CHAPTER I

THE DISTRICT

From 1931, when the Los Angeles Community College District was organized, until July 1, 1969, the District was governed by the Board of Education of the City of Los Angeles.

On July 1, 1969, a college Board of Trustees took over governance of the District. Separation from the Board of Education of the City of Los Angeles was authorized by Education Code, Section 72031, passed by the 1967 Legislature. In 1968, additional legislation facilitated separation of the District.

EDUCATION CODE AUTHORIZATION: 72031, 72032, 72033

Adopted: 12-02-69
Amended: 11-02-16
ARTICLE I

DEFINITION OF A COMMUNITY COLLEGE

1100. DEFINITION ORGANIZATION BY GRADES. A "Community College" shall be defined, and shall carry out the mission and functions, as described in the Education Code, means freshman and sophomore years in a two-year college. The title, "Los Angeles Community College District," will be the official name of the "Los Angeles two-year colleges."

Education Code Sections 66010, 66010.4, 70900 et seq., 72000 et seq.

Adopted—12-02-69
Amended—10-22-97

1101. HIGHER EDUCATION. Community colleges are part of higher education by definition and function and by their being included in the California Post-secondary Education Commission.

Education Code Sections 66010, 66900 et seq., 70900 et seq.

Adopted—12-02-69
Amended—02-04-76

1102. COMMUNITY COLLEGE. Community colleges reflect in their curricula and in their educational programs the needs of the communities in which they are located.

Education Code Section 78300 EC-78201, 78202

Adopted—12-02-69
Amended—02-04-76

1103. GOVERNANCE. The governance of the community college is inspired by a belief in democratic procedures, conducted with a spirit of collegiality, and committed to decision making, which involves those most affected, including community, student and staff participation.

Adopted—02-25-81
Amended: 11-02-16
ARTICLE III

FUNCTIONS OF THE COMMUNITY COLLEGES

1300. TRANSFER. A college transfer program which enables the students who complete two years of study to continue upper-division (third year) work at accredited four-year colleges and universities through careful and continuous articulation with accredited collegiate institutions and high schools.

Adopted—12-02-69
Amended—12-17-86

1301. OCCUPATIONAL. An occupational education program planned to offer the student basic business, technical, and professional curricula to develop skills which can lead to employment, job advancement, certification, or the associate degree.

Adopted—12-02-69
Amended—12-17-86

1302. GENERAL EDUCATION. A program of general education comprised of associate degree programs and other planned experiences which develop knowledge, skills, and attitudes necessary for the student to be effective as a person, a family member, a worker and a citizen, thereby enhancing the quality of life for the individual and for the society at large.

Adopted—12-02-69
Amended—12-17-86

1303. TRANSITIONAL EDUCATION. A program of remedial and basic skills education for students needing preparation for community college level courses and programs; and English as a Second Language instruction for immigrants, foreign students and other students with limited English proficiency.

Adopted—12-17-86
1304. **COUNSELING AND GUIDANCE.** A counseling and guidance program incorporating academic, career, and personal counseling and assistance in matters of admissions, financial aid, job placement and student activities; to assist the student in the establishment of educational goals and in the selection and pursuit of a life work compatible with his/her interests, aptitudes, and abilities.

Education Code Sections 72620 et seq.

Adopted—12-02-69
Amended—12-17-86
Amended—10-22-97

1305. **CONTINUING EDUCATION.** A program of continuing education comprised of graded and ungraded classes to provide opportunities for personal and occupational competence that supplement formal full-time college attendance.

Title 5, C.C.R., Sections 55000, et seq.

Adopted—02-18-76
Amended—10-22-97

1306. **COMMUNITY SERVICES.** A program of community services offered to meet the needs of the community for vocational and recreational courses, community and cultural events, and civic functions, completely financed by fees charged those in attendance.

Education Code Section 78300
Title 5, C.C.R., 55001, et seq.

Adopted—12-02-69
Amended—12-17-86
Amended—10-22-97

1307. **JOINT PROGRAMS.** Joint programs with business, industry, labor, education, government and other institutions which are of mutual benefit to sponsoring institutions, enhance the educational opportunities of program participants, and advance the mission and functions of the District.

Adopted—12-17-86
Amended: 11-02-16
ARTICLE VII
THE FLAG

2700. PROVISIONS FOR FLAGS ON COLLEGE CAMPUSSES. The Board of Trustees shall make every effort to provide that suitable Flags of the United States and the State of California be raised appropriately on each college campus. In addition, a smaller but suitable United States Flag shall be provided for each classroom and auditorium or similar room used for assemblies on the college campus.

EC-82504

Adopted 12-09-69
Amended 08-06-80

2701. RAISING OF FLAGS. The Flag may be raised before the opening of classes and taken down before sunset each school day, weather permitting.

EC-82504

Adopted 12-09-69

2701.10 Policy on Flag. The Flag of the United States and the Flag of the State of California may be lowered to half staff at the direction of the President of the United States, the Governor of California, the Chancellor of the California Community Colleges, the Chancellor of the Los Angeles Community College District, or the college President.

Adopted 12-09-69
Amended 08-06-80
Amended 12-07-05

2702. PLEDGE OF ALLEGIANCE. There shall be a pledge of allegiance to the Flag of the United States in all assemblies and public meetings in each college of the District.

Adopted 12-09-69
Amended 08-06-80

2703. RESPECT FOR FLAG. The College President is responsible for proper care and respect for the Flag of the United States on each college campus. Any desecration of the Flag shall be reported to the President who shall take appropriate disciplinary action.

Adopted 12-09-69
Amended 08-06-80
Amended: 11-02-16
ARTICLE VIII

NAMING OF COLLEGES AND FACILITIES

2800. NAMING OF COLLEGES. The Chancellor shall recommend to the Board of Trustees the name to be given to a new college, and recommendations for changing names of existing or proposed college sites.

Adopted 06 30 70
Amended 08 06 80

2801. NAMING OF BUILDINGS AND FACILITIES COMPONENTS.

A. Buildings may be named by action of the Board of Trustees on recommendation of the College President:

1. To recognize distinguished service to the LACCD and /or the community;

2. In memoriam to an individual or family that has contributed in some manner to the community, state, or nation;

3. As recognition for a donation of 50% or more of the total project cost (or a lesser amount on recommendation of the college President) of a new building construction, or of a major building wide renovation. Any action naming a building after a for-profit entity, not an individual or family, when LACCD tax exempt bonds or certificates of participation proceeds are used to finance or improve the new building construction or major building renovation shall require consultation with LACCD Bond Counsel prior to authorization of the board action.

Adopted 06 30 70
Amended 08 06 80
Amended 01 14 04
Amended 06 30 10
B. Parts of buildings or particular areas (wings, classrooms, patios, gardens or other identifiable features) may be named by action of the Board of Trustees on recommendation of the College President:

1. To recognize distinguished service to the LACCD and/or the community;

2. In memoriam to an individual or family that has contributed in some manner to the community, state, or nation;

3. As recognition for a donation, usually of an amount that equals or exceeds 50% of the cost of the specified building feature to be named. Any action naming a part or particular areas of a building after a for-profit entity, not an individual or family, when LACCD tax exempt bonds or certificates of participation proceeds are used to finance or improve the building construction or major renovation shall require consultation with LACCD Bond Counsel prior to authorization of the board action.

4. The following schedule shall serve as a guideline, consistent with the recommendation of the College President.

   a. As recognition for a donation of $500,000 and above for a building wing or floor;

   b. As recognition for a donation of $100,000 and above for an auditorium, theatre, or similar major building component;

Adopted 06-30-70
Amended 06-06-80
Amended 01-14-04
Amended 06-30-10

Chapter II - Article VIII - Page 2 2801.
c. As recognition for a donation of $50,000 and above for a major lecture hall, classroom or similar building feature;

d. As recognition for a donation of $25,000 and above for a standard classroom or laboratory space;

e. As recognition for a donation of $10,000 and above for a conference room or office space;

f. As recognition for a donation of $500 and above for recognition on a wall of honor in a building of the donor's choosing.

C. Naming of buildings or facilities components in honor of an employee or trustee of the District will occur only posthumously, or after separation from the District for at least three years, or upon a finding by the Board of Trustees that the individual has contributed in an extraordinary manner, above and beyond the call of duty, to benefit the interests of the college. In any case, names on buildings or building features shall be limited to the use of the family name, unless the naming occurs posthumously.

D. Names on buildings and building features may be maintained if feasible through subsequent remodeling and/or renovation projects that may occur, at the option of the applicable college’s president. If it is determined that names cannot be preserved due to major alteration or demolition, each college may make a suitable arrangement to preserve the name on a monument, plaque, or tablet specifically created for this purpose.

Adopted 06-30-70
Amended 06-06-80
Amended 01-14-04
Amended 06-30-10
E. An agreement between the District and the donor shall be prepared in writing to memorialize the conditions associated with a donation that results in the naming of a building or building feature. Copies of the agreement shall be maintained at the college and at the District's central facilities office.

Adopted—06 30 70
Amended—08 06 80
Amended—01 14 04
Amended—06 30 10

Amended: 11-02-16
ARTICLE IX

GENERAL PROVISIONS

2900. ACTIVITIES WHILE TRAVELING ON DISTRICT FUNDS. All people associated with the Los Angeles Community College District traveling on District funds shall not knowingly patronize any facility that discriminates in its membership policy based upon race, religion, national origin, or sex.

Adopted—03-28-73
Amended—08-06-80

2901. REIMBURSEMENT TO JOB CANDIDATES FOR TRAVEL EXPENSES

A. Candidates for senior executive employment positions may be reimbursed for travel expenses associated with attending interviews with District selection processes in accordance with regulations issued by the Chancellor. In addition, the Chancellor, or his or her designee, shall have discretion to make travel payments to vendors on behalf of senior executive employment candidates, or to pay for teleconferencing expenses.

B. Such regulations shall define the applicable senior executive positions eligible for reimbursement, the amounts reimbursable to job candidates, and the appropriate procedures for requesting reimbursement from the District.

Adopted—05-23-01

2902. AUTHORIZATION TO ADOPT AND IMPLEMENT ADMINISTRATIVE REGULATIONS. The Board authorizes the Chancellor to adopt and implement administrative regulations when he/she finds regulations are necessary to implement existing Board Rules and/or a particular policy is needed which does not require specific Board authorization. This authority extends retroactively to include administrative regulations which have been adopted under the Chancellor's authority to date.

Adopted—03-06-02
Amended 11-02-16
CHAPTER IV

LEGAL COUNSEL

4001. LEGAL COUNSEL. The Office of General Counsel is responsible for providing legal counsel for the District. The Office of General Counsel may seek additional legal services for the District from outside law firms in accordance with the Board's rules and regulations. Any members of the Board, the Chancellor, College Presidents and their designees may request the opinion of the General Counsel.

The Office of General Counsel shall be considered a Board support unit and report to the Board of Trustees through the Chancellor.

The General Counsel shall serve as the Board Parliamentarian.

Adopted—12-02-69
Amended—01-28-76
Amended—02-04-76
Amended—06-25-80
Amended—11-14-01

4002. CONTACTS WITH PUBLIC AGENCIES. The Chancellor shall establish the procedures to be followed pertaining to the relationships of the District to federal, state, county, and city departments, and to inquiries regarding federal and state laws and city and county ordinances.

Adopted—12-02-69
Amended—01-28-76
Amended—02-04-76
4004. **CLAIMS FOR MONEY OR DAMAGES.** As a prerequisite to suit against the Los Angeles Community College District, any claims against the District for money or damages which are not governed by any other statutes or regulations expressly relating thereto, shall be presented and acted upon in accordance with Title I, Division 3.6, Part 3, Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910), of the Government Code of California.

Adopted—06-09-70

4004.10 **Claims by Public Entities.** Claims by the state or by a state department or agency or by another public entity.

Adopted—06-09-70

4004.11 **Claims for Fees and Allowances.** Claims for fees, salaries or wages, mileage, or other expenses and allowances.

Adopted—06-09-70

4004.12 **Claims Under District Retirement System.** Applications and claims for money or benefits under the Los Angeles Community College District Retirement System or any other retirement system, not governed by any other statutes or regulations expressly relating to the presentation or such applications or claims.

Adopted—06-09-70

4005. **CLAIMS AND OTHER LEGAL PROCESS- PLACE OF SERVICE**

The designated place for service of claims, lawsuits, subpoenas for records or other types of legal process upon the District is the Office of the General Counsel. The General Counsel's Office may refer claims, subpoenas for records or other matters served to other offices for handling, resolution or supervision.

The District's program manager for its bond construction programs is authorized to accept service of stop notices on behalf of the District for projects within its purview. Upon service of a stop notice, the program manager will promptly take steps as may be required by law, including reservation of funds and notification of the general contractor.

Adopted—06-25-07
Amended—08-11-04
Amended—03-25-09
# CLAIM FOR DAMAGES TO PERSON OR PROPERTY

Instructions:
1. Read the entire form carefully.
2. Fill out the form completely. Attach additional information, if necessary.
3. Sign the claim form.
4. Deliver or mail claim to:

   Board of Trustees  
   Los Angeles Community College District  
   c/o Office of the General Counsel  
   770 Wilshire Boulevard  
   Los Angeles, California 90017

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<th>Address and telephone number to which communications should be directed:</th>
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Please provide the name(s) of any employee(s) involved in the occurrence or transaction.

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Describe in detail how the damage or injury occurred.

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Please describe the type and the amount of damages or injury incurred as of the date you filed this claim.

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Jurisdiction for complaint (check one):  ____ Municipal Court  ____ Superior Court

**PLEASE BE ADVISED:**

1) Claims for death, or injury to person or to personal property must be filed within 6 months after the occurrence or transaction. (Gov. Code section 911.2)

2) All other claims for damages must be filed within 1 year of the occurrence or transaction. (Gov. Code section 911.2)

3) The Board of Trustees will grant or deny the application within 45 days after it is received by the Board. (Gov. Code section 911.6(a))

4) If the Board does not act on the application within 45 days, the application is deemed to have been denied. (Gov. Code section 911.6(c))

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<th>Signature of Claimant or person acting on his/her behalf:</th>
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<th>If other than Claimant, give relationship:</th>
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PROCEDURES FOR RETAINING LEGAL SERVICES

In retaining law firms for individual cases or matters, the following procedure shall be followed:

A. For ongoing work, the General Counsel shall conduct an open and competitive process to establish a panel of law firms with commonly-required expertise. In the event a need for additional expertise arises, the General Counsel shall make recommendations to the Board for additional firm(s) as necessary.

B. Supervising Office

1. For general matters involving the District, the Board of Trustees delegates authority to the General Counsel, or his/her designee, to select and supervise the firm to which an individual case or matter will be assigned. The General Counsel, or his/her designee, shall report the selection of counsel, the basic terms of the firm’s proposal, and the reason for the selection at the first meeting of the Board of Trustees following the selection.

2. Bond counsel will continue to be supervised by the CFO/Treasurer or designee for issuances or other funding transactions.

3. For new transactions involving construction matters and for real property acquisition, the Board of Trustees delegates authority to the Executive Director of Facilities Planning and Development or designee to supervise the firm to which an individual case or matter is assigned, effective December 1, 2012.

4. Counsel for the Office of Inspector General and for the District Citizens' Oversight Committee will be selected and supervised by the Chancellor or designee, effective December 1, 2012.

5. For all transactions involving construction, construction defects litigation and real property acquisition, the Board of Trustees delegates authority to the Executive Director of Facilities Planning and Development or designee to select and to supervise the firms to which individual cases or matters will be assigned, effective January 1, 2013.

6. The applicable office shall be referred to as the Supervising Office.
C. The Supervising Office shall solicit proposals from a minimum of three law firms for each individual case or matter, except as set forth in section G below.

D. For litigation in superior or federal court, or administrative proceedings, including arbitrations or administrative hearings, the proposal from each law firm will contain a proposed budget, including a litigation plan, a list of services to be provided, a per-unit price for categories pursuant to regulations promulgated by the Chancellor, and a maximum budget for those legal services not subject to unit-based pricing.

1. For matters subject to unit-based pricing, the unit price shall cover all of the firm’s professional fees associated with the matter, including travel time to and from hearings and depositions, preparation for hearings, trial, motions, and depositions, and the like, except for reimbursable costs allowable under the law firm’s contract with the District.

