the existing program.
- The memorandum of understanding specifying the Delineation of Functions Agreement will be submitted to the Mt. SAC Board of Trustees for approval.
- If approved by the Board of Trustees, appropriate paperwork and reports required by the California Community College Chancellor's Office will be completed in a timely fashion and submitted for implementation.

Chapter 4 – Academic Affairs

AP 4100 Graduation Requirements for Degrees and Certificates

References:

Title 5 Sections 55800 et seq.

Credit Degrees and Certificates

The Mt. San Antonio College Catalog and Schedules of Classes contain the most recent information on the requirements for the Associate in Science Degrees, Associate in Arts Degrees, military credit, multiple degrees, and certificate programs. These documents are updated annually in consultation with the Academic Senate for currency and correctness.

Adult Education Certification

Certificates in a variety of career and technical programs are available through the Community Education Division and are published in the Community Education Noncredit Student Handbook. Many of these certificate programs mirror those offered through the credit programs of the College, are favorably recognized by business and industry, and are frequently used as a requirement for professional advancement. Credit divisions of the College open specific classes to the community on a limited basis to accommodate these programs. Classes taken are noncredit and do not generate College units toward a degree.

Credit Divisions of the College reserve the right to offer classes for credit only and revise the prerequisites as necessary. Therefore, not all courses required for a specific certificate will be offered every semester.

In order for students to receive a Certificate of Completion for the combined programs, the student must do the following:

- Obtain the appropriate Certificate Application Form from the Community Education Division Office in the Administration Building;
- Register and pay required material fees for desired classes;
- Attend a minimum of 75% of required class hours;
- Satisfactorily complete coursework, papers, and projects as well as take and pass mid-term and final examinations with the equivalent of a “C” grade;
- Obtain the instructor’s signature upon completion of each class; and
- When all courses are completed, submit the signed form to the Community Education Division Office for processing.

Attendance and signatures will be verified by the Community Education Division staff members. If all requirements are met, a Certificate of Completion will be prepared and delivered to the student.

The Community Education Division also offers fee-based Certificate Programs. Certificate Programs and relevant courses are listed in the Community Education Noncredit Student Handbook.

Chapter 4 – Academic Affairs

AP 4101 Independent Study

References:

Title 5 Sections 55300 et seq.

An independent study program shall be offered by the College if a learning contract for the specific course has been signed by the student taking the course, the faculty member the course, and the faculty member's immediate management supervisor. The learning contract must be submitted to the Admissions and Records Office by deadlines established by the College; must include the number of units and hours of study required; arrangements for consultation with the instructor; the work product to be evaluated; and the College facility required.

Academic standards for independent study are the same as those applied to other credit courses.

Procedures for evaluation of student progress are the same as those applied to other credit courses.

Access to the instructor during established office hours is the same as that commonly available to students in courses conducted by other instructional methods.

Reporting independent study courses to the State Chancellor's Office for apportionment must comply with the provisions of Title 5 Section 58003.1.

Independent Study Contract:

The terms of this agreement are established between the student and the faculty member and approved by the Division Dean.

Chapter 4 – Academic Affairs

AP 4102 Career and Technical Education

References:

Title 5 Sections 55600 et seq.

The following is the mission, requirements, and purpose of career and technical education:

- To provide accessible and affordable quality learning opportunities in response to the needs and interests of the individuals and organizations;
- To provide quality transfer, career, and lifelong learning programs that prepare students with the knowledge and skills needed for success in an interconnected world; and
- To advance the State and region's economic growth and global competitiveness through education, training, and services that contribute to continuous workforce improvement.

The competence of students completing career and technical education shall be evaluated by the same criteria used for all courses and in accordance with specific requirements established by the College.

Advisory Committees

Advisory committees for career and technical education shall be established by the College to assist in maintaining relevant curriculum, technology, equipment, course content, and to serve as liaison with potential employers.

The purpose of advisory committees includes:

- Establishing vital partnerships between the College, career education staff, and the local business community;
- Providing input and recommendations to the College regarding trends, employment needs, job placement, and future directions in industry;
- Identifying the need for new programs; and
- Marketing College programs within the community.

Members of advisory committees are appointed in accordance with processes established by the College and should include appropriate program faculty members, employers, and employees in the field for which the program is designed to train students; former and current students; the Department Chairperson or Program Director; and the Division Dean. Also refer to the latest edition of the Mt. SAC Advisory Committee Handbook for the details on the development, role, functions, and responsibilities of advisory committees.

The Mt. San Antonio College Catalog contains detailed information regarding programs of study leading to certificates and Associate in Science degrees. The College Catalog is updated annually for currency and correctness.

Chapter 4 – Academic Affairs

AP 4103 Work Experience

References:

Title 5 Sections 55250 et seq.

The College Plan for Work Experience Education is adopted by the Board of Trustees and submitted for approval to the State Chancellor's Office. A copy of the College's current plan for Work Experience is on file and available in the Instruction Office, in the Career Placement Services Office in Student Services, and in the current College Catalog.

A. Purpose

The purpose of Occupational Work Experience is to provide for on the job experiences for students whereby they will gain a deeper understanding of the relationships between classroom theory and practical application, be an active participant in an actual workplace environment, and improve their employment opportunities.

In keeping with the educational philosophy of the College, which maintains that occupational education is a vital and inseparable segment of the total educational program of the College, Mt. San Antonio College is committed to the development and expansion of an effective program of work experience education.

Work Experience courses submitted for review are subject to curriculum review procedures established for all other courses and to Academic Senate approval.

B. Authority

California Community Colleges may offer work experience courses in accordance with Title 5 of the California Code of Regulations.

Refer to the current edition of the Mt. San Antonio College Catalog for details on work experience. This document is updated annually for currency and correctness.

Chapter 4 – Academic Affairs

AP 4104 Contract Education

Reference:

Title 5 Section 55170

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

The Training Source

One College enterprise, The Training Source, provides specialized service designed to assist business, industry, agencies, and other organizations to improve the quality of their products and services and to increase their competitiveness within domestic and international markets.

- A. Marketing efforts targeted to prospective clients for The Training Source will be documented and evaluated.
- B. Contact with the potential client may be College staff initiated or client initiated.
- C. The Training Source staff will be responsible for the following contract education procedures:
 1. Initial personal contact will be conducted by appropriate personnel for the purpose of presenting a brief overview of The Training Source programs, conducting a broad assessment of client needs, establishing an appointment at client site, and distributing an initial information packet.
 2. Selected team members of The Training Source and appropriate content experts will meet with the client to conduct an in-depth interview, assess client training needs, and determine client expectations as well as to gather information and schedule a follow-up presentation.
 3. Team meetings may be conducted to evaluate the initial contact, client needs, available resources, and develop a training program that incorporates the course syllabus and appropriate presenters. Additional contact with the client will be made as needed. The contract proposal will then be prepared.
 4. The negotiated contract will be signed by the Chief Instructional Officer. An initial financial advance may be collected from the client and deposited in Contract Education account.
 5. If contract negotiations are not successful, contact will be made with the client within two working days. The Training Source staff will continue to work with the client to achieve contract acceptance.
 6. Board of Trustees agenda items will be developed for all completed contracts and information about the selected presenters will be submitted to the College President/CEO for Board of Trustees approval.
 7. A written contract and appropriate personnel forms will be prepared for each presenter. A presenter orientation will be completed prior to the presenter beginning the training program.

8. If necessary, credit numbers will be obtained from the appropriate Division Dean, and non-credit numbers will be obtained from Community Education. Textbooks and supplies will be ordered as appropriate for each individual training program. Parking will be arranged for the presenter.
 9. The Training Source staff will assist trainees in the registration and admissions process during the first class meeting. Registration/Admission forms will be submitted to the Admissions and Records Office for credit courses or the Community Education for non-credit courses as appropriate. A list of trainees enrolled in the program will be kept in the client file. Roll sheets will be provided to presenters by The Training Source Office.
- D. The training program will be implemented as outlined in the proposal and contract. The client will receive an invoice for services rendered.
 - E. Upon completion of the training/contract, the program will be evaluated by the client, trainee, presenter, and The Training Source.
 - F. The client will receive a program summary within two weeks of completion of the contract. Permission will be requested to use the client as a reference for The Training Source's promotional marketing efforts.
 - G. The Training Source staff will continue active marketing efforts with the client in pursuit of additional contract education opportunities.

Fees

The contract fee is determined by the complexity of the client's need. The following factors may be used to establish the fee:

- Curriculum development
- Supplies and materials needed
- The required level of expertise of the presenter
- The total hours of instruction or consulting
- The total hours of staff support and project coordination
- Equipment needed
- Indirect cost

State support, apportionment, is not collected for contract education classes.

Chapter 4 – Academic Affairs

AP 4105 Distance Education

References:

Title 5 Section 55200 et seq.

Definition:

A distance education course is a course that has regularly scheduled replacement of seat time and is published accordingly in the Mt. SAC Schedule.

Course Approval:

Each proposed or existing course offered by distance education shall be reviewed and approved separately. Separate approval is mandatory if any portion of the instruction in a course or a course section is designed to be provided through distance education.

The review and approval of new and existing distance education courses shall follow the curriculum approval procedures outlined in Administrative Procedures 4020, Program and Curriculum Development. Distance education courses shall be approved under the same conditions and criteria as all other courses.

Certification:

When approving distance education courses, Educational Design will certify the following:

- Course Quality Standards: The same standards of course quality are applied to the distance education courses as are applied to traditional classroom courses.
- Course Quality Determinations: Determinations and judgments about the quality of the distance education course were made with the full involvement of the Educational Design Committee approval procedures.
- Instructor Contact: Each section of the course that is delivered through distance education will include regular effective contact between instructor and students.

Duration of Approval:

All distance education courses approved under this procedure will continue to be in effect unless there are substantive changes of the course outline. Distance education courses are subject to the four-year review process as are all courses subject to Title 5 regulations.

Additional information regarding Distance Education is included in the Mt. San Antonio College Catalog. This document is updated annually for currency and correctness.

Revised May 2008

Chapter 4 – Academic Affairs

AP 4110 Honorary Degrees

Reference:

Education Code Section 70902

The conferring of honorary Associate in Arts or Associate in Science degrees provides the Board of Trustees with a vehicle to recognize and honor individuals for meritorious and outstanding service to the College community.

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

A recommendation to award an honorary degree will be discussed by the President's Advisory Council (PAC) a minimum of two times in order to allow the PAC membership to review the recommendation with their constituents. Once the recommendation is approved by the PAC, it is forwarded to the Board of Trustees for final approval.

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

Chapter 4 – Academic Affairs

AP 4220 Standards of Scholarship – Delegation

Reference:

Education Code Section 70902(d)

Mt. San Antonio College requires that all students maintain an acceptable level of progress toward their educational goals through course completion and by maintaining a minimum grade point average of 2.0 or higher. Students who do not maintain satisfactory progress toward their educational goal are subject to academic and/or progress probation and dismissal as outlined in the College's Administrative Procedures, in accordance with Title 5.

Matters identified by Title 5 as standards of scholarship are grading practices, credit-noncredit options, credit by examination, standards for probation and dismissal, remedial course work, academic record symbols, grade changes, course repetition, and academic renewal. Authority and responsibility is delegated to the Chief Instructional Officer and the Academic Senate as described in the policies and procedures on participation in local decision-making.

Chapter 4 – Academic Affairs

AP 4221 Dean’s and President’s Lists

The Mt. San Antonio College Catalog contains the most recent information regarding the Dean’s and President’s Lists. This document is updated annually for currency and correctness using a review process that includes consultation with the Academic Senate.

Chapter 4 – Academic Affairs

AP 4222 Remedial Coursework

Reference:

Title 5 Section 55035

Limitation of Remedial Coursework

Title 5 Section 55756.6 establishes a limit of 30 units of remedial coursework that may be completed by a student, unless qualifying for an exemption. Courses identified as “Pre-collegiate Basic Skills” in the College Catalog are included in the category of remedial coursework.

Students having exhausted the unit limitation shall be dismissed and shall be referred to an appropriate adult noncredit education program.

Students enrolled in the American Language (AMLA) program, students with identified learning disabilities, and students who have completed remedial courses at other institutions are exempt from this policy.

Students who show significant, measurable progress toward the development of skills appropriate to his or her enrollment in college-level courses may request a waiver of the limitation on remedial coursework. If granted, the waiver will be given for specified periods of time or for specified numbers of units.

The College will make every effort to notify students who have completed 20 units, or more, of pre-collegiate basic skills courses, of their status, and of campus resources available to support their academic progress.

Pre-Collegiate Basic Skills Courses

Courses which have been identified as remedial/pre-collegiate basic skills courses are identified in the College Catalog as “Pre-Collegiate Basic Skills”. This document is updated annually for currency and correctness.

The following students are exempted from the limitation on remediation:

1. Students enrolled in one or more courses in the American Language program;
2. Students who have been identified by the district as having a learning disability;
3. Students transferring from other colleges/universities will not have remedial coursework from their prior institutions counted as part of the remedial limitation.

Notification

A student who has completed 20 units in remedial/pre-collegiate basic skills courses shall be notified of the regulation limiting the number of remedial units and be referred to the Counseling and DSPS departments. Information about the action and dismissal process

will be included in the notification, including information identifying campus resources and referrals.

Upon completion of 30 units in remedial courses a student shall be notified that he/she will automatically be dropped from any additional remedial courses. Information will also be provided to the student about their ability to request a waiver of the limitation of remedial coursework, as well as information about the dismissal process.

Students who have exhausted the unit limitation will be referred to an appropriate adult noncredit education program.

Waiver of the Limitation of Remedial Coursework

A student who shows significant measurable progress toward the development of skills appropriate to his or her enrollment in college-level courses may petition the Board of Appeals for a waiver of the limitation of remedial coursework. The student will receive a response, in writing, indicating the granting/denial of the petition. If the petition is granted, the student will be informed of the specified period of time or the specific courses approved beyond the 30 unit limit. Student will not be allowed to remain in courses beyond the 30 units limit without verification of extenuating circumstances.

Remedial Dismissal

A student who does not attain full eligibility status for degree appropriate work within the 30 unit limit shall, unless provided with a waiver of the limitation of remedial coursework, be dismissed and referred to adult non-credit education courses per Title 5. The Office of Admissions and Records shall notify the student of the remedial dismissal status at the end of the semester together with an explanation of the status.

Re-Admission from Remedial Dismissal Status

A student may, upon successful completion of appropriate remedial coursework or upon demonstration of skill levels which will reasonably assure success in degree appropriate coursework, petition to be reinstated. The petition is to be filed with the Dean, Counseling for action by the Board of Appeals.

The College Catalog shall include a clear statement of the limited applicability of remedial coursework toward fulfilling degree requirements and any exemptions that may apply to this limitation.

References revised June 2008

Chapter 4 – Academic Affairs

AP 4225 Course Repetition and Withdrawals

References:

Title 5 Sections 55024, 55040-55045, 58161

For Substandard Grades (55024, 55040)

Students will be allowed up to two substandard grades for the same course; however students will only be allowed to repeat the same course twice to alleviate substandard grades, for a maximum enrollment of three times. The previous grade and credit will be disregarded in computing the student's GPA each time the course is repeated, such that the highest grade will count toward the grade point average. The student's permanent academic record will be annotated such that all course work that has been taken and forgiven or repeated will remain legible, ensuring a true and complete academic history.

For Withdrawals (55024, 55040)

After the first three weeks of a 16-week class in a regular term, or after the first 20% of a short-term course, students shall be allowed a maximum of two repetitions from the same course for which a mark of "W" was originally posted on the student's records, for a maximum of three "W" marks in any one course.

Extenuating Circumstances (55040, 55045)

In cases in which the student's grade and/or enrollment was the result of an extenuating circumstance, students may file a petition to repeat a class an additional time (whether the prior enrollment was due to a substandard grade, a passing grade, or a withdrawal). Extenuating circumstances are verified accidents, illness, or other circumstances beyond the control of the student. When course repetition is approved pursuant to this provision, the district shall allow the previous grade and credit to be disregarded in computing the student's grade point average each time the course is repeated.

Revised July 2008
Revised May 2009

Chapter 4 – Academic Affairs

AP 4228 Course Repetition – Significant Lapse of Time

Reference:

Title 5, Section 55043; BP 4225

Students will be allowed to petition to repeat a class in which a “Pass” or “C” or better grade was earned when there has been lapse of at least three years since the course was completed and the grade obtained. The prior grade will be retained and the repeated grade will be posted to the student’s official academic record, but this repeated grade will not be factored into the student’s GPA or in the student’s unit credits. Only one repetition based on the criteria of significant lapse of time will be allowed per course. This procedure does not apply to course repetitions for substandard grades or course withdrawals.

Students may also petition for course repetition under this provision if another institution of higher education to which the student seeks to transfer has established a recency prerequisite which the student will not be able to satisfy without repeating a course that was previously completed with a successful grade. Students will file these petitions with the office of the Dean of Counseling to be reviewed and acted upon by the Dean of Counseling or by a counselor appointed for this purpose.

Recency prerequisites for specific courses and programs may be established, but must be validated per section 55003 of Title 5. Validated, required prerequisites supersede this three year threshold for repetitions based on lapse of time.

If a student has already exhausted the number of repetitions permitted for activity classes that are deemed “repeatable,” an additional repetition due to significant lapse of time is permitted.

Approved May 2009

Chapter 4 – Academic Affairs

AP 4230 Grading Symbols

Reference:

Title 5 Section 55758

The Mt. San Antonio College Catalog contains the most recent information regarding Grading Symbols. This document is updated annually for currency and correctness using a review process that includes consultation with the Academic Senate.

Chapter 4 – Academic Affairs

AP 4231 Grade Changes

References:

Education Code Sections 76224 and 76232; Title 5 Section 55025

Grade Changes

The instructor of the course shall determine the grade for each student in the class. The determination of the student's grade by the instructor is final unless a student can provide evidence that the grade is incorrect based on mistake, fraud, bad faith, or incompetence. "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, inaccurate recording or change of a grade by any person who gains access to grade records without authorization.

In the case of a mistake or error in the calculation of the final grade, the grade can only be changed or removed by authorization of the instructor of the course or in the case where the instructor cannot be reached, by the authorization of the appropriate department chair. In the case of fraud, bad faith, or incompetence, the final decision to change the grade will be made by the Board of Trustees upon recommendation of the Vice President of Instruction. In all cases, the instructor who first awarded the grade will be given written notice of the change.

The removal or change of an incorrect grade from a student's record shall only be done pursuant to Education Code 76232.

Students who believe a grade awarded is incorrect should discuss the grade first with the instructor of the class. If the problem is not resolved at that level, the student should discuss the problem with the department chair, and subsequently with the division dean. If it is not possible to resolve the problem in these discussions, the student may file a formal grievance with the Office of Student Life following procedures described in AP 5530 – Student Complaints/Grievance Process. AP 5530 contains a specific description of the process for filing a grievance and procedures regarding grade change issues.

When a grade given in error has been corrected, the incorrect grade shall be expunged from the student's permanent record.

In cases where the faculty member has determined that the grade currently posted, or about to be posted, for a student is in error or does not accurately reflect the achievement of the student in the course, the faculty member will be required to initiate the grade change process following established college procedures.

Revised September 2008

Chapter 4 – Academic Affairs

AP 4232 Pass/No Pass Grading

References: Title 5 Sections 55005, 55022, 55023, 55030, 55063

Pass/No Pass Grades

1. Credit courses may evaluate students on a letter grade (A, B, C, D, F) basis only, on a Pass/No Pass (Pass = A, B, or C; No Pass = D, F) basis only, or so as to allow students to elect either option.
2. The decision as to evaluation method is made by the academic department as part of educational review with students subject to the restrictions below:
 - a. Courses used to meet General Education requirements must be taken for a letter grade.
 - b. Courses used to meet major requirements must be taken for a letter grade.
3. In courses offering a grading option, students are automatically registered on a letter grade basis at the time of registration. If a change is desired, the student must select the Pass/No Pass option either:
 - a. online if the course has not yet met 20% of its total minutes (end of the third week for sixteen week courses), or
 - b. in person with a picture ID at the Admissions and Records Office in the Student Services Center if the course has not met 30% of its total minutes (end of the fourth week for sixteen week courses).
4. No more than sixteen (16) units of credit with a Pass (P) grade may be applied towards graduation from Mt. SAC.
5. Courses taken on a Pass/No Pass basis are neither counted in calculating grade point averages nor in determining eligibility for the Dean's List, but such courses are considered in "progress probation" and dismissal procedures.

Revised February 2010

Chapter 4 – Academic Affairs

AP 4233 Security of Grade Records

References:

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

The District shall implement security measures for student records that assure no person may obtain access to student grade records without proper authorization. These measures shall be installed as part of any computerized grade data storage system. The measures implemented by the District shall include, but not necessarily be limited to, password protection of all student grade data bases, locking mechanisms for computer stations from which student grade data bases can be viewed, and strict limits on the number of persons who are authorized to changed student grades.

Persons authorized to change grades shall be designated by the Dean of Enrollment Management. No more than five District employees may be authorized to change student grades. Only regular full-time employees of the District may be authorized to change grades. Student workers shall not have access to grade records, and student workers may not change grades at any time.

Any person who discovers that grades have been changed by someone other than the persons authorized to do so shall notify the Dean of Enrollment Management immediately. The Dean of Enrollment Management shall immediately take steps to lock the grade storage system entirely while an investigation is conducted and shall immediately notify the Vice President of Student Services of the situation.

Disciplinary and Legal Action

If any student's grade record is found to have been changed without proper authorization, the District will notify the following:

1. The student
2. The instructor who originally awarded the grade
3. Any educational institution to which the student has transferred for which the college has knowledge
4. The accreditation agency
5. Appropriate local law enforcement authorities if a violation of law has occurred

Whenever a grade is changed for reasons of fraud or lapse in security, corrected transcripts will be sent to any educational institution to which a student has transferred for which the college has knowledge.

Any student or employee who is found to have gained access to grade recording systems without proper authorization, or who is found to have changed any grade without proper authority to do so, shall be subject to discipline in accordance with District policies and procedures and shall be subject to being reported to local law enforcement authorities if a violation of law has occurred.

September 2008

Chapter 4 – Academic Affairs

AP 4235 Credit by Examination

Reference:

Title 5 Sections 55050-55052

Mt. San Antonio College may elect to grant course credit to students who can demonstrate through process of examination the mastery of subject matter previously attained. Units acquired by examination are not applicable to meet unit load requirements for financial aid benefits and shall not be counted in determining graduation residency requirements. All units earned by this process shall be recorded on the transcript so as to make it clear that the units were earned by examination.

Externally Administered Examinations

The College shall maintain and publish in its catalog a listing of acceptable externally administered examinations. Such listing shall include the score needed to earn credit, the Mt. SAC course considered equivalent to the exam (if any), the number of units to be awarded for the exam, and (if applicable) the General Education area to which the awarded units may be applied. The decisions related to externally administered examinations shall be made by the faculty in the subject discipline, subject to approval by the Academic Senate. All units awarded by externally administered examinations shall be on a “pass/no-pass” basis.

Advanced Placement - The College may grant not more than six units of credit for an examination score of three, four, or five in subjects of the Advanced Placement (AP) program of the College Entrance Examination Board.

International Baccalaureate – The College may grant not more than five units of credit for an examination score of five, six, or seven in subjects of the International Baccalaureate (IB).

College Level Examination Program – The College may grant not more than six units of credit for an examination score of fifty or above in a General Examination of the College Level Examination Program (CLEP) of the College Entrance Examination Board.

Internally Administered Examinations

The College shall maintain at each division office a listing of courses from the College Catalog which have been designated by departments as being eligible for credit by examination. The department faculty shall establish written guidelines by which the eligibility of a student to take such an examination is determined. If a “pass/no-pass” option is ordinarily available for the course, the option shall be offered to the student prior to the evaluation of the examination.

At a minimum, the eligibility guidelines shall require:

- A. The student is currently registered and in good standing at Mt. San Antonio College (unless a current high school articulation exists);

- B. The student has not already received credit for the course or for a more advanced course which follows the course in sequence;
- C. The student has not been enrolled in the same course or for a more advanced course which follows the course in sequence for more than six weeks.

Departments choosing to offer credit by examination shall provide the faculty in the relevant discipline sole authority to determine the nature and content of the examination, including whether and to what extent the examination includes written, oral, skills-based, and portfolio-based components. The discipline faculty shall determine that the examination adequately measures mastery of the course content as set forth in the Course Outline of Record.

Petitions for credit by examination shall be available at each division office. Upon receiving a petition, the division dean shall contact the appropriate department chair, who shall assign a faculty member who has taught the course in question within the past five years. This faculty member shall oversee the department's examination and evaluate the results, using the same grading system as normally used for the course.

References revised June 2008
Revised April 5, 2011

Chapter 4 – Academic Affairs

AP 4240 Academic Renewal

References:

Title 5 Sections 55044

The Mt. San Antonio College Catalog contains the most recent information regarding Academic Renewal. This document is updated annually for currency and correctness using a review process that includes consultation with the Academic Senate.

References revised June 2008

Chapter 4 – Academic Affairs

AP 4250 Probation

References:

Title 5 Sections 55030, 55031, 55032, 55033, 55034

Notification of Probation: Each student will be notified of his/her academic difficulty and the availability of College support services to respond to the academic difficulty before the student is dismissed.

Notification will consist, at a minimum, of the following:

- At the end of the semester in which the student's grade point average falls below 2.0 in all units attempted, a notice shall be sent to the student informing him/her that he/she is on academic probation.
- At the end of the semester in which the student's percentage of all enrolled units for which entries of "W," "I," and "NP" are recorded reaches or exceeds fifty percent, a notice shall be sent to the student informing him/her that he/she is on progress probation.

Restriction on Enrollment: Upon recording of probation students shall have their registration restricted, be required to participate in a prescribed counseling intervention and be limited to enroll in a maximum of 12 units in subsequent semesters and 4 units in subsequent winter and summer intersessions while on probation.

For the purposes of this section, semesters shall be considered consecutive on the basis of the student's enrollment, so long as the break in the student's enrollment does not equal two primary terms or more.

Revised May 9, 2008

Chapter 4 – Academic Affairs

AP 4255 Dismissal and Reinstatement

Reference:

Title 5 Section 55756

Notification of Dismissal: At the end of the third consecutive semester on which the student is on academic or progress probation, a notice shall be sent to the student informing him/her that he/she is subject to dismissal.

Dismissal: A student who is subject to dismissal will not be allowed to enroll in the subsequent primary term, unless the student is successful in appealing the dismissal.

Appeal of Dismissal: A student who is to be dismissed may appeal the dismissal action by filing a petition with the Counseling Department. If approved, the student shall be required to participate in a prescribed counseling intervention and complete a contract, which shall include the number of units in which he/she shall enroll.

The student shall remain on a probationary, appeal status and on contract until clearance of probation. Failure to comply with terms and conditions of contract may result in a subsequent dismissal.

Reinstatement: A student desiring to reenroll after dismissal must file a petition for reinstatement with the Counseling Department. This may only be requested after the student has been dismissed for a minimum of one primary term.

The reinstated student shall be required to participate in a prescribed counseling intervention and complete a contract for reinstatement, which shall include the number of units in which he/she shall enroll.

A reinstated student shall remain on a probationary, reinstated status until clearance of probation. A reinstated student shall also remain on contract until clearance of probation. Failure to comply with terms and conditions of reinstatement contract may result in a subsequent dismissal.

Revised May 9, 2008

Chapter 4 – Academic Affairs

AP 4260 Pre-requisites and Co-requisites

References:

Title 5 Sections 55200 et seq.

The Mt. San Antonio College Catalog contains the most recent information regarding Pre-requisites and Co-requisites. This document is updated annually for currency and correctness using a review process that includes consultation with the Academic Senate.

Chapter 4 – Academic Affairs

AP 4270 Use of General Education Courses Completed at Other Accredited Institutions

References:

Title 5 Sections 55061-55063; Accreditation Standard II.A.#

Mt. San Antonio College will accept general education courses and courses that meet other local graduation requirements completed at regionally accredited institutions of higher education. The College will apply to the Mt. San Antonio College Associate Degree graduation requirements those courses as the equivalent courses offered at Mt. San Antonio College. Where no equivalent courses are offered at Mt. San Antonio College, said courses will be applied in the same manner prescribed by the institution of origin as determined by that institution's college catalog. The exceptions to this are courses used to meet the following college requirements:

- The English course accepted must be determined to be the equivalent of ENGL 1A, Freshman Composition (or ENGL 1AH).
- The speech course accepted must be determined to be the equivalent of SPCH 1A, Public Speaking (or SPCH 1AH), or SPCH 1, Fundamentals of Communication.
- The math course accepted must be determined to be the equivalent of Math 71, Intermediate Algebra or higher.
- The reading course accepted must be determined to be equivalent of Reading 90, Preparing for College Reading or higher.

December 2010

Chapter 4 – Academic Affairs

AP 4275 Guidelines for Certifying Baccalaureate Level Courses

Reference:

Title 5 Section 55002

A course may be certified as baccalaureate-level if it satisfies Section 55002 of the California Administrative Code (Title 5) regulations pertaining to criteria and standards which should be used when establishing a graded course and one of the following criteria:

- A. It is a course that is equivalent in scope and content to any existing baccalaureate-level course at any one of the California State University or University of California campuses.
- B. It is a course that enhances understanding of intellectual, scientific, and cultural traditions or it is a course that enhances understanding of occupational and professional fields generally requiring experience in higher education as prerequisite to employment in such fields.
- C. It is a course which is part of a recognized two-plus-two program which has been formally articulated, such as the Associate in Science Degree, R.N. program.

The certification of baccalaureate status is determined in the Educational Design Committee as part of the curriculum review process, in consultation with the Articulation Officer.

Chapter 4 – Academic Affairs

AP 4280 Use of Baccalaureate or Higher Degree to Waive Associate Requirements

References:

Title 5, Sections 55061-55063; Accreditation Standard II.A.3

Students who have earned a baccalaureate or higher degree from the University of California or the California State University shall be deemed to have satisfied all General Education requirements and shall also have the Physical Well-Being requirement waived. All other requirements for the Associate Degree remain in effect.

Revised December 2010

Chapter 4 – Academic Affairs

AP 4285 Credit for Extra-Institutional Learning

Philosophical Basis

Credit for extra-institutional learning is provided for students under special conditions in recognition of learning that has been attained outside the sponsorship of legally authorized and accredited post-secondary institutions.

General Policy Statement

Credit for extra-institutional learning will be awarded to those students who have attained competency of subject matter through experiences outside of the sponsorship of legally authorized and accredited postsecondary institutions. Credit for extra-institutional learning will be awarded to those students who have attained competency of subject matter through experiences outside of the sponsorship of legally authorized and accredited postsecondary institutions. The College will accept the following:

1. Recommendations of the American Council on Education in reference to the *Guide to the Evaluation of Educational Experiences in the Armed Services* and the *National Guide to Credit Recommendation for Non-collegiate Courses*; and,
2. Recommendations of the College Entrance Examination Board in reference to Advanced Placement and similar examinations; and,
3. Recommendations regarding the assignment of credit from other similar nationally recognized academic institutions, including Mt. San Antonio College's policy for comprehensive examinations.

Policy Regulations

- Of the 60 units required for the Associate Degree, at least twenty-four (24) units must be earned in courses that contribute to the grade point average.
- Extra-institutional learning credit will normally not be evaluated unless the credit is necessary for graduation.
- Credit for non-collegiate courses will be awarded only for work applicable toward the Associate Degree. Credit may be granted for upper division courses provided the student has earned less than 60 units at the time the upper division work is attempted.
- To petition for extra-institutional learning credit, a student must have at least a 2.0 grade point average, not be on probation, and be in good standing.
- The permanent academic record shall be annotated in such a manner to insure that a true and complete history of extra-institutional learning credit has been granted.
- In cases where a student is seeking a degree/certificate from the College, all standard graduation and residency requirements apply and must be met by completing a minimum of 12 units earned from Mt. SAC courses.

Credit for Current License Holders

Mt. San Antonio College may grant units of credit towards an associate's degree to current license holders in the following areas: Emergency Medical Technology (Paramedics), Psychiatric Technology, and Radiologic Technology. The total number of units granted will be equal to the current total unit requirement for the equivalent program certificate. License holders must meet the college's residency requirements and complete an application to the college before the request for extra-institutional learning credits may be made. The application date will determine the catalog year.

The Department Chair from the appropriate program will validate the license and its currency. Admissions and Records will certify that the requirements have been met, grant the appropriate number of units, and apply extra-institutional learning credit toward the degree.

Credit for Military Training

Mt. San Antonio College will grant four units of Baccalaureate level elective credits for military experience without regard to the field of service. Additional credit may be allowed for specific programs of training and credits earned through the United States Armed Forces Institute.

Revised October 22, 2010

Chapter 4 – Academic Affairs

AP 4290 Academic Honesty

The Mt. San Antonio College Catalog contains the most recent information regarding Academic Honesty. This document is updated annually for currency and correctness using a review process that includes consultation with the Academic Senate.

Chapter 4 – Academic Affairs

AP 4300 Field Trips and Excursions

Reference:

Title 5 Section 55220

The College may conduct field trips and excursions for students in connection with courses of instruction or College-related education to and from places in California, or any other state, the District of Columbia, or a foreign country.

Approval for each educational field trip shall be secured from the Division Dean, Vice President of Instructional Services and/or the Board of Trustees depending upon the length and destination of the trip. Field Trip Authorization and/or Transportation Request form is available for this purpose.

The College shall engage instructors, supervisors, and other personnel as may be necessary for such excursions or field trips. All persons making a field trip or excursion shall be deemed to have waived all claims against the District for injury, accident, illness or death occurring during or by reason of the field trip or excursion. All adults taking such trips and all parents or guardians or minor students shall sign a statement waiving such claims.

The College shall, at the discretion of the Vice President or Division Dean, transport students, instructors, supervisors or other personnel by use of College equipment, contract to provide transportation, or arrange transportation by the use of other equipment. There also may be occasions for an “off-campus meeting” where students are instructed to meet at a designated location.

When College equipment is used, the College shall obtain liability insurance, and if travel is to and from a foreign country, the liability insurance shall be secured from a carrier licensed to transact insurance business in the foreign country.

The College may pay expenses of instructors, chaperons and other personnel participating in a field trip or excursion. Payment shall be by way of itemized reimbursement in a form prescribed by the Vice President or Division Dean. The District may pay for expenses of students participating in a field trip or excursion with auxiliary, grant, or categorical program funds if the funds are used consistently with the funding source.

No student shall be prevented from participating in a field trip or excursion which is integral to the completion of a course because of lack of sufficient funds. The District shall coordinate efforts of community service groups to provide funds for students in need of them.

- A. A field trip is any trip which requires college transportation or requires attendance beyond the regularly scheduled class hours. Request for use of a vehicle must be made on a Field Trip Authorization and/or Transportation Request form. Faculty members who have laboratory classes will be expected to schedule field trips during laboratory hours, when possible. Lecture classes are expected to schedule field trips on the day the class

meets, when possible. This policy does not eliminate the possibility of field trips on Saturdays or evenings.

- B. The appropriate Division Office will receive Field Trip Authorization and/or Transportation Request form and notify the originator of the request for verification that the field trip has been scheduled and approved.
- C. Students on college-authorized field trips will not be penalized for absences incurred in other classes during the field trips.

Revised May 9, 2008

Chapter 4 – Academic Affairs

AP 4350 Student Travel Guidelines

References:

Education Code Section 87706; Title 5 Section 55220; Mt. SAC BP 4300

The College encourages currently enrolled students to participate in competitions, conferences, workshops, meetings, social, educational and cultural activities in the State of California, or any other state, the District of Columbia, or a foreign country. These guidelines pertain to student travel for activities that are organized and sponsored by the College, including travel that is funded by the Associated Students.

All students traveling to and from a College-sponsored event must sign a Student Travel Agreement and Medical Release Form with a copy to be maintained on file with Public Safety Office prior to departure. The original form is held by the faculty/staff coordinator for the trip with a copy maintained by Public Safety. Only approved student travel with the proper documentation will be sanctioned as sponsored by Mt. San Antonio College, even if there is no cost to the College.

Required Approvals

- Board of Trustees – student travel past a 500 mile radius of the College or out of the country
- Vice President – student travel past a 150 mile radius of the College, or out of the State.
- Dean – student travel within a 150 mile radius of the College.

Required Forms

All students participating in the travel activity must sign the Student Classroom-Related Travel Agreement and Medical Release Form available in Division Offices or the Student Life Office. Any employee who requests a student travel activity must complete the Field Trip Authorization and/or Transportation Request form and obtain the appropriate approvals.

Supervision

Mt. San Antonio College sanctioned events require supervision by a full or part time permanent College employee who will be responsible for ensuring safety precautions and enforcing the Mt. SAC Standards of Conduct. An advisor must accompany students on the travel activity and maintain in their possession a copy of all completed and signed Student Classroom-Related Travel Agreement and Medical Release Forms until the conclusion of the trip. Advisors must be permanent employees of the College and are responsible for student conduct and safety issues during the travel activity.

Transportation

Mt. San Antonio College transportation can be obtained through the Transportation Office. Only an employee of the College can request the use of a College vehicle. If students are to be used as drivers for College-owned vehicles, they must be at least 18 years of age and show proof of a valid California driver's license. For leased or rented vehicles, the age requirements of the agency will be honored. In order for the College to obtain proof of an

acceptable driving record from the Department of Motor Vehicles, the student must provide a copy of their driver's license **two weeks prior** to the release of a Mt. San Antonio College vehicle. Students can provide their own transportation, but they must sign a Student Classroom-Related Travel Agreement and a Medical Release Form as well as show proof of current auto insurance.

Liability

All persons making the field trip or excursion shall be deemed to have waived all claims against the District or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents or guardians of minor students taking out-of-state field trips or excursions shall sign a statement waiving such claims.

Revised May 9, 2008

Chapter 4 – Academic Affairs

AP 4400 Community Services

BEING REVISED

Chapter 4 – Academic Affairs

AP 4500 Athletics

References:

Title IX, Education Amendments of 1972, Education Code Sections 66271.6 and 66271.8

Mt. San Antonio College's strong commitment to Physical Education, Athletics, and Dance is exhibited by the College's dedication to the health and well being of the students as well as community members. Comprehensive class offerings, certificate programs, Fire and Law Testing (PAT)/Conditioning Program, dance productions, athletic programs, and athletic special events demonstrate this commitment.

Mt. SAC is home to one the nation's largest and most successful athletic programs for men and women. The Athletic Program offers 22 individual sports and is an integral part of the College's overall educational offerings. Mt. SAC student/athletes excel on the field and in the classroom. The "WIN" academic support program provides testing, tutoring, and counseling services for student/athletes and serves as the "model" academic support program for all community colleges.

Mt. SAC's five "world famous" annual athletic special events: the Mt. SAC Relays, Mt. SAC Cross Country Invitational, Footlocker Western Regional Cross Country Championship, AAF Youth Days Program and the International Pole Vault Camp reach over 100,000 participants, coaches, and spectators and bring millions of dollars into the local economy.

Chapter 4 – Academic Affairs

AP 4555 Mt. SAC Relays

The world renown, Mt. SAC Relays is the nation's largest track and field competition. Each April, over 14,000 athletes compete at Hilmer Lodge Stadium on the campus of Mt. San Antonio College. Premier athletes from throughout the world annually attend this event to compete on the finest track facilities in the world, "where the world's best athletes compete".