E. If a law firm’s proposal is accepted, the budget for matters not subject to unit-based pricing shall be binding unless the Supervising Office determines that unforeseeable circumstances have arisen. Under such circumstances, the Supervising Office may, in the exercise of discretion, agree to an amended budget. The Supervising Office shall promptly notify the Chancellor and the Board of Trustees of the unforeseeable circumstances, the reason for agreeing to an amended budget, and the amount of the amendment allowed, taking appropriate measures for the preservation of confidentiality in attorney-client communications and attorney work-product to protect the District’s interests.

F. Limited jurisdiction civil cases shall be paid at a rate up to, but not to exceed, $7,500.00, exclusive of costs, through trial or arbitration.

G. Transactional matters, such as contract review or negotiations shall not be subject to the unit-based billing system. Whenever possible, the Supervising Office shall obtain a proposal for a transactional matter, including an estimate of the total number of hours required and a total budget amount. The budgeted amount shall be binding except as provided in section E above. Transactional matters may be assigned to counsel without soliciting multiple proposals.

Adopted 11-14-01
Amended 12-01-04
Amended 11-07-12
Amended 11-2-16
CHAPTER V
COMMUNICATIONS

ARTICLE I
PHILOSOPHY

5100. **RIGHT OF THE PEOPLE TO BE INFORMED.** Citizens of the Los Angeles Community College District have the right to be informed concerning the philosophy, functions, activities, organizational programs, and events of the District.

Adopted: 01-20-70

Amended: 11-02-16
ARTICLE III
ORGANIZATION AND PROCEDURE

5300. CHANCELLOR. The Chancellor shall develop a communications program to inform the public and members of the college community about the philosophy, functions, activities, organizational programs, and events of the Los Angeles Community College District.

Persons responsible for the communications programs shall cooperate with representatives of mass communications media to supply information that may rightfully be classified as news.

Adopted 01-20-70

5301. PRESIDENT. The President of each of the Los Angeles Community Colleges shall develop a communications program to inform the public and members of the college community about the philosophy, functions, activities, organizational programs, and events of the Los Angeles Community College District.

Persons responsible for the communications programs shall cooperate with representatives of mass communications media to supply information that may rightfully be classified as news.

Adopted 01-20-70

5302. TEMPORARY COURTESY PRESS PASS. Representatives of the mass communications media are invited to visit the office of the President of the college or his designated representative, and to secure there a temporary Courtesy Press Pass whenever they visit the campus.

Adopted 01-20-70

5303. NEWS MEDIA ON CAMPUS. There shall be no infringement of the right of the press including all branches of the mass communications media to access to any campus building or grounds except when such action would endanger the safety of the individual; the safety of students and/or staff members; or when such action by the member or members of the mass communications media would interfere with or disrupt the educational program of the campus.

Adopted 01-20-70
Amended: 11-02-16
CHAPTER VI
INSTRUCTION
ARTICLE I
CURRICULUM DEVELOPMENT

6100. BASIC CRITERION FOR CURRICULUM DEVELOPMENT. The course of study in the Los Angeles Community Colleges shall be designed to meet the needs of students in the freshman and sophomore years of college.

Adopted—12-09-69
Amended—03-30-74

6101. FORMULATION AND APPROVAL OF COURSES. Courses of instruction and educational programs shall be approved by the Board of Trustees. Educational programs and courses of instruction which are not offered in approved educational programs shall be submitted to the Board of Governors, California Community Colleges, for approval, in keeping with the State Chancellor's Office guidelines established pursuant to Title 5, CCR, 55000.5. The Board of Trustees shall establish policies for, and approve, individual courses which are offered in approved educational programs without referral to the Board of Governors.

Education Code Section 70902
Title 5, C.C.R., 55000 et seq.

Adopted—12-09-69
Amended—03-30-74
Amended—07-12-72
Amended—10-22-97
Amended—03-24-04

6102. COMMUNITY COLLEGE COURSES OF STUDY. The courses of study may include courses designed to prepare students for admission to the upper division of senior colleges and universities, to prepare students for vocational competence, and to provide civic and liberal education to citizens of the community.

EC-78204
Title 5, C.C.R., 55001 et seq.

Adopted—12-09-69
Amended—03-30-74
Amended—10-22-97
6103. **COURSE OUTLINES.** The President of each college or his/her appointed representative shall maintain course outlines in either hard copy or electronic format. Course outlines shall be reviewed and updated at least once every six years.

Title 5, C.C.R., 55002

Adopted 12-09-69
Amended 03-30-71
Amended 10-22-07
Amended 03-12-08
Amended 02-08-12
Amended 11-02-16
ARTICLE III
ACCREDITATION

6300. COSTS OF ACCREDITATION OF COLLEGES. The Board of Trustees may pay
the costs of accrediting the colleges of the District by the Regional
Accrediting Association serving California or by any other accrediting
association serving California or by any other accrediting agency
recognized by the United States Department of Health, Education, and
Welfare, Office of Education.

Title 5, C.C.R., 51016

Adopted—12-09-69
Amended—03-30-74
Amended—10-22-97
Amended: 11-02-16
ARTICLE IV
SPECIAL CLASSES AND SERVICES

6400. "ACADEMIC YEAR" DEFINED. The term "academic year" as used in this section means that portion of the school year during which the regular day community college is maintained, which period must include not less than the number of days of teaching required to entitle the District to apportionment of State funds.

Title 5, C.C.R., 55700, 55701

6400.10 Hours. Community College day classes shall begin before 4:30 p.m. and evening division classes shall begin at 4:30 p.m. or later.

Adopted 12-09-69
Amended 03-30-71
Amended 10-22-97

6401. MAINTENANCE OF SATURDAY AND SUNDAY CLASSES. Colleges are authorized to offer classes on Saturday and Sunday.

Education Code Section 70902

Adopted 12-09-69
Amended 03-30-71
Amended 01-28-87
Amended 10-22-97

6402. MAINTENANCE OF SUMMER CLASSES. The Board of Trustees may maintain summer school at any community college of the District between the close of one academic year and the onset of the next succeeding year in accordance with the regulations of the Board of Governors of the California Community Colleges and with the prior written approval of the State Chancellor.

Adopted 12-09-69
Amended 03-30-71
Amended 10-22-97
The application for approval shall be submitted on forms prescribed and furnished by the Chancellor of Community Colleges and shall designate persons who will exercise administrative or supervisory responsibilities for the summer session.

The completed application shall be submitted on or before May 1 preceding the period during which the summer session is to be maintained.

Education Code Section 84890
Title 5, C.C.R., 55722

Adopted 12-09-69
Amended 03-30-71
Amended 10-22-97

6403. OFF-CAMPUS CLASSES. The Los Angeles Community Colleges may establish off-campus classes (a) whenever eligible college students can attend classes at off-campus sites more easily than they can come to the campus, and/or (b) when off-campus classroom sites make available resources not available at the campus. Off-campus classes included are evening division classes at such locations as the Civic Center in Los Angeles, at veteran facilities, in penal institutions, in homes for senior citizens, and other suitable locations.

6403.10 Conditions in Establishing Off-Campus Classes.

a. Classes will be open to the public and to all who can profit from the instruction, subject to the college's right to require prerequisites.

b. The colleges exercise primary responsibility for the recruitment, selection, and employment of instructors and other supportive personnel.

c. Program administration, supervision of classes, instructors, and supportive personnel are under college jurisdiction and authority.

Adopted 12-09-69
Amended 03-30-71
Amended 06-21-72
d. The college retains responsibility for the selection and use of instructional materials, which may involve the cooperation of advisory committees and apprenticeship committees.

e. Special sponsoring groups shall show evidence of recruitment and enrollment of an adequate number of students to maintain minimum-size classes according to Board policy, and to meet a community need.

f. Available housing, equipment, and other resources must adequately meet the purposes of the class.

g. The geographic location of classes off-campus will serve the greatest number of people most conveniently.

Adopted—12-09-69
Amended—06-21-72

6403.11 Establishment of Courses Outside of District. Colleges may establish courses outside the LACCD for students who are not residents of the District, providing one of the following conditions is fulfilled:

a. The governing board of a high school district in territory that is not included in any community college district requests that community college courses be offered in the high school district.

b. The governing board of a high school district requests that community college courses be offered in the high school district in accordance with other applicable provisions of law and either:

1. the community college district where the high school district is located chooses not to offer such courses; or

Adopted—08-19-09
2. the courses will be offered only to pupils of the high school and will not be claimed for apportionment by the community college district.

3. Another community college district requests that community college courses be offered in its territory.

Nothing in this section or any other provision of this Board Rule shall be construed to prohibit college from establishing study abroad programs as described in Education Code section 66015.7 for students who are district residents or students who are not residents of the district.

Title 5, C.C.R., 55301

Adopted 08 19 09

6403.12 Establishment of Nursing and Allied Health Classes at Hospitals. The Board of Trustees may, whenever it offers an instructional program in nursing or in a related allied health field, maintain classes for such a program in hospitals located within or without the District for the purpose of providing hospital training for students of such classes.

The Chancellor or his designee(s) may approve hospital agreements, at no cost to the District, for maintenance of such classes. Such approvals shall be reported to the Board of Trustees at the end of each semester for ratification.

Title 5, C.C.R., 55304

Adopted 12 09 69
Amended 03 30 71
Amended 06 21 72
Amended 08 22 73
Amended 10 22 97
6405. COOPERATIVE EDUCATION. The Board of Trustees may provide for the instruction of students in a Work Experience Education program involving employer, student-employee, and college whereby the student-employee receives on-the-job training and unit credit for work experience directly related to his career major. Through his college coordinating class, the student develops the proper skills, attitudes, and understandings necessary to successful employment.

Title 5, C.C.R., 55250 et seq.

Adopted 12-09-69
Amended 03-30-71
Amended 10-22-97

6405.10 UNIT LIMITS

A) For the satisfactory completion of all types of Cooperative Work Experience Education, students may earn up to a total of 16 units, subject to the following limitations:

1) General Work Experience Education.

A maximum of six units may be earned in general work experience education.

2) Occupational Work Experience Education.

A maximum of eight credit hours may be earned in occupational work experience education during one enrollment period up to a total of 16 units. A maximum of eight units may be earned in occupational work experience education during one enrollment period up to a total of 16 units.

Adopted 07-28-10
B) If a college offers only one course in occupational work experience in a given field and that course is not offered as a variable unit open-entry/open-exit course, a student may repeat that course any number of times so long as the student does not exceed the limits on the number of units of cooperative work experience education set forth in section A of the Board Rule.

Title 5, C.C.R., 55250 et seq.

Adopted—07-28-10

6406. FEE FOR PHYSICAL EDUCATION. A fee may be imposed on a participating student for the additional expenses incurred when physical education courses are required to use off-campus facilities.

Rules and regulations concerning such fees shall be established by the Chancellor.

Education Code Section 76395

Adopted—08-22-73
Amended—10-22-97

6407. COUNSELING SERVICES. The community college shall have a counseling staff, both in training and experience, and shall have established procedures to provide and shall provide counseling services.

Education Code Section 72620

Adopted—12-09-69
Amended—03-30-71
Amended—10-22-97
FUNDING OF COLLEGE NEWSPAPERS. The Los Angeles Community College District shall fund one or more college newspapers on each campus when the production of those newspapers is an integral part of instruction in journalism/media arts. Funds received from advertising in the newspaper(s) at each college shall be maintained in a separate account in the financial office of the College Fiscal Administrator of that college and shall be disbursed, with the approval of the college president or his/her designee, to enrich the instructional program in journalism/media arts.

Adopted—05 19 70
Amended—03 30 71
Amended—06 03 81

ADEQUATE WORKING COLLECTIONS OF LIBRARY BOOKS. Each college library shall be provided working collections of books and periodicals for each major field of the curriculum.

Adopted—02 16 72

OPEN CLASSES. Unless specifically exempted by statute, every course, course section or class, where FTES is to be reported for state apportionment, wherever offered and maintained by the District, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites established pursuant to regulations contained in Article 2.5 (commencing with section 55003) of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations). The specific facilities in which such classes are offered must be identified as being open to the public.

Such classes shall be located in facilities that are open to the general public,

Title 5, C.C.R., 51006, 58051.5(a)(3), 58106

Adopted—04 13 77
Amended—10 22 97
Amended—03 24 04
6412.10 Dissemination Of Information.
All courses offered by a college, where FTES is to be reported for state apportionment shall be described in the official general catalog and/or addenda and shall be listed in the schedules of classes.

Apportionment generating courses, which are established or conducted after publication of the general catalog or regular schedule of classes, shall be reasonably well publicized -- i.e., publicized through a printed or web-based addenda to the schedule of classes. For addenda published on the college’s web site, a copy (hard copy or computer file) must be retained for two years after the posting.

Announcements of course offerings shall not be limited to a specialized clientele, nor shall any group or individual receive notice prior to the general public for the purposes of preferential enrollment, limiting accessibility, or exclusion of qualified students.

Title 5, CCR, 58104

Adopted 03-24-04

6412.11 Registration And Enrollment Procedures.
Procedures for registration and standards for enrollment in any course shall be consistent with LACCD Board Rule 8603 - Limitations on Enrollment -- and shall be uniformly administered by appropriately authorized employees of the District.

Except as otherwise provided by state law, no student shall be required to confer or consult with or be required to receive permission to enroll in any class from any person other than those employed by the college in the District.

Adopted 03-24-04
Students will not be required to participate in any pre-registration activity not uniformly required; nor shall the college or district allow anyone to place or enforce nonacademic requisites as barriers to enrollment in or the successful completion of a class.

No registration procedures shall be used that result in restricting enrollment to a specialized clientele, unless otherwise authorized by law.

The following registration procedures are permissible:

1. special registration assistance to disabled or disadvantaged students as defined by statute (i.e., DSPS students);
2. special registration assistance to students for the purpose of providing equalization of educational opportunity (i.e., EOP&S students);
3. enrollment of students in accordance with a priority system established pursuant to legal authority by the LACCD Board of Trustees - i.e., Board Rule 8603(b)(1).

Adopted 03-24-04

6412.12 Classes Offered On High School Campuses.
Classes offered at a high school campus may not be held during the time the campus is closed to the general public, as defined by the governing board of the K-12 school district during one of their regularly scheduled board meetings.

Adopted 03-24-04
If a decision to offer a class on a high school campus is made after the publication of the regular schedule of classes, and the class is solely advertised to the general public through electronic media, the class shall be so advertised for a minimum of 30 continuous days prior to the first meeting of the class.

Title 5, C.C.R., 58108; EC 76002

Adopted—03–24–04

6413. INSTRUCTIONAL MATERIAL FEES. A fee may be charged for instructional materials used by the student in the course of receiving instruction.

Rules and regulations concerning such fees shall be established by the Chancellor.

Education Code Section 76365
Title 5, C.C.R., 59400 et seq.

Adopted—10–24–79
Amended—11–26–85
Amended—07–20–88
Amended—10–22–97

6414. INSTRUCTIONAL TELEVISION. Instructional Television classes may be established and maintained.

Title 5, C.C.R., 55370 et seq.

Adopted—06–09–70
Amended—06–25–80
Amended—10–22–97

6415. REQUIRED INSTRUCTIONAL AND OTHER MATERIALS. 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 District.

EC 76365
Title 5, C.C.R., 59400, 59404

Adopted—11–26–85
Amended—10–22–97
Rules and regulations concerning required materials shall be established by the Chancellor.

EC 76365
Title 5, C.C.R., 59400, 59404

Adopted 11-26-85
Amended 10-22-97

6416. BILINGUAL INSTRUCTION.

Adopted 03-12-08

6416.10 Teaching Simultaneously in English and a Language Other Than English within the Same Section of a Course. A college may offer a section of a course taught simultaneously both in English and a language other than English.

Prior to offering a section of a course taught simultaneously in English and a language other than English, the college must determine that the section can be taught in accordance with the course outline of record (e.g. required reading assignments are available in the other language) or make modifications to the course outline of record so that its requirements can be applied consistently to all sections.

This section only applies to non-degree applicable courses, noncredit courses, and degree applicable credit courses with a California Community Colleges Management Information System Student Accountability Model ("SAM") Code of "C" (Clearly Occupational) or "D" (Possibly Occupational).

The Chancellor, in consultation with the District Academic Senate, shall develop rules and regulations to implement this section.

Adopted 03-12-08
6416.20  Teaching Sections of a Course Exclusively in English and Other Sections of That Course Exclusively in a Language Other Than English. A college may offer certain sections of a course taught exclusively in English and other sections of the course taught exclusively in a language other than English only if:

(1) students in all non-English sections of the course are required to enroll in a basic skills English corequisite course; or

(2) those students taking non-English sections of the course are designated as a cohort of students and are required to concurrently enroll in another course or courses designed to help them achieve proficiency in English.

Students enrolled in a non-English section of a course must be simultaneously enrolled in classes designed to teach them English. This requirement can be satisfied either by establishing a basic skills English course as a corequisite for students enrolled in all sections of the course or by requiring, per Title 5, California Code of Regulations, Section 58106, that students enrolled in the non-English sections of the course also be enrolled in such a basic skills course while the other sections of the course remain unrestricted.

Prior to offering a section of a course taught exclusively in a language other than English, the college must determine that the section can be taught in accordance with the course outline of record (e.g., required reading assignments are available in the other language) or make modifications to the course outline of record so that its requirements can be applied consistently to all sections.

Adopted—03 12 08
This section only applies to non-degree applicable courses, noncredit courses, and
degree applicable credit courses with a
California Community Colleges Management
Information System Student Accountability
Model ("SAM") Code of "C" (Clearly
Occupational) or "D" (Possibly Occupational)

The Chancellor, in consultation with the
District Academic Senate, shall develop
rules and regulations to implement this
section.

Adopted—03-12-08
Amended: 11-02-16
ARTICLE V

DISTRICT OFFICE LIAISON WITH COLLEGES

6500. THE CHANCELLOR AS LIAISON. The Chancellor shall meet with the Chancellor's Cabinet which consists of the College Presidents and the Vice Chancellors.

Adopted—03-30-71
Amended—05-07-86

6501. THE VICE CHANCELLOR, INSTRUCTIONAL AND STUDENT SUPPORT SERVICES, AS LIAISON. The Vice Chancellor of Instructional and Student Support Services shall serve as the regular District Office representative in meetings with the Vice Presidents of Academic Affairs and the Vice Presidents of Student Services, unless otherwise directed by the Chancellor.

Adopted—03-30-71
Amended—06-25-89
Amended—05-07-86
Amended—09-03-03

6502. THE DIRECTOR, BUSINESS SERVICES, AS LIAISON. The Director of Business Services shall serve as the regular District Office representative in meetings with the Vice Presidents/Business Managers, Administration and/or Administrative Services, unless otherwise directed by the Chancellor.

Adopted—03-30-71
Amended—05-07-86
Amended—09-03-03

6503. THE SENIOR ASSOCIATE VICE CHANCELLOR OF HUMAN RESOURCES, AS LIAISON. The Senior Associate Vice Chancellor of Human Resources shall represent the District Office in meetings with faculty groups and organizations, unless otherwise directed by the Chancellor.

Adopted—03-30-71
Amended—09-03-03
Amended: 11-02-16
CHAPTER VI

ARTICLE VI

TRANSFER

6600. TRANSFER CORE CURRICULUM

a. Each college in the Los Angeles Community College District shall provide a copy of the transfer core curriculum to every new student that is admitted in a degree program.

(1) "Transfer core curriculum" is defined as the lower division, general education transfer curriculum that is fully articulated between the California Community Colleges and the California State University and the University of California. The Intersegmental General Education Transfer Curriculum (IGETC) at each college conforms to this definition.

b. Each college in the Los Angeles Community College District shall also print a copy of the transfer core curriculum in the class schedules that are published for each academic term.

c. Each college in the Los Angeles Community College District may also choose to make the transfer core curriculum available in locations on campus including, but not limited to the admissions office, bookstore, and career counseling center.

Adopted 11-07-01
d. Colleges may also elect to make the transfer core curriculum available to students by using any of the following alternative methods of distribution:

(1) During the registration process; or

(2) By mail, with the registration or enrollment materials, or both; or with other items mailed to students; or

(3) During the issuance of student identification cards; or

(4) During student orientation programs; or

(5) College web pages.

Education Code Section 66720 et seq.

Adopted 11-07-01
Amended: 11-02-16
ARTICLE VIII

EDUCATIONAL COURSES AND PROGRAMS

6800. COURSE AND PROGRAM APPROVAL AND MODIFICATION. The Chancellor, in consultation with the District Academic Senate, shall develop policies for the establishment and modification of courses and programs.

Title 5, CCR, 51022

Adopted—06-11-03

6801. PROGRAM REVIEW.

1. The purposes of educational program review include:
   a. Defining and affirming excellent academic programs;
   b. Providing for a systematic program planning process;
   c. Reviewing the quality of instructional programs and courses;
   d. Fostering self-renewal and self-study of programs.

2. Program review shall link the college's mission with the educational master plan, and department goals and educational objectives.

3. Each college shall, in consultation with its Academic Senate, develop policies and procedures for the review of all "educational programs", as defined in Title 5, section 55000(b). At a minimum, this review will consider the following:
   a. MISSION – the relationship of the program to the mission of the college and the District;
   b. NEED – the need for the program;
   c. QUALITY – the overall quality of the program;
   d. FEASIBILITY – the feasibility of offering the program; and
   e. COMPLIANCE – the compliance of the program with all applicable statutory and regulatory requirements.

Adopted—06-11-03
VOCATIONAL PROGRAM BIENNIAL REVIEW. In addition to the program review standards, criteria, policies and procedures established pursuant to Board Rule 6801, each college’s vocational or occupational training programs (i.e., degrees or certificates with TOP codes identified as “vocational” in the Chancellor’s Office Taxonomy of Programs) shall be subject to a biennial review. This review of vocational programs shall determine whether the following conditions or criteria are met:

1. The program meets a documented labor market demand;
2. The program does not represent an unnecessary duplication of other vocational or occupational training programs in the area; and
3. The program is of demonstrated effectiveness as measured by the employment and/or completion success of its students.

This review of each of the college’s vocational or occupational training programs shall be scheduled once every two years, and shall include a review and comments from a local Workforce Investment Board. The college shall make written summaries of its biennial review findings available to the public.

Upon completion of the required biennial review of vocational programs, the college’s President and the Academic Senate President shall certify that the vocational programs reviewed meet the criteria listed above and forward this certification to the Chancellor. The Chancellor will then present to the Board of Trustees, as an information item, a list of programs reviewed and certified as meeting the requirements of Education Code section 78016.

If a College President and college Academic Senate determine that a program does not meet the above requirements, the college shall conduct a viability review in accordance with the procedures established under Board Rule 6803. The purpose of a viability review is to determine what measures, if any, should be taken to improve the program. If the program fails to meet the requirements of Education Code section 78016 and this Board Rule, the college shall, in keeping with the provisions of Board Rule 6803.10, consider the program’s termination.

Education Code Section 78016

Adopted—06-11-03
VIABILITY REVIEW. In addition to procedures for program review established pursuant to Board Rule 6801, each college shall, in consultation with its Academic Senate, develop procedures for initiating and conducting a viability review of “educational programs,” as defined in Title 5, section 55000.

A program viability review may be conducted when the college determines, in accordance to procedures developed pursuant to this Board Rule, that an in-depth analysis, beyond that provided through program review, is necessary.

At a minimum the viability review procedures shall contain the following:

1. A definition of a viability review, which shall include, at a minimum; the current need for the program, the feasibility of continued support for the program, and expected program outcomes;
2. The factors that will trigger a viability review;
3. Identification of the individuals (by title) and college constituencies included in the process;
4. Procedures and criteria for information gathering;
5. Processes for conducting the review;
6. Procedures and rationale for developing recommendations, including program maintenance, modification or discontinuance.

Possible outcomes of a viability review may include, but are not limited to, recommendations on the following:

1. Program modification;
2. Program improvement;
3. Departmental reorganization;
4. Program initiation;
5. Program discontinuance.

Adopted—06-11-03

6803.10 Program Termination. In making a recommendation for program discontinuance, a viability review must consider the following:

1. The effects on students and student success if the program is discontinued;

Adopted—06-11-03
2. Provisions that can and should be made for students in progress to complete their training;
3. The impact that discontinuance of the program will have on the comprehensiveness and balance of offerings across the college curriculum and within the district;
4. How the program’s discontinuance would impact the educational and budget-planning process used at the institution;
5. How the program’s discontinuance affects the region;
6. The effects of the program’s discontinuance on transfer to four-year colleges and universities;
7. The effects of the program’s discontinuance on local business and industries;
8. The effects of the program’s discontinuance on faculty and staff.

The College President and College Academic Senate President shall make program discontinuance recommendations to the Board of Trustees for approval. The recommendation shall include a description of the viability review process and the reasons for the recommendation.

Education Code Section 78016
Title 5, CCR, 51022

Adopted—06-11-03
Amended: 11-02-16
ARTICLE II

USE OF DISTRICT FACILITIES AND GROUNDS

7200. GENERAL TERMS AND CONDITIONS FOR USING DISTRICT FACILITIES. The conditions enumerated in this Article shall be followed by all persons using District facilities, including usages under civic center permits, leases and permits for use.

For purposes of this Article, the terms "college facilities" and "District facilities" are both intended to refer to facilities owned and/or controlled by the Los Angeles Community College District. These facilities may or may not be physically located at one of the nine colleges in the District.

Adopted or Restored 09-24-80
Amended 09-20-00
Amended 08-11-99

7200.10 Non-Discrimination. Any person, group or organization applying to use District-owned facilities must sign a written statement certifying that any program or activity conducted by the applying organization at the District-owned facility will be operated in a manner which is free of discrimination on the basis of sex, race, religion, creed, color, ancestry, national origin, medical conditions (cancer related as defined under State law), marital status, pregnancy, age, disability, veteran status or sexual orientation in compliance with applicable federal and California non-discrimination laws.

Adopted or Restored 09-24-80
Amended 09-20-00
Amended 08-11-99

7200.11 Statement Regarding Board of Trustees. All leases, permit forms and promotional materials related to the use of District facilities by third parties shall include a statement that the Board of Trustees does not sponsor or endorse the person/organization using the District facilities.

Adopted or Restored 09-24-80
Amended 08-11-99
Amended 09-20-00

7200.12 Standards of Conduct. The use of District facilities is subject to the District’s Standards of Conduct (Board Rule 9801 et seq.), which includes, but is not limited to, prohibitions against illegal activities such as discriminatory conduct, unlawful possession or use of intoxicating liquors as addressed in Board Rule 7200.14, drugs, or narcotics; fighting; betting, conducting a raffle or lottery, or other forms of gambling. Additional exceptions to this provision are enumerated in Board Rules 7200.13 and 7200.14.

Education Code Section 82537

Adopted or Restored 09-24-80
Amended 08-11-99
Amended 09-20-00
Amended 11-15-00

7200.13 Bingo. Nothing in these Board Rules shall be construed to prevent an auxiliary organization which has been established in accordance with Education Code Section 72670 et seq. and Article XIII of these Board Rules from using college facilities to conduct bingo games. Bingo games conducted under this rule must satisfy the requirements of Penal Code Section 326.5, and all proceeds from such games must be used to benefit the college where they are held.

Adopted 09-26-85
Amended 09-20-00
Alcoholic Beverages. Nothing in these Board Rules shall be construed to prevent an organization which obtains a lease, civic center permit, or permit for use for a college's facility from offering the consumption of alcoholic beverages if the following conditions are met:

a. Written approval is obtained from the Chancellor at least thirty (30) days in advance of the event.

b. The event is not primarily a competitive sporting event.

c. No District employee shall be involved in the sale, transportation or dispensing of any alcoholic beverage.

d. The required liquor license to serve alcoholic beverages is secured by the renting organization.

e. Proof of insurance naming the College/District as additional insured in the sum of $5 million for each event must be submitted at least ten (10) days prior to the scheduled event. The Chancellor or Vice Chancellor of Operations has the discretion to lower this insurance amount at the request of a College President.

f. No event sponsored by either the District or College may include the sale or consumption of alcoholic beverages.

Business & Professions Code Section 25608.

Adopted 05 03 89

Amended 09 20 00
7200.15 Management and Control of Facilities. Responsibility for the management and control of college facilities, which includes determining whether supervision is necessary while college facilities are being used, is assigned to the respective College Presidents by the Board of Trustees. The College President, Chancellor, or designee reserves the right to require security at the meetings held at college facilities or to call in the police when determined necessary. Under both of these circumstances, the persons/organizations using the college facilities will be responsible for paying the direct costs associated with these security services. The persons/organizations using the college facilities shall not supply their own security guards without prior written approval from the College President.

Adopted or Restored 09-24-80
Amended 09-20-00

7200.16 Jurisdiction of District Employee. Complete control of facilities is under the jurisdiction of the Los Angeles Community College District employee assigned responsibility for supervising the use of the facility. This includes the right to enter District facilities at all times to enforce District rules and regulations.

Adopted or Restored 09-24-80
Amended 09-20-00

7200.17 Recreational and Athletic Use. College authorities may supervise activities of those using college grounds, gymnasiums, and other athletic and recreational facilities for civic center purposes. Athletic equipment may be used only when available and special arrangements are made with the college.

Adopted or Restored 09-24-80
Amended 09-20-00
7200.18 Insurance Requirement. Any person, group or organization requesting the use of District facilities may be required to obtain a certificate of insurance from a liability insurance carrier evidencing a minimum coverage of $1,000,000 or a higher amount required by the District for any liability for injury or damage to property which may arise out of such use. The certificate of insurance shall name the District as an additional insured and should be provided to the District for approval two weeks prior to using the District property. The certificate of insurance shall be from an admitted insurance carrier in California.

BC—82448

7200.19 No Violation of Law. No activity shall be conducted which constitutes a violation of any federal, state, or local law.

Adopted or Restored 09-24-80

Amended 09-20-00

7200.20 Political Campaigns. College premises shall not be used as political campaign headquarters. All candidates running for a given election shall be given equal access to use of District facilities, as appropriate.

Adopted or Restored 09-24-80

Amended 09-20-00

7200.21 Equipment Belonging to an Associated Student Body Organization. Arrangements and payments for use of any equipment belonging to an Associated Student Organization shall be made separately with the Associated Student Organization in accordance with District rules and administrative regulations.

Adopted or Restored 09-24-80

Amended 09-20-00
7200.22 Interference with College. Permission to use college facilities may be granted only when the property is not needed for college purposes. No use shall be inconsistent with the use of the buildings or grounds for college purposes, or interfere with the regular operation of college educational programs and activities.

Education Code Section 82537

Adopted or Restored 09-24-80
Amended 09-20-00

7200.23 Scheduling. Use of the facilities will be scheduled only when the facilities are not needed for educational purposes.

Adopted or Restored 09-24-80
Amended 09-20-00

7200.24 Erection of Structures, Etc. No structures may be erected or assembled on college premises nor may any electrical, mechanical, or other equipment be brought thereon without prior written approval of the District.

Adopted or Restored 09-24-80
Amended 09-20-00
7200.25 **Signs.** Signs may be posted on the college premises only with the permission of the College President, or designee, and in places and manners designated by him/her. Without prior written authorization, the signs will not be posted more than one hour prior to the meeting and shall be removed immediately after the meeting by the permittee. A sign may not state or otherwise suggest that either the District or a college sponsors or endorses a particular individual/organization/activity. Use of the District and/or college name is also prohibited, unless permission is granted by the Board of Trustees in advance. Sponsors may not expect their meeting to be advertised through college media.

*Adopted or Restored 09-24-80*
*Amended 09-20-00*

7200.26 **Safety Regulations.** The user at all times during the use and occupancy of the premises shall thoroughly comply with all ordinances, laws, and regulations affecting the use and occupancy thereof, including all state and local fire, health, and safety laws, ordinances, and regulations.

*Adopted or Restored 09-24-80*
*Amended 09-20-00*

7200.27 **No Smoking.** User agrees to enforce "no smoking" signs within any building; also in any other place if such a place is designated as non-smoking.