The Mt. SAC Relays has played host to numerous Olympic legends and track and field stars including gold medalists: Carl Lewis, Edwin Moses, Evelyn Ashford, Maurice Green, Marion Jones, Bob Seagren, Arnie Robinson, Al Oerter, Mac Wilkins, Hal Connolly, Ralph Boston, Lee Evans, Tim Mack, Nick Hysong, Stacy Dragila, Rex Cawley, Randy Matson, Ria Stalman, Dan Quarrie, Bill Toomey, Tommie Smith, Dan O'Brien, Mike Marsh, Allen Johnson, and many more.

General Organization

- A. The organization shall be called the Mt. San Antonio College Relays, hereafter referred to as the "Relays."
- B. The Relays shall be scheduled annually in April, in accordance with the College's facility policy.
- C. The Relays shall be operated within the rules and regulations of the College under the supervision of the Dean of Physical Education (Relays Executive Director). It is intended to promote the following:
 1. Mt. San Antonio College
 2. Positive relations between the local communities and the College
 3. Amateur Athletic Competition
 4. The U.S. Olympic movement
 5. The sport of track and field
- D. The Relays shall be a Mt. SAC self-supported Physical Education Division Program. Any funds accumulated in excess of operating expenses will be placed in a reserve.
- E. Any reserve funds may be used for Relays' related projects upon approval of the Dean of Physical Education (Relays Executive Director).
- F. Funds will be deposited into an Auxiliary Services account.

The Special Events Executive Team

The function of the Special Events Executive Team is to formulate policy, prepare an annual budget, recommend contracts to the Executive Director (appointed by the College President/CEO), approve fundraising activities, and in general, oversee the operation of all Athletic Special Events held under the auspices of Mt. San Antonio College. The Special Events Executive Team is comprised of the following individuals:

Special Events Executive Team Membership

1. Executive Director (Athletic Director/Dean of Physical Education)
2. Director of Special Events
3. Men's Head Track and Field Coach
4. Women's Head Track and Field Coach
5. Relays Director (Coordinator)
6. Cross Country Invitational Coordinator
7. Footlocker Cross Country Championships Coordinator
8. AAF Youth Days Coordinator
9. Appointed Position (Appointed by the Executive Director)
10. Appointed Position (Appointed by the Executive Director)

The Relays Executive Board

The function of the Relays Executive Board is to oversee the operation of the Relays. All Relays Executive Board members shall be appointed by the Executive Director except Numbers 6 and 7 below.

Relays Executive Board Membership

1. Executive Director (Athletic Director/Dean of Physical Education)
2. Director of Special Events
3. Relays Director (Coordinator)
4. Assistant Athletic Director
5. Auxiliary Services Director
6. Finance Coordinator
7. Facilities Coordinator
8. Relays Games Committee Chairperson
9. Mt. SAC Student Appointee (Appointed by the Associated Students)
10. Public Relations/Media Coordinator
11. Special Projects Coordinator
12. Entry Coordinator
13. Grounds Coordinator
14. Technical Services Director
15. City of Walnut Liaison
16. High School Division Director
17. Invitational/Open Division Director
18. Community College Division Director
19. AAF Youth Days Director

Changes in Procedure

The Relays Executive Board may recommend changes regarding Relays operating procedure to the Executive Director (Athletic Director/Dean of Physical Education).

Chapter 4 – Academic Affairs

AP 4600 News Media

Philosophy:

College news media are any news/feature publications issued under the name of the College, funded by the College, and produced by students as an integral part of instruction in Journalism. It may include, but is not limited to, student newspaper reporting, broadcast news journalism, and Internet news journalism. The term “editorial” refers to all content other than advertising.

College news media, as laboratory publications of the Journalism curriculum, shall provide vehicles to train students for careers in mass communication. College news media shall also serve the entire College community by reporting the news, including College events and activities, providing a forum for comment and criticism, and encouraging free expression as guaranteed in the First Amendment to the Constitution of the United States.

College news media are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion. College news media shall exercise editorial freedom in order to maintain their integrity as vehicles for free inquiry and free expression in the College community. At the same time, the editorial freedom of the College news media shall entail corollary responsibilities.

The College newspaper or other news medium is published as a learning experience, offered under Humanities and Social Sciences. The editorial and advertising materials published in each news medium, including any opinions expressed, are the responsibility of the student staff. An editorial board should be formed for the news media involved. Under appropriate State and federal court decisions, these materials are free from prior restraint by virtue of the First Amendment to the United States Constitution. These procedures are adopted so as to encourage a responsible exercise of such freedom.

Journalism Grievance Procedures:

AP 5530 is the approved grievance procedure students may utilize to formalize their complaint regarding the contents of the news media.

Definition of a Grievance: A grievance is a complaint that alleges facts which, if true, would demonstrate a violation of the grievant’s right to free inquiry, free speech, or fair treatment; contains allegations that appear to be substantially credible; and is not frivolous.

Chapter 4 – Academic Affairs

AP 4700 Classroom Visitors and Other Attendees

Classroom activities are intended to benefit those students officially registered for the class. Others are permitted to attend a regularly scheduled class meeting only in the following situations:

Visitor: The professor assigned to teach the class meeting may grant permission to any person to visit the class. The professor need not include visitors in class activities. Visitors shall not attend class on a regular basis. Visitors shall not audit the class. (Guest speakers, young children, potential students, and parents of students are all examples of visitors.)

Personal Care Attendant: Disabled Student Programs and Services (DSPS) may authorize a person to be a Personal Care Attendant (PCA) when the need for such accommodation is authorized for an officially registered student. PCAs must follow the College's PCA guidelines and be authorized by DSPS prior to beginning service as a PCA.

Educational Project: The professor assigned to teach the class may, with the concurrence of the division dean, authorize a person to attend multiple class meetings for the purpose of an approved research study, student teaching, an internship, or other similar educational projects.

Employee: Aides, technicians, interpreters, and other employees of the college may be assigned as needed to class meetings unless such assignment is prohibited by law or contract.

Unauthorized classroom visitors and other attendees to a regularly scheduled class meeting should not be allowed to stay in the classroom.

May 26, 2010

Administrative Procedures Chapter 5 - Student Services

- AP 5010 Admissions**
- AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students**
- AP 5012 International Students**
- AP 5013 Students in the Military**
- AP 5015 Residence Determination**
- AP 5020 Non-resident Tuition**
- AP 5030 Fees**
- AP 5031 Instructional Materials Fees**
- AP 5035 Withholding of Student Records & Registration Privileges**
- AP 5040 Student Records and Directory Information**
- AP 5043 Use of Social Security Numbers**
- AP 5045 Student Records: Challenging Content and Access Log**
- AP 5050 Matriculation**
- AP 5052 Open Enrollment**
- AP 5055 Enrollment Priorities**
- AP 5070 Attendance**
- AP 5071 Student Leave of Absence**
- AP 5075 Course Adds and Drops**
- AP 5110 Counseling**
- AP 5120 Transfer Center**
- AP 5130 Financial Aid**
- AP 5140 Individuals with Disabilities**
- AP 5150 Extended Opportunity Programs and Services**
- AP 5200 Student Health Services**
- AP 5210 Communicable Disease**
- AP 5300 Student Equity**
- AP 5310 Student Bill of Rights**
- AP 5400 Associated Students**
- AP 5410 Associated Students Elections**
- AP 5420 Associated Students Finance**
- AP 5520 Student Discipline Procedures**
- AP 5530 Student Rights and Grievance**
- AP 5550 Freedom of Expression (Speech: Time, Place, and Manner)**

Chapter 5 - Student Services

AP 5010 Admissions

Reference:

Education Code 76000

Admissions Eligibility

The authority to oversee the admissions of eligible students is delegated to the Director of Admissions and Records under the direction of the Vice President, Student Services. Students eligible for admission to the College must be 18 years of age or older and possess a high school diploma, GED, certificate of proficiency, or the equivalent. In addition, any apprentice, as defined in Section 3077 of the Labor Code, or any other person who is over 18 years of age who, in the judgment of the Director of Admissions and Records, is capable of profiting from the instruction offered at the College may be admitted.

Students who are 18 without a high school diploma must meet the College's ability to benefit criteria through a passing score on the numerical, reading, and writing exam. A passing score depends on which exam is taken.

Each person applying for admission or enrollment in a California Community College is classified as a 'resident' or a 'non-resident' for purposes of admission and/or tuition.

Resident – a 'resident' is a person who is eligible to establish California residency for tuition purposes or who has resided within California for at least one year and who established a legal residence in California prior to the residency determination date.

Non-Resident – a 'non-resident' student is one who has not resided in the State for more than one year prior to the residency determination date and who has not established legal residence or who is not eligible to establish California residency for tuition purposes.

Admission of Non-Resident Students

The College accepts applications from students holding or attempting to obtain the F-1 Student Visa. The following items are required from international applicants:

- Mt. SAC Application for Admissions
- International (F-1 Student Visa) Student application
- Application processing fee of \$50.00 (U.S.)
- Confidential Financial support documents
- A passing score on the TOEFL examination. (450 paper based, 133 computer based and 45 Intranet based)
- Transcripts from high school and/or college
- TB (Tuberculosis) test

The following items are required for current F-1 Visa Students transferring into the College:

- Copy of I-20
- Copy of I-94
- Transfer Form

The TOEFL, admissions application, and all supporting materials must be received on or before the published application deadlines for the intended semester. Students will be required to take the Assessment of Written English (AWE) when they arrive at Mt. SAC.

Admissions procedures will be clearly delineated in the College Catalog, the schedule of classes, and the College web site.

The Mt. San Antonio College Catalog contains the most recent information regarding admissions. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

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

References:

Education Code Sections 48800, 48800.5, 76001, and 76002

The College authorizes the admission of 10-12 grade level minor students without high school diplomas, who can benefit from “advanced scholastic or vocational work.” Under special circumstances and with the appropriate approval, other under age students may be eligible for admission and enrollment. The responsibility to make the determination of the student’s preparation belongs to both the school district in which the student is enrolled and the College.

Authority to restrict the admission or enrollment of a special admit student in any session based on age, grade-level completion, current school performance or assessment and placement procedures in conformance with matriculation regulations and other course or program prerequisites, including disapproved courses for under age (minor) children, remains the prerogative of the College.

Authority to restrict the enrollment of a special admit student in any class deemed educationally inappropriate for under age (minor) children the prerogative of the professor through a list of courses approved by the department.

All courses will be taken for college credit. The school of attendance maintains the right to apply course credit.

The parent or guardian of a pupil not enrolled in a public school retains the ability to directly petition the Dean of Counseling for the pupil’s special admission.

Students with a verifiable disability (verification to be provided by school of origin) may apply to Disabled Student Programs and Services for appropriate accommodations.

A. SPECIAL ADMIT PROGRAM

Mt. San Antonio College will admit high school sophomores, juniors and seniors for enrollment to the College who are eligible to participate based on the criteria established below.

The student must be recommended by his/her high school principal or designee. As part of the approval process, the principal must verify that the recommended student can benefit from college instruction and that the course(s) taken at Mt. San Antonio College are not available at the high school.

A parent/guardian approval form allowing the student to participate must be submitted in addition to the College application. Parents must also acknowledge that the

parent/guardian understands that the student will be expected to comply with all College policies and that topics of instruction are appropriate for adult-level students.

The student will be required to attend a special admit orientation prior to the student being accepted for admission.

Class rosters will denote that the student is a minor child.

Mt. San Antonio College may admit high school sophomores, juniors and seniors who meet the following conditions:

1. **Academic Eligibility**

- a. Students wishing to enroll in degree appropriate courses must have a cumulative high school grade point average of 3.0 or better as reflected on their most recent school transcript to take an academic course or a 2.0 or better for a vocational course.
- b. For all courses attempted, students must complete the College assessment process and meet the stated pre-requisite and/or co-requisite for the desired course.

2. **Limitations on Enrollment**

- a. Sophomore and junior students may be allowed to enroll in one course. Senior students may enroll in two courses.
- b. 10-12 grade level minor students may not enroll in pre-collegiate courses unless students are participating in a pre-approved special program authorized by the college.
- c. Students may not enroll in a College course to alleviate a high school deficiency.
- d. Students who have previously enrolled and who have dropped their courses and/or have not made satisfactory progress will not be allowed to continue in the Special Admit Program.
- e. Special Admit students will not receive priority registration status.
- f. Special Admit students will be charged all applicable fees paid by regularly admissible students, except for enrollment, health and student activities fees (reference BP 5030).
- g. Students may not enroll in more than 7 units per fall and spring terms; and up to 4 units in the summer term.
- h. Enrollment may occur during fall, spring and summer terms only (no winter intersession enrollment).

B. TALENTED ELEMENTARY AND SECONDARY STUDENTS THROUGH THE 9TH GRADE

Mt. San Antonio College may admit highly gifted elementary and secondary students through the 9th grade level for enrollment to the College if they are deemed eligible to

participate. In addition to providing specific talents and giftedness for enrolling in a specialized course, the student must meet all of the same criteria required of 10th – 12th grade Special Admit Program students as specified in this procedure.

C. SUMMER ENROLLMENT OF K-12 STUDENTS

In addition to the above, minor students wishing to attend summer session must meet the additional criteria:

1. The student demonstrates adequate preparation in the discipline to be studied.
2. Pre-collegiate courses in English and mathematics may be taken if the student has exhausted all opportunities to enroll in an equivalent course at their school of attendance.

Enrollment may be limited in a particular course for Special Admit and other minor students, including those from a particular high school, if enrollment exceeds the maximum allowable per state Education Code.

D. MINORS WHO ARE NOT ENROLLED IN A SCHOOL PROGRAM

Mt. San Antonio College may admit students not enrolled in a public school into the Special Admit program. Students who are eligible to participate must meet the criteria established in Section A above, and:

1. Submit the appropriate College form for approval by the Mt. San Antonio College Dean of Counseling or designee, *verifying* the following:
 - a. The grade level of the student.
 - b. Student's academic progress to date.
 - c. Verifiable demonstration of the student's ability to benefit from advanced scholastic or vocational work.
 - d. A statement indicating the exact college-level class(es) in which the student is requesting enrollment at Mt. San Antonio College.
2. Enrollment of non-public school aged children at the College is not permitted on a full-time basis nor as a substitute for the student's K-12 educational program as required by the state of California.
3. If the College denies a request for a special part-time or full-time enrollment at a community college for a pupil who is identified as highly gifted, the College shall record its findings and the reasons for denial of the request in writing within 60 days. The written recommendation and denial shall be issued to the student within at least 30 days after the request has been submitted.
4. The attendance of a pupil at a community college as a special admit student pursuant to this section is authorized attendance, for which the community college shall be credited or reimbursed pursuant to Education Code Sections 48802 and 76002.

If the decision to offer a class on a high school campus is made after publication of the College's regular schedule of classes, and the class is only advertised to the general public through electronic media, the class must be advertised for a minimum of 30 continuous days prior to the first meeting of the class.

If the class is offered on a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the school board. If the class is a physical education class, no more than ten percent of the enrollment of the class may consist of special admit part-time or full time students.

To be considered for admission as a special admit full-time student, the student must meet the eligibility standards as established in Education Code Section 48800 and 48800.5. Special admit part-time and full-time students are given low enrollment priority in accordance with Education Code 76001(e).

The Mt. San Antonio College Catalog contains the most recent information regarding the admission and enrollment of high school and other young students. This document is updated annually for currency and correctness.

Revised May 2009

Chapter 5 - Student Services

AP 5012 International Students

References:

Education Code Sections 76140, 76141, and 76142; Title 5 Section 54045; Title 8 U.S.C. Sections 1101 et seq.

Per California Education Code Section 76142, any prospective international student who possesses an economic hardship is exempt from paying the international student application fee. Economic hardship, in this instance, refers to the prospective student's and/or his/her family's ability to pay for the application fee by proving a prior year income (adjusted to U.S. dollars) of \$80,000 or less. Students qualifying under Education Code Section 76140 who are exempt from paying nonresident tuition, are also exempt from paying the international student application fee.

International Student Admission Requirements:

- A. Mt. San Antonio College may issue an I-20 to a foreign student to obtain F-1 Student status after the student has:

Completed a College Application;
Completed an International (F-1 Visa) Student Application;
Completed an Application Processing Fee;
Provided Confidential Financial support documentation;
Completed the testing requirement with qualifying score(s) from a test approved through the College's governance process.
Provided Academic transcripts from high school and/or college;
and
Provided TB (Tuberculosis) test results.

- B. F-1 Visa students already attending a U.S. institution of higher education may apply for admission to Mt. San Antonio College for F-1 student status and be issued an I-20 provided the following criteria are met:

1. Must have attended an accredited college or university as a full-time student, completing at least 12 units of course work per semester;
2. Must have maintained an overall grade point average of at least 2.0;
3. Must provide letter from previous institution indicating that items B-1 and B-2 above were satisfied;
4. Must provide proof of having completed the equivalent of English 68 or received a qualifying score on a test approved through the *College's governance process*.

and

5. A copy of the I-20 and I-94.

- C. Mt. San Antonio College may admit part-time (F-1 visa) international students to the College provided the I-20 issuing institution of higher education submits a formal authorization allowing concurrent enrollment at Mt. San Antonio College. This

authorization must also indicate the specific course or courses that the student should take provided he/she meets all prerequisites.

- D. Mt. San Antonio College may admit to the College on a part-time basis, individuals who have valid United States visas, provided the Immigration and Naturalization Service allows persons with their particular visa classification to attend school, and part-time F-1 students as defined in C above.
- E. Mt. San Antonio College may waive admissions testing requirements for students who have completed appropriate coursework from an approved language institute that has a formalized agreement with Mt. San Antonio College;

International Student's Status and Eligibility:

- A. F-1 students attending Mt. San Antonio College are not eligible for financial aid.
- B. The College will comply with all immigration policies in regard to admitting students to the credit programs at Mt. San Antonio College.
- C. Students accepted on an F-1 Visa are required to comply with all immigration laws and regulations and to maintain legal status.
- D. International F-1 Visa students must complete the International Students Orientation prior to enrollment.
- E. Non-resident tuition and state enrollment fees will be charged for all credit courses taken. A capital outlay fee may also be charged per credit unit. The calculation of the capital outlay fee is applicable to non-citizens who have not or cannot establish residence in an amount not to exceed the amount expended by the College for capital outlay in the preceding fiscal year divided by the total full-time equivalent students.

Revised November 30, 2009

Chapter 5 - Student Services

AP 5013 Students in the Military

References:

Education Code Sections 68074, 68075, 68075.5; Title 5 Sections 55023, 55024, 54041, 54042, 55050, and 58620

Residence Determinations for Military Personnel and Dependents

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.

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.

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.

A parent 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.

A student claiming the residence classifications provided for in this procedure for the dependent of military personnel shall provide a statement from the person'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 in this procedure as 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 5404 and 54042)

Withdrawal Policies 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 of "MW" will be assigned. Military withdrawal shall not be counted in determining registration priority, progress probation, or dismissal calculations. In no case may a military withdrawal result in a student being assigned an "FW" grade. In order to retain catalog rights, a student must re-apply for admission within one semester of completion of active duty.

The Mt. San Antonio College Catalog contains the most recent information regarding students in the military. This document is updated annually for currency and correctness.

Revised September 2008

Chapter 5 - Student Services

AP 5015 Residence Determination

References:

Education Code Sections 68000 et seq. and 68130.5; Title 5 Sections 54000 et seq.

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:

- A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.
- Residence classification is the responsibility of the Admissions and Records Office.
- Students must be notified of residence determination within 14 calendar days of submission of application.

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 Director, Admissions and Records, may make a written appeal to the College's Board of Appeals within 30 calendar days of notification of final decision by the College regarding classification.

Appeal Procedure:

The appeal is to be submitted to Director, Admissions and Records who must forward it to the College's Board of Appeals within five working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

The College's Board of Appeals shall review all the records and have the right to request additional information from either the student or the Admissions Office.

Within 30 calendar days of receipt, the Director, Admissions and Records shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

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.

Petitions are to be submitted to the Admissions Office.

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.

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

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)

A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:

Has not and will not be claimed as an exemption for State and federal tax purposes by his or her parent in the calendar year prior to the year the reclassification application is made;

Has not lived and will not live for more than six weeks in the home of his or her parent during the calendar year the reclassification application is made.

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.

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.

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.

The Admissions and Records Office will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.

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

Non-Citizens:

The College 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.

If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him or her to live permanently in the

United States and she or he meets the California residency requirements, the student can be classified as a resident.

A student who is without lawful immigration status may be classified as a resident based on AB 540 (exemption from non-resident tuition) if he or she meets the following requirements:

- high school attendance in California for three or more years;
- graduation from a California high school or attainment of the equivalent thereof;
- registration for classes not earlier than the fall semester of 2001-2002;
- the filing of an affidavit that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so.

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 Director, Admissions and Records. Students may appeal the decision.

The Mt. San Antonio College Catalog and Schedule of Classes contain the most recent information regarding residence determination. These documents are updated regularly for currency and correctness.

Chapter 5 - Student Services

AP 5020 Non-resident Tuition

References:

Education Code Sections 76140 et seq.

Tuition Payment:

Non-resident students of California are required to pay tuition which is established by the Board of Trustees according to education code, in January of each year, to be effective the following Fall semester. F-1 Visa students are required to pay an additional amount per unit which is calculated on the amount expended by the College for capital outlay in the preceding year divided by the total full-time equivalent students.

Tuition may be paid by certified or cashier's check, cash, or credit cards. First party personal checks on local banks with credit reference may be accepted. A portion of the tuition fee may be refunded on a prorata basis under certain circumstances. The Bursar's Office should be contacted for details.

Non-Resident Tuition Refund Procedure:

If students who have paid tuition charges withdraw or reduce programs, they should immediately apply to the Bursar's Office for a refund. The amount of the refund will depend on the time of submission of application for refund, and will be prorated accordingly. The application for refund is available at the Bursar's Office and the refund itself will be paid by the Auxiliary Services Office.

Application for Refund for Non-Resident Students:

- A. Refunds are applicable to the maximum number of units. Refunds of 100% will be made by the Bursar's Office for the following reasons only:
 1. If a student is mistakenly determined to be a non-resident, and the tuition is paid, such tuition is refundable in full, provided acceptable proof of State residence is presented to the Admissions and Records Office within the period for which the tuition was paid.
 2. If a student is allowed to enroll and pay tuition, and is later disqualified to attend that semester, tuition is refundable in full.
 3. If a class is cancelled, any tuition paid for enrollment in that class is refundable in full.
 4. Non-resident student reducing enrollment or withdrawing completely before instruction begins will receive full refund of tuition paid, less a \$10 service charge.
- B. Withdrawal from Enrollment or Reduction of Units Enrolled is subject to a service charge of \$10.

C. Time Limit for Submission of Application for Refund

	<u>Semester</u>	<u>Short Term Classes</u>
Week Before instruction begins	100%	100%
Week in which instruction begins	100%	75%
Second week of instruction	75%	50%

Third week of instruction	50%	25%
Fourth week of instruction	25%	none
After fourth week of instruction	none	none

NO REFUNDS WILL BE PROCESSED AFTER THE FOURTH WEEK OF A SEMESTER OR SECOND WEEK OF 6-9 WEEK SUMMER SESSION. DATES WILL BE ESTABLISHED FOR WEEKS OF INSTRUCTION AT THE BEGINNING OF EACH SEMESTER AND SUMMER SESSION.

If a refund is prorated within \$10 or less, there will be no refund granted or service charge rendered.

The Mt. San Antonio College Catalog and Schedule of Classes contain the most recent information regarding non-resident tuition. These documents are updated regularly for currency and correctness.

Chapter 5 - Student Services

AP 5030 Fees

References:

Education Code Sections 70902(a), 76300, and 66205.3; Title 5 Section 51012

Mt. San Antonio College requires the following fees:

- Enrollment
- Non-resident tuition

The non-resident tuition fee shall be set by the governing board not later than February 1 of each year for the succeeding fiscal year, pursuant to Education Code 76140

The following are fees authorized by law:

- Non-College physical education facilities
- Noncredit courses
- Community services courses
- Auditing of courses
- Instructional materials
- Athletic insurance
- Health
- Parking
- Transportation
- Student representation
- Student Center
- Copies of student records, including expedited requests
- Dormitory
- Child care
- Non-resident application processing
- Non-resident capital outlay fees
- Credit by Examination
- Use of facilities financed by revenue bonds
- Refund processing
- Telephone registration
- Physical fitness test

Mt. San Antonio College does not charge the following fees prohibited by law:

- Late application
- Add/drop
- Mandatory student activities
- Student Identification Cards
- Student Body Organization
- Non-resident application for residents of other states
- Field trip
- For dependents of certain veterans
- For dependents of certain victims of the September 11, 2001, terrorist attacks.

- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor
- Required or funded services
- Refundable deposits
- Distance education (other than the statutorily authorized enrollment fee)
- Mandatory mailings
- Rental of practice rooms
- Apprenticeship courses
- Technology fee
- Late payment fee
- Nursing/healing arts student liability insurance
- Cleaning fees
- Breakage fees

The following fee categories reflect *collection and refunds*:

- Fees to be collected when enacted by the Legislature following registration by the student
- Fees collected in error
- Fees refundable because of a reduction in the educational program of the College
- Fees refundable because of the student's reduction in units or withdrawal from an education program
- Fees refundable because of changes in law or regulation authorizing and establishing enrollment fees
- Notice to students of availability of exemptions from certain mandatory and authorized fees.

The Mt. San Antonio College Catalog and Schedule of Classes contain the most recent information regarding fees. These documents are updated regularly for currency and correctness.

Revised July 7, 2010

Chapter 5 - Student Services

AP 5031 Instructional Materials Fees

References:

Education Code Section 76365; Title 5 Sections 59400 et seq.

Students may be required to provide instructional and other materials required for a credit or non-credit course. Such materials shall be of continuing value to a student outside of the classroom setting and shall not be solely or exclusively available from the College.

Definitions

"Instructional and other materials" means any tangible personal property which is owned or primarily controlled by an individual student.

"Required instructional and other materials" means any instructional and other materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which is necessary to achieve those required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

"Solely or exclusively available from the College" means that the material is not available except through the College, or that the College requires that the material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the College if it is provided to the student at the College's actual cost; and 1) The material is otherwise generally available, but is provided solely or exclusively by the College for health and safety reasons; or 2) The material is provided in lieu of other generally available but more expensive material which would otherwise be required.

"Required instructional and other materials which are of continuing value outside of the classroom setting" are materials which can be taken from the classroom setting and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course to be accomplished under the supervision of an instructor during class hours.

Establishing Required Materials and Related Fees

Periodically, the Chief Instructional Officer directs a review of materials fees by Division Office managers in consultation with faculty from the departments for appropriateness. Any changes recommended are made by the College's Curriculum Specialist. Materials fees for courses are published in the College's Schedules of Classes. When new courses are initiated by the faculty, a materials fee is recommended. The recommended materials fee for the new course must then be reviewed by the appropriate Division Office for compliance with regulations. Lastly, the recommended materials fee must be approved by the Educational Design Committee.

The Mt. San Antonio College Catalog and Schedule of Classes contain the most recent information regarding instructional materials and related fees. These documents are updated regularly for currency and correctness.

Chapter 5 - Student Services

AP 5035 Withholding of Student Records and Registration Privileges

Reference:

Title 5 Section 59410

The Director of Admissions and Records may withhold grades, transcripts, diplomas, and registration privileges from any student or former student who fails to pay a proper financial obligation to the College. The student shall be given written notification and the opportunity to appeal if the financial obligation is in error.

The definition of a proper financial obligation shall include, but is not limited to: student fees; loans; obligations incurred through the use of facilities, equipment or materials; library fines; unreturned library books; materials remaining improperly in the possession of the student; or lost or destroyed and/or any other unpaid obligation a student or former student owes to the College. A proper financial obligation does not include any unpaid obligation to a student organization.

The Director of Admissions and Records upon proper notification and justification by the administrators in charge of student discipline, may withhold registration and/or counseling privileges for students who are under suspension, academic or progress probation, or are in violation of any disciplinary contract.

The Mt. San Antonio College Catalog contains the most recent information regarding the withholding of student records. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5040 Student Records and Directory Information

References:

Education Code Sections 76200 et seq.; Title 5 Sections 54600 et seq., U.S. Patriot Act; Civil Code Section 1798.85

Students are notified annually of their rights under the act in the College Catalog. Detailed information is available through the Director of Admissions and Records including : 1) type of information and materials contained within the student's educational record; 2) the official responsible for the maintenance of each type of record; 3) the procedure for student review and inspection of the educational record; 4) the procedure for challenging the contents of the educational record; 5) the charges of the student for reproducing copies of the record if requested, 6) the categories of information which the College as designated as Directory Information and to whom this information will be released unless the student objects; and 7) the rights of a student to file a complaint with the United States Department of Education concerning alleged failure of the College to comply with the provisions of the Act.

Student Rights and Privacy Act

The following is a summary of the Mt. San Antonio College policy related to the Family Educational Rights and Privacy Act of 1974, O.L. 93-380, and Chapter 1297, Statutes of 1976, State of California:

Access to Educational Records

All former and present students have the right to review and inspect their educational records in the Admissions and Records Office provided they make a written request fifteen (15) days in advance. Such a review will be under the direct supervision of a classified or certificated employee in the Admissions and Records Office. Expressly exempted from the right of review and inspection are the following materials:

1. Financial records of the parents of the student(s),
2. Confidential letters and statements of recommendation maintained by the College on or before January 1, 1975, provided that such letters or statements are not used for purposes other than those for which they were specifically intended,
3. Records of instructional, supervisory, counseling, and administrative personnel which are in the sole possession of such personnel and are not accessible or revealed to any other person except a substitute,
4. Records of employees of Mt. San Antonio College, made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee, are not available for use for any other purpose, and
5. Records of students made and maintained by the Student Health Services, the College nurse, the College physician, and the College therapist, which are used in the treatment of students and are not available to anyone other than persons providing such treatment. However, such a record may be personally reviewed by a physician or other appropriate professional of the student's choice.

Release of Educational Records Information

1. Any release of a student's educational records, with the exception listed below, must be made with the student's written consent.
2. The College may release copies of or otherwise divulge material in the student's educational records only to the official agencies, groups, officials, or individuals specifically mentioned below:
 - a. College staff members; provided that such employees have a legitimate educational interest to inspect such a record;
 - b. Representatives of the Comptroller General of the United States, the Secretary of Education, and administrative head of an educational agency, State education officials, and the United States Office of Civil Rights, where such information is necessary to audit a program;
 - c. Accrediting organizations in order to carry out their functions;
 - d. Organizations conducting studies on behalf of the institution;
 - e. Officials of other schools or school systems in which the student seeks or intends to enroll subject to the rights of students;
 - f. Agencies or organizations in connection with a student's application for financial aid;
 - g. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, and administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is compiled;
 - h. Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health and safety of the student or other persons; and
 - i. Courts or other agencies in compliance with a subpoena or judicial order. A reasonable effort will be made to notify the student in advance of the compliance by the College.
3. Directory Information:
 - a. "Directory Information" means a student's name, community of residence, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.
 - b. Any student desiring to withhold "Directory Information" may file a written request with the Director, Admissions and Records, within fifteen (15) days of the opening day of each semester or session that the student does not want such information released.

- c. The College reserves the right to limit or deny the release of specific categories of directory information based upon a determination of the best interests of the student(s).

Transfer of Information to Third Parties

Educational records or personal information transferred to other institutions or agencies will not be transferred to a third party without the written consent of the student.

College personnel shall refer law enforcement requests for student information to the Admissions and Records Office or the Student Life Office. Requests for student Public Directory Information may be supplied unless the student has a written statement on file in Admissions and Records that information is not to be released (Education Code Section 76240).

Law enforcement personnel seeking to arrest or talk with a student are to be referred to the Student Life Office and to the Office of Student Learning, and to Campus Safety personnel when classes are not in session. The student will not be identified nor located for the officer without written consent of the student or judicial (warrant), except in case of emergencies to protect the health and welfare of students, other persons or property (Education Code Section 76243).

- Student records shall be released pursuant to a federal judicial order that has been issued regarding an investigation or prosecution of an offense concerning an investigation or prosecution of terrorism.
- Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, State education officials, or their respective designees or the United States Office of Civil Rights, where that information is necessary to audit or evaluate a State or federally supported educational program or pursuant to federal or State law. Exceptions are that when the collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner that will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements. The Director of Admissions and Records is responsible for providing this information.
- Student records may be released to officials of other public or private schools or school systems, including local, county or State correctional facilities where education programs are provided, where the student seeks or intends to enroll or is directed to enroll. The release is subject to the conditions in Ed Code Section 76225. The Director of Admissions and Records is responsible for providing this information.
- Student records may be released to agencies or organizations in connection with a student's application for, or receipt of, financial aid, provided that information permitting the personal identification of those students may be disclosed only as may be necessary for those purposes as to financial aid, to determine the amount of the financial aid, or conditions that will be imposed regarding financial aid, or to enforce the terms or conditions of financial aid. The Director of Admissions and Records is responsible for providing this information.

- Student records may be released to organizations conducting studies for, or on behalf of, accrediting organizations, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering financial aid programs, and improving instruction, if those studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of those organizations and the information will be destroyed when no longer needed for the purpose for which it is conducted. The Director of Admissions and Records is responsible for providing this information.
- Student records may be released to appropriate persons in connection with an emergency if the knowledge of that information is necessary to protect the health or safety of a student or other persons, subject to applicable federal or State law. The Director of Admissions and Records is responsible for providing this information.
- The following information shall be released to the federal military for the purposes of federal military recruitment: student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience, and/or the most recent previous educational institutions enrolled in by the students.

Charge for Transcripts or Verifications of Student Records:

A student/former student shall be entitled to two free copies of the transcript of his/her record or to two free verifications of various student records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of \$2.00 per copy.

The Mt. San Antonio College Catalog contains the most recent information regarding student rights and privacy. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5043 Use of Social Security Numbers

References:

SB 225 and AB 763

Effective January 1, 2007, the College shall not do any of the following:

- Publicly post or publicly display an individual's social security number;
- Print an individual's social security number on a card required to access products or services;
- Require an individual to transmit his or her social security number over the internet using a connection that is not secured or encrypted;
- Require an individual to use his or her social security number to access an Internet Web site without also requiring a password or unique personal identification number or other authentication devise; or
- Print, in whole or in part, an individual's social security number that is visible on any materials that are mailed to the individual, except those materials used for:
 - Application or enrollment purposes;
 - To establish, amend, or terminate an account, contract, or policy; or
 - To confirm the accuracy of the social security number.

If the College has, prior to January 1, 2004, used an individual's social security number in a manner inconsistent with the above restrictions, it may continue using that individual's social security number in that same manner only if:

- The use of the social security number is continuous;
- The individual is provided an annual disclosure that informs the individual that he or she has the right to stop the use of his or her social security number in a manner otherwise prohibited;
- Mt. San Antonio College agrees to stop the use of an individual's social security number in a manner otherwise prohibited upon a written request by that individual;
- No fee shall be charged for implementing this request; and the College shall not deny services to an individual for making such a request.

Students are given randomly assigned Mt. SAC identification numbers, and this number is considered the official campus number to be used on all students' records and forms. New students are informed of their identification number when they are admitted to the College. All attendance, grade submission forms, and instructor roll sheets contain the student's identification number.

The Mt. San Antonio College Catalog contains the most recent information regarding the use of Social Security Numbers. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5045 Student Records: Challenging Content and Access Log

References:

Education Code Sections 76222 and 76232; Title 5 Section 54630

Challenging Content

Any student may file a written request with the Division Dean or Director to correct or remove information recorded in his or her student records that the student alleges to be: (1) inaccurate; (2) an unsubstantiated personal conclusion or inference; (3) a conclusion or inference outside of the observer's area of competence; or (4) not based on the personal observation of a named person with the time and place of the observation noted.

Within 30 days of receipt of the request, the Division Dean or Director shall meet with the student and the employee who recorded the information in question, if any, if the employee is presently employed by the College. The Division Dean or Director shall then sustain or deny the allegations.

If the Division Dean or Director sustains any or all of the allegations, he or she shall order the correction or removal and destruction of the information. If the Division Dean or Director denies any or all of the allegations and refuses to order the correction or removal of the information, the student, within 30 days of the refusal, may appeal the decision in writing Chief Student Services Officer or Chief Instructional Officer.

Within 30 days of receipt of an appeal, the Board of Trustees shall, in closed session with the student and the employee who recorded the information in question, determine whether to sustain or deny the allegations. If the Board of Trustees sustains any or all of the allegations, it shall order the College President/CEO or his or her designee, to immediately correct or remove and destroy the information. The decision of the governing board shall be final.

If the final decision is unfavorable to the student, the student shall have the right to submit a written statement of his or her objections to the information. This statement shall become a part of the student's record until the information objected to is corrected or removed.

Whenever there is included in any student record information concerning any disciplinary action, the student shall be allowed to include in such record a written statement or response concerning the disciplinary action.

Whenever there is included in any student record information concerning any disciplinary action in connection with any alleged sexual assault or physical abuse, or threat of sexual assault, or any conduct that threatens the health and safety of the alleged victim, the alleged victim of that sexual assault or physical abuse shall be informed within three days of the results of the disciplinary action and the results of any appeal. The alleged victim shall keep the results of that disciplinary action and appeal confidential.

Access Log

A log or record shall be maintained for each student's record that lists all persons, agencies, or organizations requesting or receiving information from the record and their legitimate interests. The listing need not include any of the following:

- Students seeking access to their own records;
- Parties to whom directory information is released;
- Parties for whom written consent has been executed by the student;
- Officials or employees having a legitimate educational interest.

The log or record shall be open to inspection only by the student and the Division Dean or Director, and to the Comptroller General of the United States, the Secretary of Education, an administrative head of an education agency, and State educational authorities as a means of auditing the operation of the system.

The Mt. San Antonio College Catalog contains the most recent information regarding Student Records. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5050 Matriculation

References:

Education Code Sections 78210 et seq.; Title 5 Section 55500

Matriculation brings the student and the College into agreement regarding the student's educational goal through the College's established programs, policies and requirements. The agreement is implemented by means of the student educational plan.

Each student, upon entering into an educational plan, will do all of the following:

- express at least a broad educational intent upon admission
- declare a specific goal no later than the term after which the student completes 15 semester units of degree applicable credit coursework
- diligently attend class and complete assigned coursework
- complete courses and maintain progress toward an educational goal
- cooperate in the development of the student educational plan

Matriculation services include, but are not limited to, all of the following:

- Processing of the application for admission
- Orientation and pre-orientation services designed to provide to students, on a timely basis, information concerning campus procedures, academic expectations, financial assistance, and any other appropriate matters

Assessment and counseling upon enrollment, which shall include, but not be limited to, all of the following:

- Administration of assessment instruments to determine student competency in computational and language skills;
- Assistance to students in the identification of aptitudes, interests and educational objectives, including, but not limited to, associate of arts degrees, transfer for baccalaureate degrees, and vocational certificates and licenses;
- Evaluation of student study and learning skills;
- Referral to specialized support services as needed, including, but not limited to, federal, State, and local financial assistance; health services; campus employment placement services; Extended Opportunity Programs and Services; campus child care services programs that teach English as a second language; and Disabled Student Programs and Services;
- Advisement concerning course selection; and
- Post-enrollment evaluation of each student's progress, and required advisement or counseling for students who are enrolled in pre-collegiate courses, who have not declared an educational objective as required, or who are on academic probation.

The College shall not use any assessment instrument except one specifically authorized by the Board of Governors of the California Community Colleges.

The Mt. San Antonio College Catalog contains the most recent information regarding Matriculation. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5052 Open Enrollment

References:

Title 5 Sections 51006, 58106, and 58108

All classes are open to all students who meet the course prerequisites and enrollment requirements, unless specifically exempted by statute. The College provides open access to all program offerings, opportunities, and support services without regard to race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex (gender), age, sexual orientation, or the perception that a person has one or more of these characteristics.