*Adopted or Restored 09-24-80*
*Amended 09-20-00*

7200.28 **Spectators.** All spectators must be limited to designated areas while watching the activities.

*Adopted or Restored 09-24-80*
*Amended 09-20-00*
7200.29 Fire Hazards. Except for firework events approved by the District, lighted candles, any devices having any form of open flame and/or any material or device which constitutes a fire hazard is expressly prohibited.

Adopted or Restored 09-24-80
Amended 09-20-00

7200.30 Gym Floor. No person wearing street shoes of any type shall be permitted to walk on the gym floor when so specified and/or when participating in basketball, volleyball, badminton, and similar types of activities.

Adopted or Restored 09-24-80
Amended 09-20-00

7200.31 No Extension of Closing Time. Teams using college athletic facilities must finish the activities, including showers, within the time designated in the permit.

Adopted or Restored 09-24-80
Amended 09-20-00

7200.32 Closing Time. College premises shall not be used later than 11 p.m., except upon special permission of the college.

Adopted or Restored 09-24-80
Amended 09-20-00

7200.33 Weapons. The possession and carrying of firearms and weapons of any kind on college premises shall be prohibited, except for peace officers and policemen.

Section 9803.20 of the Board Rules supplements this section.

Adopted or Restored 09-24-80
Amended 09-20-00
7200.34 Damages to Property. The permittee, licensee and/or lessee shall be responsible for and shall pay for any repairs or replacement of District property which are made necessary by reason of the negligence or misuse of said premises. Damage occasioned by acts of God is excepted.

Adopted or Restored 09-24-00
Amended 09-20-00

7200.35 Use of Kitchen. Permission for the use of any kitchen facility may require the presence of District personnel. The person, group or organization using the facility shall be responsible for paying the costs associated with this supervision.

Adopted 09-20-00

7200.36 These rules shall take effect immediately. Any agreements in place prior to the Board's adoption of amendments shall continue in full force and effect to the extent permitted by law.

Adopted 09-20-00

7200.37 The Chancellor shall have authority to issue regulations and authorize standardized forms for the implementation of this Article.

Adopted 09-20-00
CIVIC CENTER PERMITS.

A. The use of college buildings and grounds may be granted to organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities for the purposes of supervised recreational activities and for meetings where they discuss, from time to time, as they desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the college community.

Adopted or Restored 09-24-80
Amended 09-20-00

B. The Board of Trustees delegates to the Chancellor, College Presidents and/or their designee(s) the authority to issue civic center permits in accordance with these rules and in accordance with regulations issued by the Chancellor.

Education Code Sections 82537 et seq.

Adopted 09-20-00

7201.10 Civic Center Permit Rules. In addition to the rules governing use of District facilities in general (Board Rule 7200 et seq.) and the limitations set forth in Board Rule 7202.12, persons/organizations using District facilities pursuant to civic center permits are also subject to the following rules governing civic center permits.

Adopted or Restored 09-24-80
Amended 09-02-81
Amended 09-20-00

7201.11 No Monopoly. No use shall be granted in such a manner as to constitute a monopoly for benefit of any person or organization.

Education Code Section 82537(c)

Adopted or Restored 09-24-80
Amended 09-20-00
7201.12 Cancellation of Permit. The District reserves the right to cancel any usage under a civic center permit as appropriate, which includes violation of any of these Board Rules pertaining to use of college facilities and grounds. The college has the right to cancel a permit whenever a need for the facilities for educational purposes arises after issuance of a permit.

Adopted or Restored 09-24-80
Amended 09-20-00

7201.13 Fourteen Day Limit. In case of civic center permits, no privilege of using college facilities shall be granted for a period exceeding fourteen days in one fiscal year. Any use beyond fourteen days must be in accordance with Board Rule 7202 et seq.

Adopted or Restored 09-24-80
Amended 09-20-00

7201.14 Cancellation by Permittee. Facilities shall be held available for the permittee until one-half hour after the time designated in the permit for that meeting to begin. Notification of cancellation of meetings, for which there is a service charge, must be received at least two business days prior to the time for scheduled use, if advance payments are to be refunded in whole or in part. Any refund shall be at the discretion of the college. All cancellations, whether a charge was levied or not, shall be reported to the permit-issuing office.

Adopted or Restored 09-24-80
Amended 09-20-00
7201.15 Denial of Civic Center Permits.

a. **Facilities Required by College for Educational Purposes.** Whenever any college facility or grounds is required for educational purposes, a civic center permit may be denied or canceled in accordance with Board Rules 7201.12.

**Education Code Section 82537**

b. **Denial Because of Violation of District Regulations.** The college and/or District, at its discretion, shall have the right to cancel and terminate a Civic Center Permit immediately and without notice upon its discovery of a violation of any term, condition, or provision of the permit or practice of discrimination on the part of the permittee. Should any such violation occur, the college or the District, at its discretion, shall have the right to deny any future requests by the permittee for the use of any other college property or facilities.

Adopted—09-20-00

7201.16 **Food Permits.** Permission for the use of cafeteria and other facilities for the serving of food may be issued in connection with civic center permits only with the consent of the college. However, in the context of a civic center permit, the college’s food services operations shall be given the first option of serving any food product. Permittees shall be liable for any loss, breakage, or damage to cafeteria equipment.

Adopted—09-20-00
Civic Center Permits for Cost. If the following conditions are met and an alternative location is not available, use of the facilities will be granted for a charge not to exceed an amount sufficient to pay the cost to the District for opening and closing the facilities, if no college employee is available to perform this function as a part of his/her regular duties; an employee’s presence, such as police officers, while a facility is being used if the college determines that supervision is necessary and the employee would not otherwise be present as part of his/her regular duties; janitorial services, if necessary and would not otherwise be performed; and/or the costs of utilities directly attributable to the use of the facility.

a. The use is for political, educational, economic, recreational, artistic, or moral interests and activities; and

b. The permittee is a nonprofit organization, a public agency, a senior citizens’ organization, or any organization, club, or association organized for cultural activities and general character building or welfare purposes; and

c. No admission charge is made or contribution is solicited; if an admission charge is made or a contribution is solicited, the net receipts are expended for the welfare of students of the District or for charitable purposes.

Adopted—09.20.00
d. If an admission charge is made or contribution is solicited and the net receipts are not expended for the welfare of students or for charitable purposes, the facility use will be subject to the charges enumerated in Board Rule 7201.19.

e. The Associated Student Body Organization and/or recognized student clubs may use college facilities in keeping with the rules for Civic Center permits. However, under no circumstances may such an organization sponsor an event involving the sale or distribution of alcohol.

Adopted—09-20-00

Education Code Section 82542

7201.18 Civic Center Use by Religious Organizations. Any church or religious organization may use District facilities for the conduct of religious services for temporary periods where such church or organization has no suitable meeting place for the conduct of such services for a charge not to exceed the fair rental value of the facility. Fair rental value is defined as: the cost to the District for supplies, utilities, janitorial services, services of other District employees, salaries of District employees necessitated by use of such property and the amortized costs of the college facilities used for the duration of the activity.

Education Code Section 82542

Adopted—09-20-00
7201.19 Civic Center Permit at Fair Rental Value. If the following conditions are met, use of the facilities will be granted for a charge not to exceed the fair rental value of the facility. Fair rental value is defined as: the costs of supplies, utilities, janitorial services, services of other District employees, salaries paid to District employees necessitated by use of the college facilities and the amortized costs of the college facilities used for the duration of the activity.

a. The use is for political, educational, economic, recreational, artistic, or moral interests and activities; and

b. Admission fees, membership dues, or contributions are solicited or accepted and the proceeds are not expended for either the welfare of the students of the District or for charitable purposes.

Education Code Section 82542

Amended 09-20-00

7201.20 Advance Payment. All civic center charges shall be remitted to the college ten business days before the date of the approved civic center permit.

Adopted 09-20-00

7202. LEASES AND PERMITS FOR USE.

A. Pursuant to the California Education Code and subject to the limitations contained therein, the Board may lawfully enter into either leases or permits for use for the use of District property or facilities to persons and/or organizations upon such terms agreed upon by the Board and the lessee/permittee when said property is not needed for school classroom buildings or for educational purposes.

Adopted 09-20-00
Amended 11-15-00
B. Effective December 1, 2000, the Chancellor shall have the authority to delegate leases for less than five days and permits for use for less than fourteen days to the College Presidents, and to the extent authorized by their respective College Presidents, to the Vice Presidents of Administration/Administrative Services and to acting or day-to-day substitute(s) for the Vice Presidents of Administration/Administrative Services in their absence.

Education Code Sections 70902, 81360 et seq.

Adopted—09 20 00
Amended—11 15 00

7202.10 Lease and Permit for Use Rules. In addition to the rules governing use of District facilities in general (Board Rule 7200 et seq.), persons and organizations using District property and/or facilities pursuant to a lease or permit for use are also subject to the following rules governing leases and permits for use.

Adopted—09 20 00

7202.11 Definitions. For the purpose of these Board Rules, the following definitions apply:

a. Lease. A lease is defined as an agreement between the District and a person or organization which grants the person/organization exclusive use of certain District property and/or facility for a specific period of time, and at least 24 hours sequentially. A lease must have formal Board authorization or ratification as required in Board Rule 7202.12.

Adopted—09 20 00
b. Permit for Use. A permit for use is defined as an agreement between the District and a person or organization which grants the person/organization limited use of certain District property and/or facility for a specific period of time. A permit for use must have either formal Board authorization or ratification as required in Board Rule 7202.12.

c. Day. A day is defined as a separate, although not necessarily consecutive, twenty-four hour period. For example, five days in one fiscal year could be either five consecutive days or the first Saturday of the month for a five month period.

Adopted—09-20-00

7202.12 Permit for Use over Fourteen Days and Leases over Five Days.

a. A use of District property/facility by a person/organization through a lease which exceeds five days in one fiscal year or permit for use which exceeds fourteen days in one fiscal year, as appropriate, must have formal Board authorization prior to execution.

b. A use of District property/facility by a person/organization through either a lease which if five days or less or a permit for use which is fourteen days or less in one fiscal year may be either authorized by the Board in advance or ratified by the Board after the use.

c. Any lease or permit for use entered into pursuant to this rule must be executed in accordance with the appropriate Education Code provisions.

Adopted—09-20-00
d. Any person/organization that has a civic center permit in excess of these policies prior to the adoption date of these Board Rules, may enter into a lease or permit for use, as appropriate, with the District for use of the District facility under mutually agreeable terms and in accordance with these Board Rules.

Education Code Section 81378

Adopted 09-20-00

7202.13 Applicability of Public Bidding Requirements and Values Associated With Leases and Permits for Use. Leases and/or permits for use are subject to the following general provisions, as applicable:

a. Leases or permits for use of District property or facilities for a period of more than six days but less than five years shall be pursuant to terms and conditions agreed upon between the District and the lessee/permittee and in accordance with Education Code.

b. In addition to the limitations set forth in subsection a, the fair market value of a lease entered into by the District without a public bidding process shall not exceed $25,000.00 per year, as certified by the Board in a public agenda item prior to executing the lease. Any lease with a fair market value which exceeds $25,000.00 per year would be subject to the appropriate Education Code provisions, including but not limited to the provisions relating to public notice and bidding.

Adopted 09-20-00
c. Leases and permits for use exceeding five years in length must be executed in accordance with the appropriate Education Code provisions, including but not limited to the provisions relating to public notice and bidding.

Education Code Sections 81360 et seq., 81378.1

Adopted: 09-20-00
Amended: 11-02-16
ARTICLE III
RISK INSURANCE

7300. MANAGEMENT AND CONTROL OF BOARD INSURANCE. The placement, management and control of all risk insurance authorized by the Board shall be a function of the Business Services Division.

Restored 09-24-80

7301. KINDS OF INSURANCE AUTHORIZED. All forms of insurance necessary for the protection of, including but not limited to, real property, personal property, negligent acts, employee dishonesty, boiler and machinery, vehicles, employee injury and assigned risk coverage shall be carried as needed and permitted by the Education, Government and Insurance Codes of California.

Education Code Section 72506
Government Code Section 990
Insurance Code Section 11870

Restored 09-24-80

7302. PLACING OF INSURANCE. The various needs for insurance, together with all relevant information, including statements of costs obtained from insurance companies, agents, or brokers, for the placing of such insurance, shall be reported to the Chancellor for authorization by the Board of Trustees. Upon authorization by the Board, the Business Services Division shall place such insurance.

7302.10 Placing of Insurance in an Emergency. In an emergency, the Business Services Division shall place insurance and the Chancellor, or designee, shall immediately report such placement for ratification by the Board.

Restored 09-24-80

7303. DISTRIBUTION OF INSURANCE. Insurance carried by the District shall be obtained through competitive negotiations and shall be awarded to those insurance companies, agents, and brokers who agree to furnish the coverage required at the lowest and best prices consistent with good service and risk management practices.

Restored 09-24-80
7304. **INSURANCE RECORDS.** The records of insurance policies shall be maintained by the Business Services Division.

7304.10 **Records to Establish Insurable Values.** Records showing all pertinent data necessary to establish insurable values of District properties shall be maintained by the Business Services Division based upon the District's fixed asset inventory and annual independent property appraisals.

Education Code Section 81601

Restored—09-24-80

7305. **INSURANCE PREMIUMS.** Demands for payment of insurance premiums, based on orders duly issued, and approved by the Deputy Chancellor, or designee, shall be received by the Business Services Division, and paid in the same manner as other demands against the funds of the District.

Restored—09-24-80
Amended—03-05-13

7306. **CANCELLATION OF INSURANCE POLICIES.** Insurance policies shall be canceled with Board approval when deemed advisable, and the unearned premium forwarded to the Business Services Division for deposit.

Restored—09-24-80

7307. **SETTLEMENT OF LOSSES.** When any property covered by insurance is lost, damaged, or destroyed, a notice concerning the loss shall be sent immediately to all affected carriers or their representatives. The Deputy Chancellor, or designee, shall act as adjuster for the Board of Trustees in the settlement of losses and shall sign a Proof of Loss as authorized. The Deputy Chancellor shall recommend, as soon as practicable, a basis for settlement and, upon adoption by the Board, the agreed amounts shall be collected from the insurance companies concerned, and forwarded to the Business Services Division for deposit.

Restored—09-24-80
Amended—03-05-13

7308. **INSURABLE REPLACEMENT VALUE.** The insurable replacement value of a building or its contents may be defined as replacement cost of such building or contents, less the noninsurable items usually excluded.

Restored—09-24-80
7309. **VALUATION OF A BUILDING AND PERSONAL PROPERTY.** The term "building", as used in connection with insurance, shall be defined as including all actual construction within the building lines (these lines shall include all porches, arcades, platforms, or steps attached to the building) and all decorations, mechanical or other equipment pertaining to the service, upkeep, maintenance, or operation thereof, and also built-in or fixed equipment for buildings.

The valuation of a building and personal property contents, for insurance purposes, shall be computed by the Business Services Division based upon original costs and independent appraisal services of current market values.

Restored—09-24-80

7310. **DEPRECIATION OF BUILDINGS.** The valuation of buildings may be depreciated for insurance purposes through independent property appraisal services.

Restored—09-24-80

7311. **DEPRECIATION OF CONTENTS.** The valuation of contents (personal property) may be depreciated, for insurance purposes, on the basis of any average total depreciation of twenty-five percent (25%).

Restored—09-24-80

7312. **INSURANCE-CONSTRUCTION UNDER CONTRACT.** The provisions of the follow paragraphs shall be included in all material and labor contracts.

Restored—09-24-80

7312.10 **Buildings.** Fire insurance shall be carried on new buildings or other structures constructed under contract only upon the acceptance of the completion of the contract by the Board, except when any such building or portion thereof is occupied by the District, prior to acceptance of completion pursuant to provisions of the contract which relieve the contractor of the responsibility for injury or damage to such occupied building or portion thereof.

7312.11 **Existing Buildings.** During the performance of contracts for alterations, additions, repairs, reconstruction, rehabilitation, or other work in or on existing buildings, fire insurance shall be carried by the District.