All courses of the College shall be open to enrollment in accordance with BP 5052 and a priority system consistent with Administrative Procedure 5055. Enrollment may be limited to students meeting properly validated prerequisites and co-requisites, or due to other non-evaluative, practical considerations as determined by the Chief Instructional Officer.

No student is required to confer or consult with or required to receive permission to enroll in any class offered by the College, except as provided for in Administrative Procedure 5055 and select Health Occupational Programs such as Nursing, Mental Health Technology, Paramedic Program, and Respiratory Therapy.

Students are not required to participate in any pre-registration activities not uniformly required, and no registration procedures are used that result in restricting enrollment to a specialized clientele, except as provided for in Administrative Procedure 5055 and select Health Occupational Programs such as Nursing, Mental Health Technology, Paramedic Program, and Respiratory Therapy.

A student may challenge an enrollment limitation on any of the following grounds:

- The limitation is unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;
- The College is not following its enrollment procedures;
- The basis for the limitation does not in fact exist.

The Mt. San Antonio College Catalog contains the most recent information regarding Open Enrollment. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5055 Enrollment Priorities

Reference:

Title 5 Section 58106, Education Code Section 66025.8

Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites. (See Board Policy and Administrative Procedure 4260 regarding pre- and co-requisites).

Enrollment may be limited due to the following:

- health and safety considerations
- facility limitations
- faculty workload
- availability of qualified instructors
- funding limitations
- regional planning
- legal requirements
- contractual requirements

When enrollment must be limited, priorities for determining who may enroll are:

- limiting enrollment to first come, first served, or other non-evaluative selection techniques;
- in the case of intercollegiate completion, honors courses, or public performance courses, allocating available seats to those students judged most qualified;
- limiting enrollment to any selection procedure expressly authorized by statute;
- priority for registration for enrollment must be granted to any member or former member of the Armed Forces of the United States for any academic term within two years of leaving active duty;
- limiting enrollment in one or more sections to students enrolled in one or more other courses, provided that a reasonable percentage of all sections of the course do not have such restrictions.

The purpose of establishing registration priorities is to enable students to enter and be able to complete their educational goals at Mt. SAC in a reasonable time frame by providing priority registration to groups of students with special needs and to maintain that priority as long as they continue to make good progress.

Definitions:

- **DSPS:** students who are eligible and enrolled in Disabled Students Programs and Services (DSPS) based on their disability status.

- **EOPS:** students who are eligible and enrolled in Extended Opportunity Programs and Services (EOPS). Students enrolled in the Cooperative Agencies Resources for Education (CARE) program qualify as EOPS per state guidelines.
- **CalWORKs:** students who are eligible and designated as participants in the California Work Opportunities and Responsibility to Kids (CalWORKs) program. Students classified as Workforce Investment Act (WIA) participants qualify as CalWORKs students per state guidelines.
- **High School Matriculants:** recent high school graduates (from feeder high schools) who, prior to their first semester of enrollment, have completed the application, admissions, assessment, orientation, and counseling/advisement matriculation components as coordinated through the office of High School Outreach.
- **Non Credit:** students who have been continuously enrolled in the College's non credit programs (excluding Community Service, fee based, and contract education classes) and are transitioning from non credit to enrollment in the College's credit program.
- **Military Service:** students who are serving or have served official military duty for the United States of America and who qualify as eligible, military personnel under federal guidelines.
- **Student Athletes:** students who have been identified as eligible to participate in the College's designated competitive athletic teams.
- **Choral, Instrumental, Forensics, Dance/Cheerleading, Performance Groups:** students who have been accepted as a member of a College competitive team or performance group.
- **Associated Students Government:** students who hold official office with the Associated Students Government in the current term or will hold office in the upcoming term. This includes all elected and appointed positions per the Associated Students Constitution.
- **Continuing:** students who have been enrolled at the College within the previous 12 months. Students who do not attend summer or winter sessions will not lose continuing status.
- **New:** students who are brand new to Mt. San Antonio College, regardless of their prior attendance at another college or university.
- **K-12 Special Admission:** students who are currently enrolled in K-12 education and have met established criteria and have completed necessary documents, including permission from school officials and the student's parents.
- **Returning:** students who have completed at least one-half unit of credit at the College and are returning after a break of more than one year, excluding summer and winter sessions.

Registration Priority

The College's mutual agreement process will determine the groups of students and enrollment categories that are eligible for early priority registration, upon recommendation from the Student Preparation and Success Council. Priority is derived from Title 5 regulations (section 58108) which provide for local districts to determine registration priority. Students eligible for DSPS and EOPS are guaranteed priority registration per Title 5 (sections 56026 & 56232). Certain groups of students are afforded early priority registration based on

particular programmatic involvement. Specialized programs must meet the requirements specified in Title 5 (section 58108). This would include

- Students who have attained a status and are active on competitive teams or performance groups that require the students to enroll within prescribed time blocks to accommodate required practice, rehearsal, competition and performance schedules.

Mt. San Antonio College recognizes additional criteria for priority registration for students in Categories 1, 2, & 3:

- Students must be active and in good standing with their respective program or team
- Students must have attained a prior term GPA of 2.00 or higher. (First time freshmen are exempt from this criteria)
- The appropriate administrator of the approved programs/teams must submit an eligible registration roster to the Dean of Enrollment Management prior to the establishment of registration dates for each term

- Category 1** DSPS, EOPS, Active military/military veterans, CalWORKs/WIA, High School Matriculants and Non Credit transition students
- Category 2** Members of competitive athletic teams, musical performance groups, forensics, dance/cheerleading, other performance groups
- Category 3** Associated Student Government officers
- Category 4** Continuing students who have completed less than 150 units, in descending order from 149 units to a minimum of .5 units completed at Mt. SAC. Current primary term enrollment, at the time of establishing registration permits, will be counted for the purposes of establishing continuing student eligibility for priority registration for the subsequent term.
- Category 5** New students who are enrolling for the first time at Mt. SAC.
- Category 6** Returning students with less than 150 units completed at Mt. SAC, in descending order from 149 units to 0 units.
- Category 7** Continuing students with greater than 150 units completed at Mt. SAC and K-12 special admission students.
- Category 8** Returning Mt. SAC students with greater than 150 units completed at Mt. SAC.

Revised May 2009

Chapter 5 - Student Services

AP 5070 Attendance

References:

Title 5 Sections 58000 et seq.

Attendance requirements include the following broad areas:

- Computation of units of full time equivalent student (FTES) based on the type of course, the way the course is scheduled, and course length
- Selection of a single primary term length for credit courses
- Reporting of FTES during the “first period” (between July 1 and December 31) and “second period” (between July 1 and April 15)
- Compliance with census procedures prescribed by the State Chancellor’s Office for all credit courses, including work experience, independent study, and credit courses being reported on an actual attendance basis
- Preparation of census day procedure tabulations
- Preparation of actual student contact hours of attendance procedure tabulations
- Preparation (as applicable) of actual apprentice hours of teaching procedure tabulations
- Preparation of support documentation regarding all course enrollment, attendance and disenrollment information.
- Computation of FTES that includes only the attendance of students while they are engaged in educational activities required of students and while they are under the immediate supervision and control of an academic employee of the College authorized to render service in the capacity and during the period in which he or she served.
- Maintenance of the College for at least 175 days during the fiscal year.

The Mt. San Antonio College Catalog contains the most recent information regarding attendance. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5071 Student Leave of Absence

A Mt. San Antonio College student may petition for a one semester leave of absence due to extenuating circumstances, i.e., medical condition which requires extended home stay and/or hospitalization, extended jury duty, or other catastrophic incidents beyond the control of the student. Students withdrawing from college due to military duty are covered under Administrative Procedure 5013.

The leave may be requested by submitting a Petition for Exceptional Action to the Dean of Enrollment Management in the Admissions & Records Office. The leave of absence shall be used only when documented circumstances beyond the student's control force the student to either:

- take a one semester break in enrollment prior to the beginning of a semester; or
- withdraw completely from all courses during a semester.

Students who are denied their petition for a leave of absence may appeal the decision to the College's Board of Appeals. All decisions of the Board are final.

Students who need to extend their leave beyond one semester must file a new petition for each semester.

Students who have left the college due to extenuating circumstances and who have returned to continue their enrollment may petition for a leave of absence retroactively.

Course withdrawals resulting from an approved leave of absence will not be included in the determination of the student's academic progress. Students granted a leave of absence will maintain their continuous enrollment status, including their catalog rights and their registration priority. Students enrolled in specialized college programs leading to state licensure (i.e., Nursing, Radiological Technology) should meet with their department to determine the impact of a leave on their status within their program.

May 2009

Chapter 5 - Student Services

AP 5075 Course Adds and Drops

References:

Title 5 Sections 55758 and 58004

Adds:

1. Students may add open classes online or in person with a picture ID at the Admission and Records Office in the Student Services Center.
2. Once classes start, students attend class to obtain an add authorization code if the class is no longer available through the registration system. Instructors will issue add authorization codes depending on the number of open spaces in the class.
3. Students must have a printout with their registration date and time to be eligible to receive an add authorization code.
4. Students must have the appropriate prerequisite for the class. Prerequisites will be checked by the system at the time students register for the class.
5. When utilizing wait lists, students are permitted to add their name during registration to a list of students waiting to enroll in a full or closed class. Students on wait lists will be added before walk-in students during the first class meeting only. Being on a wait list does not guarantee that the student will be given an add authorization code.
6. If a student receives an add authorization code from the instructor, the student may add the class using the registration system. Add codes are not transferable.
7. Add authorization codes must be processed prior to their expiration date.
8. After the registration period concludes, classes may be added using the Request for late Add form if the course has not yet met 20% of its total minutes (end of the third week for sixteen week courses).
9. Adding classes after the course has met 20% of its total minutes (end of the third week for sixteen week courses) requires that a Petition for Exceptional Action be approved in addition to the Request for Late Add form.

Drops:

1. Students may drop classes online or in person with a picture ID at the Admissions and Records Office in the Student Services Center.
2. An instructor may drop a student who has not arrived within the first thirty minutes of the first class meeting.
3. An instructor may drop a student who has excessive absences as defined in the instructor's syllabus.
4. It is the student's responsibility to officially drop a class whenever they determine that they can no longer attend the class. Failure to drop a class may result in a failing grade and an obligation of fee payment.
5. Drops are permissible if the course has not yet met 61% of its total minutes (end of tenth week for sixteen week courses.)

6. A notation of a "W" shall become part of a student's permanent record for any drop taking place after the course has met for 30% of its total minutes (end of fourth week for sixteen week courses). If a drop occurs before the class has met for 30% of its total minutes, no notation shall be made on the student's permanent record.
7. Instructors shall clear their rolls of inactive enrollment. Inactive enrollment is defined as of each census day, any student who has:
 - A. Been determined by the instructor to be a "no show;" or
 - B. Officially dropped the course; or
 - C. Been dropped from the course. A student shall be dropped if, in the opinion of the instructor, the student is no longer participating in the course, except if there are extenuating circumstances. "No longer participating" includes, but is not limited to, the student having excessive unexcused absences. "Extenuating circumstances" are verified cases of accidents, illness, other circumstances beyond the control of the student, and other conditions defined by the Board of Trustees and published in regulations.
8. The college shall maintain a record of the date each student drops or is dropped from a course.

Revised May 2009

Chapter 5 - Student Services

AP 5110 Counseling

References:

Education Code Section 72620; Title 5 Section 51018

The counseling services available in the College's counseling program include:

- Career counseling, in which the student is assisted in assessing his or her aptitudes, abilities, and interests, and is advised concerning the current and future employment trends;
- Personal counseling, in which the student is assisted with personal, family, or other social concerns, when that assistance is related to the student's education;
- Coordination with the counseling aspects of other services to students which exist on campus, including but not limited to those services provided in programs for students with special needs, skills testing programs, transfer center assistance, financial aid programs, and job placement services.

Confidentiality of Counseling Information:

Information of a personal nature disclosed by a student 12 years of age or older in the process of receiving counseling from a counselor is confidential, and shall not become part of the student record without the written consent of the person who disclosed the confidential information. However, the information shall be disclosed when permitted by applicable law, including but not limited to disclosure as necessary to report child abuse or neglect; reporting to the Dean of Counseling when the counselor has reason to believe that disclosure is necessary to avert a clear and present danger to the health, safety, or welfare of the student or other persons living in the College community; reporting information to the Dean of Counseling as necessary when the student indicates that a crime involving the likelihood of personal injury or significant or substantial property losses will or has been committed; reporting information to one or more persons specified in a written waiver by the student.

The Mt. San Antonio College Catalog contains the most recent information regarding Counseling Services. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5120 Transfer Center

Reference:

Title 5 Section 51027

The Board of Trustees recognizes transfer as one of the primary missions of the California community colleges, and as such, places priority emphasis on the preparation and transfer of underrepresented students, including African-American, Chicano/Latino, American Indian, disabled, low-income and other students who are historically and currently underrepresented in the transfer process.

A. REQUIRED SERVICES

The College will prepare and maintain a Transfer Center Plan which shall delineate services to be provided to students. Those services shall include, but are not limited to:

1. Identify, contact, and provide transfer support services to targeted student populations identified in the transfer center plan;
2. Ensure the provision of academic planning for transfer, the development and use of transfer admission agreements, and the development and use of course-to-course and major articulation agreements. These activities shall be provided in cooperation with student services, with faculty, and with baccalaureate institutions personnel as available;
3. Ensure that students receive accurate and up-to-date academic and transfer information through coordinated transfer counseling and advising services;
4. Monitor the progress of transfer student to the point of transfer;
5. Support the progress of transfer student through referral as necessary, to such services as ability and diagnostic testing, tutoring, financial assistance, counseling, and to other instructional and student services on campus, as appropriate;
6. Assist students in the transfer process, including the timely completion and submittal of necessary forms and applications.

B. FACILITIES

Provide a resource library of college catalogs, transfer guides, articulation information and agreements, applications to baccalaureate institutions, and related transfer information.

C. STAFFING

The Transfer Specialist will have primary responsibility for coordinating the activities of the transfer center; to serve as liaison to articulation, to student services, and to instructional programs on campus, and to work with baccalaureate institution personnel.

D. TRANSFER ADVISORY COUNCIL

An advisory council shall be established to plan the development, implementation and ongoing operations of the transfer center. Membership to the council will be sought from all campus departments and programs.

The Mt. San Antonio College Catalog contains the most recent information regarding the Advising Center. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5130 Financial Aid

References:

20 U.S.C. Sections 1070 et seq.; 34 C.F.R. Section 668; Education Code Section 76300; Title 5 Sections 58600 et seq.

Financial Aid programs offered:

Federal

Federal Pell Grants
Federal Work Study
Federal Supplemental Ed. Opportunity Grant
Federal Direct Student Loan Program
Federal Family Education Loan Program

State

Cal Grants
Board of Governors Fee Waiver

Student Eligibility

Recipients of aid from federal and State funded programs must be students enrolled in eligible programs of study for the purpose of obtaining a degree, an approved Title IV certificate, or transfer. In addition to financial need, other eligibility requirements for most federal and State programs include:

1. Having a high school diploma, a GED, or passing the Ability to Benefit Test that has been approved by the Department of Education administered at the Assessment Center in the Student Services Center.
2. Being a U.S. Citizen or eligible non-citizen.
3. Maintaining satisfactory progress in accordance with the standards.
4. Not be in default on a federal loan or grant overpayment.
5. Be registered with the selective service, if required.
6. Have a valid social security number.

Application Procedures

To be considered for financial aid, students must complete the Free Application for Federal Student Aid (FAFSA) or the renewal application. These applications are usually available beginning in January for the following academic year. If a student is interested in a State of California Grant, the FAFSA and a GPA verification form must be completed. Additional information and eligibility requirements are available at the Financial Aid Office. It is important that California Community College students apply by the March 2nd Deadline or the September 2nd Deadline.

The priority filing deadline at Mt. SAC is April 15th. By meeting this deadline, students will have priority in the awarding of Federal Work Study and Federal Supplemental Educational Opportunity Grants if eligible.

The information reported on the FAFSA may be verified by the Financial Aid Office using parent's and/or the student's Internal Revenue Services Forms 1040, 1040A, or 1040EZ. Students must be able to provide a copy of their Social Security Card, Alien Registration Card (if applicable), and their Mt. SAC College Services Card or Photo ID for identification purposes.

Payment Procedures

The Federal Pell Grants, Federal Supplemental Educational Opportunity Grants, and Federal Loan Programs will be disbursed in two payments per term. The State Cal Grant Program will be disbursed in one payment per term. The Federal Work Study Program will be disbursed monthly.

Overpayments

Mt. SAC will determine the amount of federal financial aid a student has earned in accordance with federal law. Recipients of federal programs are subject to the Return of Title IV funds requirements. Students who receive federal financial aid and do not attend any classes will be required to repay all of the funds they have received. Students who withdraw from all classes prior to completing more than 60% of the semester will have their financial aid eligibility recalculated based on the percentage of the semester completed and will be required to repay any unearned financial aid they have received.

At Mt. SAC, a student's withdrawal date is:

1. The date the student officially notified the Admissions & Records Office of his or her intent to withdraw or
2. The midpoint of the semester for a student who leaves without notifying the College or
3. The student's last date of attendance at a documented academically-related activity or
4. The date posted by the instructor indicating the last day of attendance.

Satisfactory Academic Progress

Federal and State financial aid regulations require Mt. San Antonio College to establish; publish; and apply quantitative, qualitative, and incremental standards by which Mt. SAC can determine whether a student requesting and/or receiving aid funds is maintaining satisfactory progress in his/her course of study. Mt. San Antonio College makes these standards applicable to the following aid programs:

Federal Pell Grant	Federal William D. Ford Direct Loan Program
Federal Work Study	Federal Supplemental Educational Opportunity Grant
Federal Perkins Loan	Federal Family Educational Loans Program
Cal Grant B	Bureau of Indian Affairs
Cal Grant C	

Financial aid progress standards apply to current and prior academic work at Mt. San Antonio College, regardless of whether or not a student has previously received any form of financial aid. These progress standards apply to all students within categories of students (full-time, 3/4-time, 1/2-time, and less than 1/2-time), and academic programs (Certificate, Associate Degree, and transfer). The College Catalog describes other policies for academic progress required to maintain enrollment at Mt. San Antonio College.

Eligible Programs

Students must be enrolled in an eligible program of study for the purpose of a Certificate, Associate degree, or completing a transfer program. Certificate programs offered by Mt. SAC must be approved as eligible programs by the Department of Education to be eligible for federal student aid funding.

Program Length

Mt. SAC offers a variety of Certificate programs, Associate degrees and transfer programs, each with its own unit, course and time requirements. The Educational Plan, designed specifically for each certificate, degree, or transfer program, will indicate the maximum time frame, in semesters, required for each program.

Program Completion

Financial Aid regulations require that students complete their program of study within 150% of the time frame required of each program. For example, a full-time student enrolled in an Associate degree program must complete his/her program of study within three academic years (an academic year equals two semesters plus a summer intersession). An academic year starts with the semester or the intersession of the student's first enrollment; i.e., Fall, Spring, and Summer; Spring, Summer, and Fall; and Summer, Fall, and Spring). A student who is enrolled on a part-time basis will be pro-rated appropriately, i.e., a student consistently enrolling for six units must complete his/her program of studies in six years.

Evaluation of Progress

Students will be considered to have made satisfactory progress when they:

- a. Maintain a cumulative 2.00 G.P.A. and
- b. Successfully complete the minimum number of units as described below.

A student's progress toward his/her educational objective will be evaluated at the end of each academic year. The minimum number of units a student must successfully complete at the end of each year, in order to complete their program of studies within the maximum time frames is outlined below:

Minimum Number of Units to be Completed Each Year

<u>Enrollment Status</u>	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>	<u>6th Year</u>	<u>Total Units</u>
Full-time	20	20	20	Not eligible for aid			60
3/4-time	15	15	15	15	Not eligible		60
1/2-time	10	10	10	10	10	10	60

Students enrolled in less than 6 units must complete at least one course.

Enrollment Status

Enrollment in credit courses for .1 to 5.9 units is considered less than 1/2 time; 6 to 8.9 units is considered 1/2 time; 9 to 11.9 units is considered 3/4 time; and 12 or more units is full-time. A student's enrollment status will be determined at the end of the fifth week of each semester. If

awarded after that period, status will be determined at the time the financial aid application is received.

Successfully Completed Courses

Successfully completed courses are those in which a student received a grade of "A", "B", "C", "D", or "CR".

Unsuccessfully Completed Courses

Unsuccessfully completed courses are those in which a student receives a grade of "F", "NC", "IP", "I," or "W." However, under the Mt. SAC grading system, the grade of "I" may be replaced with a letter grade which will yield unit credit. Unsuccessfully completed courses adversely impact academic progress. Students are encouraged to add or drop during the period that they will receive no notations on their permanent record. Although unsuccessfully completed courses are not successful, they are considered attempted and impact program length.

Course Repetition

Students are not permitted to receive financial aid for repeating courses, except as follows:

- a. Course description in the College Catalog (Section X) states, "may be taken for credit," or
- b. If a "D" or "F" was received and repetition is needed to remove a grade point deficiency (up to a maximum of 12 units), or
- c. By obtaining prior College approval by filing a Petition for Exceptional Action through the Counseling Department.

High School Credit

Students cannot use (transfer back) college courses for high school credit for which they have received financial aid, otherwise an overpayment will result.

Counseling Class

Students are advised to enroll in a counseling class to develop an educational plan. It is the student's responsibility to follow his/her plan to ensure completion of the designated program of study within the projected time frame.

Major Change

Counselor approval will be required if a student changes his/her major. A new Educational Plan must be developed and furnished to the Financial Aid Office if requested.

Transfer Students

Students that transfer from another accredited post-secondary institution are required to submit official academic transcripts of their previous college work to the Mt. SAC Admissions & Records Office. Those transcripts will be reviewed and evaluated. An evaluated copy must be given to the Financial Aid Office. The accepted units will be applied toward the cumulative total of units earned. Those units applied are used to grant advance standing and may impact the

maximum time frame. For financial aid purposes, the GPA from the previous institution will not be held against the student.

Remedial Classes

Students may receive aid for up to 30 units of remedial classes. Courses must be at the secondary level and required as part of an eligible program. Note: These classes are identified as pre-collegiate/basic skills and are non-degree appropriate.

AmLa

Students who are enrolled in ESL credit course work, such as AmLa, as part of an educational plan leading to a certificate, or degree, are eligible for financial aid. There is no limit on the number of ESL units a student may take, as long as students maintain Satisfactory Academic Progress and are in an eligible program. ESL course work is not counted as part of the 30 unit remedial limit.

Reinstatement

If a student is denied financial aid, he/she may be reinstated once they have regained satisfactory academic progress, according to the standards. However, students may not be paid retroactively for periods in which they failed to maintain satisfactory progress.

Financial Aid Ineligibility

Extenuating circumstances, which warrant an exception to the SAPP, may be considered. Students must submit an appeals form with documentation to substantiate reinstatement. Examples of extenuating circumstances may include:

1. **Injury or illness of student** (Student must verify extensive hospitalization, medical treatment, or serious illness.)
2. **Personal crises** (Student discloses, in writing, a traumatic situation, such as: death of a family member, separation, divorce, abuse, automobile accident, or destruction of home or belongings by fire or theft.)
3. **Change of major or objective** (Student needs one or two additional semesters due to change in educational/career objective. NOTE: A current educational plan is required prior to approval.)
4. **Other circumstances** (Student should explain the nature of his/her problem and illustrate why an exception to the standards should be made. Other circumstances are considered on a case-by-case basis.)

Appeals Process

In order for an appeal to be considered, the student must provide the following:

1. The Appeal Form with a written statement explaining the circumstance that prevented the student from making academic progress.
2. A current educational plan with the entire courses listed to complete the educational goal.
3. Supporting verification (e.g. a hospital or doctor's statement verifying an extended illness, medical bills, Probation Contract).

4. All academic transcripts from all previously attended colleges evaluated by the Mt. SAC Admissions & Records Office.

A copy of the scheduled Board of Appeals meetings and paperwork deadlines will be provided to students upon request.

If aid is denied by the Board of Appeals, the decision is final unless new documentation can be presented.

Delinquent Financial Obligations

- A. Mt. San Antonio College will withhold grade transcripts, diplomas and registration privileges, or any combination thereof, from any student or former student who has failed to pay a proper financial obligation due the district (e.g., returned check, unpaid loan, equipment breakage, unpaid library fine, etc.)
- B. Any item or items withheld shall be released when the student satisfactorily meets the financial obligation.
- C. If a student believes that he or she does not owe all or part of any unpaid obligation, the student should contact the Mt. SAC Auxiliary Services Office. The Auxiliary Services Office will review the pertinent information, including information the student may wish to present, and will advise the student of its conclusions with respect to the debt. The student may be referred to the office where the obligation occurred for resolution of the debt.

The Mt. San Antonio College Catalog contains the most recent information regarding Financial Aid. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5140 Individuals with Disabilities

References:

Education Code Sections 67302, 67310, and 84850; Title 5 Sections 56000 et seq.; 42 U.S.C. Section 12101; 34CFR Sections 104.3 and 104.44; 36CFR Section 11135

Under federal and State laws, Mt. San Antonio College is required to ensure that academic requirements and practices, facilities, electronic information technology, printed materials, and College services and activities are reasonably accessible to individuals with disabilities. The College will make modifications as necessary in order to provide equal access.

The Disabled Student Programs and Services (DSPS) Office is the primary provider for support programs and services that facilitate equal educational opportunities for students with disabilities who can benefit from instruction as required by federal and State laws.

Students with disabilities and/or community members with disabilities are not required to register with DSPS. The point of contact regarding accommodations for those groups is the 504 Coordinator.

The College maintains a plan for the provision of programs and services to students with disabilities designed to assure that they have equal access to College classes and programs. The yearly DSPS Plan, as required by the Chancellor's Office, describes processes, procedures and requirements as well as a full description of the program. Other information regarding the goals and objectives of DSPS can be found in the DSPS Program Review document.

Providing Academic Adjustments for Individuals with Disabilities

Individuals with disabilities are assured equal access to educational institutions and all systems of communication under federal and State laws. Equal access for an individual with a disability is defined as the opportunity to obtain the same result, gain the same benefit or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.

1. Verification The individual with a disability must provide medical documentation of the disability for verification of the need for academic adjustments or accommodations and is responsible for requesting adjustments or accommodations in a timely fashion. Students submit their documentation to DSPS or directly to the professor if not using DSPS services. It is strongly recommended that the professor receiving documentation directly from students, contact DSPS for assistance in determining and providing appropriate accommodations. Non-students submit their documentation to the Office of Human Resources.
2. If the student does not have appropriate verification of disability, DSPS will initiate an assessment to determine and document a disability if within the scope of assessment services provided by DSPS and deemed necessary by a DSPS professional.

3. The DSPS professional who meets the standards established by State regulations, will assess and document the extent and the effects of the current disability. Depending on the severity and educationally-related functional limitations of the assessed disability, the DSPS professional shall recommend accommodations immediately upon request of the student. The student will submit to his/her instructors, the accommodations authorization forms completed by the DSPS professional.
4. Requests Once the disability is verified, the individual completes the form to request accommodations, providing the necessary information regarding their needs and preferences for which type of accommodation when there are several to choose from (i.e. in the case of alternate formats, there is Braille, e-text, audio tape, etc.).
5. Student Enrollment and Requirements Students must be enrolled in a credit or non-credit adult education course in order to request academic adjustments.
6. Equal Access to Printed Materials Widely distributed College-produced printed material, such as marketing brochures, the credit and non-credit schedule of classes and the College Catalog, shall include the statement in a prominent location "Available in alternate formats upon request. Please contact Disabled Student Programs & Services at extension 4290."
7. Conversion of Material into Alternate Formats In the classroom setting, only materials that are deemed "required" by the instructor will be converted to alternate formats with only one format per student. Students will purchase all required textbooks and materials for the course and provide a copy for conversion. There is no charge to requesting individuals for conversion of material into alternate format.
8. Confidentiality and Security of Material All material submitted to DSPS for conversion into alternate formats will be guarded and locked when not in use. When the conversion process is complete, the material will be returned to its owner. All material will be kept confidential and its security is guaranteed. Requesting individuals must sign an agreement stating that they will not copy or reproduce the material, nor will they allow anyone else to do so.
9. The following statement is recommended for inclusion on course syllabi and should be read at the first class meeting: "If you have special needs, please let me know as soon as possible so that I may assist you to be successful in this class. Students with disabilities are highly encouraged to register with Disabled Student Programs & Services (DSPS) located in the Student Services Building, lower level, (909) 594-5611, extension 4290, or TTY for the deaf (909) 594-3447."

Equal Access to Electronics and Information Technology

Federal and State laws require that all electronic and information technology purchased or used by federal agencies must be accessible for use by persons with disabilities. This regulation applies to the development, procurement, maintenance and/or use of all electronic and information technologies. The Section 504 Coordinator will be responsible for Section 508 compliance. The following procedures have been approved to comply with this law.

1. The Information Technology Department will ensure that College employees who purchase or request recommendations about information technology products are informed of the accessibility requirements of Section 508.

2. The Grants Office will ensure that grant recipients are informed of their obligations under Section 508 requirements.
3. The Purchasing Department will ensure that vendors and other contract recipients are informed of their obligations under Section 508 requirements.
4. The College's Webmaster will ensure that the College's Home Web Pages and related links are accessible to individuals with disabilities as defined by World Wide Web Consortium (W3C).
5. Media Services in concert with Disabled Student Programs and Services (DSPS) and the Television Production and Broadcasting Department will ensure that video and multimedia products developed by the College and/or housed by Media Services are equally accessible to individuals with disabilities and comply with Section 508.
6. The Instruction Office together with the Learning Resources Division and Professional and Organizational Development will ensure that faculty who develop web pages, online learning and other distance learning options for students are informed of their obligations under Section 508.
7. The Community Education Division will ensure that all faculty and staff are informed of their obligations under Section 508 requirements.
8. The Student Services Division will ensure that all faculty and staff are informed of their obligations under Section 508 requirements as they pertain to enrolled and prospective students.
9. The Marketing and Communication Office will ensure that all staff members are informed of their obligations under Section 508 requirements as they pertain to visitors on campus.
10. The Event Services Office will ensure that all staff members are informed of their obligations under Section 508 requirements as they pertain to visitors and events on campus.
11. The Dean of Library and Learning Resources will ensure that all library staff members are informed of their obligations under Section 508 as they pertain to library patrons.

Course Substitutions

If the student and the academic department mutually agree upon a course substitution, and the proposed course substitution meets the requirement of comparable concept mastery, the course substitution will be granted by the Chief Instructional Officer. If the academic department has denied a student's request for course substitution and the student remains unable to complete a course, the following steps must be completed.

1. The student must file a written, formal request for course substitution with DSPS. This request must be received by DSPS prior to enrolling in the student's final semester to avoid last-semester negotiations.
2. A preliminary review of the student's disability-related need for a course substitution will be made taking into account the unique needs of each student. This review must be conducted by a team of appropriate professionals within DSPS, including the Director of DSPS. Sufficient written documentation that the student meets all standardized criteria established by Title 5 and the Chancellor's Office relevant to the

student's disability must be demonstrated to the DSPS office in order to proceed with a formal request (Sections 56032-56044 of Subchapter 1 of Chapter 7 of Division 6 of Title 5).

3. If the DSPS team determines that the above requirements are met, it will develop an educational plan for the student that addresses the student's particular disability, immediate and future educational and career goals, and how this particular course substitution will affect any prerequisite, graduation or transfer requirements detailed by this educational plan. Within five instruction days of receiving the formal request, DSPS will present this plan in writing to an ad hoc committee consisting of the following: one representative from the Instruction Team, the Director of DSPS, the DSPS professional recommending the adjustment, the Dean, the Chair or faculty representative from the department of the course in question, and a designee from the Academic Senate. Additional representatives may be added, if members of this committee deem it necessary. Within ten instruction days of the referral from DSPS, this committee will determine if the requested substitution constitutes a fundamental alteration of the educational program. The committee will also develop and submit to the student, a written individualized plan for accommodations or adjustments that address the appropriate educational needs as they relate to the educational goals of the student. The plan developed by the ad hoc committee becomes effective immediately and will be coordinated and implemented by DSPS. The Director of DSPS or his/her designee will ensure that the provisions of the plan are followed. If the ad hoc committee cannot reach consensus, then the matter will be referred to the 504 Coordinator to review and begin the Academic Adjustment Hearing Process within five instructional days.
4. Any course substitution provided for students determined to require such an academic adjustment should guarantee that any grade assigned to these students is based on their ability to demonstrate comparable concept mastery to that of other students enrolled in the course being replaced. For this reason, special project courses or others designated by the department may be assigned as the appropriate substitution courses and should incorporate those essential concepts as identified in the course outline of record for the course being replaced.
5. If the substituted course is required for transfer, and the student plans to transfer, the student is responsible for contacting the transferring institution regarding the acceptability of the substitution. Mt. SAC students will be informed in writing that a substitution granted by Mt. SAC may not be recognized by a subsequent educational institution.

COMPLAINT/GRIEVANCE PROCESS FOR PROVIDING EQUAL ACCESS

Individuals with disabilities or professors who are not satisfied with the reasonable accommodation, purchase, use or agreement for accessing College-related information can appeal the decision following the procedure outlined below.

1. Discuss their concerns and offer suggestions for an alternate plan to their Counselor and/or the DSPS Instructional Specialist, Adaptive Technology. Employees and members of the public with disabilities should bring concerns to the 504 Coordinator located in the Office of Human Resources.

2. If not satisfied with the outcome of Step 1 above, the requesting individual may call for the Director of DSPS (for students) or the 504 Coordinator (for employees or members of the public) to review the complaint, and determine whether changes in the accommodations plan are warranted.
3. If not in agreement with the decision made by the DSPS Director or the 504 Coordinator, the requesting individual may notify the 504 Coordinator that they wish to appeal the decision by filing a statement of Grievance. Students are required to use AP 5530 Complaint/Grievance Process.
4. The 504 Coordinator is responsible for informing the complainant of his/her rights, responsibilities and procedures and will convene an Equal Access Hearing Committee (see #9 below).
5. If an instructor has questions about an accommodation authorized by DSPS or requested by a student with a verified disability, the instructor should *promptly* contact the DSPS professional who authorized the accommodation(s). Informal meetings and discussion among the instructor, Department Chair or designee, the student, the appropriate members of DSPS and/or other appropriate members of the College community are essential at the outset, and will be completed within five instructional days following the request for the accommodation.
6. If no informal resolution can be found within five instruction days and the accommodation is not allowed, the DSPS professional, student or the instructor will refer the matter to the 504 Coordinator as soon as possible for review. The 504 Coordinator will make a decision regarding the accommodation within five instruction days of having received the matter.
7. If either the instructor or the student disagrees with the decision, they will notify the 504 Coordinator in writing within five instruction days. The 504 Coordinator will then proceed with the Equal Access Hearing process (see # 9 below).
8. The accommodation originally authorized by DSPS will be allowed for a maximum of three instructional weeks during which time a resolution will be achieved. If the decision of the Committee is that the accommodation is not reasonable, the accommodation will either be modified or rescinded depending upon the Equal Access Hearing Committee's recommendations.
9. An Equal Access Hearing Committee will be convened by the 504 Coordinator to review the complaint/grievance. The committee will be comprised of the following voting members:
 - A. The Dean Student Services or designee
 - B. The Vice President in charge of the affected area
 - C. The appropriate **Manager or Chairperson of the Division or Department**
 - D. Academic Senate President or his/her designee
 - E. Student representative appointed by the Associated Students
10. The 504 Coordinator shall serve as Chairperson and will be responsible for providing a tape recording and written minutes of the hearing. All five (5) voting members, including the chair, shall constitute a quorum by which the hearing may proceed.
11. Both parties have the right to present witnesses, testimony, and evidence, but only as related to the case.

12. Both parties have the right to be accompanied by an advocate in the formal appeal hearing. Attorneys are not permitted unless the Committee finds that complex legal issues are raised by the case.
13. The hearing shall be closed to the public.
14. The Committee shall judge the evidence presented and shall render a written decision within five (5) instruction days following the beginning of the hearing; copies of the findings shall be forwarded to the College President/CEO, who will review the decision of the Committee and will either accept or modify it.
15. The College President/CEO shall inform the complainant and the Committee of his/her final action by certified mail within ten (10) instruction days of the receipt of the Committee's recommendations.
16. Written minutes and a tape recording of the proceedings shall be kept in a confidential file by the College President/CEO and shall be available to both parties. All documents will be filed separately from personnel files of the participants.
17. The College President's/CEO's decision shall be the final decision rendered and shall be implemented within ten (10) instruction days.

GENERAL PROVISIONS

1. A complaint can be withdrawn at any step of the process; however the same complaint shall not be re-filed.
2. The 504 Coordinator can be consulted by any party regarding these procedures at any time.

OTHER COMPLAINTS

Students, employees or members of the public wishing to file complaints or grievances based upon discrimination on the basis of physical or mental disability should contact the College's 504 Coordinator located on campus, in the Administration Building, Room 230, (909) 594-5611, extension 4225. The College's general grievance process is outlined in the Administrative Procedures.

If these processes yield an unsatisfactory result, the Office for Civil Rights may be contacted regarding their complaint resolution processes:

United States Department of Education
Office for Civil Rights
Region IX
Old Federal Building
50 United Nations Plaza, Room 239
San Francisco, CA 94102

The Mt. San Antonio College Catalog contains the most recent information regarding services available for individuals with disabilities. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5150 Extended Opportunity Programs and Services

References:

Education Code Sections 69640-69656; Title 5 Sections 56200 et seq.

The Extended Opportunity Programs and Services (EOPS) Program at Mt. SAC provides educational and financial support services to eligible students who have historically experienced economic and educational disadvantages. The program is mandated by and funded through the State of California. It is the intent of the Legislature that the California community colleges recognize the need and accept the responsibility for extending the opportunities for community college education to all who may profit from regardless of economic, social, and educational status. Eligible participants will receive additional support through counseling, tutoring, financial assistance, and other services designed to help them complete their educational goals.

EOPS Program Goals

The EOPS Program goals are as follows:

- Increase the number and percentage of students who are affected by language, social, and economic disadvantage, consistent with State and local matriculation policies;
- Increase the number and percentage of EOPS students who successfully complete their chosen educational objectives;
- Increase the number of EOPS students who are successfully placed into career employment;
- Increase the number and percentage of EOPS students who transfer to four-year institutions following completion of the related educational programs; and
- Improve the delivery of programs and services to the disadvantaged.

Staffing and Program Management

Full-time EOPS Director

Mt. San Antonio College's EOPS Program employs a full-time EOPS Director to directly manage and/or coordinate the daily operation of the programs and services offered, and to supervise and/or coordinate the staff assigned to perform the EOPS activities.

EOPS Staff

EOPS services shall be provided by a certificated director, instructors, counselors, and other support staff employed by the governing board of the community college district. All staff members funded by EOPS shall be accountable to the EOPS Director for the services rendered to EOPS students.

EOPS Advisory Committee

Mt. San Antonio College's EOPS Program shall have an Advisory Committee. The purpose of the advisory committee is to assist the College in developing and maintaining effective Extended Opportunity Programs and Services.