Restored—09-24-80
LIABILITY CLAIMS PROCEDURES. All claims against the District for damages or injuries shall be reported to the Board of Trustees and administered by either the Office of General Counsel, the Senior Associate Vice Chancellor for Human Resources or the Director of Business Services, or their designees, as directed by the Chancellor.

The Chancellor, Deputy Chancellor and/or the Director of Business Services or their designees shall be authorized to settle up to $50,000, subject to ratification by the Board of Trustees.

For claims filed within the District’s self-insurance retention amounts, professional insurance adjusting services and attorneys specializing in public liability claims shall be retained to review, investigate, adjust and litigate the claims in the interest of optimally protecting the District.

For claims filed against the District or a contractor pursuant to an owner-controlled insurance program, the Chancellor, Deputy Chancellor and/or the Executive Director of Facilities Planning and Development or their designees shall be authorized to settle up to $50,000, subject to ratification by the Board of Trustees.

Restored—09-24-80
Amended—04-09-86
Amended—11-19-97
Amended—12-17-97
Amended—07-05-01
Amended—10-01-08
Amended: 11-02-16
7400. PARKING AND MOVEMENT OF VEHICLES ON CAMPUS.
Parking and movement of vehicles on District-owned property shall be controlled by each College President. The Board authorizes each College President to establish appropriate parking fees for visitors on campus. Fees for student parking permits are established by the Board. Each College President shall prepare, post, and make available any special regulations regarding the parking and movement of vehicles on campus. The Chancellor shall make these regulations available at the District Office.

Vehicle Code Section 21113
Education Code Section 76360

Adopted—12-15-71
Amended—09-24-80
Amended—11-03-99

7400.10 BICYCLING, SKATEBOARDING, ROLLER SKATING, AND ROLLERBLADING.
Bicycling, skateboarding, roller skating, rollerblading, and the riding of or on vehicles or other conveyances are prohibited on college grounds and walkways, except as accommodations for persons with disabilities, in specifically designated areas, or as expressly allowed by the College President or designee.

Vehicle Code Section 21113

Adopted—2-9-11

7401. DAMAGE OR LOSS OF PROPERTY.
Neither the Board of Trustees nor the Los Angeles Community College District shall be responsible for damage to or loss of vehicles or loss of contents thereof from any cause whatever except in those instances in which the District would be liable under Government Code including, but not limited to, GC 810 to 996.6, inclusive.

Adopted—12-15-71
Amended—09-24-80
7402. INJURY.
Neither the Board of Trustees nor the District shall be responsible for any injury to persons arising out of or in connection with the presence of or operations of vehicles on District property except in those instances in which the District would be liable under the Government Code including, but not limited to, GC 810 to 996.6, inclusive.

Adopted 12-15-71
Amended 09-24-80
Amended 11-02-16
ARTICLE VII
RECORDS

7700. REQUEST TO INSPECT PUBLIC RECORDS.

7700.10 A request to inspect public records may be written or oral and may be delivered by mail or in person to the administrator in charge of the office where the record is maintained;

7700.11 A request to inspect public records shall identify with reasonable particularity the records in question. If it is unclear what record is requested or if additional specification is needed, the administrator in charge may require a written description of the record;

7700.12 A request to inspect public records shall be made sufficiently in advance of the date of inspection so as to permit the District or college administrators to assemble the records and identify any records that may be exempt from disclosure.

Adopted 01-20-82
Amended 04-03-02

7701. TIME AND PLACE FOR INSPECTION.

The college or District administration will determine a reasonable time and place for the inspection of public records and shall advise the person who wished to inspect the public records of such time and place.

Adopted 01-20-82
Amended 04-03-02
REQUESTS TO COPY PUBLIC RECORDS. A request to copy a public record shall be made in the same way as identified above for inspection of public records. The college or District administration's reply thereto shall be made within ten working days after the receipt of such a request and shall state whether the request seeks copies of disclosable public records in the possession of the college or District. The ten-day time limit may be extended for no more than fourteen working days because of unusual circumstances. A list of conditions which constitute "unusual circumstances" is contained in section 6253(c) of the Government Code. After the reply is sent, the college or District has a reasonable period of time to produce the disclosable public records to the requesting party.

The Chancellor or designee shall notify the requestor in writing of the reasons for the extension and the date on which a determination is expected to be dispatched.

7702.10 Duplication Costs to Copy Written Materials. Once the college or District administration has located the disclosable public records which will be produced pursuant to a public records request, the administration shall notify the requesting party that the documents are ready and will be provided upon payment of the costs associated with duplicating the records, which is 25 cents for the first page and 10 cents for each additional page of any public record or
$1.00 per CD where staff determines that multiple documents may be provided in that form for efficiency. The District shall not be required to expend staff time for conversion of documents to electronic format. This fee is deemed sufficient to reimburse the District for the direct costs of duplication. The actual charge of postage shall also be added for any required mailing.

7702.11 Requests to Copy Tape Recorded Materials. A request to copy tape recordings shall be accompanied by an advance fee equal to the estimated staff time necessary to copy the tape. If a tape is not furnished, the actual cost of the tape shall also be assessed. If an advance fee is not included with the request, the District or college administration shall notify the requesting party of the estimated fees associated with producing the tape prior to providing the tape to the requesting party. Any unused portions of the fee shall be returned to party making the request.
7702.12 Reports. For copies of reports or other published materials available for distribution from stock, the charge, which represents the actual cost of reproducing these records, shall be:

$1.50 for each copy of a report not exceeding twelve (12) pages.

$2.50 for each copy of a report containing thirteen (13) to fifty (50) pages.

$5.00 for each copy of a report containing fifty (50) pages to one hundred (100) pages.

$10.00 for each copy of a report containing more than one hundred (100) pages.

7702.13 More than Twenty Copies. If more than twenty (20) copies of any one report are ordered at one time, a price may be determined independent of the rates listed above but the total charge shall not exceed the actual cost incurred by the District for reproduction services.

7702.14 Plans and Specifications. Copies of plans and specifications involving college facilities may also be provided under the above authority as follows:
a. Copies of specifications may be furnished as indicated for published materials in Sections 7702.12 and 7702.13.

b. Copies of plans may be furnished at the actual reproduction cost for such plans.

7702.15 Any fees collected for duplicating records under this Article shall be received, accounted for and deposited in accordance with established District procedures.

Adopted 01-20-82
Amended 04-03-02

7702.16 The college or District administration shall not be required to generate information that does not exist in an existing public record nor create a record that does not exist.

Adopted 01-20-82
Amended 04-03-02

7702.17 The charges referred to above do not apply to published reports prepared expressly for the purpose of informing the residents of the District about its operation and activities. Such reports shall be distributed at no cost on request as long as a supply exists.

These charges also do not apply to those items, such as transcripts, for which a statutory fee has been designated.

Adopted 01-20-82
Amended 04-03-02
7702.18 Nothing in these provisions shall be considered to supersede or be in conflict with provisions of collective bargaining contracts that address employee organization access to public records.

Adopted 01-20-82
Amended 04-03-02

7703. ACCESS TO PUBLIC RECORDS IN ELECTRONIC FORMAT.
If a District record, which constitutes a public record not exempt from disclosure under the Public Records Act, is available in electronic format, it shall be provided upon request in the electronic format in accordance with this Board Rule. District staff may inform requesting parties that records are available in electronic format and give them the option to receive information in electronic format. Under no circumstances shall the District make records exclusively available in electronic format.

Adopted 04-03-02

7703.10 The District shall only be required to make the public record available in the electronic format in which it holds the record.

Adopted 04-03-02

7703.11 The District shall only be required to make the public record available in the electronic form the District uses to create copies for its own use or for provisions to other agencies.

Adopted 04-03-02

7703.12 The District shall not be required to reconstruct a record in an electronic format if the District no longer has the record available in this format.

Adopted 04-03-02

Chapter VII - Article VII - Page 6 7703.12
7703.13 The District shall not be required to release an electronic record in the electronic form in which it is held if its release would jeopardize or compromise the security or integrity of the original record or any proprietary software in which it is maintained.

Adopted 04-03-02

7703.14 The District shall not be required to permit public access to District records when prohibited by law.

Adopted 04-03-02

7704.

COSTS FOR PRODUCING A PUBLIC RECORD IN ELECTRONIC FORMAT. Upon receipt of the applicable fee, the District shall produce a copy of the public record in electronic format. As a general rule, the cost of duplication shall be limited to the direct cost of producing a copy of the public record in electronic format. The requesting party shall be responsible for the entire costs of producing a copy of a record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record when either of the following applies:

a. In order to comply with the Public Records Act, the District would be required to produce a copy of an electronic record that is produced only at an otherwise regularly scheduled interval.

b. The request requires data compilation, extraction or programming to produce the record.

Under these circumstances, the District shall inform the requesting party in writing that special charges will be incurred in order to produce the public record, provide an estimate of the costs and require advanced payment of these costs prior to producing the record. The District will be responsible for returning any unused portions of the advanced fee.

Adopted 04-03-02
RECORDS EXEMPT FROM PUBLIC DISCLOSURE. Records that are exempt from public disclosure may not be inspected and/or copied. Examples of records that are exempt from public disclosure are preliminary drafts, records pertaining to litigation and legal advice, personnel or medical files (the disclosure of which would amount to an unwarranted invasion of privacy), test questions and information provided by the District on a confidential basis. Some of the records exempt from public inspection are set forth in sections 6253.5, 6254, and 6254.3 of the Government Code.

Adopted—01 20 82
Amended—04 03 02

7706. LOS ANGELES COMMUNITY COLLEGE DISTRICT RECORDS. Los Angeles Community College District Records shall be developed, maintained and disposed of according to the requirements of law and this Board policy.

7707. DEFINITION OF RECORDS. The term "Records" shall mean all documents, maps, books, papers, computer output, and electronic documents of the Los Angeles Community College District required by law to be prepared or retained as necessary or convenient to the operation of the District.

The following are not Records and may be destroyed at any time:

a. Copies, other than the original or one copy of the original.

b. Correspondence between District employees that does not pertain to personnel matters, or constitute a student record.

c. Advertisements and other sales material received.

d. Textbooks used for instruction and other instructional materials, including library books, pamphlets and magazines.

Adopted—04 03 02
CLASSIFICATION OF RECORDS. Each year prior to June 30, the Chancellor or his/her designees at the District Office and each College President or his/her designee at the colleges shall review documents and papers originating during the prior fiscal year and classify them as either Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable). Records of a continuing nature that are active and useful for administrative, legal, fiscal or other purposes over a period of years shall not be classified until such usefulness has ceased. Records originating during a current fiscal year shall not be classified during that year. Once Records are appropriately classified, they must be either retained or destroyed in accordance with this policy.

CLASS 1: PERMANENT RECORDS. The original of each of the following Records, or one exact copy thereof when the original is required by law to be filed with another agency, is a Class 1 (Permanent) Record and shall be retained indefinitely unless copied or reproduced in accordance with Title 5, California Code of Regulations, section 59022(e). Whenever an original Class 1 (Permanent) Record is photographed, microphotographed or otherwise reproduced on film or electronically, the copy thus made is classified as a Class 1 (Permanent) Record.

a. Annual Reports. These reports include: the official budget reports; financial reports of all funds, including cafeteria and student body funds; audit reports of all funds; average daily attendance reports, including Period 1 and Period 2 reports; other major annual reports, including those containing information relating to property, activities, financial condition or transactions, and those other reports declared by the Board to be permanent.

Adopted 04-03-02
b. Official Actions.

1) All minutes of Board or Board committee meetings, including the text of rules, regulations, policies or resolutions not included verbatim in the minutes but by reference only.

2) The call for and result of any elections called, conducted or canvassed by the Board for a Board member, a Board member’s recall, the issuance of bonds incurring any long-term liability, change in maximum tax rates, for reorganization, or any other purpose.

3) Records transmitted by another agency pertaining to its action with respect to District reorganization.

c. Employee Records. All employee Records relating to employment, assignment, 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 detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as Class 1 (Permanent), and the detailed records may then be classified as Class 3 (Disposable).

Adopted—04-03-02
Information of a derogatory nature as defined in Education Code 87031 shall be maintained in accordance with the applicable collective bargaining agreement.

d. **Student Records.** All Records of enrollment and scholarship for each student including name of student, date and place of birth, name and address of parent or guardian having custody over a student if the student is a minor, entering and leaving date for each academic year, and academic record which includes classes taken and grades and/or credits received. In addition, all Records pertaining to any accident or injury involving a minor for which a claim for damages has been filed as required by law. This includes any related policy of liability insurance except that these records cease to be Class 1 (Permanent) Records one year after the claim has been settled or the statute of limitations has run.

e. **Property Records.** All detailed Records relating to land, buildings and equipment. In lieu of detailed Records, a complete property ledger may be classified as Class 1 (Permanent). The detailed Records may then be classified as Class 3 (Disposable) if the property ledger includes all fixed assets; an equipment inventory; and for each piece of property, the date of acquisition or augmentation, name of previous owner, an adequate description, the amount paid, and comparable data if the unit is disposed of by sale, loss or otherwise.

Adopted—04-03-02
7708.11  **CLASS 2: OPTIONAL RECORDS.** Any Record that is not a Class 1 (Permanent) Record shall be classified as Class 2 (Optional) and shall be retained until reclassified as Class 3 (Disposable). If the Records of a prior year are not classified before July 1, all Records of the previous year shall be classified as Class 2 (Optional) until they are classified as required by Board Rule 7708. Such classification must occur within one year.

Adopted—04-03-02

7708.12  **CLASS 3: DISPOSABLE RECORDS.** All Records, other than continuing Records, not classified as Class 1 (Permanent) or as Class 2 (Optional) shall be classified as Class 3 (Disposable). These Records include but are not limited to: Records basic to audit, including those relating to attendance, full-time equivalent student, or a business or financial transaction (purchase orders, invoices, warrants, ledger sheets and canceled check stubs, student body and cafeteria fund Records, etc.); detail Records used in the preparation of any other report; and periodic reports, including daily, weekly and monthly reports, bulletins and instructions.

Adopted—04-03-02

7709.  **DESTRUCTION OF RECORDS.** Only Class 3 (Disposable) Records shall be destroyed. These Records may be destroyed during the third school year (e.g., a Record originating in the 1993-94 school year plus 3 years = 1996-97 destruction date), after the completion of the following, as applicable:

a.  The completion of any legally required audit.  Class 3 (Disposable) Records basic to an audit shall not be destroyed until after the third July 1 succeeding the completion of the audit required by Education Code section 84040 or of any other legally required audit. Class 3 (Disposable) Records basic to an unresolved audit citing shall not be destroyed until five years after the audit citing is first presented to the Board as provided under 5, California Code of Regulations, section 59118.

Adopted—04-03-02
b. The retention period required by any agency other than the State of California.

c. The retention period under a Federal program, including various student aid programs.

Adopted 04-03-02

7709.10 PROCEDURES FOR DESTRUCTION.

a. The Chancellor or his/her designee and each College President or his/her designee shall:

1) Personally supervise the classification of Records.

2) Designate each file or other container as to the classification and the school year in which the Records originated. If the Records are classified as Class 3 (Disposable), the Chancellor or his/her designee and each College President or his/her designee shall also designate the school year in which such Records are to be destroyed.

3) Submit to the Board a report of Records recommended for destruction with a certification that no Records are included in the list which conflict with these Board Rules.

b. The Governing Board shall:

1) Approve or disapprove the recommendations of the Chancellor or his/her designee and/or each College President or his/her designee.

2) Order a reclassification when necessary or desirable.

3) Order by action recorded in the minutes (with lists attached) the destruction of Records in accordance with these Board Rules.

Adopted 04-03-02
7709.11  MANNER OF DESTRUCTION. Once the Board determines that specific Records shall be destroyed, such Records shall be permanently destroyed by such fool-proof methods such as shredding, burning, or pulping under the supervision of the Chancellor or his/her designees.

Adopted—04-03-02

Amended: 11-02-16
ARTICLE VIII
MANAGEMENT AND CONTROL OF KEYS

7800. MANAGEMENT AND CONTROL OF KEYS

The safeguarding of assets of the District shall include the control of keys to the facilities of or used by the District. The management and control of keys shall be the responsible function of the Chancellor at the District Office and the College Presidents at their respective campus locations. In the implementation of this policy appropriate technical support personnel should be provided to each location.

7800.10 Delegation of Authority

The authority for the management of keys may be delegated to a designed administrator and shall only include a Vice Chancellor or Vice President.

Adopted—12-17-86

7800.11 Written Location Policies

A written policy on a key control/management system will be developed by the Chancellor and each College President, or their designees, regarding the distribution, retrieval, and safeguarding of keys. Such written policies for each site shall include, but are not limited to the following, based on the key system, building designs, and requirements of the local site:

a. The use of key authorization cards issued for each key disbursed.

b. The distribution and issuance of keys only whenever essential and necessary.

c. The development and maintenance of records related to the issuance, replacement, and return of keys.

Adopted—12-17-86

d. The use of a signature authorization form for those administrators authorized to issue keys.

e. The immediate reporting of lost keys to the Campus Safety and Police Offices.

f. The inclusion of a key return procedure whenever an employee changes assignments, resigns, retires or is terminated.
g. A prohibition against unauthorized lending or duplication of keys.

h. Distribution of the key policy to each employee receiving a key with forceful direction on the personal responsibility of safeguarding the key and District assets under the security of the key.

i. An annual review or accounting of the local key policy, practices, and inventory.

j. Disciplinary action for employees who fail to comply with the key policy of the location.

Adopted——12-17-86

7800.12 A copy of each key policy developed by all locations shall be disposed and on file in the Chancellor’s Office.

Adopted——12-17-86

7800.13 Unauthorized Making, Duplicating or Possession of Key to Public Building.

Pursuant to Penal Code 469, any person who knowingly makes, duplicates, causes to be duplicated, or uses, or attempts to make, duplicate, cause to be duplicated, or use, or has in his possession any key to a building or other area owned, operated, or controlled by the District without authorization from the person in charge of such building or area or his designated representative and with knowledge of the lack of such authorization is guilty of a misdemeanor.

Adopted——12-17-86

Amended: 11-02-16
CHAPTER VII
ARTICLE X
MEALS AND REFRESHMENTS AT FORMAL DISTRICT FUNCTIONS

71000. CHANCELLOR'S AUTHORIZATION TO EXPEND FUNDS. The Chancellor may authorize actual and necessary expenditures from the General Fund for meals and refreshments served at District events, meetings, and conferences if the serving of meals or refreshments directly facilitates a District purpose or function.

71000.10 Appropriate Functions or Events. Listed below are events at which such expenditures may be appropriated:

1. In-service Training Events; and
2. Educational Conferences and Events; and
3. Selected committees not covered under Personnel Commission's authority; and
4. Special functions that directly serve a District need or function.

71000.11 Disallowed Reimbursables. District expenditures for meals and refreshments are NOT allowed for routine administrative meetings, budget planning sessions or other types of informal meetings that are held in the normal course of performing a job.

71000.12 Prohibitions Consistent with California Law. In order to overcome prohibitions against gifts of public funds and conflicts of interest, expenditures for non-employees must be consistent with California law and with the purpose for which the District was established.

Adopted 10-25-05

71000.13 Requests for Expenditures. All requests for expenditures shall be prepared in accordance with the Business Services Procedures guidelines. Each request must be submitted prior to the event on the Request for Food Purchase form and approved by the appropriate College President, Deputy Chancellor or designee and Division (Office)/Department Head at the College or District Office.

71000.14 Advance Relevant Payments. Advance payments may be authorized to caterers, restaurants, hotels and other providers of food service when required.
Other Costs. Tips or other food service related gratuities are allowed if payment is supported by a printed transaction receipt. Such tips and gratuities cannot exceed 15% of the subtotal of the food purchase costs. "Service charges" are allowed in cases where the caterer, restaurant, hotel and/or other provider or food service adds the charge to the invoice. The District will pay this charge as a cost of doing business.

Expenditures for intoxicating spirits are not allowed except in accordance with Board Rule 10704.

Adopted  10-25-95
Amended      06-24-09
Amended:  11-02-16
ARTICLE XI
ENVIRONMENTAL PROTECTION

71100. INTEGRATED WASTE MANAGEMENT.

The District, including the Educational Services Center and each of the colleges, shall engage in responsible business practices intended to help protect the environment by meeting California’s goals for diverting solid waste from landfills.

71100.10 Waste diversion goals shall be attained predominantly by way of source reduction, property and material reutilization, and recycling.

Adopted 07-05-04

71100.20 Purchasing and utilizing durable and reusable products shall attain additional waste diversion.

Adopted 07-05-04

71100.30 The District shall support new markets for recycled content products, whenever feasible and within fiscal constraints.

Adopted 07-05-04

71100.40 The District shall provide responsible staff with current regulatory requirements and develop educational and outreach materials to ensure waste diversion goals are met.

Adopted 07-05-04

71101. AUTHORITIES AND RESPONSIBILITIES.

The Chancellor or his or her designee shall ensure that each campus and the Educational Services Center implement and maintain a site-specific Integrated Waste Management Plan (APlan@) pursuant to the Public Resources Code commencing with Section 40148 for Large State Facilities. The Plans shall be submitted on forms acceptable to the California Integrated Waste Management Board (CIWMB).

Adopted 07-05-04
71101.10 The College President or Chancellor= s designee, as applicable, shall approve the site-specific Plan upon review by the Vice President, Administration/Administrative Services or Director, Business Services.

*Adopted* 07-05-04

71101.20 The Vice President, Administration/Administrative Services or Director, Business Services, as appropriate, shall appoint a person to act as Recycling Coordinator for each location.

*Adopted* 07-05-04

71101.30 The Recycling Coordinator shall maintain required records and correspondence and provide administrators, managers, and supervisors with recycling guidelines.

*Adopted* 07-05-04

71101.40 Administrators, managers, and supervisors shall familiarize themselves with the integrated wastes generated by the operations for which they are responsible and:

1. Take steps to reduce waste at its source;
2. Reuse equipment, components, and materials, whenever possible;
3. Recycle materials according to the site-specific Plan;
4. Purchase durable and reusable products, whenever feasible; and
5. Consider purchasing recycled content products, whenever feasible and within fiscal constraints.

*Adopted* 07-05-04

71101.50 All employees shall recycle at the point of waste generation in accordance with the site-specific Plan.

*Adopted* 07-05-04
WASTE DIVERSION TECHNIQUES.

71102.10 Source Reduction means any action undertaken by an individual, department, or organization to eliminate or reduce the amount of materials before disposal into the municipal solid waste stream. This action is intended to conserve resources, promote efficiency, and minimize, if not eliminate, the addition of certain materials to the waste stream. Source reduction activities shall include:

1. Use of electronic media to minimize the amount of paper generated.

2. Use of audio/video presentation materials to minimize the number of handouts distributed.

Adopted — 07-05-04

3. Two-sided copying to minimize the amount of paper generated.

Adopted — 07-05-04

71102.20 Reutilization means making use of discarded property or materials or components thereof. This action is intended to conserve resources, promote efficiency, and delay the addition of materials to the waste stream. Reutilization activities shall include:

1. Salvage of components from broken equipment for use as spare parts to repair similar equipment.

2. Use of waste paper for note pads, draft documents, or meeting notes.

3. Reuse of certain boxes and envelopes for storage and inter-office mail and/or courier mail.

4. Use of newspapers for packing materials.

5. Selling by bid, or donating to charity, all reusable surplus personal property removed from service by the District.

Adopted — 07-05-04
71102.30 Recycling means collecting and transporting waste materials for the purpose of remanufacture. This action is intended to conserve resources and divert materials away from the waste stream. Recycling activities shall include:

1. Collection of beverage containers, mixed papers, cardboard, newspapers, magazines, catalogs, telephone books, and other publications for recycling.

Adopted—07-05-04

2. Collection of tree and brush waste for composting.

3. Grasscycling whenever possible with mulching mowers.

4. Tracking of demolition and excess construction materials in consultation with general contractors to ensure marketable materials are recycled.

Adopted—07-05-04

71103. EDUCATIONAL/OUTREACH PROGRAMS.

71103.10 Employees shall be trained in source reduction, reutilization, and recycling techniques prescribed for their assigned workplace(s).

Adopted—07-05-04

71103.20 Recycling Coordinators shall provide periodic information regarding new source reduction techniques, waste diversion goals, and recycling performance.

Adopted—07-05-04

71103.30 The District's Recycling Coordinator shall maintain the overall Plan in compliance with the California Public Resources Code and CIWMB rules.

Adopted—07-05-04

Amended: 11-02-16
CHAPTER VII

ARTICLE XII

ISSUANCE OF CERTIFICATES OF PARTICIPATION

72000. GENERAL PURPOSE. The Board of Trustees is authorized under the Education Code to provide for the financing of the acquisition, construction and/or installation of equipment and/or real property and/or other capital improvements through the execution and delivery of certificates of participation, each which evidences the proportionate interests of owners in certain lease payments made by the District. Certificates of Participation ("COPs") are bonds, notes, warrants or other evidence of indebtedness issued by the District for this purpose.

Adopted—02-11-04

72000.10 DUE DILIGENCE.

(a) Submission of materials. Prior to the Board taking an action authorizing the issuance of COPs, the following written materials must be submitted to the Chancellor's designee by the location requesting the COPs issuance:

i. A full description of the purpose of such financing, including justifications for this need and a disclosure of other financing alternatives;

ii. Identification of a dedicated revenue stream for debt repayments, including the impact that the dedication of the revenue stream may have on other programs conducted by that location; and,

Adopted—02-11-04

iii. An analysis of the risks involved with the COPs issuance (e.g., reliability of income stream, changing conditions, etc.);

iv. Any other relevant information that substantiates or would materially impact the appropriateness of issuing COPs.
(b) **Chancellor's review.** The Chancellor's designee shall fully review all of the submitted materials, conduct additional inquiry as he or she deems necessary, and make a recommendation to the Chancellor. The Chancellor may then determine whether to recommend the issuance of COPs to the Board of Trustees.

**Adopted:** 02-11-04

**72000.11** **BOARD RESOLUTION.** If the Chancellor determines to recommend the issuance of the COPs, the Board of Trustees will be presented with a proposed resolution authorizing such an action. The Board President may elect to have an initial review by an appropriate Board committee prior to consideration by the full Board of Trustees.

**Adopted:** 02-11-04

**Amended:** 11-02-16
CHAPTER VII
ARTICLE XIV
HEARING PROCEDURES

71400. The following procedures shall be followed when staff recommends that a contractor, vendor, subcontractor, supplier and/or individual(s) be debarred, declared not responsible or terminated from having status as prequalified for a contract award.

71400.10 The Chancellor or designee shall make a recommendation to the President of the Board of Trustees regarding the appropriate hearing committee or officer, in light of the particular facts and circumstances in question. The President shall have the authority to delegate the conduct of an evidentiary hearing to an appropriate hearing officer or committee.

71400.20 If the hearing is conducted by a body subject to the Ralph M. Brown Act, the hearing shall be conducted in a public session pursuant to the Ralph M. Brown Act.

71400.30 At the conclusion of the hearing, the designated hearing officer or committee shall direct staff to prepare a draft of a written recommendation. The final recommendation shall be presented to the full Board for approval or disapproval promptly upon completion of the written recommendation.

71400.40 The Chancellor may adopt regulations implementing appropriate hearing procedures, which may be adjusted or changed as deemed appropriate by the hearing officer or committee.

Adopted 11-18-09
Amended: 11-02-16
ARTICLE III

GUIDANCE

8300.

COUNSELING SERVICES: The Los Angeles Community College District is committed to a philosophy of open access, offering educational opportunities to all adults who are able to benefit. Underlying this philosophy is the objective of student development which promotes both intellectual and personal growth through identification of career and life goals and assistance in planning and attaining these goals.

Board Rule 1304 designates counseling and guiding as a major function of our colleges, "to assist students in the establishment of educational goals and in the selection and pursuit of a life work compatible with students' interests, aptitudes and abilities." This function contributes to the mission of the District which stated in Board Rule 1201 endeavors "to provide support services which contribute to instructional and student success."

The open access philosophy of our colleges contributes to the diversity and complexity of attributes, skills and abilities of our students. This diversity requires a comprehensive counseling program as a critical element in the student development model. Through the counseling process, students' goals, skills, abilities, and individual motivation need to be assessed in order to direct students to programs and courses commensurate with these attributes and where they can be expected to succeed. It involves an exchange between counselor and counselee, supported by all the necessary and appropriate resources of the institution. Ultimately, it is the students' responsibility to identify personal and career goals and educational goals and educational plans. It is the institution's responsibility to assist and nurture students in pursuit of their educational goals.

Counseling services further support student success through a systematic process of monitoring student progress and providing student feedback.

To accomplish these ends, the following counseling service goals are established for the District:

1. Each college shall provide an adequate credentialed counseling staff, to accomplish counseling goals.

2. Each college shall provide academic counseling in which the student is assisted in assessing, planning and implementing his or her immediate and long-range academic goals.

Adopted—02-03-70
Amended—03-02-88
Amended—10-22-97
3. Each college shall provide career counseling, in which the student is assisted in assessing his or her aptitudes, abilities, and interests, and is advised concerning current and future employment trends.

4. Each college shall provide personal counseling in which the student is assisted with personal, family or other social concerns, when that assistance is related to the students' education.

5. Each college shall provide coordination with the counseling aspects of other services to students which exist on the campus, including, but not limited to, those provided in programs for students with special needs and financial assistance programs.

6. Each college shall provide appropriate follow-up and feedback in order to assess and inform students of progress toward their goals.

7. Each college shall ensure communication between the counseling office staff, with the teaching faculty, and the college administration to promote increased institutional understanding of students' aptitudes, needs, and outcomes.

8. Each college shall encourage departmental advisement in coordination with counseling services to supplement information to students regarding specific majors and employment opportunities.

9. Each college shall provide comprehensive counseling services, activities, and programs for diverse student populations, to specifically enhance their access to college resources, transfer institutions, and occupational and vocational opportunities.

Education Code Section 72620
Title 5, C.C.R., Section 51018

Adopted—02-03-70
Amended—03-02-88
Amended—10-22-97
Advising by Members of the Teaching Faculty. Each member of the teaching faculty will, during assigned office hours and at other times, provide students with advice on matters within his or her area of competence.

Adopted——02-03-79

PERSONAL AND SOCIAL COUNSELING; REFERRALS. Members of the counseling staff at any college and other members of the faculties when engaged in guidance may counsel and guide students in matters of personal and social adjustment when this relates directly to educational advisement. Students who appear to have severe or marked needs in social or personal adjustment shall be referred to the Health Center of the College or to an appropriate community agency.

Release of Information Contained in Counseling Records. Except as noted below, any information of a personal nature disclosed to a school counselor during counseling by a student 12 years of age or older or by a parent or guardian of a student 12 years of age or older is confidential. None of this information will become part of the student record without the written consent of the person who disclosed the confidential information.

Personal information disclosed in a counseling session shall not be revealed, released, discussed or referred to except as follows:

a. Discussion between health care providers for the sole purpose of referring the student for treatment;

b. Reporting of child abuse or neglect as required by the Child Abuse and Neglect Reporting Act;

c. Reporting to the chief administrative officer or parents of the child where the counselor reasonably believes there is a clear and present danger to the health, safety or welfare of the student, parents or others in the school community;

d. Reporting to the chief administrative officer or other college officials, the parents, or others when the student indicates that a crime that will result in physical injury or substantial property loss will or has been committed;

Adopted——02-03-79
Amended——10-22-97
e. Reporting to one or more persons specified in a written waiver of confidentiality that the student has read and signed;

f. Reporting information to law enforcement officials pursuant to a court order to aid criminal investigation or when ordered to testify in a judicial or administrative proceeding.

A school counselor shall not disclose confidential information about the student to the student’s parents where the counselor reasonably believes disclosure would result in a clear and present danger to the health, safety or welfare of the student.

The limitations set forth in this Board Rule only apply to personal information revealed during counseling sessions. These requirements are not intended to limit the access to students records provided in Education Code section 76243 and Board Rule 8401.11 or to prohibit a counselor from conferring with other staff members about modifying a student’s academic program, as appropriate.