Outreach, Orientation, and Registration Services

Mt. San Antonio College's EOPS Program shall provide access services to identify EOPS eligible students and facilitate their enrollment in the College. Access services shall include at minimum:

- Outreach and recruitment to increase the number of EOPS eligible students who enroll at Mt. San Antonio College,
- Orientation to familiarize EOPS eligible students with the location and function of the College and EOPS programs and services, and
- Registration assistance for priority enrollment pursuant to Title 5 Section 58108.

Assessments

Mt. San Antonio College's EOPS Program shall assess EOPS eligible students using instruments and methods which the College President/CEO certifies are reliable, valid, and appropriate for students being assessed and for the purpose of the assessment. Assessments shall, at minimum, include:

- Course and Placement tests in reading, comprehension, vocabulary, writing, and computations,
- Diagnostic test to determine the specific academic skill deficiencies,
- Study skills assessment which determines how well the student is able to apply effective study techniques, and
- Support service assessment which determines what services the student may need to attend and participate in campus life.

Basic Skills Instruction and Tutoring Services

Mt. San Antonio College provides basic skills instruction, seminars, and tutoring services to EOPS eligible students who, on the basis of assessments and counseling, need such services to succeed in reaching their educational goals.

Transfer and Career Employment Services

EOPS funds shall provide assistance to EOPS eligible students to transfer to four-year institutions and/or to find career employment in their field of training.

Counseling and Advisement

EOPS funds shall provide counseling and advisement to EOPS-eligible students for at least three contacts a semester.

Contact sessions include:

- Interpretation of assessment results, preparation of a student education plan,
- A midterm contact session to review the student's progress, and
- An end of term or program exit contact session to assess the student's success, future planning and program effectiveness

Documentation and Data Collection System

The reporting of MIS (Management Information Systems) data for EOPS is an essential part of determining the number of students served and the service level of the Statewide EOPS program efforts.

The reporting of MIS data for the EOPS programs is critical in the process of allocating program funds to individual EOPS college programs.

The appropriate documentation must be available in each student's EOPS file.

Verification of:

- "Full Time student enrollment"
- Documentation for special disabled students with less than full-time enrollment
- Less than 70 degree applicable units completed
- Qualify for Board of Governor's fee waiver (BOGW) Under method A or B
- Six Semester Educational Plan
- EOPS Application
- Mutual Responsibility Contract
- Verification of State Residency
- Educationally Disadvantage factor
- Assessment Scores

Evaluation of Program and Services

All program plans and requests for funding submitted on or before the deadline shall be reviewed and evaluated by the Chancellor. The Chancellor shall approve plans for funding in whole or in part. Each college having an approved plan shall participate in an evaluation of the effectiveness of the program which shall be conducted by the Chancellor. The evaluation may include on-site Operational Program Reviews (OPR), audits, and measurements of student success in achieving their educational objectives. For additional information refer to the EOPS Program Plan held in the EOPS Director's Office.

Program Requirements

Student Eligibility – To meet eligibility criteria for EOPS, a student must:

1. Be a California resident,
2. Be enrolled as a full-time student (12+ units),

3. Completed fewer than 70 degree applicable college units,
4. Qualify to receive a Board of Governors Grant (BOGW) Fee Waiver based on method A or B or a zero EFC, and
5. Be educationally disadvantaged as defined by Title 5 regulations.

Student Responsibilities and Requirements

EOPS student responsibilities include:

- Attend EOPS Orientation upon acceptance into the program,
- Meet with an EOPS Counselor at least three times a semester,
- Attend an EOPS Workshop each semester,
- Complete an Educational Plan with a counselor, and
- Submit a progress report each semester.

Services and Direct Aid Provided

EOPS services include:

- Priority Registration (requires satisfactory progress);
- Counseling;
 - Academic
 - Transfer/career
 - Vocational
 - Personal
- Educational planning;
- One-on-one Tutoring in Basic Skills subjects;
- Textbook Service Program;
- Direct Aid – grants, meal tickets, work study;
- Peer Advising;
- Workshops (Academic Success and Personal Development/Matriculation); and
- Application fee waivers for CSUs and UCs.

The Mt. San Antonio College Catalog contains the most recent information regarding Extended Opportunity Programs and Services. This document is updated annually for currency and correctness. Also refer to Title 5 Sections 56200 et seq. for complete details of program requirements.

Chapter 5 - Student Services

AP 5200 Student Health Services

References:

Education Code Sections 76355 and 76401

Scope of Services

Operations are guided by a Health Services Plan developed and approved in consultation with a physician to comply with regulations as specified in the California Code of Law.

Clinical Services

1. The focus of clinical services is to provide short-term basic care and services necessary for the treatment of acute illnesses and injuries;
2. Mental health services include crisis management and short-term personal counseling;
3. Conditions requiring long-term management, such as alcohol abuse, substance abuse, eating disorders and chronic mental illnesses are evaluated and referred for further care by private practitioners or community services;
4. Management of crisis situations, such as suicidal or homicidal individuals, includes and assessment by a mental health practitioner, or a registered nurse in consultation with a mental health practitioner as needed; and
5. Any information of a personal nature disclosed by a student, or parent or guardian of a patient, 12 years of age or older in the process of receiving care from a health professional is confidential with exceptions as dictated by law.

Support Services

1. Office procedures and medical records are managed by clerical personnel;
2. Laboratory services are provided by a licensed, contracted laboratory;
3. Pharmaceuticals are provided internally on a limited basis. Prescriptions are provided for what is not available internally;
4. Referrals are provided for radiology, dental, optometric, and other services not available internally; and
5. Health education services are provided by registered nurses and health education personnel.

Health Fees

Health fees are expended solely for the purpose of supporting health services for the general student body. Fees for specific services and products shall be \$5.00 over actual costs to offset general expenses related to the collection of specimens, miscellaneous medical supplies, etc.

Health fees shall not be expended for:

1. salaries of personnel not directly involved in the delivery of health services, for administrative salaries of assistant and deal level personnel and above, or for athletic trainers;
2. costs related to athletics including insurance, ambulance costs for events, medical supplies or physical examinations;
3. services provided to a select group of students, faculty or staff.

The following students shall be exempt from paying the health fee: (Specific waiver instructions are published in the College Catalog and Schedule of Classes).

1. Those who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization. The student shall provide written verification of being an active member of such organization.
2. Those who are part of a Board-approved apprenticeship training program.
3. Low income students, including those who demonstrate financial need in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid and students who demonstrate eligibility according to income standards established by the Board of Governors and contained in Section 58620 of Title 5 of the California Code of Regulations.
4. Dependent children and surviving spouses of members of the California National Guard who are killed or permanently disabled while in the active services of the State.

Personnel

- Supervision is provided by a registered nurse who possesses a valid, current California license to practice as a registered nurse and either a Bachelor's degree in nursing, a California Public Health Nurse certificate and a Master's degree in health education, sociology, psychology, counseling, health care administration, public health or community health; or a master's degree in nursing and a California Public Health Nurse certificate.
- Clinical services including nursing, medical and mental health services are provided by licensed health professionals.

Medical Records

- Medical treatment records shall be afforded protected status. Records are not released without the written consent of the patient with exceptions as prescribed by law.
- Information concerning a patient shall be furnished in compliance with a court order or a lawfully issued subpoena. A reasonable effort shall be made to notify the patient in advance of compliance with a lawfully issued subpoena.
- Medical treatment records shall be stored in compliance with State and federal guidelines.

Physical Examinations in Health Center:

Student Health Services provides physicals for Health Science Division and Fire Technology Department students who wish to use this service to obtain the required physical examination to enter one of the following programs: Nursing, Mental Health Technology, Radiologic

Technology, Respiratory Therapy, Fire Technology, Emergency Medical Services, or Emergency Medical Technician. The Health Center must make the same service available to every student; therefore, a fee must be established for these physical examinations.

Students pay \$45 for the complete cost of the physical examination, including laboratory work. The student will be pre-screened by the nurse, including height, weight, blood pressure, tuberculin skin test, RPR/VDRL, complete blood count, a urinalysis, and health history. If specifically required, vision screening, and audiometric testing will be performed at no additional cost. The student will be examined by the physician or nurse practitioner after the pre-screening and lab work are completed.

Laboratory Tests in Health Center:

Student Health Services provides students in-house laboratory testing and obtains laboratory specimens to be sent to a private laboratory for testing, when requested by the student or ordered by a licensed physician or registered nurse practitioner.

Students pay \$3 service fee over the cost of each laboratory test for collection and handling.

Medications Dispensed in the Health Center:

Student Health Services provides students with over-the-counter medications and with prescription medications ordered by a licensed physician or registered nurse practitioner. Students pay a \$3 service fee over the cost of each prescription medication to offset preparation and dispensing costs.

Student Health Fee Waiver:

Students enrolling in credit classes at Mt. San Antonio College are assessed a health fee which enables them to utilize the services provided by the Student Health Center. As provided for in Education Code 76355, students who meet any of the following conditions may be exempted from paying this fee:

- are a part of an approved apprenticeship program.
- receive a Board of Governors' Fee Waiver
- are dependent children or spouses of members of the California National Guard who are killed or permanently disabled while in the active service of the State.
- active members, supported by written verification, of a religious organization that depends exclusively upon prayer for healing.

All requests for waivers will be processed in the Bursar's Office, with a copy forwarded to the Student Health Center. Applications for the waiver must be submitted before the end of the second week of each semester. Waivers for short-term classes must be submitted before the end of the first week of the session.

The Mt. San Antonio College Catalog contains the most recent information regarding Student Health Services. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5210 Communicable Diseases

Reference:

Education Code Section 76403

State law requires Mt. SAC to:

- Cooperate with local health officers in measures necessary for the prevention and control of communicable diseases in students
- Comply with any immunization program required by State Department of Health Services regulations.

The impetus behind these statutes appears to be public health controls for hepatitis B and nothing in the statutes authorizes or requires screening for HIV or AIDS.

Immunizations:

- Standard immunizations required and/or recommended for the prevention of the spread of communicable diseases are available in the Student Health Center.
- Registered nurses, under the guidance of standing orders authorized by a supervising physician, administer immunizations, and monitor for adverse reactions as needed.
- Emergency medical equipment, medications, and protocols to treat severe reactions are maintained in the Student Health Center.

In addition, tuberculosis testing is available to the campus community in the Student Health Center. Protocols adopted are in compliance with Los Angeles County Department of Health requirements.

In the event of the identification of a reportable communicable disease, Student Health Center staff members work in conjunction with appropriate College officials and Department of Health authorities to manage the case.

Chapter 5 - Student Services

AP 5300 Student Equity

References:

Education Code Sections 66030, 66250 et seq., and 72010 et seq.;
Title 5 Section 54220

The College has a student equity plan. The plan is filed as required with the Chancellor's Office for the California Community Colleges, following approval by the Board of Trustees.

The College's Student Equity Plan at a minimum must address:

- the active involvement of faculty, staff, and students as defined by the College's Governance structure;
- involvement by appropriate people from the community who can articulate the perspective and concerns of historically underrepresented groups;
- campus-based research as to the extent of student equity;
- institutional barriers to equity;
- goals for access, retention, degree and certificate completion, English as a Second Language (ESL) and basic skills completion, and transfer for each historically underrepresented group;
- activities most likely to be effective to attain the goals, including coordination of existing student equity related programs;
- sources of funds for the activities in the plan;
- a schedule and process for evaluation of progress towards the goals; and
- an executive summary that describes the groups for whom goals have been set, the goals, the initiatives that the College will undertake to achieve the goals, the resources budgeted for that purpose, and the College officer or employee who can be contacted for further information.

The Student Equity Plan shall be developed, maintained, and updated under the supervision of the Dean, Student Services.

Chapter 5 - Student Services

AP 5310 Student Bill of Rights

References:

Education Code Sections 76120, 76230, 76231, 76233, 76242, 76243, and 76244

In order that the students of the Mt. San Antonio Community College District are accorded the same rights guaranteed to all United States citizens by documents basic to our national government, the following Bill of Rights is adapted to the academic community.

College students enjoy the following basic rights together with the responsibility of upholding procedures. Implicit in this document is the belief that both rights and responsibilities will be assumed appropriately by all members of the academic community--students, faculty, administrators, staff, and trustees.

A. Freedom of Access to Higher Education

Community colleges are open-door colleges, which by law must accept high school graduates, or applicants who are at least 18 years of age and can profit from instruction. The facilities and services of the College are open to all of its enrolled students, as per College practice and policy. Students have the right to be protected by federal and State laws which prohibit discriminatory practices.

B. Freedom in the Classroom

Faculty members in the classroom and in conference will encourage free discussion, inquiry, and expression. Student grades shall be determined only on an academic basis, not on opinions or conduct in matters unrelated to classroom activities.

1. Protection of Freedom of Expression

Students shall be free to take reasonable exception to any subject matter or views offered in any course of study.

2. Protection Against Improper Academic Evaluations

Students shall have protection through due process procedures against prejudiced or inconsistent academic evaluation.

Students have a right to printed expectations and grade requirements for each class; to inquire and receive a response regarding the status of their grades at periodic intervals throughout the semester; to evaluate without regard to political belief or affiliation; to assignments which are pertinent to the course; to instructors who come to each class session thoroughly prepared; and to assignments (papers, quizzes, exams, etc.) which are acknowledged and returned to them in a timely and appropriate manner.

3. **Protection of Freedom of Access**

Students shall have reasonable access to teaching staff at fixed or dependable office hours for advice and consultation on coursework. Whenever possible, a qualified substitute teacher will be provided if the regular classroom instructor is unable to meet the class.

4. **Protection Against Improper Disclosure**

Information about a student's views, beliefs, and political association which instructors, advisors, and counselors have acquired in the course of their work shall be considered confidential. To minimize the risk of improper disclosure, academic and disciplinary records will be separate, and the condition of access to each will be set forth in an explicit policy statement. Transcripts of academic records will contain only information regarding academic status.

Students have the right to privacy of all their records as prescribed in Education Code Sections 76242, 76243, and 76244; access to any and all student records relating to him/her maintained by the College (Education Code Section 76230); waive his/her right to access to student records as prescribed in Education Code Section 76231; and challenge the content of their student records as prescribed in Education Code Section 76233; and include a statement or response to disciplinary actions as prescribed in Section 76233 of the Education Code.

C. **Freedoms in Student Life**

In student life, certain standards must be maintained if the freedom of the students is to be preserved.

1. **Freedom of Association**

Students bring to the campus a variety of interests and develop many new interests as members of the academic community. They shall be free to organize and join associations to promote their common interests in accordance with Division 9, Article 4 of the Education Code.

Affiliation with an off-campus organization shall not in itself be cause for the disqualification of a student organization from institutional recognition.

The Office of the Director, Student Life will assist in providing club advisors. Advisors should advise the club/organization in the exercise of its responsibilities but they shall not have authority over the policy of that organization.

Student organizations are required to submit a constitution, statement of purpose, criteria for memberships, rules and procedures, and a list of the current officers. Membership lists shall not be required as a condition of institutional recognition.

Campus organizations, including those affiliated with off-campus organizations, shall not exclude students on the basis of race, creed, color, religion, national origin, sex, age, handicap, status as Vietnam-Era veteran and/or marital status.

Student organizations shall not be held responsible for the actions of its individual members when they act without the permission of that organization. No student organization shall be penalized for its philosophies or beliefs.

2. Freedom of Inquiry and Expression

Students shall be free to exercise freedom of expression in accordance with Education Code Section 76120. Students have the right to hear all sides in major campus controversies.

3. Freedom of Student Government

As constituents of the academic community, students shall be free, individually or collectively, to express their views on issues or College policy and on matters of general concern to the student body. The student body shall have clearly defined means to participate in the formation of College policy affecting students and academic affairs.

The role of student government and both its specific and general responsibilities will be made explicit and the actions of student government within their areas of jurisdiction will be reviewed only through orderly and prescribed procedures.

Students have the right to be represented on College-wide committees as determined by the College Advisory Council.

4. Freedom of the Press

College authorities in consultation with students and faculty have the responsibility to provide written clarification of the role of student publications, standards to be used in their evaluation, and limitations on external control of their operation.

As safeguards for the editorial freedom of student publications, the following provisions are necessary: The student press will be free of censorship and advance approval of copy, and its editor and managers shall provide editorial freedom for student publications in order to maintain their integrity of purpose as vehicles for free inquiry and free expression in the academic community.

All College published or financed student publications will explicitly state on the editorial page that the opinions there expressed are not necessarily those of the College or student body.

5. Freedom of Safety

Students have the right to a safe and healthy learning environment; sufficient lighting maintained in all campus areas, including parking areas during the evening hours; and safe access to campus facilities.

6. Freedom of Counseling

Students shall have access to educational, career, and personal counseling from professionals who can accommodate the current enrollment as fiscal restraints allow.

D. Off-Campus Freedom of Students

Students who violate the law may incur penalties prescribed by civil authorities. Off-campus activities other than authorized College functions will not result in discipline by the College, unless there appears to be a clear and present danger to student, staff, or property.

E. Freedom and Due Process

In the developing of responsible student conduct, disciplinary proceedings play an important role. In the exceptional circumstances when preferred means failure to resolve problems of student conduct, proper procedural safeguards shall be observed to protect the student from the unfair imposition of serious penalties.

The College has an obligation to indicate those standards of behavior which it considers essential to its educational mission and its academic life. These general behavioral and resultant specific regulations shall represent a reasonable regulation of student conduct, but the student shall be as free as possible from imposed limitations that have no direct relevance to his/her education.

Offenses should be as clearly defined as possible and interpreted in a manner consistent with the aforementioned principles of relevancy and reasonableness. Disciplinary proceedings shall be instituted only for violations of standards of conduct formulated with significant student participation and published in advance or made available in a body of institutional regulations, including specifics of the disciplinary process.

Although minor penalties may be assessed informally under prescribed procedures, procedural fair play requires that, in all cases, the student be informed of all charges brought against him/her, that he/she be given a fair opportunity to refute them, that the College not be arbitrary in its actions, and that there be provisions for the appeal of a decision. The specifics and procedures of this due process shall be formulated and adopted by the College.

Chapter 5 - Student Services

AP 5400 Associated Students

Reference:

Education Code Section 76060

Mt. San Antonio College shall have one Associated Students Organization.

Both day and evening student representatives shall be encouraged.

A governing body shall be elected/appointed that shall keep an account of its meetings, expenditures, authorizations, and policies established.

A simple majority of the elected/appointed voting members of the Associated Students Organization governing body shall constitute a quorum.

Responsibilities for Associated Students Activities:

The Director, Student Life and the Dean, Student Services shall be responsible for the activities of the Associated Students.

Minutes:

The Associated Students Student Government Association shall cause its secretary to keep minutes of all meetings of the respective groups within Student Government.

Contracts:

No contract running for over one year may be entered into by the Associated Students without the approval of the Student Government Advisor and the Chief Student Services Officer.

Concessions:

No concession shall be granted by the Associated Students for the sale of merchandise on school premises unless such concession has received approval of the Student Government Advisor and the Chief Student Services Officer.

Inter Club Council

The Council is composed of College-sponsored club and organization presidents or their representatives. The function of the group is to coordinate the activities of the clubs and to sponsor activities for the benefit of the campus. The Director, Student Life or designee is the advisor of the Council.

The Student Life Office publishes a handbook for club officers and advisors to aid them in carrying out activities and responsibilities. Copies may be obtained at the Student Life Office.

Standards for Campus Organizations:

All campus organizations must meet the requirements set forth in the Inter Club Council (ICC) Club Officers' and Advisors' Handbook.

The Mt. San Antonio College Catalog also contains information regarding the Associated Students. This document is updated annually for currency and correctness.

Chapter 5 - Student Services

AP 5410 Associated Students Elections

Reference:

Education Code Section 76061

The Associated Students shall conduct annual elections to elect officers.

Any student elected as an officer in the Associated Students shall meet the requirements in BP 5410.

MT. SAC ASSOCIATED STUDENTS Elections Directive

I. PURPOSE

The purpose of the Elections Directive is to establish rules and regulations for conducting Associated Student Elections. Failure to comply with the Elections and Publicity Directives may cause ticket disqualification.

II. THE ELECTIONS COMMITTEE

- A. It shall be the responsibility of the Associated Students Executive Board to appoint the Elections Committee by the beginning of the third week of the semester unless there is a special election. General Elections for student officers will be held in March/April. In case the General Elections are invalidated, a special election will be held in May, if sufficient time remains in the semester; otherwise, the elections shall be held at the beginning of the following Fall semester. All A.S. elections will follow the Elections Directive guidelines.
- B. The Elections Committee shall consist of eight (8) members:
1. The Elections Senator (Chairperson) (non-voting, only to break a tie). In the absence of an Elections Senator, the Senate will appoint a member of the Senate to be the Chairperson.
 2. Two students-at-large (voting) nominated by the Elections Senator and ratified by Executive Board.
 3. Two Senate members (voting) nominated by the Senate and ratified by Executive Board.
 4. A.S. President (ex-officio; non-voting)
 - a. In the event that the A.S. President decides to run for another elected position the Senate shall vote for one Vice-President to assume the President's duties pertaining to the election.
 - b. In the event that both Vice-Presidents are running for another elected

position, the responsibility shall fall upon one of the other elected officers, in this order: (1) I.C.C. Chair (2) I.C.C. Vice-Chair.

- c. In the event that all of these elected officials are running for another elected position, the Senate will elect a Senator who is not running in the election.

5. A.S. Advisor/Elections Advisor (ex-officio; non-voting)

6. A.S. Secretary (ex-officio; non-voting)

Note: A quorum shall consist of a majority of voting members.

- C. No member of the Elections Committee may be running for an office at the time he/she is serving on the Committee. Elections Committee members cannot support, campaign or work for any candidate or ballot issues while serving on the Elections Committee.
- D. The Elections Committee shall be responsible for implementing and administering all A.S. Elections.
- E. The Chairperson of the Elections Committee will directly report once per week in written communication to the Senate and the Executive Board as soon as the Committee begins to meet.
- F. If a ruling of the Elections Committee is disputed, the Student Court will preside, whose decision will be final.
- G. In the absence of Student Court, the Executive Board will make the final decision. Members of the Executive Board running in the election shall not participate in the ruling. If this results in the impossibility of a quorum, the Senate shall establish a Committee made up of two impartial Senators and/or three students-at-large for the purpose of ruling on the dispute.
- H. Only current Mt. San Antonio College students are allowed to participate/campaign during elections and are responsible for abiding by the rules and regulations set forth by this document and the Elections Committee.

III. VOTER ELIGIBILITY

- A. All currently enrolled Mt. San Antonio College students who hold a valid Mt. SAC Student I.D. Card and have paid the current student activities fee shall be eligible to vote. (Note: Community Education students are not eligible to vote unless they have purchased an A.S. Activities fee sticker). Any discrepancies regarding eligibility should be addressed to the Elections Committee.
- B. Voters must present a valid Mt. SAC Student I.D. Card with current student activities fee sticker.
- C. Voters may cast only one (1) ballot per election.

IV. REQUIREMENTS FOR STUDENT TRUSTEE CANDIDACY

- A. Comply with Board Policy as determined by the current Education Code requirements.
- B. Submit three current letters of recommendation by Mt. SAC faculty/staff/managers; no more than two can be from the same department. Recommendations must attest to the student's qualifications and character to run for office.

V. REQUIREMENTS FOR A.S. OFFICER CANDIDATES

- A. Must be a member of the Mt. SAC Associated Students holding a valid Mt. SAC Student I.D. Card and has paid the current student activities fee.
- B. File an application in person with the A.S. Secretary by the scheduled deadline. Candidates can run for only one office.
- C. Have a cumulative G.P.A of no less than 2.5 and currently enrolled in nine (9) credit units at Mt. SAC.
- D. Shall not have held an appointed or elected office for more than six semesters in the Senate and/or Executive Board of the Mt. San Antonio College Associated Students. Extenuating circumstances shall not be considered.

VI. REQUIREMENTS OF POLL WORKERS

- A. The League of Women Voters shall oversee the polling booths and have at least one representative present at all times. When a member of the League of Women voters is not available, a Mt. SAC Manager will serve as their representative. At least one student-at-large shall be present at each booth.
- B. The Student Poll Workers must:
 - 1. Attend an information meeting with the Elections Committee.
 - 2. Work all agreed upon hours.
 - 3. May not campaign for any person(s) or issue(s) while staffing a polling booth.
 - 4. Must record on the voter's current Mt. SAC Student I.D. Card that a ballot has been cast.
 - 5. Be a current Mt. San Antonio College student holding a valid Mt. SAC Student I.D. Card with a current Student Activities fee sticker.

VII. OPERATIONAL PROCEDURES

- A. Candidate filing dates shall be advertised publicly for at least twenty (20) school days* prior to the application deadline.
- B. The League of Women Voters shall be contacted within one week after dates for the General Election have been set. A job description and parking permits will be mailed.

- C. There will be a mandatory meeting for candidates. A minimum of two sessions will be scheduled to accommodate those candidates interested in running for office. Every candidate running for office MUST attend a candidate meeting. A quorum of the Elections Committee MUST be present.
- D. Elections Committee requests for tables, open forum location, and other equipment needed to hold the elections must be submitted to Event Services at least ten (10) school days* before the first date of elections.
- E. All elections must be publicized at least ten (10) school days* before voting begins.
- F. The job announcement for poll workers, the hiring of poll workers and the informational meeting will be scheduled prior to the start of the elections.
- G. The Elections Committee Chairperson shall be responsible for bringing all appropriations concerning A.S. Elections to Senate for approval no later than five (5) school days* after the last day of the election.
- H. All complaints prior to and during the elections shall be detailed and submitted in writing to the A.S. Secretary for review by the Elections Committee before the election is certified as final. All complaints must be submitted no later than 12:00 p.m. on the day following the close of the elections.
- I. Elections Committee members, League of Women Voters and Mt. San Antonio College employees will monitor the election process.

VIII. POLLING STATIONS

- A. Polling stations must be in visible and accessible locations.
- B. It is the responsibility of the Elections Committee to clearly mark a perimeter of fifty feet (50) surrounding each of the polling stations. Campaigning is not allowed within the fifty-foot (50) perimeter.
- C. Any materials not pertinent to the election procedure are prohibited at the polling station except for handbills carried by voters to assist in casting a vote.
- D. All polling stations shall consist of at least one polling booth and a check-in table. All polling stations must have at least one student worker and one League of Women Voter or a Mt. San Antonio College Manager on duty at all times.
- E. Candidates will be allowed to campaign outside the fifty (50) foot perimeter in order to distribute campaign materials and platforms. Candidates will not be allowed to harass and/or deliberately serve as a physical obstruction to others.
- F. Two polling stations shall be available, one located near Building 26 and the other at the library. Students can vote at either location. If these locations are unavailable, the Elections Committee will decide on alternate locations.

IX. CAMPAIGNING REGULATIONS

- A. Definition of Tickets:
1. The A.S. President and two Vice-Presidents shall constitute one ticket.
 2. The I.C.C. Chair and I.C.C. Vice-Chair shall constitute one ticket.
 3. Student Trustee shall constitute one ticket.
 4. Write-in candidates will not be accepted.
- B. Each ticket shall run individually, but it is permissible for tickets to endorse each other.
- C. The A.S. Secretary or Student Life designee shall approve all campaign material/publicity and keep one copy of all campaign material/publicity used by each ticket.
- D. The Publicity Directive will govern all publicity. Posting on buildings and placing flyers on counters must have prior written approval from the Dean/Director of that area on file with the A.S. Secretary. Student Life Staff or designee will solicit/or request permission from Dean/Director of that area before publicity begins.
- E. All advertisement space taken out in the campus newspaper or provided by electronic means must be approved by the A.S. Secretary or Student Life Staff designee.
- F. Campaigning for eligible tickets shall begin at least seven (7) school days* prior to the opening of the polls, on a date established by the Elections Committee.
- G. The Elections Committee will set dates for all of the following during it's first meeting:
- Election Date (with approval of Executive Board)
 - Candidates' meetings
 - Elections Committee meetings
 - Poll Workers meetings
- H. Executive Board will post the Elections Calendar in the Student Life Center after approval.
- I. Each candidate and ticket shall remove all of his/her campaigning materials from the campus within 24 hours after the polls close on the last day of the election(s).

X. POTENTIAL PENALTY ASSESSMENTS

- A. Reduction of a tickets campaigning time.
- B. Restrict campaigning of tickets from specific locations.
- C. Disqualification of a ticket.

The Elections Committee has the right to assess penalties against any ticket that fails to follow any guidelines established by the Elections Committee, the Elections Directive and/or the Publicity/Dissemination Directive. All penalties must be pre-established by the Elections Committee and communicated to the candidates during the candidates meeting. If a penalty is assessed, the ticket must be immediately informed in writing. All members of the Elections Committee must receive a letter of notification of the penalty assessed. In order to assess a penalty, a quorum must exist in the Elections Committee.

XI. ELECTION PROCEDURES

- A. The General Election will be held during the Spring semester. The Elections Calendar will be set by the Elections Committee and ratified by the Executive Board.
- B. Polling stations must be open at least two school days* with set hours from 9:00 a.m. to 2:00 p.m., and 6:00 p.m. – 9:00 p.m.
- C. All ballot boxes shall remain locked throughout the election.

XII. CONSTITUTIONAL CHANGES

Constitutional changes to be voted upon in any election must be posted ten (10) school days* prior to the commencement of the elections at the following locations and a copy will be on file with the A.S. Secretary:

- 1. Auxiliary Services Office
- 2. Student Life Office
- 3. Learning Technology Center - (Entrance Doors - upper level)
- 4. All A.S. Posting Boards
- 5. Student Center
- 6. Student Services Building: One copy on each side of the lower level

XIII. REQUIREMENTS TO TAKE OFFICE

- A. Winning candidate(s) must receive a majority of the votes cast for a given office.
- B. At least seventy-five (75) votes must be cast for an election to be valid.

XIV. BALLOT COUNTING

- A. Tabulation of the votes shall begin on the day following the close of the polls, at a time determined by the Elections Committee.
- B. A quorum of the members of the Elections Committee shall be present at the time ballots are counted.

- C. All tabulation of ballots shall be done under the supervision of the Elections Committee. No students other than the members of the Elections Committee shall be allowed inside the tabulations area.
- D. Ballots will be retained for one year from the day the results of the last election were posted.

XV. RUN-OFF ELECTIONS

- A. A run-off election will be held in the event of a tie.
- B. Run-off elections shall be held no later than fifteen (15) school days* before the end of the last day of instruction.

XVI. SPECIAL ELECTIONS

- A. All rules and regulations stated in this document shall govern special elections.
- B. Special elections shall be held no later than fifteen (15) school days* before the end of the last day of instruction.

XVII. ELECTION RESULTS

Election results shall be posted for a two-week period at the locations listed in Article XII, on the Monday following the close of the elections.

XVIII. AMENDMENTS

This Directive may be amended by submitting the amendment as a Bill to the Senate and Executive Board. A two-thirds (2/3) vote of the quorum present is required by both. The Bill will then be forwarded to the A.S. President for approval. The approved amendment(s) will become effective immediately after the A.S. President signs it.

*School days are defined as Monday-Friday, excluding legal holidays

Chapter 5 - Student Services

AP 5420 Associated Students Finance

References:

Education Code Sections 76063-76065

The Associated Student Funds are maintained in accordance with the following procedures:

The Associated Student Organization Fund books, financial records and procedures are subject to annual audit. Reports of the annual audit of A.S. funds are submitted to the Auxiliary Services Board. Audit information, except that containing personnel or other confidential information, shall be released to the Associated Students by the Director, Auxiliary Services. Associated Student funds shall be deposited with and disbursed by the College's Director, Auxiliary Services.

The funds shall be deposited, loaned, or invested in:

- Deposits in trust accounts of the centralized State Treasury system pursuant to Sections 16305 to 16305.7, inclusive, of the Government Code or in a bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation.
- Investment certificates or withdrawable shares in State-chartered savings and loan associations and savings accounts of federal savings and loan associations, if the associations are doing business in this State and have their accounts insured by the Federal Savings and Loan Insurance Corporation and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
- Purchase of any of the securities authorized for investment by Section 16430 of the Government Code or investment by the Treasurer in those securities.
- Participation in funds that are exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code and that are open exclusively to nonprofit colleges, universities, and independent schools.
- Investment certificates or withdrawable shares in federal or State credit unions, if the credit unions are doing business in this State and have their accounts insured by the National Credit Union Administration and if any money so invested or deposited is invested or deposited in certificates, shares, or accounts fully covered by the insurance.
- Loans, with or without interest, to any student body organization established in another community college of the College for a period not to exceed three years.
- Investment of money in permanent improvements to any College property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadia and playing fields, where those facilities, or portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when those improvements are for the benefit of the student body.

All funds shall be expended subject to such procedures as may be established by the Associated Students subject to the approval of each of the following three persons. Approval shall be obtained each time before any funds may be expended:

- the College President/CEO or designee;
- the officer or employee of the College who is the designated advisor of the particular student body organization; and
- a representative of the student body organization.

Records of all Transactions:

Records should be kept of all transactions involving Associated Students Finance. Financial records may be checked out from the Auxiliary Services Office.

Responsibility of Associated Students for Expenditures:

The Associated Students shall not be held responsible for any expenditure made by a student or a teacher or by any other employee who has not first received an approved purchase order. No individual may obligate the Associated Students in any way without first having obtained proper written authority under the Associated Students Constitution and Financial Directive.

All funds shall be expended according to procedures established by the Associated Students, subject to the approval of each of the following three persons, which shall be obtained each time before any funds may be expended:

- the College President/CEO or his/her designee;
- the employee who is the designated advisor of the particular student body organization; and
- a representative elected by the Associated Students.

Trust and Depository Accounts:

- A. The Associated Students is authorized to carry trust accounts and depository accounts.
- B. A trust account is defined as an account which is raised for a specific purpose and may not be used for any other purpose.
- C. A depository account is an account carried for a school organization and its use is limited to the activities of that organization. The Associated Students must carry a balance in cash or in liquid assets to cover all depository accounts.

Deposit of Funds:

Any student organization or activity using the name, funds, materials, or services of the College shall deposit all funds derived from dues or any other source with the Auxiliary Services Office. If it is an evening activity, deposit may be made no later than 4:00 p.m. the next business day.

All funds must be deposited in the Auxiliary Services Office and bills incurred paid by check. Under no circumstances shall disbursement be made out of collections.

Funds collected from any source shall be substantiated by pre-numbered receipts, itemized collection lists, pre-numbered tickets, or other auditable records. (Pre-numbered auxiliary receipt books are available at the Auxiliary Services Office.) Unless it is impractical to do so, all

persons collecting said funds must use the authorized receipt books obtained through the Auxiliary Services Office.

Withdrawal of Funds:

- A. The Associated Students Senate shall exercise supervision over all expenditures of Associated Students and student organization funds.
- B. Funds of organizations or activities not participating in the budget may be withdrawn by requisition signed by the Faculty Advisor of the activity, the Student Treasurer of the activity and the Director, Auxiliary Services.
- C. Funds of organizations and activities shall be withdrawn by requisition signed by the Faculty Advisor and the Student Treasurer. In the absence of the Faculty Advisor, emergency requisitions may be executed only with the signature of one of the following: Director, Student Life; Dean, Student Services; Chief Student Services Officer; Chief Financial Officer; Chief Instructional Officer; or College President/CEO. Special approval by the Associated Student Senate may be required before the execution of the requisition. All requisitions that have been signed by the Chief Financial Officer are available to the Senate for review at any time and each requisition for the expenditure of funds not covered in the budget must be presented to the Senate for approval.
- D. Orders obligating Associated Students funds shall not be placed with any firm or individual without a purchase order secured in advance by proper requisition.
- E. Persons advancing personal funds for Associated Students purposes do so entirely at their own risk.
- F. All checks shall be signed by any two of the following: Chief Financial Officer; Chief Student Services Officer; Director of Fiscal Services; or College President/CEO.
- G. Purchase orders or checks may not be issued without a complete and properly signed requisition. All signers of purchase orders shall personally inspect the authorizing vouchers.

Budgetary Control:

- A. The Budget - The purpose of the annual budget is to provide a guideline for financing the Associated Students program of activities and services. It is an expression of the program in dollars each college year.
- B. Associated Students funds shall be allocated by a budget.
- C. Budget request forms shall be made available to the campus community in late September/early October each academic year. Budget request forms shall be filled out and returned to the Student Life Office by November 1st of each year. Student Life will then forward all budget requests to the Auxiliary Services Office.
- D. The budget shall be prepared by the Associated Students Senate in a committee of the whole. The committee shall be chaired by the Finance Senator or an A.S. Vice President, who does not have a vote except to break a tie. The Student Government Advisor(s); the Auxiliary Services Director or designee, and the A.S. President shall serve in an advisory capacity. The Budget Committee chairperson and A.S. Secretary shall be responsible for minutes taken at Committee meetings and distribution of same

prior to the next meeting. Budget meetings shall supersede any and all other business of the A.S. Senate. Attendance is compulsory.

- E. The budget shall be approved by the A.S. Senate no later than the second Tuesday in April. Following approval of the Senate, the budget shall be sent to the Executive Board for approval. It will then be sent to the Chief Student Services Officer and the College President/CEO for approval and to the Board of Trustees for final approval.

Rules Governing the Budget:

1. Clubs shall not be eligible for budgeted funds from the Associated Students.
2. Funds shall not be expended for an activity or items not specifically provided for in the itemized budget of that activity; and no funds shall be expended beyond budget allocation. Exception to this rule may be made only with the approval of the Senate by 2/3 vote; the Chief Financial Officer; and the Director of Student Life.
3. The Faculty Advisor of each budget account shall be charged with the careful supervision and adherence to the rules and regulations governing the approved budget.
4. Any portion of a budget allocation remaining unexpended at the end of the fiscal year shall be transferred to the Associated Students General Fund.

Audit:

In accordance with the provisions of the Education Code, the Associated Students accounts will be audited annually and the charge for each audit will be borne by the College.

Financial Statement:

Financial statements will be prepared each month and submitted to the Associated Students Senate and the A.S. Advisor.

Bonds and Insurance:

- A. It will be the responsibility of the Chief Financial Officer to see that the Associated Students has adequate insurance coverage, such as:
 1. Bonds on all personnel handling funds
 2. Workers Compensation
 3. Fire insurance on all Associated Students-owned equipment
 4. Public liability and property damage
 5. PERS and OASDI (Social Security)
- B. At the beginning of each school year, the Chief Financial Officer shall have on file the types and amounts of insurance carried.

Chapter 5 - Student Services

AP 5520 Student Discipline Procedures

References:

Education Code Sections 66300, 72122, and 76030

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Conduct, which guarantees 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.

These Administrative 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, and by Education Code Section 76120, and will not be used to punish expression that is protected.

Definitions

College:

The Mt. San Antonio Community College District.

Student:

Any person currently enrolled in any program offered by the College.

Instructor:

Any academic employee of the College in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or other academic employee who has responsibility for the student's educational program.

Short-term Suspension:

Exclusion of the student by the College President/CEO for good cause from one or more classes for a period of up to ten consecutive days of instruction.

Long-term Suspension:

Exclusion of the student by the College President/CEO for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the College for one or more terms.

Expulsion:

Exclusion of the student by the Board of Trustees from the College in for one or more terms.

Removal from class:

Exclusion of the student by an instructor for the day of the removal and the next class meeting.

Written or verbal reprimand:

An admonition to the student to cease and desist from conduct determined to violate the Standards 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.

Withdrawal of Consent to Remain on Campus:

Withdrawal of consent by the Director, Student Life or Dean, Student Services for any person to remain on campus in accordance with California Penal Code Section 626.4 where the Director, Student Life or Dean, Student Services has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

Day:

Days during which the College is in session and regular classes are held, excluding Saturdays and Sundays.

Short-term Suspensions, Long-term Suspensions, and Expulsions

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

Notice:

The Director, Student Life or Dean, Student Services will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:

- The specific section of the Standards of Student Conduct that the student is accused of violating.
- A short statement of the facts supporting the accusation.
- The right of the student to meet with the Director, Student Life or Dean, Student Services or designee to discuss the accusation, or to respond in writing.
- The nature of the discipline that is being considered.

Time limits:

The notice must be mailed or provided to the student within 15 days of the date on which the conduct took place; in the case of continuous, repeated or ongoing conduct, the notice must be provided within seven (7) days of the date on which conduct occurred which led to the decision to take disciplinary action.

Meeting:

If the student chooses to meet with the Director, Student Life the meeting must occur no sooner than ten (10) days after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond verbally or in writing to the accusation.

Short-term Suspension:

Within seven (7) days after the meeting described above, the College President/CEO or designee shall, pursuant to a recommendation from the Director, Student Life, 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 College President/CEO or designee decision shall be provided to the student. The notice will include the length of time of the suspension, or the nature of the lesser disciplinary action. The College President's/CEO's or designee's decision on a short-term suspension shall be final.

Long-term Suspension:

Within seven (7) days after the meeting described above, the College President/CEO or designee shall, pursuant to a recommendation from the Director, Student Life, decide whether to impose a long-term suspension. Written notice of the College President/CEO or designee decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a long-term suspension is imposed, and a copy of this policy describing the procedures for a hearing.

Expulsion:

Within ten (10) days after the meeting described above, the College President/CEO or designee shall, pursuant to a recommendation from the Director, Student Life, decide whether to recommend expulsion to the Board of Trustees. Written notice of the College President's/CEO's or designee's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before expulsion is imposed, and a copy of this policy describing the procedures for a hearing.

Hearing Procedures

Request for Hearing:

Within seven (7) days after receipt of the College President's/CEO's or designee's decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the College President/CEO or designee.

Schedule of Hearing:

The formal hearing shall be held within ten (10) days after a formal request for hearing is received.

Hearing Panel:

The hearing panel for any disciplinary action shall be composed of one administrator, one faculty member, and one student.

The College President/CEO or designee, the President of the Academic Senate, and the AS President shall each, at the beginning of the academic year, establish a list of at least five persons who will serve on student disciplinary hearing panels. The College President/CEO or designee shall appoint the hearing panel from the names on these lists. However, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a hearing panel.

Hearing Panel Chair:

The College President/CEO 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 both other members of the panel to the contrary.

Conduct of the Hearing:

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.

The facts supporting the accusation shall be presented by a College representative who shall be the Director, Student Life.

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

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

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 substantial of evidence that the facts alleged are true.

The student may represent himself or herself, and may also have the right to be represented by a person of his or her choice including an attorney if 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 five 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.)

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 five (5) days prior to the date of the hearing.

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.

The hearing shall be recorded by the College 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 themselves by name, and thereafter shall ask witnesses to identify themselves by name. Tape recording shall remain in the custody of the College at all times, unless released to a professional transcribing service. The student may request a copy of the tape recording.

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.

Within ten (10) days following the close of the hearing, the hearing panel shall prepare and send to the College President/CEO a written decision. The decision 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 also include a specific recommendation regarding the disciplinary action to be imposed, if any. 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.

College President's/CEO's Decision

Long-term suspension:

Within ten (10) days following receipt of the hearing panel's recommended decision, the College President/CEO or designee shall render a final written decision. The College President/CEO or designee may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the College President/CEO or designee modifies

or rejects the hearing panel's decision, the College President/CEO or designee shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the College President/CEO or designee shall be final.

Expulsion:

Within ten (10) days following receipt of the hearing panel's recommended decision, the College President/CEO or designee shall render a written recommended decision to the Board of Trustees. The College President/CEO or designee may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the College President/CEO or designee modifies or rejects the hearing panel's decision, he or she shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The College President's/CEO's or designee's decision shall be forwarded to the Board of Trustees.

Board of Trustees Decision:

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

The Board of Trustees 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)

The student shall be notified in writing, by registered or certified mail or by personal service, at least three days prior to the meeting, of the date, time, and place of the Board's meeting.

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

Even if a student has requested that the Board of Trustees consider an expulsion recommendation in a public meeting, the Board of Trustees 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.

The Board of Trustees may accept, modify or reject the findings, decisions and recommendations of the College President/CEO and/or the hearing panel. If the Board of Trustees modifies or rejects the decision, the Board of Trustees shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the Board of Trustees shall be final.

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

Immediate Interim Suspension (Education Code Section 66017):

The College President/CEO may order immediate suspension of a student where he or she concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an interim suspension has been ordered, the time

limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten days.

Removal from Class (Education Code Section 76032):

Any instructor may order a student removed from his or her class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the College President/CEO and the Director, Student Life. The Director, Student Life shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the Director, Student Life shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the Director, Student Life from recommending further disciplinary procedures in accordance with these procedures based on the facts which led to the removal.

Withdrawal of Consent to Remain on Campus:

The Director, Student Life may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he or she must promptly leave or be escorted off campus. If consent is withdrawn by the Director, Student Life a written report must be promptly made to the College President/CEO.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions.

In no case shall consent be withdrawn for longer than five (5) days from the date upon which consent was initially withdrawn.

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. (Penal Code Section 626.4)

Time Limits:

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

Chapter 5 - Student Services

AP 5530 Student Rights and Grievances

References:

Title IX, Education Amendments of 1972; Education Code Section 76224(a)

Students are protected against capricious, arbitrary, unreasonable, unlawful, false, malicious or professionally inappropriate evaluations or behavior by a faculty member, a staff member, or an administrator or an official of the College or another student. Student complaints may be classified as grievances and fall into three categories: Academic, Non-Academic, and Discrimination.

- A. **Academic Grievances.** When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency shall be final (Education Code Section 76224). If a student files a grievance relative to a grade, he/she must prove that "mistake, fraud, bad faith, or incompetency" is the reason for the grade assignment. The student must follow the due Process Grievance Procedure.
- B. **Non-academic Grievances.** As used in this section, grounds for a non-academic grievance include, but are not limited to, the following:
 - 1. Any act or threat of intimidation, discrimination, or harassment.
 - 2. Any act or threat of physical aggression.
 - 3. Arbitrary action, violation of student rights, or imposition of sanctions without proper regard to College policy as specified in the Education Code, Policy Manual, and/or Administrative Procedures.
 - 4. Violation of Title IX.
 - 5. Any violation of Section 504 with reference to the rights of disabled students.
- C. **Discrimination Complaints.** Students wishing to file complaints based upon discrimination on the basis of ethnic group identification, religion, age, gender, sexual orientation, color, or physical or mental disability and any other category of unlawful discrimination should contact the College's Affirmative Action Officer/504 Compliance Officer/Equal Employment Opportunity representative located in the Office of Human Resources.

Formal grievances must be filed no later than 30 school days, Monday through Friday, when classes are in session, after the beginning of the primary term following the alleged violation, or 30 school days from the time that the student learns of the basis for the grievance. Students may pick up Grievance Procedures and forms from the Student Life Office. It is recommended that students meet with the Student Life Director regarding the grievance prior to starting the process. The following is the College's approved process to pursue a grievance:

GRIEVANCE REVIEW

A. STATEMENT OF GRIEVANCE -- LEVEL I

Any student who believes an injustice or a violation of State, federal, or College policies, laws, or regulations has occurred should try to resolve the problem through informal consultation with each of the individuals indicated below, in order, before filing a formal grievance (Level II).

1. Instructor involved (or staff member/administrator for non-academic grievances)
2. The appropriate Department Chairperson or Department representative designated by the College
3. Division Dean of the division of the faculty defendant

If there is no resolution after meeting with the faculty/staff member, or the faculty/staff member refuses to meet or respond within 10 school days, the student may proceed to the next level by meeting with the faculty member's department chair or staff member's immediate supervisor. If the complaint is still not resolved at this level, the student must meet with the faculty or staff member's division dean or supervisor. If the student has not been able to resolve the complaint/grievance at any of the informal levels indicated, the student may file a Request for Grievance Review within 10 school days after meeting with the division dean or supervisor.

Statement of Grievance form (LEVEL I) must be completed in order to document that the student followed the informal resolution process.

B. FILING OF FORMAL GRIEVANCE -- LEVEL II

If the student believes the issue has not been resolved satisfactorily at Level I, the following procedures are to be followed:

1. He/she shall file a Formal Grievance form with the Student Life Office within ten (10) school days after completing Level I. Additional documentation substantiating the grievance must be attached to the form.
2. The Director, Student Life is responsible for informing the aggrieved student of his/her rights, responsibilities, and procedures.
3. The faculty/manager/staff member against whom the grievance is filed will be sent a copy of the student grievance (Levels I and II) by the Student Life Office within ten (10) school days. The faculty/manager/staff member will have fifteen (15) school days to submit a response.
4. The Director, Student Life seeks committee appointees within the same ten (10) school day period that is considered the notification deadline for the faculty/manager/staff member being grieved.
5. Both the student and faculty/manager/staff member involved may solicit documentation from other persons to support their position.

6. The written grievance and written response by the faculty/manager/staff member shall be forwarded to the Director, Student Life.
7. The Grievance Review Committee will be convened to review the student grievance. The committee will be comprised of the following members:
 - a. Chair, Dean of Student Services or Vice President's designee (non-voting)
 - b. One student appointed by the Associated Students
 - c. One faculty (from outside the division of the defendant) appointed by the Academic Senate
 - d. One administrator from within the department, designated by the Dean, Student Services
 - e. Resource person (non-voting), Director, Student Life or Student Services Vice President
8. The Grievance Review committee will make one of the following determinations within twenty (20) school days:
 - a. The complaint of the student is not grievable
 - b. There is insufficient evidence to warrant further action
 - c. The case should proceed to formal action, Level III
9. The faculty/manager/staff member, dean/manager, and grievant will be notified within five (5) school days of the committee's written report.

C. LEVEL III – GRIEVANCE HEARING

If the Grievance Review committee determines that further action is warranted, the case is referred to the Dean, Student Services.

1. The Dean, Student Services is responsible for setting the formal hearing date and notifying the appropriate bodies in writing of the need to appoint members to the Grievance Hearing committee. The hearing must commence within ten (10) school days after the Grievance Review Committee renders its decision.
2. The Dean, Student Services shall send confidential packets to the Grievance Hearing Committee members (in person or by express/certified mail) five (5) school days prior to the hearing.
3. The Grievance Hearing Committee will be comprised of the following members:
 - a. Chair, Dean, Student Services (non-voting)
 - b. Resource Person, Director of Student Life (non-voting)
 - c. Two (2) student appointments made by the President, Associated Students
 - d. Two (2) faculty appointments made by the Academic Senate (one from the department and one outside of the department in which the grievance has been made)
 - e. One (1) Instruction Team administrator (for academic grievances) or Student Services administrator (for all other grievances) designated by the Dean, Student Services

4. The following persons shall be present at the hearing to answer questions by the Grievance Hearing Committee:
 - a. The student grievant
 - b. The faculty defendant
 - c. The Department Chairperson/Division Dean who participated in the Grievance Review Committee

5. The following process shall be followed when the hearing is convened:
 - a. Purpose, function, and guidelines of hearing will be reviewed by the Chair.
 - b. The student is allowed to make a statement specific to the grievance and the requested outcome.
 - c. Faculty/manager/staff member is allowed to make a statement specific to the grievance, requested outcome, and any statements/evidence presented by the student.
 - d. The hearing panel members may ask questions specific to the case.
 - e. Discussion, clarification, and additional comments are allowed.
 - f. Hearing is recessed for a decision; student and faculty/manager/staff member and any other invited parties are excused.
 - g. A decision is made by the hearing panel within fifteen (15) school days:
 - (1) Reject grievance; deny requested outcome
 - (2) Support grievance; approve requested outcome
 - (3) Support grievance; approve revised outcome
 - h. The Dean, Student Services shall send out written notification to the student, faculty/manager/staff member, the Vice President of Student Services, and the President of the College of the decision within ten (10) school days.

6. Both the grievant and the defendant have the right to present witnesses, testimony, and evidence, but only as related to the charges previously presented to the Grievance Review Committee. No new charges shall be admitted for consideration.

7. Both the grievant and the defendant have the right to be accompanied by an advocate in the formal grievance hearing.

8. The hearing shall be closed to the public.

TIME LIMITS

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

APPEAL PROCESS

College President

1. If either party is dissatisfied with the decision of the Grievance Hearing Panel, an appeal may be submitted to the College President.

2. Such an appeal must be submitted to the College President by certified mail within ten (10) school days after notification of the decision.
3. The President has ten (10) school days to respond to the appeal.

Board of Trustees

1. If either party is dissatisfied with the decision of the College President, an appeal may be submitted to the Board of Trustees through the College President.
2. Such an appeal must be submitted to the College President by certified mail within ten (10) school days after notification of the decision by the college President.
3. The Board of Trustees shall have two (2) consecutive Board business meetings to review the appeal before making a final decision.
4. The Board of Trustees may not overturn the President's decision without reviewing the transcript of the hearing.

The decision of the Board of Trustees completes the Grievance Process. Any further appeal must be filed through civil court. A record of the Board's decision shall be kept on file in the College President's Office.

Revised September 2008

Chapter 5 - Student Services

AP 5550 Freedom of Expression (Speech: Time, Place, and Manner)

Reference:

Education Code Section 76120

The students of the College shall be permitted to exercise their rights of free expression subject to the time, place and manner policies and procedures contained in Board Policy 5550 and these procedures.

The College is a non-public forum, except for designated areas generally available to students and the community, as follows:

The areas generally available to students and the community are limited public forums. The College reserves the right to revoke that designation and apply a non-public forum designation.

The College reserves the right to designate areas as non-public forums as necessary to prevent the substantial disruption of the orderly operation of the College. Areas of the College that are non-public forums specifically include campus offices, classrooms, warehouses, maintenance yards, and locker rooms.

The use of areas generally available to students and the community is subject to the following:

- Persons using areas generally available to students and the community and/or distributing material in the areas generally available to students and the community shall not impede the progress of passersby, nor shall they force passersby to take material.
- No person using areas generally available to students and the community shall touch, strike or impede the progress of passersby, except for incidental or accidental contact, or contact initiated by a passerby.
- Persons using areas generally available to students and the community shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place at that time.
- No persons using the areas generally available to students and the community shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he or she is using the areas generally available to students and the community on behalf of and collecting funds for an organization that is registered with the Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club.

All persons using the areas of the College generally available to students and the community shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Such distribution shall take place only within the areas generally available to students and the community. Material distributed in the areas generally available to students and the

community that is discarded or dropped in or around the areas generally available to students and the community other than in an appropriate receptacle must be retrieved and removed or properly discarded that day by those persons distributing the material prior to their departure from the areas generally available to students and the community.

Posting:

Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. All materials displayed on a bulletin board shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting and the expiration date by the Student Life Staff. Materials displayed shall be removed immediately after the passage of the expiration date.

MT. SAN ANTONIO COLLEGE ADMINISTRATIVE PROCEDURES

Chapter 6 - Business and Fiscal Affairs

- AP 6100 Delegation of Authority**
- AP 6150 Designation of Authorized Signatures**
- AP 6200 Budget Preparation**
- AP 6250 Budget Management**
- AP 6300 Fiscal Management**
- AP 6305 Reserves**
- AP 6310 Accounting**
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- AP 6365 Accessibility of Information Technology**
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- AP 6850 Hazardous Materials**
- AP 6900 Bookstore**
- AP 6920 Mileage Allowance**
- AP 6955 Work Orders**
- AP 6960 Art Objects or Loaned Exhibits**
- AP 6970 School Farm Administration**
- AP 6975 Key Issuance Regulations**
- AP 6985 Advertising in Class Schedules**

Chapter 6 - Business and Fiscal Affairs

AP 6100 Delegation of Authority

Reference:

Education Code Section 70902(d)

The Chief Fiscal Officer is delegated authority from the College President/CEO to supervise budget preparation and management; oversee fiscal management of the College; and contract for, purchase, sell, lease, or license real and personal property, in accordance with Board Policy and law. Responsibility for the development of internal policies and procedures consistent with the provision of this regulation remains with the Chief Fiscal Officer. This delegated authority is subject to the condition that certain of these transactions be submitted to the College President/CEO for review and approval as determined by the College President/CEO.

When transactions do not exceed the dollar limits established in the Public Contracts Code, the Education Code or other laws pertaining to the taking of competitive bids, the Chief Fiscal Officer or his/her designee may contract for goods, services, equipment and rental of facilities so long as the transactions comply with law and any limitations or requirements set forth therein. Furthermore, the Chief Fiscal Officer or his/her designee may amend the terms and conditions of any contractual arrangement so long as the total expenditure of funds and period of contract do not exceed the limitations set forth in applicable law or regulation.

Chapter 6 - Business and Fiscal Affairs

AP 6150 Designation of Authorized Signatures

References:

Education Code Sections 85232 and 85233

The Chief Fiscal Officer is hereby designated as the College officer authorized to sign warrants and checks on behalf of the College.

Proper documentation regarding signing College warrants shall be filed with the Los Angeles County Superintendent of Schools.

The Chief Fiscal Officer will withhold approval of College warrants when:

- Disbursement of the funds will result in the total amounts expended in any major account classification to exceed the amount budgeted.
- Established procedures have not been followed to permit verification of authenticity of the expenditure.

Chapter 6 - Business and Fiscal Affairs

AP 6200 Budget Preparation

References:

Accreditation Standards; Education Code Section 70902(b)(5); Title 5 Sections 58300 et seq.

Budget preparation will be developed using an established process as approved by the College's Budget Committee. A budget preparation calendar will be developed annually, which will include the tentative and final budget deadlines.

The adopted budget will be submitted to the California Community College Chancellor's Office upon the submission of the Annual Financial and Budget Report (CCFS-311) no later than October 10th of each fiscal year.

Chapter 6 - Business and Fiscal Affairs

AP 6250 Budget Management

References:

Title 5 Sections 58307 and 58308

Title 5 requires that budget management conforms to the following minimum standards:

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

Appropriation Transfer Procedures

- A. **General Information:** It is recognized that from time to time after the adoption of the annual budget that the reallocation of certain funds within the budget may become necessary or desirable for efficient operation of the College. Every attempt should be made to hold such transfers to a minimum through good advance planning during budget preparation.
- B. **Procedures:** Whenever a reallocation of funds within the budget is made, it is extremely important that proper procedures are followed to meet legal requirements and maintain proper budgetary controls. The following procedures are designed to meet these objectives and to clarify and standardize the method of requesting and implementing appropriation transfers within the budget:
1. The Budget Control Officer requesting the transfer should obtain a copy of "Request for Appropriation Transfer" Form from Fiscal Services. This request must be submitted prior to the use of the funds (purchase requisition, travel and conference expense, mileage expense, time sheets, revolving cash reimbursement, etc.).
 2. Complete the form as per specified instructions.
 3. The form should include a signature of the "requestor" and should include approval signatures as follows:
 - a. Transfers made between expenditure classifications up to \$1,000 should be approved by the appropriate manager. Transfer made between expenditure

- classifications over \$1,000 must be approved by the Vice President of the area or the College President/CEO.
- b. Transfers from regular salary accounts (accounts used to charge permanent employees) regardless of the amount must be approved by the College President/CEO or Vice President of the area requesting the transfer and the Chief Fiscal Officer or designee.
 - c. Transfers from the Faculty Hourly Accounts (Unrestricted General Fund) regardless of the amount must be approved by the Chief Instructional Officer and the Chief Fiscal Officer.
4. After the form is completed with the appropriate approvals, the request should be forwarded to the Fiscal Services Department.
 5. The Fiscal Services Department will submit the "Request for Appropriation Transfer" to the Board of Trustees as pursuant to the California Code of Regulations, Title 5 Section 58307.

Budget Revision Procedures

- A. **General Information:** The College is continuously looking for opportunities to increase its revenues obtaining categorical programs (grants, entitlements, donations, and other financial assistance) and contracts. This is an ongoing process throughout the year; therefore, there is a need to recognize the receipt of these funds after the adoption of the final budget.
- B. **Procedures:** When a written notification (award letter, contract, agreement, etc.) is received regarding a change (increase or decrease) of funding, it is extremely important that proper procedures are followed to meet legal requirements and maintain proper budgetary controls. The following procedures are designed to meet these objectives and standardize the method of requesting and implementing budget revisions within the budget:
 1. The Program Manager should obtain a copy of the "Request for Budget Revision" Form from Fiscal Services. This request must be submitted prior to the use of the funds (purchase requisition, travel and conference expense, mileage expense, time sheets, revolving cash reimbursement, etc.).
 2. Fiscal Services will assign an appropriate account number for all new programs as needed.
 3. Complete the form as per specified instructions.
 4. The form should include a signature of the "requestor" and must be approved by the appropriate manager and Vice President of the area or the College President/CEO.
 5. After the form is completed with the appropriate approvals, the request should be forwarded to Fiscal Services.
 6. Fiscal Services will submit the "Request for Budget Revision" to the Board of Trustees as pursuant to the California Code of Regulations, Title 5 Section 58308.

Chapter 6 - Business and Fiscal Affairs

AP 6300 Fiscal Management

References:

Education Code Section 84040(c); Title 5 Section 58311; Accreditation Standards

Auxiliary Services Accounts

The Auxiliary Services Office maintains the books and records for the Associated Students, other student clubs and department trust accounts, and the enterprise activities on campus such as the bookstore and food services operations.

Bursar's Office

The Bursar's Office collects all instructional fees for students enrolled in credit courses.

Accounting Processes on Campus

The following are processes for collecting, disbursing, and reporting of finances:

- All cash disbursements will be supported by adequate documentation; including itemized invoices or receipts.
- The Auxiliary Services and Bursar's Office shall submit regular reports to the Chief Fiscal Officer showing the financial and budgetary conditions of accounts.

Receipt for College Monies

All money collected by any College office will be receipted on pre-numbered receipts with each receipt being accounted for, or receipted, by a cash register that has been approved by the Director of Fiscal Services. All cash receipts will be supported by adequate documentation. All money must be turned in to the Fiscal Services Office on a daily basis. Cash receipts will be deposited in the College clearing account on a regular basis and transferred to the Los Angeles County Treasurer.

Invoicing

All invoices for services, etc. shall be issued by the Fiscal Services Office and not by individual departments.

Emergency Cash Procedures

Authority to purchase from the Revolving Cash Fund must first be secured from the Chief Fiscal Officer or designee. Emergency purchases are made from the Revolving Cash Fund. Two signatures are required for Emergency Cash Fund checks. Those authorized to sign are the Chief Fiscal Officer; Director, Fiscal Services; Director, Purchasing; and College President/CEO.

Refund of Fees for Students Enrolled in Credit Courses

- A. All College fees applicable to a class or classes cancelled by the College will be refunded to the student.
- B. All College fees paid by a student who cancels his/her registration or withdraws from the College prior to the end of the regular registration period and who processes a Request for Refund prior to the two-week deadline will be refunded.

A Request for Fee Refund form must be completed by the student and submitted to the Bursar's Office, by 4:30 p.m. Friday of the second week of the semester or summer intersession. The deadline for dropping a Saturday class and requesting a refund is 8:00 p.m. Monday of the third week. The allowable refund period for dropping any class which begins after the first week of a semester or summer intersession is two weeks commencing with the week of the first class meeting (same Saturday class extension is allowed). If the deadline date is a holiday, the drop date will be extended one business day.

- C. The Parking Fee, the Health Fee, the Materials Fee, and the Student Activities Fee will be fully refunded to a student who withdraws from the College and who processes a Request for Refund prior to the two week deadline. The parking decal must be returned, or non-use by other students verified to obtain the parking fee refund.
- D. Non-Resident Tuition Fees are refunded on a decreasing scale for a limited period of time. Students who pay tuition are advised to immediately contact the Bursar's Office for details on the refund policy if it is necessary to drop a class or withdraw from the College.
- E. In the case of students who are members of an active or reserve military service, and who receive orders compelling a withdrawal from courses, the College shall, upon petition by the affected student, refund the entire enrollment fee or nonresident tuition unless academic credit is awarded, the Parking Fee, the Student Health Fee, the Materials Fee, and the Student Activities Fee.

Refund of Fees for Students Enrolled in Noncredit Programs

If a class/program is cancelled by the College, the student will receive a full refund. No service fee will be charged. Student-initiated refunds must be requested at least three days prior to the first day of class. A \$10 service fee will be assessed for each refund.

Chapter 6 – Business and Fiscal Affairs

AP 6305 Reserves

Reference:

Title 5 Section 58307

Transfers may be made from the reserve for contingencies to any expenditure classification at any time by written resolution of the Board of Trustees. A resolution providing for the transfer from the reserves shall be approved by the Chief Fiscal Officer, and a resolution providing for the transfer from reserves must be submitted to the Board of Trustees for ratification.

Chapter 6 – Business and Fiscal Affairs

AP 6310 Accounting

References:

California Community College Budget and Accounting Manual; Title 5 Section 59011,
Education Code Section 84030

The accounting system, including the uniform fund structure used to record the financial affairs of the College, shall be in accordance with the definitions, instructions, and procedures published in the California Community College Budget and Accounting Manual.

Receipt for College Monies

All money collected by any College office will be receipted on pre-numbered sub receipts with each receipt being accounted for, or receipted, by a cash register that has been approved by the Director, Fiscal Services. All money must be turned in to the Administrative Services Office on a daily basis. College money is deposited in the College clearing account on a daily basis and transferred to the Los Angeles County Treasurer the first part of each month.

Chapter 6 – Business and Fiscal Affairs

AP 6320 Investments

References:

Government Code Sections 53600 et seq.

1. Objective

The primary objectives for Mt. San Antonio College's Investment activities shall be:

- A. Safety:** Safety of principal is the foremost objective of the investment program. College investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the portfolio.
- B. Liquidity:** Mt. San Antonio College's investment portfolio will remain sufficiently liquid to enable the College to meet all its operating requirements.
- C. Return on Investment:** Mt. San Antonio College's investment portfolio shall be designed with the objective of attaining a market average rate of return throughout budgetary and economic cycles, commensurate with the College's investment risk constraints and the cash flow characteristics of the portfolio.

2. Prudence

Mt. San Antonio College shall conduct its investment program utilizing the "Prudent Investor" standard and shall be applied in the context of managing an overall portfolio. Investments shall be made with care, skill, prudence, and diligence under circumstances then prevailing including, but not limited to, the general economic conditions and the anticipated needs of the College that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and like aims.

3. Delegation of Authority

Authority to manage the College's investment program is derived from the Board of Trustees. Management responsibility for the investment program is hereby delegated to the College President/CEO and the Chief Fiscal Officer for a one year period. Subject to review, the Board of Trustees may review the delegation of the authority pursuant to this section each year.

4. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the College's portfolio.

5. Acceptable Investments

Sections 53600 et seq. of the California Government Code provide basic investment limits and guidelines for government entities. In the event an apparent discrepancy is found between this policy and the Government Code, the more restrictive parameters will take precedence.

- A. U.S. Treasury Instruments:** United States Treasury notes, bonds bills, or certificates of indebtedness, or those for which the full faith and credit of the United States is pledged to payment of principal and interest. There is no limitation as to the percentage of the portfolio invested in this category.
- B. Federal Agency and Instrumentality Securities:** Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. There is no limitation as to the percentage of the portfolio invested in this category.
- C. State of California and Local Debt/Bonds/Notes:** State of California and local debt, bonds, notes, warrants, or other evidences of indebtedness of any local agency within this State including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency or by a department, board, agency, or authority of the local agency.
- D. Medium-Term Note Obligations:** Medium-term corporate notes, defined as all corporate and depository institution securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or depository institutions licensed by the United States or any state and operating within the United States. Medium-term notes shall be rated "A" or higher by a nationally recognized statistical rating organization (NRSRO). No more than 30% of the portfolio can be invested in corporate obligations.
- E. Pass-through Securities:** Any collateralized mortgage obligation, mortgage-backed, or other pay-through bond shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided by a nationally recognized rating service and rated in a rating category of "AA" or its equivalent or better by a nationally recognized rating service. No more than 20% of the portfolio can be invested in this category.
- F. Bankers Acceptances:** Purchases of bankers' acceptances may not exceed 180 days maturity. No more than 40% of the portfolio can be invested in bankers' acceptances. No more than 10% of the portfolio can be placed in bankers' acceptances of any single commercial bank.
- G. Commercial Paper:** Commercial paper rated the highest ranking or of the highest letter or number rating as provided by a nationally recognized statistical-rating organization. The entity that issues the commercial paper shall meet one of two sets of criteria: (1) The corporation shall be organized and operating within the United States, shall have total assets in excess of five hundred million dollars (\$500,000,000), and shall issue debt, other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization. (2) The corporation shall be organized within the United States as a special purpose

corporation, trust, or limited liability company, has program-wide credit enhancements including, but not limited to, over collateralizations, letters of credit, or surety bond; has commercial paper that is rated "A-1" or higher, or equivalent by a nationally recognized statistical-rating organization. Eligible commercial paper may not exceed 270 days maturity nor represent more than 10% of the outstanding paper of an issuing corporation. No more than 15% of the portfolio can be invested in commercial paper, unless the dollar-weighted average of commercial paper held is less than 31 days. Given this restriction, a maximum of 25% of the portfolio can be invested in commercial paper.

- H. **Negotiable Certificates of Deposit:** Negotiable certificates of deposit issued by a nationally or state-chartered bank or a state or federal association or by a state-licensed branch of a foreign bank. The maximum maturity for investments in this category is one year. Purchases are limited to issuers whose short-term debt is rated A1/P1. A maximum of 30% of the College's portfolio may be invested in this category.
- I. **Repurchase Agreements:** Repurchase agreements are to be used solely as short-term investments not to exceed 30 days. The College may enter into repurchase agreements with primary government securities dealers rated "A" or better by two nationally recognized statistical rating services. Counterparties should also have (i) a short-term credit rating of at least A1/P1; (ii) minimum assets and capitalized size of \$25 billion in assets and \$350 million in capital; (iii) five years of acceptable audited financial results; and (iv) a strong reputation among market participants.

The following collateral restrictions will be observed: Only U.S. Treasury securities or Federal Agency securities, as described in Section 770.6 (a) and (b), herein, will be acceptable collateral. All securities underlying repurchase agreements must be delivered to the College's custodian bank versus payment or be handled under a properly executed tri-party purchase agreement. The total market value of all collateral for each repurchase agreement must equal or exceed 102 percent of the total dollar value of the money invested subject to daily market fluctuations, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day. For any repurchase agreement with a term of more than one day, the value of the underlying securities must be reviewed on an on-going basis according to market conditions. Market value must be calculated each time there is a substitution of collateral.

The College or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to the repurchase agreement. The College shall have properly executed a PSA agreement with each counterparty with which it enters into a repurchase agreement.

- J. **Money Market Funds:** Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 and following). The company shall have met either of the following criteria: (1) Attained the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical-

rating organizations. (2) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000).

- K. LAIF:** If the College has funds invested in the Local Agency Investment Fund (LAIF), the College shall maintain on file LAIF's current investment policy and its requirements for participation, including limitations on deposits or withdrawals. A maximum of \$40 million may be invested in the State Pool.
- L. LACPIF:** If the College has funds invested in the Los Angeles County Pooled Investment Fund (LACPIF), the College shall maintain on file LACPIF's current investment policy and its requirements for participation.

6. Maturity Parameters

Maximum maturity of any single issue: five years

7. Safekeeping and Custody

All security transactions entered into by the College shall be conducted on a delivery-versus-payment basis. Securities will be held by a third party custodian designated by the College President/CEO and Chief Fiscal Officer and evidenced by safekeeping receipts with a written custodial agreement. The securities will be held directly in the name of the College as beneficiary.

8. Diversification

The College will diversify its investments by security type, institution, and maturities to prevent incurring unreasonable or avoidable risks regarding specific security types, individual financial institutions, or maturity segments.

9. Internal Controls

The College will establish a system of internal controls to ensure compliance with the Investment Policy of the College and the California Government Code.

10. Reporting

The Chief Fiscal Officer shall render a quarterly investment report to the College President/CEO, the internal auditor, and the Board of Trustees.

11. Investment Limits

Investments shall be limited to the parameters of this Investment Procedure until it is amended by an affirmative vote of a majority of the members of the Mt. San Antonio College Board of Trustees. The Board shall issue an Investment Memorandum authorizing the administration to make investments on the College's behalf. The Memorandum shall not exceed the above parameters; however, the Memorandum may be more restrictive. The Memorandum shall remain in force until modified by the Board of Trustees.

Memorandum of Investment
(Effective June 25, 1997)

Consistent with Board Policy 6320, the College President/CEO is authorized to invest as follows:

- A. County Treasury through the Los Angeles County Schools Pool
- B. Investments required through participation in Tax Revenue Anticipation Notes (TRANS) and Certificates of Participation (COPS)
- C. Citizens Business Bank of Pomona
- D. Local Agency Investment Fund (LAIF)

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AP 6322 Employee Indemnity Bonds

Reference:

Title 5 Section 58318

Each employee of Mt. San Antonio College whose duty it is to handle College funds, shall be bonded under a suitable bond indemnifying the College against loss.

At the discretion of the Chief Fiscal Officer, employees of the College whose duty it is to handle College property may be required to be bonded to indemnify the College against loss.

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AP 6325 Payroll

References:

Education Code Sections 85244, 85260, 87821, 87822, 88165, and 88166

Payroll Periods (10, 11, 12 month)

Schedules of payroll periods, including payments for salary warrants shall be available on the Mt. SAC website and shall be updated each fiscal year.

Frequency of Payment

Payment of warrants shall be prescribed according to Education Code Section 85260.

Lead Time Needed for Payroll Record Adjustment

Lead time needed for payroll processing and record adjustment shall be prescribed in accordance with the Payroll Schedule set by the Los Angeles County Office of Education as per Education Code Section 85260.

Procedures to be Followed if Wages are Garnished

Wage garnishments are processed by the Los Angeles County Office of Education according to appropriate laws and regulations.

Underpayment

Procedures shall be followed as prescribed by Education Code Section 88166: The College shall, within five work days following the determination of the error, provide the employee with a statement of the correction and a supplemental payment.

Overpayment

In the case of an overpayment, a correction shall be made and subsequent salary warrant(s) shall be reduced accordingly after the College provides written notice to the employee. The employee shall pay back the full amount of the overpayment within one calendar year from the date of the issuance of the first pay warrant which includes a deduction for a portion of the overpayment.

Payment of Wages Upon Termination of Employment

College employees who have resigned or have been discharged are subject to the same timelines for a payment of wages that apply to current employees per Education Code Sections 85244, 85260, 87821, 87822, 88165.

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AP 6330 Purchasing

Legal requirements related to the bid process and awarding of contracts are included in AP 6340 (Bids and Contracts).

Responsibility for Purchasing

The procurement of supplies, equipment, and services shall be the responsibility of Administrative Services under the immediate direction of the Director of Purchasing. However, under the law, the Board of Trustees has sole responsibility for all purchase contracts of the College.

Employees shall not commit the College to any purchase or service obligation except through the Purchasing Office.

Assignment of Personnel

The Chief Fiscal Officer is authorized to assign personnel in the office to the specific duties as deemed necessary, such as bookkeeper for Food Services Fund, Farm Fund, etc.

Purchasing Ethics

Purchasing functions will be carried out in a most efficient manner consistent with service to the College, legal requirements, and sound procurement practices conducted with fairness, dignity, honesty, and integrity.

The College's purchasing philosophy is to maintain professional relationships with all vendors. While vendors are free to advertise, their promotional efforts should not include gifts, favors, or any form of personal gratuities to any College employee.

Employees of the College shall not be financially interested in any contract for goods or services by means of a Purchase Order Agreement under the following conditions:

- The contract is between the College and the employee.
- The contract is between the College and a partnership, or unincorporated association of which the employee is a partner or in which he/she is the owner or holder, directly or indirectly, of a proprietorship interest and/or shall benefit financially due to the contract or purchase.
- The contract is between the College and corporation in which any employee is the owner or holder, directly or indirectly, of five percent (5%) or more of the outstanding common stock.

Purchasing Regulations and Procedures

The Purchasing Department conducts all purchasing transactions and awards all contracts for the College on the basis of price and suitability, in accordance with governing codes and

regulations including, but not limited to, all provisions of the California Civil, Education, Government, and Public Contract Codes as well as Board Policy.

Procurements shall also comply with the Administrative Procedures. To further assist and inform management, faculty, and staff of the proper procedures for procurement, a purchasing procedures handbook shall be published under the direction of the Director of Purchasing.

Requisitions

Requisitions shall be used to originate purchase orders.

Requisitions must be correctly made out before procedure is started. Requisitions are completed by the originator, approved by the appropriate departmental and Fiscal Services budget control personnel, and submitted to the Purchasing Department. Fiscal Services is responsible for verifying account numbers and fund.

Approval by the designated Information and Educational Technology staff member(s) is required for all technology purchases (including hardware, software, and licenses) in excess of \$100.

Receipt of Purchased Materials and Equipment

Under the direction of the Director of Purchasing, the Warehouse shall receive and distribute purchased materials and equipment to the requesting departments.

- Any material or equipment that is to be picked up by the requesting department or directly delivered thereto shall be so specified on the Purchase Requisition. The Warehouse shall be contracted immediately by the department if normal delivery is changed to a pick-up or direct shipment after the order is placed.
- Material and equipment subject to inventory shall be tagged and inventoried at the time of receipt.

Inventory Management

Purchasing is responsible for maintaining inventory records of certain purchased assets by tagging all inventory assets and creating and updating a record of those assets as follows:

- Capital facilities assets over \$150,000 (depreciable)
- Capital equipment assets over \$5,000 (depreciable)
- Furniture and equipment over \$500

To facilitate accurate recordkeeping, departments shall report to Purchasing the status of their capital equipment assets and assets purchased with categorical funds on an annual basis.

Mail Services Request

A mail services request shall be submitted to Mail Services five days prior to the desired mailing date when a College mailing exceeds 100 pieces or \$50 in postal costs.

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AP 6340 Bids and Contracts

References:

Education Code Sections 81641 et seq.; Public Contract Code Sections 20650 et seq.

Limits

Bids or quotations shall be secured as may be necessary to obtain the lowest possible prices as follows:

- Purchase of goods or services up to the limits set out in the Public Contracts Code will require documented quotes.
- Purchase of goods or services in excess of the limits set out in the Public Contracts Code will require formal advertised bids.

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

Bid limits are set by the Board of Governors as required by Public Contracts Code Section 20651(d); the most recent adjustment, effective 1/1/2005, increased the minimum for supplies, equipment, and services to \$62,400.00. The bid threshold for construction services, other than routine maintenance, remains at \$15,000.00.

Bid Specifications

Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified.

Notice Calling for Formal Advertised Bids

The College shall publish at least once a week for two weeks in a newspaper of general circulation within the District a notice calling for bids or proposals, stating the materials or supplies to be furnished and the time and place when bids will be opened.

Bid and contract forms shall be prepared and maintained by the Chief Fiscal Officer or his/her designee. All applicable statutory provisions and Board Policies shall be observed in preparation of the forms.

The Chief Fiscal Officer or his/her designee shall be responsible for ensuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

All bid notices for work to be done shall contain an affirmative statement requiring compliance with California Labor Code Sections 1775 and 1776 governing payment of prevailing wages and California Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance with these

California Labor Code Sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.

When required or determined to be appropriate, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of the College, any such bid security shall be returned to the respective bidder.