Education Code Section 72621

Adopted—02-03-70
Amended—10-22-97

8305. COUNSELORS AS DISCIPLINARY OFFICERS. Members of the counseling staffs at the community colleges of this District shall not be considered disciplinary officers as the term "discipline" is used in connection with externally administered rewards and punishments of student conduct. The President of each college shall carefully delineate the duties of the counseling staff to insure that this concept is supported.

Adopted—02-03-70

8306. ADMINISTRATION OF STANDARDIZED PSYCHOLOGICAL TESTS. Standardized psychological tests shall be administered only by a counselor, licensed mental health service provider or by faculty members who have had special training in the administration and interpretation of such tests.

Adopted—02-03-70
Amended—04-14-99
ARTICULATION WITH SCHOOLS AND COLLEGES. Each college in the District shall provide for appropriate articulation between the college and other levels of education. The articulation agreements arranged under this provision shall be available to counselors, to other members of the faculty, and to students for the improvement of guidance services and the facilitation of student transfers.

Adopted: 02-03-70
Amended: 04-05-06
Amended: 11-02-16
ARTICLE IV
RECORDS

8400. STUDENT RECORDS. The President of each community college in the District shall keep, or cause to be kept, a cumulative record of enrollment, scholarship, and educational progress for each student.

Education Code Section 76220
Title 5, C.C.R., 54600 et seq.

Adopted—02 03-70
Amended—10 22-97

8401. TRANSCRIPTS OF STUDENTS' RECORDS. If a student enrolls, seeks to enroll, or is directed to enroll in another school, college or education program, a copy of the student's record shall be forwarded promptly by U.S. mail or other responsible forwarding agency upon request. Such request may be made by the student or officials of other public or private school systems, including local, county or state correctional facilities where education programs are provided.

Education Code Sections 76225, 76243

Adopted—02 03-70
Amended—10 22-97

8401.10 Charges for Transcripts or Verifications of Various Student Records. A student/former student shall be entitled to two free copies of the transcript of his/her record or two free verifications of various student

Adopted—02 03-70
Amended—08 04-71
Amended—04 22-81
Amended—08 18-82
Amended—09 03-86
Amended—10 22-97
Amended—06 13-01
records. Additional copies shall be made available to the student, or to an addressee designated by him/her, at the rate of $3.00 per copy.

Students may request special processing of a transcript or verification of enrollment for an additional fee of $7.00. The total charge for both an emergency transcript and Verification of Enrollment will be $10.00.

Colleges will maintain the following production timeframes:

a. Regular service for transcript or Verification of Enrollment: Ten (10) working days or less.

b. Emergency service for transcript or verification: immediately upon request.

All money collected for emergency transcript and verification production will be maintained by the college to cover the associated costs.

Education Code Section 76223

Adopted 02 03 70
Amended 08 04 71
Amended 04 22 81
Amended 08 18 82
Amended 09 03 86
Amended 10 22 97
Amended 06 13 01
Release of Information Contained in Students' Records. No instructor, official, employee, or governing board member shall authorize access to student records to any person except under the following circumstances:

a. Student records shall be released pursuant to a student's written consent.

b. Student records shall be released pursuant to a judicial order or a lawfully issued subpoena.

c. Student records may be released to officials and employees of the District only when they have a legitimate educational interest to inspect the record.

d. Student records may be released to authorized representatives of the Comptroller General of the United States, the Secretary of Health, Education and Welfare, and 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, with the exception 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

Adopted—02-03-70
Amended—10-22-97
officials, and any personally identifiable data shall be destroyed when no longer needed for that audit, evaluation, and enforcement of federal legal requirements.

e. 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, subject to Board Rule 8401.

f. 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.

g. Student records may be released to organizations conducting studies for, or on behalf of accrediting organizations, education 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.

h. 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.

i. 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.

Education Code Sections 76243 et seq.

Adopted—02-03-70
Amended—10-22-97

8402. WITHHOLDING OF TRANSCRIPTS, GRADES, DIPLOMAS, AND REGISTRATION PRIVILEGES FROM STUDENTS OR FORMER STUDENTS

The President of a college or designee shall with written notification withhold grades, transcripts, diplomas, and registration privileges from any student or former student who fails to pay a proper financial obligation to the District. Written notification shall be sent to the student or former student’s last known address. The student shall be given the opportunity to respond to the President or designee in order to explain if the financial obligation is in error.

Adopted—07-09-96
Amended—11-05-08
A proper financial obligation shall include, but not be limited to, student fees; obligations incurred through the use of facilities; equipment or materials; library fines; unreturned library books; materials remaining improperly in the possession of the student; and/or any other unpaid obligation a student or former student owes to the District. A proper financial obligation does not include any unpaid obligation to a student organization.

Authority: Title 5, C.C.R. 59410

Adopted—07-09-96
Amended—11-05-08

8402.10 Withholding of Services For Students Who Are In Default On A Loan Or Loans. The District may withhold institutional services from a student or former student who has been notified in writing at the last known address of the student or former student that he or she is in default on a financial aid loan or loans, including but not limited to, loans under the Federal Family Education Loan Program ("FFELP", formerly the Guaranteed Student Loan Program) or the Supplemental Loan for Students Program. The services that may be withheld from the student shall include, but are not limited to the provision of grades, transcripts, and diplomas.

"Default" means the failure of a borrower to make an installment payment when due, or to meet other terms of the promissory note under circumstances where the guarantee agency finds it reasonable to conclude that the borrower no longer intends to honor the obligation to repay, provided that this failure persists for 180 days for a loan repayable in monthly installments, or 240 days for a loan repayable in less frequent installments.

Adopted—11-05-08
The District shall not withhold registration privileges of students in default of a financial aid loan or loans.

The District shall not withhold services during the period when the facts with respect to the default are in dispute or when the student or former student demonstrates to the governing board of the District or the Student Aid Commission, or both, that reasonable progress has been made to repay the loan or that there exists a reasonable justification for the delay as determined by the institution.

Adopted—11-05-08

8403. SUBPOENAS AND OTHER LEGAL PAPERS. The Chancellor shall establish the procedures to be followed in connection with the service of subpoenas and other legal papers upon the District for students’ records.

Adopted—02-03-70
Amended—10-22-97

8404. STUDENT INFORMATION

Protection of Confidential Student Information

Each college shall develop procedures to ensure that the confidentiality of student information, including social security numbers, is protected. Such procedures should include, but are not limited to, prohibitions against the posting of students’ grades by social security numbers (or portions thereof), the posting of any other confidential student information (e.g., birth date), as well as circulation of any documents (e.g., class rosters) which contain confidential student information.

Adopted—12-18-02
Amended: 11-01-16
ARTICLE V

STUDENT INTERVIEWS AND HEALTH

8501. INTERVIEWING OF STUDENTS BY POLICE OFFICERS. With reasonable cause, duly authorized representatives of law enforcement agencies having jurisdiction over the area in which the college concerned is located shall be allowed to interview students. If the interview is to occur on campus, the student may request the presence of the President or his/her authorized representative during the interview.

If referring to student records is required to assist the law enforcement officer in locating the student, the law enforcement officer must first present a court order to obtain information from the student record unless the Records Officer, in her/his discretion, feels that the health or safety of students requires disclosure of this information.

Police officers of the City of Los Angeles and of other jurisdictions within the Los Angeles Community College District, Los Angeles County Sheriffs Deputies, Los Angeles County Probation Officers, California State Police, investigators for the Domestic Relations Court, and agents of the California Youth Authority and the Federal Bureau of Investigation must produce official identification cards. The Records Officer may, in her/his discretion, require verification of the requesting officer's agency affiliation.

Adopted — 02-02-70
Amended — 04-14-99

8501.10 Interviewing of Students by Members of the Press. The college president shall develop rules and regulations governing press access to the campus. Subject to such college rules and regulations, members of the press may interview students on campus. The college president or president's designee reserves the right to ask media representatives to leave the campus if the media representatives' presence interferes with the college's educational objectives.

Adopted — 04-14-99
STUDENT HEALTH. The Board of Trustees shall give diligent care to the health, safety and physical development of students enrolled in the public colleges under its jurisdiction. The Chancellor or designee shall establish such regulations as shall be necessary for the administration of a college health program.

The Board of Trustees shall require that each campus collect a mandatory fee for these services to all full-time and part-time students pursuant to Education Code Section 76355 and Title 5 of the California Code of Regulations, Section 54702, which define the services, fee procedures, and specific allowable fee expenditures.

Except in cases where it is allowable under the law, health services will not be provided to minors under the age of eighteen (18), unless the student has a consent form signed by his or her parent or guardian.

Exempted from the payment of these fees are: (a) students who depend exclusively on prayer for healing in accordance with the teaching of a bona fide religious sect, (b) students who are attending classes under an approved apprenticeship training program, (c) noncredit education students, (d) students enrolled in District colleges exclusively at sites where student health services are not provided, (e) students who are enrolled in District colleges exclusively through Instructional Television or distance education classes, (f) students who are enrolled in District colleges exclusively through contract education, (g) students admitted as Special Part-time Students (K-12) or Special Summer School Students under the provisions of Board Rule 81001.01 or 81001.02.

Adopted 02-03-70
Amended 04-29-92
Amended 06-28-00
Amended 04-18-01
Amended 11-06-02
Amended 12-14-05
Amended 02-06-07
Amended 08-19-09

Chapter VIII - Article V - Page 2 8502.
Students exempted under the provisions of (b), (c), or (g) above are eligible to receive the services of the college health program; all other exempted students are not eligible to receive the services of the college health program, unless they opt to pay the fee.

EDUCATION Code Section 76355
Title 5, C.C.R. 54702

Adopted—02 03 70
Amended—04 29 92
Amended—06 28 00
Amended—04 18 01
Amended—02 06 07
Amended—08 19 09

8503. PHYSICAL EXAMINATIONS OF STUDENTS. If physical examinations are required, the College President will be responsible for providing for required physical examinations of students. Such examinations shall be conducted to ensure adequate privacy and physical comfort of the students and proper confidentiality in connection with any defect or ailment noted.

Education Code Sections 76401 et seq.

Adopted—02 03 70
Amended—04 14 99

8504. EXEMPTION FROM EMERGENCY MEDICAL TREATMENT FOR A MINOR. A minor may be exempt from emergency medical treatment upon the filing by the parent or guardian of a signed statement, annually, stating that such parent or guardian does not consent to such emergency medical treatment. The student may, however, be excluded from school attendance whenever there is a good reason to believe that such student is suffering from a recognized contagious or infectious disease, and may not be permitted to return to school until such disease has ceased to exist.

Education Code Sections 76020, 76401 et seq.

Adopted—02 03 70
Amended—10 22 97
8505. FIRST AID. Basic first-aid and emergency-care shall be provided for sickness and occurring on school premises or while students and employees are engaged in school activities.

Adopted 02-02-70
Amended 10-22-97
Amended: 11-02-16
ARTICLE VII

FINANCIAL AID

8700.

CONCURRENT ENROLLMENT OF STUDENTS ON FINANCIAL AID WITHIN THE LOS ANGELES COMMUNITY COLLEGE DISTRICT.

It is the policy of the Los Angeles Community College District that any person enrolled in the Los Angeles Community College District who is receiving financial aid pursuant to Federal Regulations 35 CFR 600 et seq. may satisfy his/her minimum unit requirements in any one or more of the colleges within the District.

A student's "home school" shall be the college that the student designates as the college where the student intends to complete his/her educational goal and/or complete his/her associate degree requirements. The student's eligibility shall be calculated on the basis of the full course load carried by the student at the several institutions for the award period. However, the student shall receive financial funds only from the home school.

The home school shall be responsible for the following:

1) determining the student's eligibility to receive financial aid;

2) disbursing all financial aid funds to the student;

3) monitoring the student's eligibility, including whether or not the student is maintaining "satisfactory progress" as defined in the federal regulations; and

4) maintaining the student's financial aid records.

Adopted—04-24-96
Amended: 11-02-16
CHAPTER VIII

ARTICLE VIII

TRANSFER CENTERS

8800. TRANSFER CENTERS: MINIMUM PROGRAM STANDARDS.

The District recognizes that assisting students with transfer to baccalaureate colleges and universities is one of its primary missions. The Board directs each college president, or his/her designee, in consultation with the college Academic Senate, to develop and adopt a Transfer Center Plan for each college describing the activities of the college's transfer center and the services to be provided to students, including underrepresented students as defined by 5 C.C.R. section 51027, incorporating the provisions established herein. Plans shall identify target student populations and shall establish target increases in the number of applicants to baccalaureate institutions from these populations, including specific targets for increasing the transfer applications of underrepresented students among transfer students. Plans shall be developed in consultation with baccalaureate college and university personnel as available. Each college plan shall be submitted to the Chancellor or his/her designee for approval. These plans shall be developed in accordance with the provisions in Chapter XVIII of Board Rules -- Academic Senate and the Board of Trustees Shared Governance Policy.

Plan components shall include, but not be limited to services to be provided to students; facilities; staffing; advisory committees; and evaluation and reporting.

Adopted 01-24-01
Amended 05-09-01
1. **Required Services:** The college president, or his/her designee shall:

   a. Identify, contact, and provide transfer support services to targeted student populations as identified in the Transfer Center Plan.

   b. Ensure the provision of academic planning for transfer, the development and use of transfer admission agreements with baccalaureate institutions, where available and appropriate, and the development and use of course-to-course and major articulation agreements. Academic planning and articulation activities shall be provided in cooperation with student services, with faculty, and with baccalaureate institution personnel, as available.

   Adopted—01-24-01
   Amended—05-09-01

   c. Ensure that students receive accurate and up-to-date academic and transfer information through coordinated transfer counseling services.

   d. Monitor the progress of transfer students to the point of transfer, in accordance with monitoring activities established in the Transfer Center Plan.

   e. Support the progress of transfer students 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.

   f. Assist students in the transition process, including timely completion and submittal of necessary forms and applications.

   Adopted—01-24-01
g. In cooperation with baccalaureate institution personnel, develop and implement a schedule of services for transfer students to be provided by the baccalaureate institution staff.

h. Provide a resource library of college catalogs, transfer guides, articulation information and agreements, applications to baccalaureate institutions, and related transfer information.

2. Facilities. Each college president, or his/her designee, shall provide space and facilities adequate to support the transfer center and its activities. A particular location on campus shall be chosen as the focal point of the transfer functions. This location should be readily identifiable and accessible to students, faculty, and staff.

3. Staffing. Each college president, or his/her designee, shall provide clerical support for the transfer center and assign college staff to coordinate the activities of the transfer center; to coordinate underrepresented student transfer efforts; to serve as liaisons to the articulation programs, to student services, and to instructional programs on campus; and to work with baccalaureate institution personnel.

4. Advisory Committee. Each college president, or his/her designee, shall establish, in consultation with the college Academic Senate, an advisory committee to plan the development, implementation, and ongoing operations of the transfer center. Membership shall be representative of campus departments and services. Baccalaureate institution personnel shall be included, as available.

Adopted—01-24-01
5. **Evaluation and Reporting.** Each college president, or his/her designee, shall include in its Transfer Center Plan a plan of institutional research for ongoing internal evaluation of the effectiveness of the college's transfer efforts, and the achievement of its Transfer Center Plan.

The District shall submit an annual report to the State Chancellor describing the status of the District's efforts to implement its transfer centers, achievement of Transfer Center Plan targets and goals, and expenditures supporting transfer center operations. Each college president, or his/her designee, shall be responsible for submitting this information for each college to the Chancellor or his/her designee, for purposes of drafting the report to the State Chancellor on an annual basis.

*Title 5, C.C.R. 51027*

*Adopted* 01-24-01

*Amended: 11-02-16*
CHAPTER IX

ARTICLE I

STUDENT ORGANIZATIONS

9100.

AUTHORIZATION AND ADMINISTRATION. An Associated Students organization is authorized within each college of the District, subject to the rules and regulations of the Board of Trustees. Any such organization shall have as its purpose the conduct of activities on behalf of the students; such activities shall not conflict with the authority or responsibility of the Board or its officials. The Associated Student organizations are not separate legal entities apart from the District.