The Chief Fiscal Officer or his/her designee shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and materiel personnel may examine the specifications and drawings.

A deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

Awarding of Bids and Contracts

The awarding of bids and contracts shall be subject to the following conditions:

- Any and all bids and contract proposals may be rejected by the College for good and sufficient reason.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
- Bid and contract award recommendations to the Board of Trustees shall show a tabulation of the bids received in reasonable detail.
- Bid and contract awards shall be made to the lowest responsible bidder substantially meeting the requirements of the specifications. The College reserves the right to make its selection of materials or services purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.
- Any bid for construction services may be subject to the College's Contractor Pre-qualification Program, which requirement shall be advertised.

Purchase without Advertising for Bids

The Chief Fiscal Officer, or designee, is authorized to make purchases from firms holding county or other educational agency contracts with appropriate "piggyback" clauses without calling for bids where it appears advantageous to do so.

The Chief Fiscal Officer or designee may, without advertising for bids within the same county, purchase or lease from other public agencies materials or services by authorization of contract or purchase order. The Chief Fiscal Officer, or designee, may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.

Duration of Continuing Contracts for Services and Supplies

Continuing contracts for work or services furnished to the College are not to exceed five years. Contracts for materials and supplies are not to exceed three years.

Emergency Repair Contracts without Bid

When emergency repairs or alterations are necessary to continue existing classes or to avoid danger of life or property, the College President/CEO may make a contract in behalf of the College for labor, materials and supplies without advertising for or inviting bids, subject to pre-approval by the Superintendent of Schools for the Los Angeles County Office of Education and ratification by the Board of Trustees and the Superintendent of Schools for the Los Angeles County Office of Education.

Insurance Requirements

Service providers, including consultants and contractors, who provide services at the College's facilities are required to provide proof of insurance as follows:

- General liability, in an amount specified by the College and listing the College as additional insured;
- Vehicle liability, if driving on College grounds, in an amount specified by the College and listing the College as additional insured;
- Workers' Compensation, if providing employees, for statutory limit; and
- Other insurance coverage as deemed necessary by the College and by law including, but not limited to, surety bonds, professional liability, and hazardous materials handling.

Unlawful to Split Bids

It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.

Duration of Continuing Contracts for Services and Supplies

Continuing contracts for work or services furnished to the College are not to exceed five years. Contracts for materials and supplies are not to exceed three years.

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AP 6350 Contracts – Construction

References:

Education Code Section 81800; Public Contract Code Sections 20650 et seq. and 22000 et seq.

The College President/CEO or his/her designee shall be responsible for the planning and programming of new construction, alterations, and repairs of existing plants and leasing of facilities that require State approval. This includes the planning and programming of College-initiated new construction, additions to existing plants, and major alterations and repairs of buildings and grounds.

The Director of Facilities Planning and Management or his/her designee shall be responsible for preparation of drawings and specifications for new buildings, leased facilities, additions, major alterations, and improvements of buildings and grounds together with cost estimates.

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

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AP 6360 Contracts – Electronic Systems and Materials

References:

Education Code Sections 81641 et seq. and 81651; Public Contract Code Sections 20651 et seq.

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

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

Criteria to determine what constitutes a responsive bid shall be established by the Chief Information Officer in conjunction with the Chief Fiscal Officer or their designees.

Supplemental instructional software packages may be purchased without taking estimates or advertising for bids.

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

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AP 6365 Accessibility of Information Technology

References:

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

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

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

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

Chapter 6 - Business and Fiscal Affairs

AP 6370 Contracts – Personal Services

References:

Government Code Sections 4526, 4529.5, and 53060; Education Code Section 88003.1

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

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

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

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

Professional Services

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

The selection of private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms shall be done through a request for proposal process on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required, with assurance of maximum participation of small business firms and prohibiting practices that might result in unlawful activity. An employee is prohibited from participating in the selection process if he/she has a relationship with a person or business entity seeking such a contract.

Independent Contractors

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

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

Contractors should be able to make a profit or a loss. Five circumstances show that a profit or loss is possible:

- If the contractor hires and pays assistants
- If the contractor has his own office, equipment, materials, or facilities
- If the contractor has continuing and reoccurring liabilities
- If the contractor has agreed to perform specific jobs for prices agreed upon in advance
- If the contractor's services affect his own business reputation

Contractors can't be fired so long as they produce a result that meets the contract specifications.

Contractors are responsible for the satisfactory completion of a job or they may be legally obligated to compensate the hiring firm for failure to complete.

Consultants

Consulting services contracts refer to all services that:

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

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

Chapter 6 - Business and Fiscal Affairs

AP 6400 Audits

References:

Education Code Sections 84040(b) and 81644

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

An auditing firm's contract shall be for no longer than three years. The audit shall include all funds under the control or jurisdiction of the College. The audit shall identify all expenditures by source of funds and shall contain:

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

Audit reports for the preceding fiscal year must be presented to the Board of Trustees and submitted to the State Chancellor's Office by December 31.

Chapter 6 - Business and Fiscal Affairs

AP 6500 Property Management

References:

Education Code Sections 70902 and 81300 et seq.

The Chief Fiscal Officer shall be responsible for supervising acquisitions of real property, including appraisals and valuations of real property and improvements; securing title insurance policies; dedications or conveyance of easements; vacation of streets and alleys, street lighting and other special assessments; and the condemnation of real property.

Chapter 6 - Business and Fiscal Affairs

AP 6520 Security for College Property

Reference:

Accreditation Standards

Fixed Assets

The College will maintain a fixed asset inventory system. Fixed assets include furniture, computers, vehicles, etc. costing in excess of \$1,000. The College will conduct a physical inventory of fixed assets on an annual basis. This listing will include a description, name, identification numbers, original cost, date of acquisition, location, and funding source.

Transfer of Assets

In the event that fixed assets are moved around the College, the manager in each respective area must approve the request. In addition, notice must be sent to the Administrative Services Office. The Administrative Services Office will be responsible for ensuring that the inventory system is properly updated.

Releasing of College Equipment for Use Off Campus

All requests to borrow or to remove College property for educational or College related purposes must be in writing and be cleared by the immediate manager. Equipment loaned for non-educational purposes must be cleared by the immediate manager.

Chapter 6 - Business and Fiscal Affairs

AP 6530 College Vehicles/Transportation

Reference:

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

All College vehicles and drivers must comply with the California Vehicle Code and Title 13 (Motor Carrier Safety). All drivers of College-owned or leased vehicles, both on and off campus, must have a current license appropriate for the vehicle to be driven. All College vehicles with equipment for transporting the disabled must comply with all applicable laws and regulations regarding such vehicles.

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

Vehicles made available to the College personnel are for use in the conduct and operation of College business. Regular or occasional garaging of College-owned vehicles at any location other than the one assigned is permitted only with prior written approval. Home garaging shall meet any one of the criteria listed below:

- Employees whose duties require regular or frequent reporting to locations other than their regular headquarters before or after regular working hours.
- Employees who are regularly or frequently subject to call before or after regular working hours.
- Employees with assigned vehicles who are headquartered at locations lacking secured overnight garaging facilities.

The College President/CEO is responsible for controlling access to and use of all College vehicles assigned to that location.

The name, home address, employee number, California driver's license number and social security number of any employee to be authorized to drive College vehicles must be submitted to the [designate position] prior to final granting of authorization.

College Vehicles/Transportation

The College owns vehicles for the conduct and operation of College business and holds agreements as appropriate with outside agencies to ensure that the transportation needs of the College are met. "College vehicle" in this section refers to vehicles owned and vehicles contracted through agreements by the College.

Use of College Vehicles

The request for use of a College vehicle should be made by completing a Request and Agreement for Use of College Vehicle Form and submitting it to the Transportation Office. Requests for a College vehicle for athletic events or scheduled curriculum-based field trips

must be received by the Transportation Office by the last day of the first month of the semester. All other requests should be submitted at least two weeks before the date of the trip. Any changes to a scheduled trip must be made with the Transportation Office with reasonable time to accommodate the changes during regular Transportation Office hours.

All agreements for the use of a College vehicle should be made by an employee of the College who will be accompanying the trip. All agreements must have signed authorization by the Division Dean or Department Director. Trips that exceed 150 miles one way must have the signed approval of the appropriate Vice President and trips exceeding 500 miles one way or traveling out of the State of California must have the prior approval of the Board of Trustees.

The employee accompanying the trip is responsible for the discipline of the group and the enforcement of rules governing conduct on contracted vehicles.

Assignment of College Vehicles

Employees that are assigned a College vehicle to be driven on a regular basis for conducting College business must be authorized to do so by their manager. Employees that are assigned College vehicles must also follow the appropriate steps outlined in this procedure to be an approved driver.

Regular or occasional garaging of College vehicles at any location other than the one assigned is permitted only with prior written approval from the appropriate Division Dean or Department Director. The Division Dean or Department Director is responsible for controlling access to and use of all College vehicles assigned to their location.

Use of Personal Vehicle for College Business

The Division Dean or Department Director must authorize use of a personal vehicle for College business.

Transportation of students by personal vehicle on authorized trips is not permitted unless authorized by the appropriate Vice President. If it is necessary to conduct a class meeting at a location off campus, the off campus location should be considered the assigned classroom and students must furnish their own transportation to the designated location. Off campus meetings of classes may not deviate from the scheduled time. It is necessary to file a Field Trip/Off Campus Class Meeting Form with the appropriate Division Office at least two weeks prior to the class meeting. These forms are available in the appropriate Division Office or the Administrative Services Office.

Maintenance of College Vehicles

All vehicles are inspected before use or assignment. Employees that use College vehicles are required to report to the Transportation Office the condition of the vehicle upon return of the vehicle to the Transportation Office. Frequent damage or disregard for care of the vehicle may result in refusal of future use of a College vehicle.

Fueling will be done at College fuel pumps before the vehicle goes into use. Refueling off campus will be accomplished by use of the College fuel credit card which will be issued by the Transportation Office before the trip as appropriate.

Keys will be issued by the Transportation Office during normal office hours for each approved use of a College vehicle. Trips that occur when the Transportation Office is closed will require prior arrangements to be made by the employee using the vehicle to obtain the keys.

Approved Drivers of College Vehicles

Drivers must be either an employee of the College, a student of the College, or a volunteer approved by the appropriate Division Dean or Department Director.

All drivers of College vehicles must submit a Consent to Verify Driving Record Form along with a copy of their driver's license to the Transportation Office at the time the Request and Agreement for Use of College Vehicle Form is submitted. The Transportation Office will request a driving record from the DMV for all drivers.

If the Consent to Verify Driving Record Form and a copy of the driver's license are not received by the Transportation Office with adequate time to request the driving record from the DMV (at least two weeks before the scheduled trip), the driver must obtain their own driving record from the DMV and provide the original to the Transportation Office prior to the trip in order to be eligible to drive the College vehicle; the cost of which will not be paid or reimbursed by the College.

Chapter 6 - Business and Fiscal Affairs

AP 6535 Use of College Equipment

Reference:

Education Code Section 70902

Each member of the College staff shall be responsible for equipment under his or her control. Loss of equipment and unauthorized removal of equipment should be reported immediately to the appropriate administrator.

Equipment that is lost or stolen may be replaced upon submission of a request through the appropriate administrative office. The request must include an explanation about the loss or theft of the equipment and a justification that replacement is essential to the activity served.

Equipment shall only be removed from campus with proper authorization.

College equipment shall not be loaned to:

1. Off-campus organizations;
2. Persons who are not currently attending Mt. San Antonio College; or
3. Students or College employees.

A transaction for off-campus use of College instructional equipment by College employees or persons attending Mt. San Antonio College will clear through the Instruction Office. Handicapped students shall clear with the College administrator responsible for Disabled Student Programs and Services.

Facilities of the maintenance garage, equipment and supplies are for College-owned equipment only and any use by others is specifically prohibited.

The Technical Support Services repair shops are for the repair of College-owned equipment only. The use of these shops, any technical repair equipment or any College-owned supplies for purposes other than the repair of College-owned equipment is specifically prohibited.

Equipment Responsibility

Each faculty member is responsible for the equipment in his/her classroom. Loss of equipment or the unauthorized removal of equipment must be reported immediately to the appropriate Division Office, and loss must be recorded on the inventory record for insurance purposes. Each faculty member is responsible for locking the door(s) of his/her classroom(s) when leaving.

Procedure for Replacement of Stolen Equipment

The custodian of any stolen or missing equipment who wishes to request replacement of the equipment shall submit a requisition through administrative channels to the Chief Fiscal Officer. The requisition shall include a complete justification that the replacement is essential to the activity it serves. The request for replacement shall be submitted to the College President/CEO for review and consideration of approval.

Chapter 6 - Business and Fiscal Affairs

AP 6540 Insurance

References:

Education Code Sections 70902, 72502, 72506, and 81601 et seq.

The requirement to provide for insurance coverage may be met by the College joining in a joint powers agreement pursuant to Education Code Section 81603. If it does so, the regulations required by the JPA would be adopted.

- Liability insurance for damages for death, injury to person, or damage or loss of property.
- Liability insurance for the personal liability of the members of the Board of Trustees and of the officers and employees of the College for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer or employee when acting within the scope of his or her office or employment.
- Fire insurance
- Real property damage
- Personal property loss or damage
- Insurance for College vehicles
- Insurance against "other perils" (Education Code Section 81601)
- Workers compensation insurance
- Actuarial evaluation of the future annual costs of health and welfare benefits

The College will minimize its liability for Workers Compensation claims by restricting authorization of attendance by employees at special activities and/or professional conferences when they are off duty or otherwise not in paid status.

Employees who attend special activities and/or professional conferences at the request and expense of the College, while not in paid status, will be covered by Workers Compensation insurance.

Employees not in paid status, who attend special activities and/or professional conferences at the request of the College but at their own expense, will be covered by Workers Compensation insurance.

Employees who attend special activities and/or professional conferences at their own expense, not at the request of the College and while not in paid status, will not be covered by Workers Compensation insurance.

Employees who attend special activities and/or professional conferences at the College's expense will be covered by Workers Compensation insurance only for the portion of the trip involving the professional activity and not for any portion involving personal travel or activities.

Insurance Requirements

Service providers, including consultants and contractors, who provide services at the College's facilities are required to provide proof of insurance as follows:

- General liability, in an amount specified by the College and listing the College as additional insured;
- Vehicle liability, if driving on College grounds, in an amount specified by the College and listing the College as additional insured;
- Workers' Compensation, if providing employees, for statutory limit; and
- Other insurance coverage as deemed necessary by the College and by law including, but not limited to, surety bonds, professional liability, and hazardous materials handling.

Chapter 6 - Business and Fiscal Affairs

AP 6550 Disposal of Personal Property

References:

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

Sale of Personal Property; Notice; Public Auction

The College may sell for cash any College property if the property is not required for College purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for use. Property cannot be sold until notice has been given. Notice must be posted in at least three public places in the College for not less than two weeks; notice can also be by publication for at least once a week for a period of not less than two weeks in a newspaper published in the District and having a general circulation. The Director of Purchasing shall sell the property to the highest responsible bidder, or shall reject all bids.

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

Criteria for Exchange, Sale, or Donation of Personal Property

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

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

In addition, the College can sell or lease real personal property as part of the sale or lease of real property belonging to Mt. San Antonio College if both of the following conditions are met:

- (a) The property is sold or leased to another local government agency or to a nonprofit corporation that is organized for the purpose of assisting one or more local governmental agencies in obtaining financing for a qualified community college facility; and

- (b) The financial proceeds are expended solely for capital outlay purposes relating to a qualified community college facility.

If the Board of Trustees, by a unanimous vote of those members present, finds either that the property, whether one or more items, does not exceed in value the sum of five thousand dollars (\$5,000) or that the property is of insufficient value to defray the costs of arranging a sale, the property may be sold by the Director of Purchasing at private sale without advertising.

Any item or items of property having previously been offered for sale as provided in the first section above, but for which no qualified bid was received, may be sold by the Director of Purchasing at private sale without advertising.

Other Conditions for the Disposal of Personal Property

Personal property deemed surplus by action of the Board of Trustees may also be sold for replacement to the lowest net bid or exchanged for new property. Bids may require a bidder's purchase and removal of old materials as a bid deduction, with award to the lowest net bid. The College may contract with manufacturers/suppliers for exchange of household appliances/equipment used for instructional purposes for similar new property without bidding or advertising, provided the cost does not exceed the excess of the selling price of the new property over the original cost of the property being disposed, plus taxes. The Board of Trustees may approve an agreement with an agricultural cooperative or association for the purpose of maintaining, harvesting, or selling the College's agricultural products.

Personal Property to Employees or Students

College employees may not buy property declared to be surplus to avoid conflict of interest except through a College-sanctioned public auction. The Board of Trustees may approve the sale to a student of personal property fabricated by that student at the College's cost.

Sale of Published Material

If for educational use, the College may sell, give, or exchange for similar published materials, published materials prepared by the College to any person, political subdivision, public officer or agency, or educational institution. The College may also license the use of any copyrights held by the College to the same person or entities and for the same purpose as stated above. The College shall grant a license to any California public agency unless an exclusive license has previously been granted a private publisher. Any charge for the license to use a copyright, or for materials to which the College holds the copyright, shall not exceed the cost to the College of the preparation and reproduction of the materials.

Reporting of Surplus Property

The Director of Purchasing shall prepare a report of surplus personal property for the Board's action on an annual basis. The report shall include schedules for the disposal of such property and shall indicate whether the property is to be disposed individually or in lots.

Chapter 6 - Business and Fiscal Affairs

AP 6600 Capital Construction

References:

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

The College President/CEO will annually report to the Board of Trustees and to the State Chancellor's Office a five year Capital Outlay Program. The Program will consist of the College's plans concerning its future academic and student service programs, and the effects of such programs on construction needs.

Specifically, the five year Capital Outlay Program will include the following:

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

Construction contracts will be let in accordance with AP 6350 Contracts – Construction and will comply with applicable laws relating to public works.

Revised September 1, 2010

Chapter 6 - Business and Fiscal Affairs

AP 6620 Naming of Buildings

Process for Naming Buildings

1. Requests for naming buildings, structures, facilities, or areas on campus shall be submitted to the College President/CEO who will form a committee for review.
2. After study and consideration, the committee will make recommendations to accept, deny, or modify the naming of a building, structure, facility, or area on campus to the College President/CEO.
3. The College President/CEO will forward the request and recommendation to the Board of Trustees for final review and decision.

Naming a building, structure, facility, or area for individual service to the College

1. While an employee of the College, the individual:
 - Rendered distinguished service
 - Made exceptional contributions to the College
 - Achieved such unique distinction as to warrant recognition.
2. An appropriate relationship between the use of the facility or its function and the person for whom it will be named should exist.
3. Individuals will not be considered for this honor until at least three years following the individual's separation from the College. Under extraordinary circumstances, this requirement may be reconsidered.

Naming a building, structure, facility, or areas of recognition for a significant gift to the College

1. Facilities may also be named for a benefactor or an individual nominated by a benefactor when the benefactor's contributions make possible significant additions to College facilities or operations.
2. Such facilities will not be named in return for deferred gifts and will not be named for persons making gifts of property (real or personal) until the gift is converted to liquid assets.
3. The minimum gift required to name a building shall be established by the Board of Trustees with recommendation from the College President/CEO.

Facilities that may be considered for naming

1. All buildings, structures, facilities, areas located at Mt. SAC that are not currently named.

2. All lecture halls, classrooms, studios, labs, athletic facilities, and permanent fixtures.
3. All areas where students, staff, and the public gather, including walkways, benches, and gardens.

Signage

1. Buildings to be named should normally bear the last name of the person and the building name. For instance, the Doe Memorial Library, in a typeface and style consistent with campus signage. The lettering of the nameplate must be approved by the College President/CEO.
2. A plaque of appropriate materials and design, permanently affixed to the outside of the wall nearest the front entrance listing the name of the person for whom the building is named and their connection to the College, the building and architect, the Board of Trustees and the College President/CEO at the time any new building is constructed and dedicated or in the case of extensive remodeling, rededicated.
3. Lecture halls, classrooms, and labs named may also be identified with a plaque of appropriate materials and design mounted on the wall directly outside the main entrance to the facility.
4. All areas where students, staff, and the public gather, including walkways, benches, and gardens may also be identified with a plaque or acknowledgement plate of appropriate materials and design mounted near the area. The plaque or acknowledgement plate design should be consistent with the design of the facility and easily maintained.

Chapter 6 - Business and Fiscal Affairs

AP 6700 Civic Center and Other Facilities Use

References:

Education Code Sections 82537 and 82542

General Provisions

College facilities are available for community use when such use does not conflict with College programs and operations. Facility use shall be limited to places and time identified by the College President/CEO. Except as provided in these regulations, no organizations shall be denied the use of College facilities because of the content of the speech to be undertaken during the use.

The Director of Technical Services is responsible for the coordination and implementation of these procedures. The Chief Fiscal Officer shall approve all applicable fees to be charged.

All user groups shall be required to provide the College with a hold harmless and indemnification agreement acknowledging that they will be financially responsible for any losses, damages or injuries incurred by any person as a result of their use of the facilities. All user groups shall also be required to provide a certificate of insurance with limits acceptable to the College and/or other proof of financial responsibility acceptable to the College.

Civic Centers

Eligible persons or groups may use College buildings or grounds for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or public interest, subject to these rules and regulations.

The groups identified in Education Code Section 82542(a) will be permitted to use College facilities upon payment of the following:

- the cost of opening and closing the facilities, if no college employees would otherwise be available to perform that function as a part of their normal duties;
- the cost of a College employee's presence during the organization's use of the facilities if it is determined that the supervision is needed, and if that employee would not otherwise be present as part of his or her normal duties;
- the cost of janitorial services, if the services are necessary and would not have otherwise been performed as part of the janitor's normal duties; and
- the cost of utilities directly attributable to the organization's use of the facilities.

Except as provided herein, other groups shall be charged an amount not to exceed the direct costs of College facilities. Direct costs shall include costs of supplies, utilities, janitorial services, services of any other College employees, and salaries paid Mt. San Antonio College employees necessitated by the organization's use of College facilities.

The following shall be charged fair rental value for the use of College facilities:

- Any church or religious organization for the conduct of religious services for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.
- Entertainments or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the College or for charitable purposes.

The American Red Cross or other public agencies may use College facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affect the public health and welfare, and the College will cooperate with these agencies in furnishing and maintaining services mutually deemed necessary to meet the needs of the community.

Rules for Facilities Use

Requests for use of College facilities must be made at least 30 days in advance of the first date of use being requested. Requests shall be on forms provided by the College. Permission to use facilities shall be granted by the Director of Technical Services.

Permission to use College facilities shall not be granted for a period to exceed one fiscal year. No person or organization may be granted a monopoly on any facility. All charges for the use of College facilities are payable prior to occupancy. Any persons applying for use of College property on behalf of any groups shall be a member of the group and, unless he or she is an officer of the group, must present written authorization to represent the group. Each person signing an application shall, as a condition of use, agree to be held financially responsible in the case of loss or damage to College property.

The College may require security personnel as a condition of use whenever it is deemed to be in the College's best interests. No person applying for use of College property shall be issued a key to College facilities. Future facility requests may be denied on grounds including, but not limited to, abuse or misuse of College property and failure to pay promptly for any damage to College property.

No alcoholic beverages, intoxicants, or controlled substances in any form shall be brought onto the property of the College. Persons under the influence of alcohol, intoxicants or controlled substances shall be denied participation in any activity.

No structures, electrical modifications or mechanical apparatus may be erected or installed on College property without specific written approval by the Director of Facilities Planning and Management.

All decorative materials, including, but not limited to, draperies, hangings, curtains, and drops shall be made or treated with flame-retardant processes approved by the State Fire Marshall.

Priority for the Use of College Facilities

Priority for the use of College facilities will be as follows:

1. Student clubs and organizations.
2. Fundraising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the College.
3. Parent-teachers' associations.
4. School-community advisory councils.
5. Camp Fire Girls, Girl Scout troops, and Boy Scout troops.
6. Senior citizens' organizations.
7. Other public agencies.
8. Organizations, clubs, or associations organized for cultural activities and general character building or welfare purposes (such as folk and square dancing).
9. Public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

All requests for use of buildings and facilities by on-campus groups must be filed through the Event Services Office using a Request for Use of Facilities Form.

Procedures for Off Campus Groups

In accordance with Education Code Sections 82537, 82542, 82544, and 82548, and officially adopted Board Policies, a fee schedule of rental rates for College facilities has been established. This schedule is reviewed on a yearly basis by the Event Services Office and any changes are reviewed and approved by the appropriate Vice President.

Parking fees will be determined by the Director of Public Safety and approved by the Chief Fiscal Officer.

Fees charged for the use of College facilities other than those indicated on this schedule will be determined on an individual basis by the Director of Technical Services and approved by the Chief Fiscal Officer. Negotiated rates will be in conformance with Education Code Sections 82542 and 82544.

Salaries of personnel required to operate, maintain, and supervise facilities are included in the base facility fee charged by the College. All College equipment must be operated by College employees. The College retains all concession rights.

All groups renting College facilities are required to obtain liability insurance naming the College as also insured.

Persons or organizations using College premises are not permitted to remove or displace furniture or apparatus, except with the permission of the College and under the supervision of the Event Services Office.

Smoking is prohibited within all College facilities. Intoxicants and narcotics are expressly prohibited on the College campus. Profane or sexist language, quarreling, fighting, and gambling are prohibited. Violations of this rule by the organization during occupancy is sufficient cause for the College to terminate the event in progress and deny future use of the campus to the offending group or organization.

The rules and conditions for use of each facility listed in the approved fee schedule are hereby incorporated in this regulation even though these rules and conditions are not here duplicated.

Chapter 6 - Business and Fiscal Affairs

AP 6740 Citizens Oversight Committee

References:

Education Code Sections 15278, 15280, and 15282

As a requirement of Proposition 39, a Citizens Oversight Committee is established for the following:

Purposes

- To inform the public about the expenditure of bond revenues;
- To review and report on the proper expenditure of taxpayers' money for College construction; and
- To advise the public as to Mt. San Antonio College's compliance with the Proposition 39 requirements as contained in the California Constitution.

Activities

- Receive and review copies of the annual, independent performance audit;
- Receive and review copies of the annual, independent financial audit;
- Inspect school facilities and grounds to ensure that bond revenues are expended properly;
- Receive and review copies of any deferred maintenance proposals or plans developed by Mt. San Antonio College; and
- Review efforts by Mt. San Antonio College to maximize bond revenues by implementing cost-saving measures.

Members

The committee shall consist of at least seven members to serve for a term of two years and for no more than two consecutive terms. Members shall serve without compensation.

The committee shall be comprised of at least:

- One member active in a business organization representing the business community located within the College;
- One member active in a senior citizen's organization;
- One member active in a bona fide taxpayer's organization;
- One student member both currently enrolled in Mt. San Antonio College and active in a campus group. The student may serve up to six months after his or her graduation;
- One member from a College Advisory Council or the Mt. SAC Foundation

No employee, official, vendor, contractor, or consultant of Mt. San Antonio College shall be appointed to the committee.

Assistance - The College shall provide the committee with any necessary technical or administrative assistance, as well as other resources, to publicize its conclusions.

Public Meetings - Meetings shall be open to the public and notice provided in accordance with the provisions of open meetings laws.

Reports - At least once a year the committee shall issue a report on the results of its activities. Minutes from its proceedings, all documents received, and reports issued are matters of public record and shall be made available on an internet website maintained by the College.

Chapter 6 - Business and Fiscal Affairs

AP 6750 Parking

References:

Education Code Section 76360; Vehicle Code Sections 21113 and 40215

This procedure is intended to promote safe and orderly movement of traffic within College property for the safe and orderly parking of vehicles and bicycles. All applicable provisions of the California Vehicle Code are expressly applicable both on and off paved roadways.

Parking of motor vehicles and bicycles is limited to specially designated areas. Parking permits are required. Vehicles or bicycles parked in violation of the provisions of the vehicle code and/or College Parking Rules and Regulations are subject to fines, towing, or impoundment. All persons who enter College property are charged with knowledge of the provisions of this procedure and are subject to the penalties for violations of such provisions.

In accordance with Section 21113a of the California Vehicle Code, it shall be a misdemeanor for any person to do any act forbidden or fail to perform any act required in these procedures.

Parking Fees

In accordance with the California Education Code Section 76360, the Board of Trustees may charge a parking service fee to students for a parking permit to park a vehicle on campus. All parking fees collected shall be deposited in the designated College fund in accordance with the California Community Colleges Budget and Accounting Manual and shall be expended only for parking services. The Parking Permit Fee will be refunded, minus a ten dollar processing fee, to students who withdraw from the College and submit a Request for Refund prior to the two-week deadline for refunds.

Parking and Traffic Regulations

Appropriate parking permits are required to be displayed on all four-wheeled vehicles and motorcycles parked in student and staff parking lots. Motorcycles may park with a permit at the end of parking rows within the lines if the area is not marked NO PARKING and in the special motorcycle parking area in Lot D.

No person shall drive an unlicensed vehicle nor shall any person stop, park, or leave standing any vehicle, whether attended or unattended, upon driveways, paths, or the grounds of the Mt. San Antonio College campus. Exception is made for College-owned vehicles.

The use of skateboards, scooters (motorized), and roller skates on College grounds is prohibited. No person shall fail to obey any sign or signal erected to carry out these regulations or any section of the California Vehicle Code.

Parking is not allowed in areas where there are not clearly marked stalls. Vehicles shall not overlap the lines that designate a stall. All vehicles shall be parked heading into a parking stall. Painted curbs are an indication of restricted parking, and the color denotes the type of parking allowed:

- **Red Zone** indicates no parking or stopping anytime, whether attended or not.
- **Yellow Zone** indicates a 15 minute limit for loading and unloading of commercial vehicles, instructional material by employees, and the parking of service vehicles bearing a special service permit.
- **Green Zone** indicates 30 minute parking except for vehicles bearing a current valid staff parking permit or a temporary parking permit.
- **Blue Zone** indicates handicapped persons' parking areas only with a special permit.

No person shall abandon or leave standing any vehicle or motorized cycle on the campus for 72 or more consecutive hours without permission of the Parking Control Office. Violations will result in vehicle removal and storage at the owner's expense.

Citation Appeals Process

Parking citations may be contested under the appeals process outlined in the California Vehicle Code Section 40215. In accordance with California Vehicle Code Section 40215 and College Policy, parking citations that have been issued to visitors, students, faculty, and staff may only be dismissed in the following circumstances:

- Due to Parking Control Officer error;
- Due to signage or marking deficiencies in parking lots;
- To visitors to the College who are not enrolled as students and who have properly parked in a non-metered parking space in a staff or student parking lot. Parking citations shall not be voided for non-handicapped visitors who park in a designated handicapped parking space;
- To College faculty and staff who have properly parked in a non-metered or non-handicapped parking space in a student parking lot due to the unavailability of parking spaces in the staff parking lot customarily used by the individual. Parking citations shall not be voided for faculty and staff who park in expired metered parking spaces, red curbed zones, outside of marked parking spaces, or for non-handicapped faculty and staff members who park in designated handicapped parking spaces;
- Citations for "No Valid Permit Displayed" issued to permit-eligible employees shall be void;
- To handicapped students who have properly parked in a non-metered parking space in a staff parking lot and whose disability has been confirmed by the College's Disabled Student Programs and Services (DSPS);
- To handicapped individuals who possess a State Handicapped Placard and who park on campus in accordance with current State law;
- To College visitors attending meetings or special events and who have been misdirected to parking areas by faculty or staff members;
- To students who have purchased a parking permit and who have been issued a parking citation for "No Valid Permit Displayed" or "Improper Display of Permit" in a student parking lot, if dismissal is requested within 35 calendar days of citation issuance. (Only one parking citation per semester will be voided for this reason.); and

- To students who have not purchased a parking permit and who have been issued a parking citation for “No Valid Permit Displayed” in a student parking lot, if dismissal is requested within 35 calendar days of citation issuance. The citation will be voided upon purchase of a student parking permit.

Staff Parking Permits

Staff parking permits must be displayed on the left of the rear window or on a displayer that is affixed to the rear view mirror in order to be clearly visible from the rear of the vehicle. Failure to properly display the parking permit will result in the issuance of a parking citation.

A maximum of one permit will be issued at no charge to the employee. The permit is not transferable to another individual. New permits will be issued annually.

Staff permits are not valid in metered stalls or in student lots. Staff permits will be issued by the Parking Services Office. There will be a definite date of compliance issued. There will be a grace period during which an old permit will be honored after checking to determine if it belongs to a current employee, and a warning will be given to pick up a new permit.

Annual Staff Permits

Full and part-time faculty, full-time staff, and regular part-time employees (47.5%) are eligible for yearly staff permits. Any remaining temporary short-term hourly employees who are not taking any classes at Mt. San Antonio College may be eligible for an Annual Staff Permit, a 30 Day Temporary Staff Parking Permit, or a limited duration (several months) “modular permit” to cover their work employment period.

Part-timers who are not students, such as professional experts, volunteers, or interns who are incidentally taking three units or less at Mt. San Antonio College, may be eligible for an Annual Staff Permit, a 30 Day Temporary Staff Parking Permit, or a limited duration (several months) “modular permit” to cover their assignment period.

A short-term or other hourly employee who is incidentally taking more than one class may appeal to receive a Staff Permit by having their Vice President, Dean, Director, or Manager submit a written appeal to the Director of Public Safety. The appeal should include why an exception should be made along with a request that a Staff Permit be issued.

Student Employees

Student employees will not be issued Annual Staff Parking Permits, 30 Day Temporary Staff Parking Permits, or Guest Permits. Students who work for the College during a semester when they are not taking any classes are eligible for a Staff Parking Permit for that semester only.

30 Day Temporary Staff Parking Permits

All 30 Day Temporary Staff Parking Permits will be issued by the Parking Control Office located in the Administration Building, lower level. Vendor/Contractor Service Permits will only be issued by the Parking Control Office and/or the Facilities Planning and Management Office.

Pay and Display Day Use Permits

Students and visitors who do not purchase a valid semester or summer parking permit will be able to purchase a day use parking permit from ticket dispensing machines installed in selected student parking lots around the campus. Visitors attending athletic events and other College functions during normal business hours can purchase a one-day parking permit. Those attending certain College functions such as graduations, blood drives, and voting-related activities will continue to receive free parking.

Campus Seminars and Workshops

College departments hosting seminars and other special or grant-funded events where outside participants pay a registration fee and/or receive a benefit from the College will be required to charge a parking fee for attendees to park on campus. Payment of this fee can be charged to the event holders by the Parking Control Office and invoiced for account transfer. Attendees and participants may also pay or be let into Pay Lot B, and the Parking Control Office will invoice the event holder for the number of vehicles parking in the lot to attend the event.

Rental/Use of College Facilities

Groups that rent College facilities through the Event Services Office will be charged a parking usage fee for the event. This fee is determined through coordination between the Event Services Office and the Parking Control Office and may include a flat usage fee or a daily use fee that is handled by issuance of a special permit.

Guest Permits

Guest Permits will be issued by specific offices. Students are not eligible to receive Guest Permits.

Retirees

Annual Staff Permits will be issued to College retirees. One-Day Guest Permits may also be issued to College retirees for any occasion when they may return to the campus.

Weekend Parking

A parking permit is required to park in student and/or staff parking lots 24 hours a day, seven days a week. Parking provisions of the California Vehicle Code (such as parking at red curbs, loading zones, fire lanes, and handicapped parking violations) will be enforced 24 hours a day, seven days a week.

Chapter 6 - Business and Fiscal Affairs

AP 6800 Safety

References:

Cal/OSHA; Labor Code Sections 6300 et seq.; Title 8 Section 3203; Code of Civil Procedure Section 527.8; Penal Code Sections 273.6, 626.9, 626.10, and 12021

Mt. San Antonio College is committed to providing a safe and healthy workplace for all employees by ensuring compliance with federal, State, and local laws including a formal injury and illness Prevention (IIP) Program. This formal IIP Program will provide the framework and training to increase awareness and minimize the potential for crisis in the workplace. It is the responsibility of all employees to immediately report any unsafe or dangerous conditions that exist on campus. Complaints related to health safety, sanitation, and working conditions shall be forwarded to the Director, Safety, Health Benefits, and Risk Management and the employee's supervisor for review and recommendation.

Crisis and Conflict Intervention

Any employee experiencing acts or threats of violence should immediately notify his/her supervisor. The supervisor shall immediately notify the Public Safety Office and the employee will be provided consultation regarding resources available to resolve the unsafe work condition.

It is the responsibility of all employees to immediately report threats, acts of violence or any other behavior which deliberately hurts or harms another person at the College to their immediate supervisor and the Mt. SAC Public Safety Office or local law enforcement. Such reports will be promptly and thoroughly investigated.

Employee Crisis Assistance Team

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

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

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

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

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

Emergencies

Any employee shall immediately report any situation that threatens life or property and demands an immediate response of police, fire or medical personnel by dialing 911 from private telephones or 9-911 from campus extensions and then notifying Public Safety at extension 4555.

Chapter 6 - Business and Fiscal Affairs

AP 6850 Hazardous Materials

References:

Title 8 Sections 340 et seq.

Posting of Notices

The College must post at least one CAL/OSHA Notice in each location where business is conducted in a conspicuous place where notices to employees are customarily posted.

Where employers are engaged in activities that are physically dispersed such as construction or transportation, the notice required shall be posted at each location to which employees report each day. The notice or notices shall also be posted at the location or locations where employees carry out their activities.

Each employer shall take steps to ensure that such notices are not altered, defaced or covered by other material.

The notice shall inform employees that employers who use any substance listed as a hazardous substance by Cal/OSHA regulations must provide employees with information on the contents of material safety data sheets (MSDS) or equivalent information about the substance which trains employees to use the substance safely.

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

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

If the College is required to conduct tests or to engage in monitoring or measuring to determine employee exposure to hazards by specific standards it shall notify the affected employee or employees or their representative, prior to commencement of the date, time and place of the testing, monitoring or measuring of employee exposure.

The College must provide an employee or employees, or their representatives with the opportunity to observe the testing, sampling, monitoring or measuring undertaken pursuant to such standards.

Whenever any employee has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels exceeding those prescribed by applicable standard, order, or special order, the College must promptly notify any employee so affected in writing of the fact that the employee has been exposed, and of the corrective action being taken.

Purchase of Hazardous Materials

Suppliers of hazardous materials are required to provide MSDS with every shipment to the College. The Administrative Services Office is responsible for maintaining the MSDS files and the College Warehouse includes a copy of the MSDS with its delivery of the supplies to the department.

Chapter 6 – Business and Fiscal Affairs

AP 6900 Bookstore

Reference:

Education Code Section 81676.5

Bookstore Commission

A policy/recommending body to the Mt. SAC Auxiliary Services Corporation composed of the President, Associated Students as Chairperson; Director of Student Life as Vice-Chairperson; two students appointed by the Associated Students President; Student Bookstore Senator; one representative appointed by the Chief Fiscal Officer; one representative appointed by the Chief Instructional Officer; one representative from Human Resources; one representative appointed by the Academic Senate; the College's Chief Fiscal Officer; the Director, Bookstore; and the Administrative Director of Auxiliary Services, Ex-Officio.

Management

The Director, Bookstore will work with the Administrative Director of Auxiliary Services and the College's Chief Fiscal Officer in matters of finance. The Administrative Director of Auxiliary Services will have direct supervision of all assets. The Director, Bookstore will endeavor to see that the Sac Book Rac Procedure is carried out.

Finance Procedures

A. Sales

All sales are to be on a cash and credit card basis unless otherwise authorized, such as authorized veterans, State Rehabilitation, etc.

B. Purchases

All purchases are the responsibility of the Director, Bookstore and must be authorized by issuing a purchase order for all purchases.

C. Deposits

Reconciliation of the cash shall be the responsibility of the Director, Accounting and all receipts are to be deposited in a bank approved by the Mt. SAC Auxiliary Services Board.

D. Checks

All checks are to be drawn by the bookkeeper and will be signed by any two of the following: Administrative Director of Auxiliary Services, and a facsimile signature may be used; the College's Chief Fiscal Officer; or College President/CEO.

E. Financial Statement

Financial statements will be prepared each month and included in the report of the Administrative Director of Auxiliary Services to the Mt. SAC Auxiliary Services Board. This will include the operating statement and balance sheet.

F. Audit

In accordance with the provisions of the Education Code, the SAC Book Rac will be audited annually and the charge for such audit will be borne by the College.

G. Bonds and Insurance

It will be the responsibility of the College's Chief Fiscal Officer to see that the SAC Book Rac has adequate insurance coverage, such as:

1. Bonds on all personnel handling funds.
2. Workers Compensation
3. Fire insurance on all SAC Book Rac owned equipment
4. Public liability and property damage
5. PERS and OASDI (Social Security)

Chapter 6 - Business and Fiscal Affairs

AP 6920 Mileage Allowance

All employees, other than those who receive a flat rate per month, will receive a standard mileage reimbursement rate based on the Internal Revenue Service's (IRS) mileage rate for use of their personal automobiles for College business. The use of a personal vehicle is limited to activities within the scope of the employee's assigned responsibilities, and mileage reimbursement requires specific approval of the immediate management supervisor.

Claims

- A. No mileage may be claimed for travel from home to the first work location or from the last work location of the day to home.
- B. Mileage may be claimed for travel between work locations when the employee is on business as part of his/her assigned duties.
- C. Mileage claims must include the date of travel, the city traveled to, and the purpose of travel.
- D. Mileage incurred due to a conference should be claimed on the Conference and Travel Request/Expense Claim Form.
- E. Mileage claims must be submitted using the Mileage Claim Form and signed by the employee and approved by the immediate management supervisor.
- F. Mileage claims must be filed in the Fiscal Services Office for reimbursement.
- G. A Proof of Insurance Form must be on file in Fiscal Services for any employee who drives a personal vehicle in the scope of their job responsibilities. California law provides that the individual's automobile must be covered by liability insurance.
- H. The College does not provide insurance coverage to cover damage or loss to an employee's automobile.

Chapter 6 - Business and Fiscal Affairs

AP 6955 Work Orders

Work orders are used to request service from the Facilities, Warehouse, and IET Departments.

- A. **Emergency Services Requests** are those items which must be immediately addressed to avoid adverse effect on health and safety to the College population; imminent damage to college buildings, grounds, or equipment; interruption of basic College services; and serious heating or air conditioning problems.

Steps to Take in Case of Emergency - Phone appropriate service department and provide the description and location of the emergency. Identify the division office or department manager responsible for the affected location. Notify the division office or department manager of emergency condition and the time request for service was made.

- B. **Routine Work Order Requests** are defined as requests for repair and maintenance of existing landscape, buildings, equipment, and furnishings.

1. To request service from Maintenance, Grounds, Custodial, Transportation, or the Warehouse work orders may be entered online at <http://eiwos.mtsac.edu/>
2. For Technology and Telecommunications work orders, contact the IET Help Desk.

- C. **Capital Improvement Requests** are defined as improvement or additions to facilities, grounds, and equipment. To initiate a Capital Outlay Improvement Request:

- complete information section of Capital Improvement Request Form;
- submit to manager for approval and routing;
- manager forwards request to appropriate service department for cost estimate;
- upon receipt of cost estimate manager determines feasibility for funding;
- manager seeks approval of the appropriate Vice President with a request for an appropriation transfer; and
- manager submits approved Capital Improvement Request form to service area manager for implementation.

Chapter 6 - Business and Fiscal Affairs

AP 6960 Art Objects or Loaned Exhibits

The College shall be responsible for art objects or loaned exhibits only when:

- A. An itemized list of the non-College owned art objects or exhibit is submitted to the insurance section of the Administrative Services Office prior to acceptance of the article(s).
- B. The list shall indicate the display location, describe and verify the value of each item prior to acceptance by the College. No single item with a unit value of more than \$50,000 shall be accepted without prior approval of the College President/CEO or designee and special arrangements made, if needed, with the College's Insurance carrier.
- C. The list shall be signed by the Director of the Art Gallery or chief manager of the area responsible for the loan or exhibit.
- D. The list shall indicate the date the College accepts the care and custody of the items and the date the College expects to return the items to the care and custody of the owner.

Exhibits at the Gallery shall not exceed \$200,000 in total value without prior approval of the College President/CEO or designee.

Chapter 6 - Business and Fiscal Affairs

AP 6970 School Farm Administration

The purpose of the school farm is to provide facilities for training in the field of agriculture and shall follow the best practices developed for this purpose. Whenever possible, student projects will be established to provide for actual financial and managerial experience for the students.

The Coordinator, Agricultural Sciences is authorized to enter into limited operational agreements with bonafide students in good standing, to use designated portions of the campus for crops or pasture for limited periods of time, and on such specific terms as may be established in each instance. It is further stipulated that the students are to keep strict account of all expenditures and receipts, and to make periodic reports to the Coordinator, Agricultural Sciences.

School Farm Council

The School Farm Council shall be composed of the Chief Fiscal Officer (Chairperson); Department Chairperson, Agricultural Sciences; Dean, Natural Sciences; Director, Fiscal Services, and all regular full-time agriculture instructors.

The general duties of the Farm Council are to organize the farm on a sound educational and business basis relative to plan of operation, financial control, and accounting. The Council will meet regularly to discuss the financial statement and other matters of importance relative to the operation of the School Farm.

Chapter 6 - Business and Fiscal Affairs

AP 6975 Key Issuance Regulations

Subject to the emergency provisions outlined in this procedure, the issuance of AAS1, AAS2, AD, and AB keys must have the approval of the Chief Fiscal Officer (CFO).

A request to re-key an office or an area must be approved by the Chief Fiscal Officer. AAS3 keys will not be issued except in emergencies with the approval of the Chief Fiscal Officer.

All requests for other keys must have the approval of the appropriate manager and the Chief Fiscal Officer:

- A. If the CFO is on campus during the day of submission of the key issuance form, the key requisition will be signed by the CFO or his/her designee before the close of business that day.
- B. Should the CFO be on campus but not immediately available and any delay would prevent the individual requesting the key access to that area so as to prevent him/her from doing his/her work, the key request can be signed by the Director, Facilities Planning and Management.
- C. If in the above circumstances where the CFO is on campus and the Director, Facilities Planning and Management is not available and it is still considered an emergency, the request may be signed by the College President/CEO or the Chief Instructional Officer.
- D. All of the above procedures will also apply under circumstances where the CFO is not on campus the day of the request.
- E. In an emergency, the Head Air Conditioning and Heating Mechanic; Head Construction and Repair Worker; Head Electrician; and Head Plumber are authorized to approve or draw temporary restricted keys for emergency access. In addition, managers are authorized to approve issuance of restricted keys for emergency access. After issuance of the restricted area key, Key Control shall notify the affected manager.

Temporary issue of room keys will be made under the following circumstances:

- A. Vendors, non-district service persons, contractors, and one-day substitutes may be issued a temporary room key for a 24-hour period upon approval of an appropriate manager.
- B. College service personnel may be issued a temporary room key in order to carry out their work assignment. An approved list of authorized persons will be kept on file in Fiscal Services. Keys to restricted rooms must have approval of the appropriate manager.

Lost Keys

Loss is to be reported in writing to the appropriate Vice President through the appropriate manager. Upon approval of the appropriate Vice President and the payment of the proper fee as indicated on the Fee Schedule, a replacement may be issued.

Lost Key Fee Schedule

AA Key	\$100
AD Key	\$100
AB Key	\$25
Restricted Key	\$25
Room Key	\$6
Cabinet Master	\$5
Cabinet File, Desk	\$3

Restricted Keys

Keys to restricted areas require the signature of the manager in charge of the restricted area and the appropriate Vice President.

Return of Keys

All keys issued must be returned and checked in prior to receiving final pay warrant.

Chapter 6 - Business and Fiscal Affairs

AP 6985 Advertising in Class Schedules

The College will engage in advertising activities that market the institution itself as well as promote its various programs, services, and events.

Process:

- A. The Marketing and Public Information Officer will develop the College's advertising strategy in consultation with key campus stakeholders and manage its implementation, based on budget resources approved by the Board.
- B. All College advertising strategy/creative, media buys, and placements must be coordinated through the Marketing and Public Information Office to ensure strategy, branding, and message consistency as well as proper market positioning.

Advertising in the Class Schedule:

- A. The College may elect to solicit display advertising in the printed class schedule from businesses and organizations to offset production costs.
- B. The Marketing and Public Information Office will coordinate solicitation and placement of all schedule advertising.
- C. The Marketing and Public Information Officer shall determine the appropriate amount of space in the schedule to be reserved for advertising and shall set advertising rates, including any discounts for nonprofit advertisers. The Marketing and Public Information Officer shall adjust ad rates as appropriate.
- D. Fiscal Services, in conjunction with the Marketing and Public Information Officer, will bill advertisers and collect fees as required.
- E. Acceptable advertising is that which markets products and services beneficial or of interest to the Mt. San Antonio College community, including students, faculty, staff, and local residents who receive the schedule in the mail.
- F. Acceptance of any advertisement is not an implicit or explicit endorsement by the College of any product, service, agency, or individual. The schedule shall print such a disclaimer each time it is published.
- G. The Marketing and Public Information Officer reserves the right to reject any advertising deemed inappropriate, including on (but not limited to) the following:
 - All illegal products or services
 - Any alcoholic beverages or tobacco products

- Any business or service that excludes minors
- Any business or service of a prurient nature (including escort services)
- Any instructional program of an educational institution that does not list tuition or fees prominently in the advertisement
- Any other community college advertising
- Any advertising of a political nature

Administrative Procedures

Chapter 7 - Human Resources

- AP 7100 Commitment to Diversity**
- AP 7110 Delegation of Authority**
- AP 7120 Recruitment and Hiring**
- AP 7125 Verification of Eligibility for Employmt. -- Immigration Status**
- AP 7126 Applicant Background Checks**
- AP 7130 Compensation**
- AP 7145 Personnel Files**
- AP 7216 Academic Employees: Grievance for Contract Decisions**
- AP 7230 Classified Employees**
- AP 7231 Seniority**
- AP 7232 Classification Review**
- AP 7234 Overtime**
- AP 7236 Substitute and Short Term Employees**
- AP 7237 Layoffs**
- AP 7240 Confidential Employees**
- AP 7250 Educational Administrators**
- AP 7260 Classified Managers**
- AP 7270 Student Workers**
- AP 7330 Communicable Disease**
- AP 7335 Health Examinations**
- AP 7336 Certification of Freedom from Tuberculosis**
- AP 7337 Fingerprinting**
- AP 7342 Holidays**
- AP 7343 Industrial Accidents and Illness**
- AP 7344 Employee Absence and Illness**
- AP 7345 Catastrophic Leave**
- AP 7346 Employees Called to Military Duty**
- AP 7350 Resignations**
- AP 7366 Reinstatement**
- AP 7370 Political Activity**
- AP 7371 Personal Use of Public Resources**
- AP 7380 Retiree Health Benefits - All Employees**
- AP 7381 Health and Welfare Benefits**
- AP 7500 Volunteers, Interns, and Fieldwork**
- AP 7600 Campus Public Safety**
- AP 7650 Subpoena Process**
- AP 7700 Whistleblower Protection**

Chapter 7 - Human Resources

AP 7100 Commitment to Diversity

References:

Education Code Sections 87100 et seq.; Title 5 Sections 53000 et seq.

Mt. San Antonio College is committed to promoting diversity campus wide through its student body as well as its employees. One of Mt. San Antonio College's core values is diversity. This value states, "We respect and welcome all differences, and we foster equal participation throughout the campus community." The College maintains a commitment to diversity through the recruitment and retention of employees and students that reflect the diversity of the communities in the District. Every effort is made to initiate and establish specific activities and programs designed to meet the College's diversity goals and objectives, to foster equal participation, and to ensure a campus climate that welcomes and respects differences.

Chapter 7 - Human Resources

AP 7110 Delegation of Authority

Reference:

Education Code Section 70902(d)

The Chief Human Resources Officer is delegated responsibility from the College President/CEO to recommend or authorize employment, develop job responsibilities, and perform other personnel actions provided that all federal and State law and regulations, Board Policies, and Administrative Procedures are followed.

Chapter 7 - Human Resources

AP 7120 Recruitment and Hiring

References:

Education Code Sections 87100 et seq., 87400, and 88003; Accreditation Standard III.A

Applicant Travel Reimbursement

The College is authorized to pay for and/or reimburse necessary traveling expenses to and from the College for candidates who travel to the College for full-time faculty interviews.

Eligibility for Reimbursement

Full-time faculty (contract and regular) applicants who must travel 150 miles or more (subject to verification) one way from their residence to the College to interview for the following classifications of positions will be eligible for the reimbursement.

Reimbursable Expenses

- A. The College shall reimburse up to a total of \$500 for actual and necessary traveling expenses associated with the applicant's interview. Any expenses exceeding this amount shall be the applicant's responsibility.
- B. Travel may be by air, private or rented automobile, bus, or rail. Expenses for lodging, meals, parking, and incidental expenses such as cab fare shall be considered appropriate expenses. Expenses for lodging and meals are subject to approval by the Vice President, Human Resources. It is expected, however, that airline tickets will be booked at coach or tourist class rates.
- C. Mileage for using one's own car shall be reimbursed at the appropriate College mileage rate, not to exceed what it would have cost for air fare.
- D. Reimbursement is limited to the expenditures incurred by the applicant on behalf of himself/herself only.
- E. The total number of travel days for which lodging and meal expenses may be claimed will normally be limited to one day prior and one day following the interview depending on the distance to be traveled and the time of the interview. Exceptions will be determined by the Vice President, Human Resources in consultation with the appropriate hiring managers.

Required Documentation for Reimbursement

Applicants shall submit to the Office of Human Resources a Candidate Reimbursement for Interview Form providing all required documentation of expenses within 30 days of completing travel. Original receipts for lodging and carrier expenses must be submitted in order for the applicant to be reimbursed. The Candidate Reimbursement for Interview Form will be authorized by Human Resources.

Full-Time Faculty Selection Procedures

The following provisions are applicable to all non-management, academic, full-time positions:

A. Faculty Positions

1. Growth: The need for contract tenure-track faculty shall be developed by each department and recommended to the area administrator in the spring semester for positions requested to be hired the following academic year (e.g., Spring 2008 for academic hiring for 2008-09, start date of Fall 2009). The area administrator, in consultation with the department chairs, or a representative of the department if a department chair is not available, will prioritize those requests and forward them to the Vice President, Instruction by the end of the Spring semester. By October of the following year, the Vice President, Instruction will provide the lists of requests for faculty positions prioritized by each division to the Academic Senate. The Instruction Team and the Academic Senate Executive Board will independently prioritize the submitted requests. The priorities for the Academic Senate and Instruction Team will be brought to Academic Mutual Agreement Council (AMAC) for the development of a single list to represent the faculty growth positions priorities for the College. The prioritized list shall be submitted to the College President for a decision regarding the number of growth positions approved for hire in that academic year.

The President of the College will issue instructions to the Office of Human Resources regarding filling the open positions based on the following procedures listed under Recruitment below.

2. Vacancy: When a faculty member submits a formal notice of resignation or retirement or does not have his/her contract renewed, a replacement for the vacancy must be requested by the department and the area administrator using the forms developed for requesting a faculty position. If the vacancy is declared before the end of the fall semester, replacements will be considered in AMAC based on documentation of need. The determination will be made by AMAC, after consultation with the department chair and area administrator, whether to replace, to open recruitment for the next on the list, or to not fill the position that year. If the position is not filled that year, it will remain a vacancy for reconsideration as a replacement the following year.

Following approval by AMAC, the Vice President of Instruction will issue instructions to the Office of Human Resources regarding filling the open positions based on the following procedures listed under Recruitment below.

3. Unusual Situations: When a department experiences a vacancy due to faculty reassignment or to department restructuring, the decision to replace will be made by mutual agreement in AMAC. The department, in consultation with the area administrator, should submit a request for a faculty position as described under Section 2 (Vacancy) above.

Following approval by AMAC, the Vice President of Instruction will issue instructions to the Office of Human Resources regarding filling the open positions based on the following procedures listed under Recruitment below.

4. Temporary Full-time Positions: Either when a vacancy remains unfilled after the prioritization process because of a failed recruitment or when a department demonstrates a need for a full-time position because of program

expansion or loss of faculty after the prioritization process, a department may request a one-year, temporary full time position. Such requests require the approval of the appropriate Dean and Vice President, who, after consultation with AMAC, will take the request to President's Cabinet for final approval. Candidates for temporary positions may be drawn from applicant pools formed for a tenure-track position or from other sources. If a search is conducted, every effort will be made to notify part-time faculty of the opportunity to apply for the temporary position. Candidates for temporary positions must have the support of the department chair and appropriate administrator.

A selection committee will be formed and a formal interview will be held using the processes outlined below.

- a. Screening - Temporary Positions: The Screening Committee shall consist of one area administrator, the department chair and one to three faculty chosen by the department. If the department wishes to select faculty persons from outside the department, this is permissible. These individuals will be voting members of the Committee. The voting members of the Screening Committee shall elect the Screening Committee Chair. The Screening Committee may appoint two additional non-voting Screening Committee members who may be managers, industry representatives, faculty, classified staff, and/or students. The Academic Senate President, or designee, may approve faculty appointments to the Screening Committee.

The Committee will screen all applications meeting job-related criteria, determine the list of candidates to be interviewed, and conduct the interviews. Every effort will be made to establish a diverse committee membership with regard to sex, race, color, ancestry, religious creed, national origin, age, medical condition, mental and physical disabilities, marital status, sexual orientation, or Vietnam Era Veteran Status.

- b. Interviews - Temporary Positions: The Screening Committee Chair will schedule interviews so that they will not conflict with classes taught by Committee members or applicants. Any conflicts will be discussed with Committee members or applicants prior to scheduling. The established College interview procedure shall be used in all interviews. Questions to be asked in the interviews will be developed and agreed upon by the Committee. The questions will be subject to approval by the Chief Human Resources Officer or designee to ensure that they are not illegal or discriminatory.
- c. Final Selection of Temporary Positions: It will be the Screening Committee's task to recommend one or more candidates for an interview by the appropriate Vice President. The final interview shall include the appropriate Vice President, the department chair (or designee) and the area administrator (or designee). The Vice President will make the final recommendation to the Board of Trustees.

B. Recruitment

Full-time Tenure Track: It is the policy of the College that all full-time position vacancies be advertised in and out of the District.

The appropriate subject area faculty, together with the area administrator, shall develop the faculty position descriptions, requirements, and desired qualifications.

The job notice will include all job-related skills, requirements and any additional qualifications recommended by faculty when appropriate. Criteria for hiring that go beyond the minimum qualifications may be established by the College and will usually be limited to knowledge in the specific subjects to be taught.

The position descriptions will be approved by AMAC. If any changes are recommended by AMAC which differ from those submitted by the department, consultation with department representation will be held prior to advertising for the position. Every attempt will be made to obtain agreement. If this is not possible, the recommendation of the College President/CEO will be used.

C. Applications

The application form is the document by which standard information about each applicant is obtained. In addition to the standard form, a supplemental application form may be used for certain positions to gather specialized job related information for use in the screening process. All applicants shall submit completed application forms, a résumé, transcripts of the college work completed, and letters of recommendation. Documents will be submitted into the system electronically either by the applicant or the Office of Human Resources. In addition, the applicant may include other pertinent materials to be used in the screening procedures. All application materials shall be addressed to the Office of Human Resources and will be kept on file for three years.

State law allows local districts to establish equivalencies to the degree or experience requirements. If the position announcement allows applicants to have equivalent qualifications, they must be verified by documentation. This documentation will be considered part of the application. Human Resources will determine if the applicant meets minimum qualifications. When appropriate or necessary, the Office of Human Resources will consult with the Academic Senate President regarding verification of minimum qualifications. The Academic Senate President will review all equivalency requests before including candidates in the applicant pool to be reviewed by the Screening Committee.

D. Screening

The Screening Committee shall consist of one area administrator, department chair and three faculty persons selected by vote of the department. If the department chair is not available, a fourth faculty person shall be selected by vote of the department. If the department wishes to select faculty persons from outside the department, this is permissible. These five persons will be voting members. All Screening Committees will include an Equal Employment Opportunity Representative. This individual shall be a non-voting member of the Committee and will be appointed by Human Resources, in consultation with the Academic Senate President. The voting members of the Screening Committee shall elect the Screening Committee Chair. The Screening Committee may appoint two additional non-voting Screening Committee members who

may be managers, industry representatives, faculty, classified staff, and/or students. The Academic Senate President, or designee, shall approve faculty appointments to the Screening Committee.

The Committee will electronically screen all applications meeting job-related criteria, determine the list of candidates to be interviewed, and conduct the interviews. Every effort will be made to establish a diverse Committee membership with regard to sex, race, color, ancestry, religious creed, national origin, age, medical condition, mental and physical disabilities, marital status, sexual orientation, or Vietnam Era Veteran Status. Each Committee, upon its formation, will contact the Equal Employment Opportunity Officer to confirm that the procedures it will be following in screening and interviewing will conform to the College's equal employment and non-discrimination policies. All members of the hiring, will have Equal Employment Opportunity training in accordance Title 5 Section 53003(c)(4).

E. Interviews

In coordination with the area administrator, the Office of Human Resources will make the necessary arrangements for all interviews, which will be conducted by the Screening Committee. Every effort will be made by the Office of Human Resources and the Screening Committee Chair to schedule interviews so that they will not conflict with classes taught by Committee members or applicants. Any conflicts will be discussed with Committee members or applicants prior to scheduling. The established College interview procedure shall be used in all interviews. Questions to be asked in the interviews will be developed and agreed upon by the Committee in conjunction with the Chief Human Resources Officer or designee at least one day before the interviews begin. The questions will be subject to approval by the Chief Human Resources Officer or designee to ensure that they are not illegal or discriminatory.

F. Final Selection

It will be the Screening Committee's task to recommend two or more applicants for interview by the College President/CEO and/or designee(s). A recommendation of fewer than two candidates must be accompanied by a written explanation. The Screening Committee's recommendations and all interview materials must be sent to the Office of Human Resources. The Screening Committee's recommendations and evaluation sheets on the finalists will be sent forward to the College President/CEO and/or designee(s) and will be taken into consideration when making the final selection. The College President/CEO will make the final recommendation to the Board of Trustees.

The final interview shall include the College President/CEO or his/her designee, the appropriate Vice President, the chair of the Screening Committee, and the EEO representative. If the chair of the Screening Committee is the area administrator, then the faculty department chair or designee will be invited to participate. Likewise, if the Screening Committee chair is a faculty member, then the area administrator will be invited to participate. The College President/CEO may request additional candidates to be identified by the Screening Committee if he/she determines that the candidates recommended by the Screening Committee do not meet Mt. San Antonio College standards. In such cases, the Screening Committee will reconvene to determine if it will recommend two or more additional candidates for interview or to recommend additional recruitment for additional applicants.

G. Board Approval

Prior to submission of the selected finalist to the Board of Trustees, the College President/CEO, or designee, will review any selection that does not align with recommendations from the Screening Committee with the Academic Senate President, or designee. Upon selecting the finalist for submission to the Board of Trustees, the College President/CEO will inform the area administrator of the decision, who will inform the members of the Screening Committee as to the decision.

H. Revision

The hiring process and its procedures are subject to review and revision at the request of the Academic Senate, College President/CEO, or the Board of Trustees.

Faculty Conditions of Employment and Assignment

Required Personnel Records

- A. Academic personnel must provide the following information and records for the Office of Human Resources: (1) credentials or verification of minimum qualifications; (2) professional records and official, sealed college transcripts; and (3) verification of freedom from active tuberculosis. New employees must secure this verification prior to their first day of employment (results obtained up to 60 days prior to start date are acceptable); continuing employees shall file verification every four years from the previous date of clearance; failure to comply may result in the withholding of next month's payroll warrant until this requirement is satisfied; (5) fingerprint clearance (LiveScan) and (6) Employment and/or vocational verifications.
- B. The following information and records must be provided for the Payroll Office: (1) Employee's Withholding Exemption Certificate; (2) Loyalty Oath; and (3) Copy of Social Security Card and California Drivers License.
- C. The Office of Human Resources must be notified whenever changes occur which make records incorrect.

Hourly Academic Employee Selection Procedures

The following provisions are applicable to instructional part-time hourly positions:

A. Vacancy

Appropriate department chairs, program supervisors, directors, and/or faculty will inform the appropriate Division when openings for part-time positions occur and determine how recruitment should be conducted, as well as provide updates to job notice.

The job notice will include all job related skills, requirements and any additional qualifications recommended by faculty when appropriate. Criteria for hiring that go beyond the minimum qualifications may be established by the College and will usually be limited to knowledge in the specific subjects to be taught.

B. Recruitment

The Office of Human Resources will recruit using widespread local announcements with sufficient time for applicants to respond.

C. Screening

At least one faculty/program supervisor or department chair from the appropriate content area will screen the applications to determine candidates who meet the minimum qualifications or equivalencies. From this group candidates will be selected for interviews.

D. Interviews

At least one faculty/program supervisor or department chair from appropriate content area will interview qualified applicants. Based on interview results and after references are checked by the Vice President or the supervising manager, the Committee will create a pool of available candidates. A list of these candidates will be sent to the Office of Human Resources.

E. Maintaining the Pool

Such a pool will be maintained and updated by the Division (with proper notification to the Office of Human Resources) during the calendar year in order to be available when hiring is required.

F. Hiring

The department chair or designee will select from the pool a candidate(s) for hire as needed and submit hiring documentation to the Office of Human Resources.

G. Emergency Procedures

Whenever a qualified candidate is not available from this pool for a specific position, every effort will be made to apply the aforementioned procedures. When this is not possible, the Division Dean or Associate Dean will consult with faculty within the content area before selecting a candidate for hire. Persons hired or rehired will be required to go through the required hiring procedures before employment can begin.

H. Revisions

This hiring process and its procedures are subject to review and revision at the request of the Academic Senate, College President/CEO, or the Board of Trustees.

Revised: November 10, 2009

Chapter 7 - Human Resources

AP 7125 Verification of Eligibility for Employment – Immigration Status

Reference:

8 U.S.C Section 1324a

The College will not hire any person for employment that is not authorized to be employed in the United States. The College will not sponsor any individual for employment.

Employment Eligibility Verification Form (I-9) is required for employment from all persons within three business days of hire. “Reliable documentation” as set out in federal law includes documents from the following List of Acceptable Documents:

List A - Documents that Establish Both Identity and Employment Eligibility (one document):

1. U.S. Passport (unexpired or expired)
2. Certificate of U.S. Citizenship
(Form N-560 or N-561)
3. Certificate of Naturalization
(Form N-550 or N-570)
4. Unexpired foreign passport, with I-551 stamp or attached Form I-94 indicating un-expired employment authorization
5. Permanent Resident Card or Alien Registration Receipt Card with photograph
(Form I-151 or I-551)
6. Unexpired Temporary Resident Card
(Form I-688)
7. Unexpired Employment Authorization Card
(Form I-688A)
8. Unexpired Reentry Permit (Form I-327)
9. Unexpired Refugee Travel Document
(Form I-571)
10. Unexpired Employment Authorization Document issued by DHS that contains a photograph
(Form I-688B)

OR

List B - Documents that Establish Identity (one document):

1. Driver's License or ID Card
Issued by a state or outlying possession of the United States provided it contains a photograph or information such as name date of birth, gender, height, eye color and address.
2. ID Card issued by federal, state or local government agencies or entities provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address
3. School ID card with a photograph
4. Voter's registration card
5. U.S. Military card or draft record
6. Military dependent's ID card
7. U.S. Coast Guard Merchant Mariner Card
8. Native American Tribal document
9. Driver's license issued by a Canadian government authority
10. School record or report card
11. Clinic, doctor or hospital record
12. Day-care or nursery school record

AND

List C - Documents that Establish Employment Eligibility (one document):

<p>1. U.S. social security card issued by the Social Security Administration (other than a card stating it is not valid for employment)</p> <p>2. Certificate of Birth Abroad Issued by the Department of State (Form Fs545 or Form DC 1350)</p> <p>3. Original or certified copy of a birth certificate Issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal</p>	<p>4. Native American tribal document</p> <p>5. U.S. Citizen ID Card (Form I-197)</p> <p>6. D Card for use of Resident Citizen in the United States (Form I-179)</p> <p>7. Unexpired employment authorization document issued by DHS (other than those listed under List A)</p>
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The College will complete for each new employee the verification form required by the United States government. The College will retain completed I-9 forms for three (3) years after the date of hire or one (1) year after the date employment ends, whichever is later.

The College will protect the privacy of the information it collects pursuant to this procedure.

I-9 Form

In accordance with federal law, all employees hired subsequent to November, 1986 must complete an I-9 form.

Chapter 7 - Human Resources

AP 7126 Applicant Background Checks

References:

Civil Code Sections 47, 1785.16, 1785.20, and 1786.16 et seq.; Fair Credit Reporting Act (Federal)

Applicants for positions may be subject to background or reference checks.

Where a background investigation is performed by a third party, the Chief Human Resources Officer or designee shall make a clear and conspicuous disclosure to the applicant on a separate form before the report is procured. The applicant shall be provided an option to receive or not receive the report. If the applicant is not hired, or the College takes other action that adversely effects any applicant based in whole or in part upon the third-party report, the Chief Human Resources Officer or designee shall provide oral, written, or electronic notice of:

- the adverse action to the applicant;
- the name, address, and telephone number of the third party agency that furnished the report;
- the applicant's right to obtain a free copy of the report; and
- the applicant's right to dispute the accuracy or completeness of any of the information in the report.

Chapter 7 - Human Resources

AP 7130 Compensation

References:

Education Code Sections 87801 and 88160; Government Code Section 53200

Management Contracts

Management contracts initially are issued for a one-year term. Upon successful completion of the first year, management contracts may be continued for a two-year term.

Initial contracts for Vice Presidents are for two years. Upon successful completion of this initial period, contracts for Vice Presidents may be continued for a three-year term.

Management Salary Schedule

- A. Contractual year for all managers shall begin July 1. A manager who has served as a manager in the College for 12 or more months may receive a two-year contract.
- B. Advancement in step on the Management Salary Schedule shall be effective July 1 of each year.
- C. Annual step advancement on the Management Salary Schedule shall be granted if the manager has been in paid service as a manager in the College in the respective position for at least 40 percent of the number of days in the work year.
- D. A manager who is reclassified to a higher level will be placed on the salary schedule with at least a five percent salary increase or step 5 if step 5 is less than a five percent increase.
- E. Pay Periods:
 1. Educational managers shall receive their warrants once each month on the second working day of the month.
 2. Classified managers shall receive their warrants on the 10th and the 25th of each month. If paydays fall on a weekend or a holiday, warrants will be delivered on the preceding Friday or the day preceding the holiday.
 3. The pay period is from the first to the last day of each month.

Confidential Employee Salary Schedule

- A. A new employee shall be placed on Step 1 of the schedule to which he/she is elected; exceptions to this may be made by the College President/CEO.
- B. The Chief Human Resources Officer will approve placement of employees at appropriate steps on the salary schedule beyond Step 1 in order to meet difficult recruiting conditions, obtain a person with markedly superior qualifications, or recognize substantial prior experience directly related to the position. Advanced placement may be granted as follows:

1. Three years beyond the minimum required experience at the same level of responsibilities or higher (Step 2);
 2. Five years or more beyond the minimum required experience at the same level of responsibilities (Step 3); or
 3. To establish a minimum five percent increase over a similar previous position held within the past five years beyond the minimum required experience to a maximum Step 3 (verified by the former employer and most recent paycheck stub).
- C. All new employees shall be in a probationary status for the first six months of their employment. No credit shall be allowed for a calendar month when less than one-half of the monthly salary is payable. At the conclusion of the period of probation, and upon written recommendation of the supervisor, the employee shall become a regular permanent employee of the College.
- D. Advancement on the schedule shall be in accordance with the following policy of the Board of Trustees.
1. A new employee shall establish a salary anniversary date on the first day of the first month in which the compensation payable for such month is equal to one-half or more of the monthly salary.
 2. Advancement on the schedule shall be yearly on the employee's salary anniversary date.
 3. After completion of ten years of service to the College, employees shall receive an additional 2-1/2 percent of their base salary. After completion of 15 years of service to the College, employees shall receive an additional five percent. After completion of 20 years of service, employees shall receive an additional \$107.21 per month. After completion of 25 years of service, employees shall receive an additional \$107.21 per month. After completion of 30 years of service, employees shall receive an additional \$107.21 per month. The \$107.21 longevity benefits shall be subject to the same percentage increases that are applied to the base salary in subsequent years.
 4. An employee who is reclassified to a higher level will be placed on the salary schedule with at least a three (3) percent salary increase, or the highest step possible if it is less than a three (3) percent increase.
- If an employee is reclassified to a schedule lower than his/her present schedule, for convenience of the District, he/she shall continue to receive the salary he/she had been receiving until the end of the fiscal year.
- If an adjustment is made in the salary schedule assignment of a job classification, no change shall be made in the step assignment of an employee affected by the adjustment.
- E. Payment Dates: All employees on Confidential Employee Salary Schedule shall be paid twice each month. Payment shall be made on the days as scheduled by the Los Angeles County Superintendent of Schools Office.

Overtime for Confidential Employees

Overtime is defined to include any time required to be worked in excess of eight hours in any one day and in excess of 40 hours in any calendar week. If the Board of Trustees establishes a workday of less than eight hours but seven hours or more and a workweek of less than 40 hours but 35 hours or more for all of its classified positions or for certain classes of classified positions, all time worked in excess of the established workday and workweek shall be deemed to be overtime.

The foregoing provisions do not apply to:

- classified positions for which a workday of fewer than seven hours and a workweek of fewer than 35 hours has been established,
- positions for which a workday of eight hours and a workweek of 40 hours has been established, but in which positions employees are temporarily assigned to work fewer than eight hours per day or 40 hours per week when such reduction in hours is necessary to avoid layoffs for lack of work or lack of funds and the consent of the majority of affected employees to such reduction in hours has been first obtained.

For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, compensatory time off, or other paid leave of absence shall be considered as time worked by the employee.

When compensatory time off is authorized in lieu of cash compensation, such compensatory time off shall be granted within 12 calendar months following the month in which the overtime was worked and without impairing the services rendered by the College.

An employee having an average workday of less than four hours during a workweek shall, for any work required to be performed on the seventh day following the commencement of his or her workweek, be compensated for at a rate equal to 1 1/2 times the regular rate of pay of the employee designated and authorized to perform the work.

Persons serving in supervisory, administrative, or executive positions shall be excluded from these procedures regarding overtime.

Advanced Salary Step Placement for Classified Employees

The Chief Human Resources Officer will approve placement of employees at appropriate steps on the salary schedule beyond Step 1 in order to meet difficult recruiting conditions, obtain a person with markedly superior qualifications, or recognize substantial prior experience directly related to the position. Advanced placement may be granted as follows:

1. Three years beyond the minimum required experience at the same level of responsibilities or higher (Step 2); or
2. Five years or more experience beyond the minimum required experience at the same level of responsibilities (Step 3); or
3. To establish a minimum five percent increase over a similar previous position held within the past five years beyond the minimum required experience to a maximum Step 3 (verified by the former employer and most recent paycheck stub).

Chapter 7 - Human Resources

AP 7145 Personnel Files

References:

Education Code Section 87031; Labor Code Section 1198.5

Personnel files are private and permanent records. Every employee has the right to inspect his/her personnel records pursuant to the Education Code and Labor Code.

Information of a derogatory nature shall not be entered into an employee's personnel records unless and until the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to have his or her own comments attached to any derogatory statement. The employee shall have a right to inspect his or her own personnel file. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

The employee shall not have the right to inspect his/her personnel records at a time when the employee is actually required to render services to the College.

Nothing in this procedure shall entitle an employee to review ratings, reports, or records that (a) were obtained prior to the employment of the person involved, (b) were prepared by identifiable examination committee members, or (c) were obtained in connection with a promotional examination or interview.

The Office of Human Resources shall retain all required and necessary employment-related documents in personnel files. Letters of commendation and other items not required for employment purposes shall be retained by the immediate supervisor.

Chapter 7 - Human Resources

AP 7216 Academic Employees: Grievance Procedure for Contract Decisions

Reference:

Education Code Section 87610.1

Grievance procedures related to contract provisions for academic employees are contained in the Faculty Association Contract approved by the Board of Trustees. Pursuant to Education Code Section 87610.1(a), the faculty union must consult with the Academic Senate prior to bargaining the faculty grievance procedure.

Chapter 7 - Human Resources

AP 7230 Classified Employees

References:

Education Code Sections 88003, 88004, 88009, and 88013

The Board of Trustees of Mt. San Antonio College shall employ persons in positions that are not academic positions. The Board of Trustees shall classify these employees into positions. The employees and positions shall be known as the classified service. The Board of Trustees shall fix and prescribe the duties to be performed by all persons in the classified service and other nonacademic positions of the College.

Chapter 7 - Human Resources

AP 7231 Seniority

References:

Education Code Sections 87743 et seq., 88017(b), 88117, and 88127

The Board of Trustees shall make assignments and reassignments in a manner that employees shall be retained to render any service which their seniority and qualifications entitle them to render. The establishment of each employee's seniority within their particular unit shall be determined based on the employee's hire date as a permanent employee. A lottery system will be utilized in the case of a tie.

Chapter 7 - Human Resources

AP 7232 Classification Review

References:

Education Code Sections 88001 and 88009

Every position in the classified service in the College shall be assigned a classification. These classifications will determine the salary levels that shall be applied to these positions.

Review of class specifications shall be undertaken regularly to revise and update the duties and/or responsibilities of positions in the classified service. The College shall determine the method for implementing this process. This does not preclude a management restructuring of a specific department(s) based on the needs of the College.

A classified or confidential employee who is reclassified to a higher level will be placed on the salary schedule with at least a three (3) percent salary increase, or the highest step possible if less than a three (3) percent increase.

A manager who is reclassified to a higher level will be placed on the salary schedule with at least a five percent increase or Step 5 if Step 5 is less than a five percent increase.

Chapter 7 - Human Resources

AP 7234 Overtime

References:

Education Code Sections 88027, 88028, 88029, and 88030

Refer to the current language in the classified collective bargaining agreements and handbooks regarding overtime.

Chapter 7 - Human Resources

AP 7236 Substitute and Short-Term Employees

Reference:

Education Code Section 88003

Substitute Employees

"Substitute employee" means any person employed to replace any classified employee who is temporarily absent from duty. Substitute employees may be hired for not more than 60 calendar days if the College is engaged in a procedure to hire a permanent employee to fill a vacancy in any classified position.

Substitute employees are advised that they will be substituting for a vacant position not to exceed 60 days or for a classified employee who is temporarily absent from duty, not to exceed 75 percent of the College year or 195 days no matter how many hours per day they work. Further, they are advised that the substitute assignment is not considered part of the classified service, and there is no entitlement to employment rights to that position or any other position in the District.

All substitutes must complete the Substitute Employee Notice at the time of hire. Substitutes are advised of the requirements to contribute to PERS if he/she works past 1,000 hours per College year. Either party (substitute or the College) can terminate this working relationship at any time. The only notice required shall be verbal notification prior to the end of the last day worked. Neither party is required to provide any reason for the separation/termination of employment as a substitute.

Short-Term Employees

"Short-term employee" means any person who is employed to perform a service for the College upon the completion of which the service required or similar services will not be extended or needed on a continuing basis. Short-Term employees shall not work more than 75 percent of a college year or 195 days no matter how many hours per week they work.

All Short-Term employees must complete the Short-Term Employee Notice at the time of hire. Short-Term employees are advised of the requirements to contribute to PERS if he/she works past 1,000 hours per College year. Either party (short-term employee or the College) can terminate this working relationship at any time. The only notice required shall be verbal notification prior to the end of the last day worked. Neither party is required to provide any reason for the separation/termination of employment as a Short-Term Employee.

Please refer to the Procedure Guidebook for Hiring Short-Term, Substitute, Professional Expert & Student Employees. Included in these procedures are all forms that must be completed at the time of hire. The requisite forms contain clear parameters regarding employment of the aforementioned groups.

Chapter 7 - Human Resources

AP 7237 Layoffs

References:

Education Code Sections 87743, 88117, and 88127

Lay-Off Procedure

- A. In effecting layoffs, the following rules shall apply:
1. Seniority (see AP 7231 Seniority) shall include all regular time in a class plus time in higher related classes. In the event of a tie, preference shall be given to the employee with the longest total district service. If a tie still exists, the employees shall draw lots to determine preference.
 2. Time spent on leave without pay shall not be included when computing seniority, but all time spent on approved leaves with pay and on military leave shall count toward seniority accrual.
 3. Time spent in the class between breaks in continuity of employment because of separation from service shall count toward seniority accrual when the separation does not exceed 39 months.
 4. When reclassification results either in the merger of two or more classes or the separation of a class into two or more classes, seniority rights of regular employees who are reclassified with their positions shall be computed from the date of their earliest entrance into regular service in such former classes.
 5. An employee transferred from one class to another shall retain his/her seniority in the former class; seniority in the new class shall begin accumulating on the date of the transfer.
 6. No regular employee shall be laid off from any position while employees serving under limited-term appointment are retained in positions of the same class in the same organizational unit unless the regular employee declines the limited-term position.
 7. A limited-term employee may be laid off at the completion of his/her assignment without regard to the procedure set forth in this policy.
- B. Permanent classified employees who are to be laid off may exercise bumping rights in their class or in any lower class in which they hold seniority credit greater than an incumbent. The employee to be bumped shall be the one with the least seniority in the class plus higher related classes. In determining bumping rights, the following rules shall apply:
1. In cases of reclassification, reorganization, or abolishment of positions, an incumbent's seniority in the class plus higher related classes shall be computed as outlined in Section "A" above.
 2. An employee may bump that employee within his/her classification who has the least seniority in the class plus higher related classes.
 3. The number of months worked per year shall have no effect in any way on bumping privileges.

4. If an employee waives the opportunity to bump within his/her classification, he/she may follow these procedures in any equal or lower classifications in which he/she holds seniority credit or be placed on a reemployment list.
 5. An employee accepting a position in a lower classification in lieu of layoff shall be placed on a step in the new schedule which is nearest to, but not higher than, the salary he/she would have earned in the former classification; and in any case, shall not exceed the maximum step of the new schedule. The employee will retain his/her anniversary date for subsequent salary advancement. Salary increments based upon longevity shall continue to be paid in the new classification.
- C. Any employee, after having had the opportunity to exercise all rights guaranteed under this policy, who must be laid off and placed on a preferential reemployment list, will be selected first in reverse order of layoff for the first opening occurring in any class in which he/she had seniority for a period of up to 39 months. The following rules shall also apply:
1. An employee on a preferential reemployment list may decline three offers of reemployment in his/her former class. After his/her third refusal, no additional offers need be made and the employee shall be considered unavailable until he/she indicates otherwise in writing.
 2. Employees on preferential reemployment lists shall be eligible to compete in promotional examination for which they qualify.
 3. Laid off employees do not accumulate seniority credit while on the reemployment lists.
- D. An employee, after having the opportunity to exercise all rights guaranteed under this procedure, who must be laid off, may accept a voluntary demotion or a transfer.
- E. An employee who has accepted demotion in lieu of layoff has the right to be reemployed, in accordance with his/her seniority, in a vacant position in his/her former class within 39 months after demotion. Intervening reassignments to other classes shall not abrogate that right. If he/she has not been reemployed in his/her former class within 39 months, he/she shall be eligible for appointment to a vacant position in that class for an additional period of up to 24 months at the discretion of the Board of Trustees.
- F. When, as a result of the expiration of a specially funded program, classified positions must be eliminated at the end of any school year, and classified employees will be subject to layoff for lack of funds, the employees to be laid off at the end of such school year shall be given written notice on or before May 29, informing them of their layoff effective at the end of such school year. If the termination date of any specially funded program is other than June 30, such notice shall be given not less than 45 days prior to the effective date of their layoff.
- G. When classified employees are laid off for any reason, affected employees shall be given notice of layoff not less than 45 days prior to the effective date of layoff.
- H. Nothing in paragraphs F and G above shall preclude a layoff for lack of funds in the event of an actual and existing financial inability to pay salaries of classified employees, nor layoff for lack of work or lack of funds resulting from causes not foreseeable or preventable by the Board of Trustees, without the notice required therein.

- I. Any employee laid off shall be informed of his/her bumping rights, if any, and reemployment rights under this procedure.
- J. Definitions: As used in this procedure, the following terms have the following meanings:
 - 1. Class means a group of positions sufficiently similar in duties and responsibilities that the same descriptive title may be used to designate each position allocated to the class; substantially the same requirements of education, experience, knowledge, and ability are demanded of incumbents; substantially the same tests of fitness may be used in choosing qualified appointees; and the same salary range may be applied with equity.
 - 2. Preferential reemployment means a list of persons who have been laid off from permanent positions by reason of lack of work, lack of funds, or abolishment or reclassification of position, or other reason specified in these rules, and who are eligible for reemployment without examination in their former class, arranged in order of their right to reemployment.
 - 3. Length of service, for service commencing or continuing after July 1, 1971, means all hours in paid status as a regular employee whether during the school year, a holiday, recess, or during any period that a school is in session or closed, but does not include any hours compensated solely on an overtime basis as provided for in Section 88027 of the Education Code, nor any hours compensated for in a provisional, substitute, or temporary (limited-term) position.

Chapter 7 - Human Resources

AP 7240 Confidential Employees

Reference:

Government Code Section 3540.1(c)

Confidential employees shall receive the same salary and health benefits as non-confidential employees who work under the same job titles or, in the case of classified employees, who work in the same classifications.

The terms and conditions of employment for confidential employees shall be provided for as necessary by additional procedures developed by the Chief Human Resources Officer.

Chapter 7 - Human Resources

AP 7250 Educational Administrators

References:

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

Educational administrators/managers of Mt. San Antonio College are compensated on the management salary schedule. Positions on this schedule are those which have been designated by the Board of Trustees. State laws delineate minimum qualification requirements and established job duties.

Chapter 7 - Human Resources

AP 7260 Classified Managers

Reference:

Education Code Section 72411

Classified managers are compensated on the management salary schedule. Positions on this schedule are those which have been designated by the Board of Trustees. State laws delineate minimum qualification requirements and established job duties.

Chapter 7 - Human Resources

AP 7270 Student Workers

References:

Education Code Sections 69960(f) and 88003; Procedure Guidebook for Hiring Short-Term, Substitute, Professional Expert & Student Employees

Only Mt. SAC students can be employed as Student workers. A student worker's primary role at the College is as a student. Student workers may only be employed as student assistants hired by specific departments or placed in particular departments/offices through the work-study program while enrolled in classes. Once a student drops classes, they cannot be employed as Student Assistants.

Full and part time Mt. SAC students shall only be employed part time regardless of funding source and shall not be a part of the classified service nor perform tasks commensurate with an established classified position. Student workers are hired to gain work experience and develop new skills. Certain clearances (e.g. TB, Fingerprinting, etc.) may be required based on the work location and assigned responsibilities. Student workers may only be employed while enrolled at Mt. SAC classes and may only be employed as a Student Assistant. Student Assistant can only work in one capacity (i.e., cannot work as a Student Assistant and a Short-Term or Professional Expert or Substitute).

Please refer to the Procedure Guidebook for Hiring Short-term, Substitute, Professional Expert & Student Employees. Included in these procedures are all forms that must be completed at the time of hire. The requisite forms contain clear parameters regarding employment of the aforementioned group.

Chapter 7 - Human Resources

AP 7330 Communicable Disease

References:

Education Code Sections 87408, 87408.6, and 88021

For applicants offered positions:

- A medical certificate is required showing that the applicant is free from any communicable disease, including, but not limited to, active tuberculosis, unfitting the applicant to instruct or associate with students.
- The medical certificate shall be submitted by a physician as authorized by code.
- The medical examination is conducted not more than six months before the submission of the certificate and is at the expense of the applicant.
- A contract of employment may be offered to an applicant subject to the submission of the required medical certificate.
- The medical certificate becomes a part of the personnel record of the employee and is open to the employee or his or her designee.

The professional staff members in the Mt. SAC Student Health Center shall maintain a liaison with the appropriate local public health authorities when communicable disease issues arise on campus. Student Health Center professionals will report communicable disease measures to the Human Resources Office and together these offices along with the Instruction Office will communicate and coordinate communicable disease measures with appropriate campus departments.

Also see AP 7336 Certification of Freedom from Tuberculosis and AP 5210 Communicable Disease related to students on campus.

Chapter 7 - Human Resources

AP 7335 Health Examinations

Reference:

L.A. County Health Department

Tetanus Shots

In accordance with Los Angeles County Health Department recommendations, all farm employees and groundskeepers should have booster tetanus shots at least every five-ten years.

Physical and/or Mental Examination

When, in the judgment of a supervisor, an employee has a physical and/or mental health problem that is interfering with the capacities to perform his/her assigned duties, the supervisor shall submit a written recommendation for a physical and/or mental examination to the appropriate Vice President. If the recommendation is approved, the employee shall be required to have an examination by a doctor acceptable to the College and at the College's expense.

Chapter 7 - Human Resources

AP 7336 Certification of Freedom from Tuberculosis

Reference:

Education Code Section 87408.6

Except as provided herein, no person shall be initially employed by the College in an academic or classified position unless the person has submitted to an examination within the past 60 days to determine that he or she is free of active tuberculosis, by a physician and/or surgeon licensed under the California Business and Professions Code. This examination shall consist of an X-ray of the lungs, or an approved intradermal tuberculin test, that, if positive, shall be followed by an X-ray of the lungs. This examination is a condition of initial employment.

The X-ray film may be taken by a competent and qualified X-ray technician if the X-ray film is subsequently interpreted by a physician and surgeon licensed under the Business and Professions Code.

The Chief Human Resources Officer or designee may exempt, for a period not to exceed 60 days following termination of the pregnancy, a pregnant employee from the requirement that a positive intradermal tuberculin test be followed by an X-ray of the lungs.

Thereafter, employees who are skin test negative are required to undergo the foregoing examination once each four years or earlier upon recommendation of the local health officer for so long as the employee remains skin test negative. Once an employee has a documented positive skin test that has been followed by an X-ray, the foregoing examinations shall no longer be required and referral shall be made within 30 days of completion of the examination to the local health officer to determine the need for follow up care.

After the examination, each employee shall cause to be on file with the College a certificate from the examining physician and surgeon showing the employee was examined and found free from active tuberculosis.

This procedure shall not apply to any employee of the College who files an affidavit stating that he or she adheres to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion and has been examined by a licensed medical professional or Mt. SAC's Student Health Services verifying in writing that the employee appears to be free from active tuberculosis. If at any time there should be probable cause to believe that the applicant is afflicted with active tuberculosis, he or she may be excluded from service until the Chief Human Resources Officer or designee is satisfied that he or she is not so afflicted.

A person who transfers his or her employment from another school or community college district shall be deemed to meet the requirements of this procedure if the person can produce a certificate that shows that he or she was examined within the past four years and was found to be free of communicable tuberculosis, or if it is verified by the college previously employing him or her that it has a certificate on file that contains that showing.

A person who transfers his or her employment from a private or parochial elementary school, secondary school, or nursery school to the College shall be deemed to meet the requirements of this procedure if the person can produce a certificate as provided for in Section 121525 of the Health and Safety Code that shows that he or she was examined within the past four years and was found to be free of communicable tuberculosis, or if it is verified by the school previously employing him or her that it has the certificate on file.

In order to facilitate the tuberculosis examination for employees, Student Health Services will provide tuberculin skin tests for all Mt. San Antonio College employees. This exam will be provided at no cost to the employee. An employee may, at his/her own expense, obtain the certification through a private physician. The certificate must be filed with the Office of Human Resources prior to employment. Failure to comply with the above will result in unpaid suspension or termination of employment.

Chapter 7 - Human Resources

AP 7337 Fingerprinting

References:

Education Code Sections 87013 and 88024

All new employees to the College are required to submit to and obtain clearance of Live Scan fingerprinting to be eligible for employment. The Office of Human Resources shall provide the appropriate paperwork for the fingerprinting. The employee shall be responsible for paying the required processing fees.

All employees are required to have passed the fingerprinting process prior to beginning to work.

The College may require volunteers, interns, substitutes, short-term, professional experts and student assistants to obtain Live Scan fingerprint clearance prior to beginning assignments.

Chapter 7 - Human Resources

AP 7342 Holidays

References:

Education Code Section 79020; BP 4010; AP 4010

Official College holidays will be established upon approval by the Board of Trustees. Designated holidays are determined through the annual State and federally approved holidays and in conjunction with the College's master calendar development process.

Chapter 7 - Human Resources

AP 7343 Industrial Accidents and Illness Leave

References:

Education Code Sections 87787 and 88192

Academic Employees

Academic employees shall be entitled to not less than 60 days leave on account of an industrial accident or illness in any one fiscal year for the same accident. Allowable leave shall not be accumulated from year to year.

Industrial accident or illness leave shall commence on the first day of absence.

When an academic employee is absent from his or her duties on account of an industrial accident or illness, the employee shall be paid the portion of the salary due him or her for any month in which the absence occurs as, when added to his or her temporary disability indemnity under the Labor Code, will result in a payment to the employee of not more than his or her full salary. "Full salary," shall be computed so that it shall not be less than the employee's "average weekly earnings" as that phrase is used in Section 4453 of the Labor Code. For purposes of this section, however, the maximum and minimum average weekly earnings set forth in Section 4453 of the Labor Code shall otherwise not be deemed applicable.

Industrial accident or illness leave shall be reduced by one day for each day of authorized absence regardless of a temporary disability indemnity award.

When an industrial accident or illness leave overlaps into the next fiscal year, the employee shall be entitled to only the amount of unused leave due him or her for the same illness or injury.

Upon termination of the industrial accident or illness leave, the employee shall be entitled to the benefits provided in Education Code Sections 87780, 87781 and 87786, and, for the purposes of each of these sections, his or her absence shall be deemed to have commenced on the date of termination of the industrial accident or illness leave. However, if the employee continues to receive temporary disability indemnity, he or she may elect to take as much of his or her accumulated sick leave which, when added to his or her temporary disability indemnity, will result in a payment to the employee of not more than his or her full salary.

During any paid leave of absence, the employee may endorse to the College the temporary disability indemnity checks received on account of his or her industrial accident or illness. The College shall issue the employee appropriate salary warrants for payment of the employee's salary and shall deduct normal retirement, other authorized contributions, and the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by the salary warrants.

Any employee receiving benefits as a result of this section, during periods of injury or illness, shall remain within the State of California unless the Board of Trustees authorizes travel outside the State.

Classified Employees

Classified employees shall be entitled to not less than 60 days leave on account of an industrial accident or illness, in any one fiscal year for the same accident.

Allowable leave shall not be accumulative from year to year.

Industrial accident or illness leave of absence will commence on the first day of absence.

Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this state, exceed the normal wage for the day.

Industrial accident leave will be reduced by one day for each day of authorized absence regardless of a compensation award made under workers' compensation.

When an industrial accident or illness occurs at a time when the full 60 days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

The industrial accident or illness leave of absence is to be used in lieu of entitlement acquired under Education Code Section 88191. When entitlement to industrial accident or illness leave has been exhausted, entitlement to other sick leave will then be used; but if an employee is receiving workers' compensation, the person shall be entitled to use only so much of the person's accumulated or available sick leave, accumulated compensating time, vacation or other available leave which, when added to the workers' compensation award, provide for a full day's wage or salary.

Periods of leave of absence, paid or unpaid, shall not be considered to be a break in service of the employee.

During all paid leaves of absence, whether industrial accident leave as provided in this procedure, sick leave, vacation, compensated time off or other available leave provided by law or the action of the College, the employee shall endorse to the College wage loss benefit checks received under the workers' compensation laws of this state. The College, in turn, shall issue the employee appropriate warrants for payment of wages or salary and shall deduct normal retirement and other authorized contributions. Reduction of entitlement to leave shall be made only in accordance with this procedure.

When all available leaves of absence, paid or unpaid, have been exhausted and if the employee is not medically able to assume the duties of the person's position, the person, if not placed in another position, shall be placed on a reemployment list for a period of 39 months. When available, during the 39-month period, the person shall be employed in a vacant position in the class of the person's previous assignment over all other available candidates except for a reemployment list established because of lack of work or lack of funds, in which case the person shall be listed in accordance with appropriate seniority regulations.

The Board of Trustees may require that an employee serve, or have served continuously, not more than three years before the benefits provided by this section are made available to the person. All service of an employee prior to the effective date of any such requirement shall be credited in determining compliance with the requirement.

Any employee receiving benefits as a result of this section shall, during periods of injury or illness, remain within the State of California unless the Board of Trustees authorizes travel outside the State.

An employee who has been placed on a reemployment list, as provided above, who has been medically released for return to duty and who fails to accept an appropriate assignment, shall be dismissed.

Non-substantive changes to the title – April 7, 2011

Chapter 7 - Human Resources

AP 7344 Employee Absence and Illness

Reference:

Education Code Section 88191

Employees are required to provide immediate notification to their appropriate supervising manager(s) when they are absent for any length of time. In the event the supervisor cannot be contacted, nor his/her designee in the absence of the supervisor, notification of the absence must be made to the Office of Human Resources, during the hours of 8:00 a.m. - 5:00 p.m. If the illness is extended, notification of absence must be made daily until an official medical verification has been provided to the College detailing the employee's necessary absence from work.

Absences

- A. Absences must be recorded on employees' time sheets or on College absence report forms.
- B. Absences due to illness or injury shall be charged to accumulated sick leave credit in accordance with Education Code. Employees who have a negative balance of sick leave may be eligible to receive compensation under applicable State laws.
- C. Absences for other reasons shall be subject to salary deduction.
- D. Excessive absence or tardiness is grounds for disciplinary action.
- E. Employees participating in their respective Catastrophic Leave Program may be eligible for additional compensated leave of absence.

Chapter 7 - Human Resources

AP 7345 Catastrophic Leave

Reference:

Education Code Section 87045

The College has established a catastrophic leave program to permit employees of the College to donate eligible leave credits to the catastrophic leave bank so that eligible employees may request such leave when the employee or a member of his or her family suffers from a catastrophic illness or injury.

For the purposes of this procedure, the following terms are defined as follows:

- "Catastrophic illness" or "injury" means an illness or injury that is expected to incapacitate the employee for an extended period of time, or that incapacitates a member of the employee's family requiring the employee to take time off from work for an extended period of time to care for that family member, and taking extended time off work creates a financial hardship for the employee because he or she has exhausted all of his or her sick leave and other paid time off.
- "Eligible leave credits" means vacation leave and sick leave accrued to the donating employee.

Eligible leave credits may be donated to the catastrophic leave bank for a catastrophic illness or injury if all of the following requirements are met:

- The employee who is, or whose family member is, suffering from a catastrophic illness or injury requests that eligible leave credits be donated and provides verification of catastrophic injury or illness.
- The Vice President, Human Resources determines that the employee is unable to work due to the employee's or his or her family member's catastrophic illness or injury.
- The employee has exhausted all accrued paid leave credits. If the transfer of eligible leave credits is approved, any employee may, upon written notice, donate eligible leave credits at a minimum of eight hours, and in hour increments thereafter.

The maximum amount of time for which donated leave credits may be used shall not exceed use for a maximum period of 12 consecutive months.

Verification of catastrophic injury or illness shall be required.

All transfers of eligible leave credit shall be irrevocable.

An employee who receives paid leave pursuant to this procedure shall use any leave credits that he or she continues to accrue on a monthly basis prior to receiving such leave.

Chapter 7 - Human Resources

AP 7346 Employees Called to Military Duty

References:

Military and Veteran's Code Sections 389 et seq.; Education Code Sections 87018, 87700, 87832, and 88116; 38 U.S.C. Sections 4301 et seq.

The following applies to any College employee, academic or classified, who enters the active military service of the United States of America or of the State of California, including active service in any uniformed auxiliary of any branch of the military service, during any period of national emergency declared by the President of the United States or during any war in which the United States of America is engaged.

Leaves

Upon presentation of a copy of orders for active duty in the Armed Forces, the National Guard, or the Naval Militia, the College shall grant a military leave of absence for the period of active duty specified in the orders but not to exceed five years for a permanent, probationary, or exempt employee or for the remainder of a limited-term employee's appointment or a temporary employee's appointment.

Salary

Any College employee called to active duty who has been in the service of the College for at least one year will continue to receive his or her salary for the first 30 calendar days of ordered military service. Employees who are members of the National Guard will continue to receive salary for the first 30 calendar days of active service regardless of length of service with the College.

In addition, Mt. San Antonio College may provide for not more than 180 calendar days as part of the employee's compensation all of the following:

1. The difference between the amount of his or her military pay and allowances and the amount the employee would have received as an employee, including any increases or adjustments that would otherwise have been granted during the time the individual was on active military duty.
2. All benefits that he or she would have received had he or she not been called to active military duty unless the benefits are prohibited or limited by vendor contracts.

Employees returning from military leave shall have their salary adjusted to reflect salary increases that were earned during their absence.

Health Benefits

An employee on military leave for less than 31 days shall continue to receive health insurance benefits.

Employees on leave for longer than 30 days may elect to continue health care coverage for themselves and their eligible dependents for a maximum period of 18 months.

Returning veteran employees whose coverage was terminated because of military leave will not be subject to any exclusion or waiting period prior to reinstatement of health coverage.

Vacation and Sick Leave

Employees on military leave accrue any benefits the College provides to other employees, e.g. if employees on other approved leaves are permitted to accrue vacation or sick leave, employees on military leave will do so as well.

Employees on military leave shall accrue any benefits afforded by any collective bargaining agreement negotiated during their absence.

Any employee on temporary military leave for training who has worked for the College for at least one year shall continue to accrue vacation, sick leave and holiday privileges up to a maximum period of 180 days.

Reinstatement

An employee on active duty military leave shall be entitled to return to the position held by him or her at the time of his or her entrance into the service within six months after the employee honorably leaves the service or is placed on inactive duty. Military leave or special assignment/emergency leave approved by the Board of Trustees shall not be deemed a break in continuity of service.

In the case of a contract academic employee, absence on military leave shall not count as part of the service required for the acquisition of tenure, but the absence shall not be construed as a break in the continuity of service. If the employee was employed by the College for more than one year, but had not yet become a regular academic employee of the College, he or she is entitled to return to the position for the period of time his or her contract of employment had to run at the time he or she entered military service.

In the case of a permanent, on-going non-academic and management employee, absence on military leave shall not be construed as a break in the continuity of service.

Chapter 7 - Human Resources

AP 7350 Resignations

References:

Education Code Sections 87730 and 88201

Employees desiring or electing to resign will notify their direct administrators and complete an official resignation form available in the Office of Human Resources. Prior to leaving employment with the College, the employee shall complete an exit meeting with Human Resources and then turn in any College property including equipment and keys. The College President/CEO shall accept the resignation of any employee and shall approve the effective date of the resignation. Resignations accepted by the College President/CEO, the resignation is final and may not be rescinded.

Chapter 7 - Human Resources

AP 7366 Reinstatement

References:

Education Code Sections 87744 and 88128

Re-employment

If a person is reemployed by the College within 39 months after the date of previous separation, his/her accumulated sick leave allowance, service credit for vacation allowance, and service credit for longevity pay shall be reinstated. These reemployment rights shall not apply to former employees who were previously terminated for unsatisfactory services under provisions of Board Policy or those who voluntarily left the College to accept other employment.

Chapter 7 - Human Resources

AP 7370 Political Activity

References:

Education Code Sections 7050 et seq.

No College funds, services, supplies, or equipment may be used to urge the support or defeat of any ballot measure or candidate, including but not limited to any candidate for election to the Board of Trustees.

College resources may be used to provide information to the public about the possible effects of a bond issue or other ballot measure if both the following conditions are met:

- The informational activities are otherwise authorized by the Constitution or laws of the State of California; and
- The information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

Any administrator or member of the Board of Trustees may appear before a citizens' group that requests the appearance to discuss the reasons why the Board of Trustees called an election to submit to the voters a proposition for the issuance of bonds, and to respond to inquiries from the citizens' group.

An officer or employee of the College may solicit or receive political funds or contributions to promote the support or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service, or other working conditions of officers or employees of the College. Such activities are prohibited during working hours. Entry into buildings and grounds and use of College facilities for political purposes during working hours is prohibited. Such activities are permitted during nonworking time. "Nonworking time" means time outside an employees' working hours, whether before or after the work day or during the employees' lunch period or other breaks during the day.

Chapter 7 - Human Resources

AP 7371 Personal Use of Public Resources

References:

Government Code Section 8314; Penal Code Section 424

No employee or consultant shall use or permit others to use public resources, except that which is incidental and minimal, for personal purposes or any other purpose not authorized by law.

Chapter 7 - Human Resources

AP 7380 Retiree Health Benefits: All Employees

References:

Education Code Sections 7000 et seq.

Hospital and medical coverage shall be continued for each eligible faculty, classified, management and confidential employee at the time of retirement from the College, in accordance with the criteria specified in the respective agreement for their unit and under the rules of eligibility for the College sponsored plan.

The Office of Human Resources will process the necessary documents and forward to the Board of Trustees for approval. The retiring employee must complete a Resignation Form and submit it to the Office of Human Resources prior to retiring to initiate the process for receiving retirement benefits.

Chapter 7 - Human Resources

AP 7381 Health and Welfare Benefits

Reference:

Government Code Section 53200

The College provides health and welfare benefits to its employees. These benefits include: hospital, medical, surgical, or related benefits including, but not limited to, medical, dental, and life, whether provided on an insurance or a service basis, and includes group life insurance.

Chapter 7 - Human Resources

AP 7500 Volunteers, Interns, and Field Work

References:

Education Code Sections 72401, 87010, and 87011;
Government Code Section 3119.5

General

Volunteers serve the College in an "at will" capacity and with approval of the manager of the departmental area. Volunteers serving in single day or program specific College events, including student volunteers, are excluded from this procedure.

Volunteers may not be used in lieu of classified employees. The College may not refuse to employ a person in a vacant classified position and use volunteers instead, nor may it abolish any classified positions and use volunteers instead. The College may terminate a volunteer's services for any reason or no reason at all.

A Campus Volunteer Enrollment Form shall be completed for each volunteer, signed by the supervising manager, and sent to the Office of Human Resources for recommendation for approval. Volunteers cannot begin an assignment without prior approval from the Board of Trustees.

Subject to the limitations of this procedure and related policy, employees assigned to other positions within the College may serve as volunteers during off-hours.

Training

The supervising manager shall conduct an orientation which reviews the volunteer's role and job tasks as a volunteer, general and job-specific safety training related to job tasks, use of protective equipment, and emergency procedures and information related to discrimination, harassment, etc.

The manager of the areas where the volunteer is placed will determine whether it is appropriate to place this individual in a particular office or department and determine the kinds of tasks and responsibilities assigned to the volunteer. The manager will be responsible for monitoring the performance and progress of each volunteer and has the right to release a volunteer at any time the services are no longer required or if the volunteer's performance is unsatisfactory.

Screening

The Campus Volunteer Enrollment Form shall include the volunteer's specific area of assignment and history of convictions. A volunteer's service record shall be maintained by the College in the area where service is performed. Fingerprints of each volunteer and/or a criminal background check may be required for volunteers who interact with minors. Tuberculosis clearance is also required.

Incidental Expenses

Persons serving without pay as volunteers may receive reimbursement for incidental expenses with appropriate approval from the supervising manager.

Benefits

Volunteers are employees of the College only for the purpose of worker's compensation benefits for injuries sustained while engaged in the performance of any service under the direction and control of the College. With the exception of worker's compensation (Education Code Section 72401), volunteers shall serve without any type of compensation or any other benefits granted to College employees. Volunteers shall not be entitled to defense and indemnity from the College.

Use of Volunteers from Other Organizations

The College may enter into agreements with outside organizations to provide volunteers to the College to work at College locations or at specific College events. Such agreements will contain appropriate defense and indemnification language to protect the College from liability in connection with the volunteer services.

Pursuant to Government Code Section 3119.5, no person aged 60 years or older may be excluded from volunteer service if the person is physically, mentally, and professionally capable of performing the services involved. A person shall be deemed "professionally capable" if he/she can demonstrate reasonable proficiency or relevant certification and performs his/her professional duties in accordance with laws, regulations or the technical standards that govern his/her area of volunteer responsibility.

Chapter 7 - Human Resources

AP 7600 Campus Public Safety

References:

Education Code Sections 72330, et seq.; Government Code Sections 3300 et seq.

Campus Public Safety

The campus public safety staff members shall cooperate with local law enforcement in accordance with an agreement to be entered into in accordance with the requirements of Education Code Section 67381. The agreement shall address, but not be limited to, the following:

- Operational responsibilities for investigations of the following violent crimes: willful homicide, forcible rape, robbery, aggravated assault;
- Geographical boundaries of the operational responsibilities; and
- Mutual aid procedures.

Every campus public safety staff member employed or continuing in employment shall meet the requirements set out in Education Code Section 72330.5, including but not limited to:

- submission of one copy of his or her fingerprints which shall be forwarded to the Federal Bureau of Investigation;
- a determination that the employee is not a person prohibited from employment by a California community college district, and,
- if the employee is required to carry a firearm, is not a person prohibited from possessing a firearm.

Members of campus security shall be employed as members of the classified service of the College.

Salaries for campus public safety staff members shall be established after appropriate negotiations with their exclusive representative. If no such unit is established, salaries shall be recommended by the College President/CEO.

The Director of Public Safety in consultation with the Vice President, Administrative Services shall issue such other procedures as may be necessary for the administration of the campus security officers, which may include:

- Schedules and shifts
- Call back procedures
- Use of vehicles
- Weapons practices, especially drawing weapons
- Pursuit practices
- Discipline procedures in accordance with district policy
- Training
- Responsibilities to coordinate with local law enforcement

Revised April 2010 (Reference citations only)

Chapter 7 - Human Resources

AP 7650 Subpoena Process

References:

Education Code Sections 76244-76246

The subpoena process at Mt. San Antonio College includes the following steps:

1. The Administrative Services Office receives all subpoenas. The College's Risk Manager reviews office files for open cases related to lawsuits or worker's compensation issues.
 - A. All items are date stamped and logged into the subpoena log binder located in the Administrative Services Office.
 - B. For DFEH/EEOC/PERB Claims, the original document will be sent to the Office of Human Resources with one copy sent to the College's Risk Manager for forwarding to the College's insurer – ASCIP. ASCIP determines if any defense is necessary for the claim.
 - C. In matters related to TORT Claims/Lawsuits and/or Small Claims Notices to Appear, the original document is provided to the College's Risk Manager.
 - D. For Requests/Subpoenas for Production of Documents and Copy Service, the original will be sent to the Office of Human Resources and/or Student Services as appropriate. One copy of the document will be provided to the College's Risk Manager. The Office of Human Resources and/or Student Services will be responsible for the collection and forwarding of documents to the requesting party. An exception may occur if there is already a liability claim on file in the Administrative Services Office. In this case, the Administrative Services staff members will be responsible for the collection and forwarding of documents to the requesting party.
 - E. All other requests that do not fall into one of the above mentioned categories will be given to the College's Risk Manager for review and recommendation.
2. Subpoenas received by the Office of Human Resources from Administrative Services, shall be date stamped immediately and submitted to the Human Resources Technician responsible for processing. The Human Resources Technician will confirm that the subpoena has the date stamp from the Administrative Services Office for proper handling. If the document does not have a stamp from the Administrative Services Office, the Human Resources Technician shall immediately carry the original subpoena to the Administrative Services Office to be date stamped and logged into the record. The Administrative Services Office will then make a copy of the document so that the original may be taken back to the Office of Human Resources.
 - A. The Office of Human Resources will log the information on the Subpoena Excel Spreadsheet located in the Human Resources shared files titled SUBPOENAS – Log Sheet Subpoenas.
 - B. The subpoena will then be reviewed to determine what information is being requested. Most subpoenas are requests for employment payroll information. A payment (in the form of a check) for processing documents is required and is

usually submitted with the subpoena. The payment check is then forwarded to the department submitting the records such as Payroll, Auxiliary Services, or Admissions and Records.

- C. The G-Link (LACOE) must then be checked for information on the individual.
- i. If the subpoena is for employment records and the G-Link shows employment records for the individual, a copy of the subpoena should be sent to the Payroll Office with the individual's name, social security number, date of birth, and due date highlighted. Because the individual may be a student employee and/or have a second job through Auxiliary Services, the Auxiliary Services Office should then be contacted to check that office's records using the individual's name and social security number. If Auxiliary Services also has a record for the individual, the subpoena should be immediately faxed to the Auxiliary Services Office. The original subpoena and all other information to following-up on the request should be kept by the Office of Human Resources.
 - ii. If the subpoena is for employment records and there is no employment record in G-Link, the Auxiliary Services Office should be contacted to determine whether that office has any records on the individual. If Auxiliary Services has a record for the individual, the original subpoena should be immediately faxed as well as sent via campus mail to the Auxiliary Services Office. A copy of the subpoena and all other related documentation should be retained in the Human Resources storage file.
 - iii. If the subpoena is for employment and student records and the G-Link shows employment records for the individual, a copy of the subpoena should be sent to the Payroll Office. The subpoena should then be immediately faxed to the Admissions and Records Office. If the subpoena requires medical records for a student, the Admissions and Records Office shall forward a copy of the subpoena to the Student Health Center. The Office of Human Resources should also contact the Auxiliary Services Office to determine if a record exists for that individual. If a record exists in Auxiliary Services, the subpoena should then be immediately faxed to Auxiliary Services Office. The original subpoena and all related documentation should be retained by the Office of Human Resources in order to follow-up and comply with the request.
 - iv. If the subpoena is for student records, the subpoena should be immediately faxed to the Admissions and Records Office with the original subpoena sent via campus mail to Admissions and Records. If the subpoena requires medical records for a student, the Admissions and Records Office shall forward a copy of the subpoena to the Student Health Center who shall comply by submitting student medical records as requested. A copy of the subpoena and all other related documentation shall be kept in the Human Resources' storage file.
 - v. If there are no records for the individual, a Declaration/Affidavit of Custodian of Records must be submitted to indicate that the request

has been researched with no employment records found. Copies of all documents should be placed in the Subpoena file.

- D. All instructions specified on the subpoena related to submitting records and/or copying records should be expressly followed.
- E. The subpoena must have the "Proof of Service to Consumer or Employee and Objection" reference. Most individuals are aware that a subpoena has been issued and have a legal right to respond or block the information being requested.
- F. All records are to be produced by the date and time specified on the subpoena but no sooner than 20 days after the issuance of the deposition subpoena or 15 days after service, whichever date is greater.
- G. The Declaration/Affidavit of Custodian of Records must be marked accordingly as well as dated and signed. Copies should be made of all documents.
- H. To follow-up with obtaining documents from the Payroll Office, the Lotus Notes Calendar can be used to enter the subpoena on the due date with a reminder of at least five days in advance of the deadline.
- I. Ample time for proper processing should be allowed, which usually is three business days, in order for the United States Postal Service to deliver the documents by the specified due date.
- J. Once a subpoena has been processed with all deadlines met, the Human Resources Office should update the log sheet and file the subpoena in the annual folder.

Chapter 7 – Human Resources

AP 7700 Whistleblower Protection

References:

California Labor Code Section 1102.5; Government Code Section 53296;
Private Attorney General Act of 2004 (Labor Code Section 2698)

Individuals are encouraged to report suspected incidents of unlawful activities by College employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, reported such activities and/or assist the College in the investigation will be protected from retaliation.

This procedure sets out the processes for responding to and investigating reports of unlawful activities, as defined in BP 7700 and addressing complaints of retaliation for making such reports.

Filing a Report of Suspected Unlawful Activities

Any person may report allegations of suspected unlawful activities. Knowledge or suspicion of such unlawful activities may originate from academic personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students, or other third parties.

Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the College's ability to thoroughly investigate the claim and take appropriate remedial measures. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.

Normally, a report by a College employee of allegations of a suspected unlawful activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the operating unit. However, if the report involves or implicates the direct supervisor or others in the operating unit, the report may be made to any another College official whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged unlawful activity on behalf of the College. When the alleged unlawful activity involves the College President/CEO, the report should be made to the President of the Board of Trustees. When the alleged unlawful activity involves the Board of Trustees or one of its members, the report should be made to the College President/CEO who will confer with the President of the Board of Trustees and/or legal counsel on how to proceed.

Allegations of suspected unlawful activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual and contain as much specific information as possible. The receiving supervisor or administrator should elicit as much information as possible. If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make every attempt to get the reporter to confirm by his or her signature that it is accurate and complete.

Once the receiving supervisor or administrator has received and/or prepared a written report of the alleged unlawful activity, he or she must immediately forward to the College President/CEO where the alleged activity has occurred. However, if this process would require submitting the report to an employee implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined, above. The high-level administrator or Board member who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to conduct the investigation, and that the assistance of counsel and/or an outside investigator is secured if deemed necessary.

In the course of investigating allegations of unlawful conduct, all individuals who are contacted and/or interviewed shall be advised of the College's no-retaliation policy. Each individual shall be: a) warned that retaliation against the reporter(s) and/or others participating in the investigation will subject the employee to discipline up to and including termination; and b) advised that if he or she experiences retaliation for cooperating in the investigation, then it must be reported immediately.

In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt, and appropriate corrective action shall be taken.

Protection from Retaliation

When a person makes a good-faith report of suspected unlawful activities to an appropriate authority, the report is known as a protected disclosure. College employees and applicants for employment who make a protected disclosure are protected from retaliation.

Any employee who believes he or she has been (1) subjected to or affected by retaliatory conduct for reporting suspected unlawful activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise their College President/CEO. If the allegations of retaliation, or the underlying allegations of unlawful conduct involve the College President, the supervisor shall report to the highest level administrator and/or trustee who is not implicated in the reports of unlawful activity and retaliation.

All allegations of retaliation shall be investigated promptly and with discretion, and all information obtained will be handled on a "need to know" basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

Requirement to Post Whistleblower Hotline

The College shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws referenced in this procedure. The list shall include the telephone number of the whistleblower hotline, (800) 952-5665, for employees who have information regarding possible violations of State or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees.

Other Remedies and Appropriate Agencies

In addition to the internal complaint process set forth above, any employee who has information concerning allegedly unlawful conduct may contact the appropriate government agency.