Education Code Section  76060

Adopted—11 04 79
Amended—05 03 89
Amended—06 14 89
Amended—10 22 97
Amended—08 20 08

9100.10  Official Associated Students Organization  The official Associated Students organization is that organization, authorized by the college administration, which is elected by students who are officially enrolled in the college. However, an Associated Students organization, may, by amending its constitution grant to all enrolled students in good standing the right to run for office and vote for student officers.

EC 76060

Adopted—11 04 79
Amended—05 03 89
Amended—06 14 89
Amended—10 22 97

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9100.20  

**Associated Student Organization (ASO) Dues**  In order to promote the general welfare and morale of the students, the Associated Student Organization may establish dues. The dues shall not be less than seven dollars ($7.00) and shall not exceed ten dollars ($10.00) per semester, and shall be five dollars ($5.00 for the Winter Intersession and Summer Session). Students enrolled in more than one session during the summer will not be required to pay more than the initial ASO dues. An Associated Student Organization may approve increases or decreases in the ASO dues only after dues increases or decreases have been approved by a majority of students voting in a referendum established for that purpose. The increase or decrease in dues shall go into effect the semester following the approval of a student body dues increase or decrease not to exceed five dollars ($5.00 for the Winter Intersession and Summer Session). Students enrolled in more than one session during the summer will not be required to pay more than the initial ASO dues.

**Adopted** 04-30-03  
**Amended** 08-20-08

9101.  

**USE OF COLLEGE PREMISES AND EQUIPMENT.** Any authorized Associated Students organization and/or recognized affiliated organization may use college premises and properties without charge subject to the District's policies, rules, and regulations.

**EC-76060**

**Adopted** 11-04-70  
**Amended** 10-22-97

9102.  

**COLLEGE CLUBS.** A college club must be affiliated with and chartered by the Associated Students organization and must have an advisor approved by the President of the College. The Associated Students organization will recommend chartering of clubs to the College President for his/her approval. Clubs must abide by the rules and regulations set forth by the Constitution and Bylaws of the Associated Students organization and by the College President. Clubs will provide the Associated Students and the College President with a membership list upon request.

**Adopted** 11-04-70  
**Amended** 10-22-97

9103.  

**NON-COLLEGE CLUBS.** Non-college clubs may not conduct their activities on campus without express authority of the College President or his/her designee.

9103.10  

**Definition of Non-College Clubs.** Any club or organization not directly under the control of college authorities shall be deemed to be a non-college club.

**Adopted** 11-04-70  
**Amended:** 11-02-16
ARTICLE II

STUDENT FUNDS

9200. ASSOCIATED STUDENTS' FUNDS. Associated Students' Organization funds shall be deposited with and disbursed by the College Fiscal Administrator or President's designee.

Education Code Section 76063 et seq.

Adopted 11-04-70
Amended 04-14-99
Amended 06-23-99

9201. EXPENDITURE OF FUNDS. The President of the College is designated by the Board of Trustees as trustee of all Associated Students' funds. All funds shall be expended subject to such procedure as may be established by the Associated Students organization subject to the approval of each of the following three persons which shall be obtained each time before any of such funds may be expended: the President's designee, the certificated employee who is the designated adviser of the particular Associated Students organization, and Associated Students organization president or his/her designee.

Education Code Section 76063

Adopted 11-04-70
Amended 08-20-08

9202. COLLEGE PRESIDENT AS TRUSTEE OF FUNDS. The College President, as trustee, shall review all proposed Associated Students organizations' expenditures, and he/she may disallow expenditures he/she deems inappropriate.

Adopted 11-04-70
Amended 12-29-70

9203. ANNUAL AUDIT. The funds, including the Associated Student's Organization funds, and operations of the College Fiscal Administrator shall be subject to an annual audit conducted under supervision of the Board of Trustees.

Education Code Section 76065

Adopted 11-04-70
Amended 04-14-99
Amended 11-02-16

Chapter IX - Article II - Page 1

9203.
ARTICLE III

FACULTY ORGANIZATIONS

9300. MEMBERSHIP IN FACULTY ORGANIZATIONS. A faculty member is free to join employee organizations of his/her choice.

Adopted: 11-04-70
Amended: 11-02-16
ARTICLE VI

INTERCOLLEGIATE ATHLETICS

9600. COMMUNITY COLLEGE ATHLETICS. Students of the Los Angeles Community College District are authorized and encouraged to participate in intercollegiate athletic programs under the supervision of college authorities.

Adopted 12-29-70
Amended 04-14-99
Amended 06-23-99
Amended 11-02-16
ARTICLE VII
CLASS-RELATED ACTIVITIES

9700. PRIVATE INSTRUCTION FOR COMPENSATION. No employee of the Los Angeles Community College District may use District-owned or -controlled facilities to provide private instruction or other professional services for compensation. An instructor employed by the District is prohibited from offering private instruction or other professional services for compensation (1) to a student is enrolled at the college to which said instructor is assigned; (2) during any summer vacation period to a student or a former student who was a member of one of the instructor's classes during the previous Spring Semester.

Adopted 03-30-71

9700.1 FINANCIAL TRANSACTIONS WITH STUDENTS. Faculty members are prohibited from engaging directly with students in their classes in the sale or rental of required or recommended materials or activities charges. When a faculty member wishes to distribute classroom materials for which students are required to pay, the faculty member shall use a voucher system through the College’s bookstore or business office and must substantiate that the materials are being provided at cost. Faculty members are prohibited from engaging in other financial transactions with students, except to facilitate participation in voluntary, extracurricular activities, such as theater trips or sporting events. In that case, the faculty member is required to provide appropriate accounting and receipts upon request to the supervising administrator.

Adopted 06-29-11

9701. INSTRUCTOR’S AUTHORITY IN THE CLASSROOM. Presence in a District classroom shall be limited to duly enrolled students of that class, District employees with authority to enter the classroom space, and authorized visitors to the classroom. The instructor is authorized to order any unauthorized person from the classroom. Failure of such person or persons to obey this order constitutes a misdemeanor.

EC 87707, 87708, 87709. Penal Code 415.5, 602.10

Adopted 03-30-71
Amended 04-14-99
COLLEGE NEWSPAPERS. The term "college newspaper" shall refer to any news/feature publication that is issued under the name of the college, funded by the Los Angeles Community College District, and produced by students as an integral part of instruction in journalism/media arts. The term "editorial" shall refer to all content other than advertising.

Adopted—06-03-81

9703.10 **Purpose and Philosophy.** A college newspaper, as a laboratory publication of the journalism/media arts curriculum, shall provide a vehicle to train students for careers in mass communication. A college newspaper 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.

The Board of Trustees recognizes that a college newspaper is a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion. The college newspaper shall exercise editorial freedom in order to maintain its integrity as a vehicle for free inquiry and free expression in the college community.

At the same time, the editorial freedom of the college newspaper shall entail corollary responsibilities as detailed in the attached Code of Ethics of the Society of Professional Journalists, Sigma Delta Chi as adopted by the society at its 1973 convention.

Adopted—06-03-81
Amended—10-22-97

9703.11 **District Publication Policy.** The Board of Trustees establishes the following policies concerning college newspapers:

a. Students participating in the production of college newspapers shall be instructed and supervised in their responsibilities by a journalism instructor/advisor. As an instructor and supervisor the advisor shall guide rather than censor.

b. All written or graphic material that is obscene or libelous, that violates the rights of privacy, that creates a clear and present danger of inciting the commission of unlawful acts on college premises, or that causes the substantial disruption of the orderly operation of the college is unlawful and is not condoned.

Adopted—03-30-71
Adopted—06-03-81
Amended—10-22-97
c. College newspapers are free of prior restraint, and each editorial staff, in consultation with a journalism advisor, shall develop its own editorial and advertising policies.

d. This statement shall be published on the editorial page of each college newspaper: The college newspaper is published as a learning experience, offered under the college journalism instructional program. The editorial and advertising materials published herein, including any opinions expressed, are the responsibility of the student newspaper staff. 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. Accordingly, materials published herein, including any opinions expressed, should not be interpreted as the position of the Los Angeles Community College District, the College, or any officer or employee thereof.

e. The Chancellor or designee shall develop a procedure which may be used by any person with a grievance against a college newspaper. The grievance procedure so developed shall provide for a prompt and equitable resolution of the complaint and shall contain at least the following:

1) The first level of the grievance review process shall be before the editorial board of the newspaper involved; and

2) The next level of review shall be before a review board of three journalism professionals selected from a panel appointed by the Los Angeles Journalism Association. Every attempt should be made to insure that the review board is reasonably balanced ethnically, racially, and sexually. The Review Board shall have power only to recommend.

The college newspaper grievance process in no way reduces or eliminates other avenues of appeal such as student, classified, and certificated grievance procedures. The Board of Trustees shall consider no action until the newspaper grievance process has been completed.

Adopted—03-30-71
Adopted—06-03-81
Amended—10-22-97

Chapter IX - Article VII - Page III
A copy of this grievance procedure shall be posted in the office of each college newspaper.

f. Each college newspaper shall establish and keep in force liability insurance for its publication. The policy shall name trustees, college officers, and employees as additional insureds.

The cost of such insurance shall be paid from the advertising revenues of each college newspaper as maintained in a separate account in the office of the College Fiscal Administrator of that college as provided in Board Rule 6408. To every extent possible the editor-in-chief and other editors of each college newspaper shall participate in the negotiation of the liability insurance for their publication.

g. A copy of this Board Rule shall be posted in the office of each college newspaper.

Adopted 03-30-71
Adopted 06-03-81
Amended 10-22-97

9703.12 Newspaper Editorial and Advertising Policy. The editorial staff of each college newspaper, in consultation with the journalism advisor, shall adopt a written statement of editorial and advertising philosophy, purposes, policies and procedures, no portion of which shall be in conflict with any provision of this Board Rule.

Adopted 06-03-81

9703.13 Responsibility for Content. The editor-in-chief of each college newspaper shall determine and be responsible for the editorial and advertising content of the publication.

Adopted 06-03-81

9703.14 Responsibility of Advisor. A faculty journalism advisor shall instruct and supervise the editor-in-chief and staff and evaluate them in order to encourage professional standards of journalism and to carry out this Board Rule. The Board of Trustees endorses the code of professional standards for advisors (Board Rule 9703.16).

Adopted 06-03-81
Code of Ethics. The Society of Professional Journalists, Sigma Delta Chi, believes the duty of journalists is to serve the truth.

We believe the agencies of mass communication are carriers of public discussion and information, acting on their Constitutional mandate and freedom to learn and report the facts.

We believe in public enlightenment as the forerunner of justice, and in our Constitutional role to seek the truth as part of the public's right to know the truth.

We believe those responsibilities carry obligations that require journalists to perform with intelligence, objectivity, accuracy and fairness.

To these ends, we declare acceptance of the standards of practice here set forth:

Responsibility: The public's right to know of events of public importance and interest is the overriding mission of the mass media. The purpose of distributing news and enlightened opinion is to serve the general welfare. Journalists who use their professional status as representatives of the public for selfish or other unworthy motives violate a high trust.

Freedom of the Press: Freedom of the press is to be guarded as an inalienable right of people in a free society. It carries with it the freedom and the responsibility to discuss, question and challenge actions and utterances of our government and of our public and private institutions. Journalists uphold the right to private institutions. Journalists uphold the right to speak unpopular opinions and the privilege to agree with the majority.

Ethics: Journalists must be free of obligation to any interest other than the public's right to know the truth.

1. Gifts, favors, free travel, special treatment or privileges can compromise the integrity of journalists and their employers. Nothing of value should be accepted.
2. Secondary employment, political involvement, holding public office, and service in community organizations should be avoided if it compromises the integrity of journalists and their employers. Journalists and their employers should conduct their personal lives in a manner which protects them from conflict of interest, real or apparent. Their responsibilities to the public are paramount. That is the nature of their profession.

3. So-called news communications from private sources should not be published or broadcast without substantiation of their claims to news value.

4. Journalists will seek news that serves the public interest, despite the obstacles. They will make constant efforts to assure that the public's business is conducted in public and that public records are open to public inspection.

5. Journalists acknowledge the newsman's ethic of protecting confidential sources of information.

Accuracy and Objectivity: Good faith with the public is the foundation of all worthy journalism.

1. Truth is our ultimate goal.

2. Objectivity in reporting the news is another goal, which serves as the mark of an experienced professional. It is a standard of performance toward which we strive. We honor those who achieve it.

3. There is no excuse for inaccuracies or lack of thoroughness.

4. Newspaper headlines should be fully warranted by the contents of the articles they accompany. Photographs and telecasts should give an accurate picture of an event and not highlight a minor incident out of context.

5. Sound practice makes clear distinction between news reports and expressions of opinion. News reports should be free of opinion or bias and represent all sides of an issue.

6. Partisanship in editorial comment which knowingly departs from the truth violates the spirit of American journalism.

Adopted 06-03-81
7. Journalism recognize their responsibility for offering informed analysis, comment, and editorial opinion on public events and issues. They accept the obligation to present such material by individuals whose competence, experience, and judgment qualify them for it.

8. Special articles or presentations devoted to advocacy or the writer's own conclusions and interpretations should be labeled as such.

Fair Play: Journalists at all times will show respect for the dignity, privacy, rights and well-being of people encountered in the course of gathering and presenting the news.

1. The news media should not communicate unofficial charges affecting reputation or moral character without giving the accused a chance to reply.

2. The news media must guard against invading a person's right to privacy.

3. The media should not pander to morbid curiosity about details of vice and crime.

4. It is the duty of news media to make prompt and complete correction of their errors.

5. Journalists should be accountable to the public for their reports and the public should be encouraged to voice its grievances against the media. Open dialogue with our readers, viewers and listeners should be fostered.

Pledge: Journalists should actively censure and try to prevent violations of these standards, and they should encourage their observance by all news people. Adherence to this code of ethics is intended to preserve the bond of mutual trust and respect between American journalists and the American people.

(The Society of Professional Journalists, Sigma Delta Chi, adopted 1973)

Adopted—06-03-81
Code of Professional Standards for Advisors. In this era, each day brings increasing pressures on the campus press and on advisors to college publications. It is more obvious than ever that these advisors need to be professionals and that those who are in administrative positions to employ advisors need to be aware of this Code of Professional Standards for Advisors when selecting new persons for these positions.

The First Amendment to the Constitution established freedom of the press as an inherent right of the public. Those First Amendment rights are also guaranteed to college and university student publications and their staffs. The right of student journalists to print without fear of censorship or threat of prior restraint has been affirmed in the courts. It is the duty of student publications advisors to ensure the vigorous and free exercise of the First Amendment right of the student press in their own individual situations.

1. Ethics of Advisorship. Ethics of the Professional Journalist:

The student press should be viewed as a training ground for the profession. Therefore, student journalists, as the professional press, must be free to exercise their craft under First Amendment guarantees with no restraints beyond the limitations of ethical and legal responsibilities in matters of libel, obscenity and invasion of privacy.

The journalist serves the public best with timely, factual complete news reports and gives his/her first duty to fairness and accuracy. Accordingly, the advisor should encourage the staff toward editing an intelligent publication that presents a complete and unbiased report, and that reflects accurate reporting and editorial opinions based on verified facts.

As his/her counterpart in the profession, the student journalist should be as free as other citizens to probe every facet of his/her campus community, his/her nation and his/her world without fear of reprisal.

Adopted—06-03-81
The advisor should be able to, in this context, lead him to a full knowledge and understanding of the ethics, and most importantly, the responsibilities of the profession of journalism. The advisor should, therefore, fully understand the nature and function of contemporary journalism and all recent court cases upholding First and Fourteenth Amendment rights of student journalists.

Ethics of the Professional Educator: The advisor serves primarily as teacher whose chief responsibility is to give competent advice to staff members and to be readily available to them. As a teacher, the advisor is a professional educator whose responsibility is to explain and demonstrate. He/she must also be respected for his/her professional ability and integrity.

An academic community requires freedom to exchange information and ideas. The advisor should promote, initiate and sustain instructional policies which will provide students the freedom to establish their own publications and to conduct them free of censorship or of faculty or administrative determination of content or editorial policy.

2. Responsibilities of the Advisor. To the Student:

As a supervisor, the advisor must guide rather than censor. Availability of the advisor is of utmost importance. The advisor should let it be known that he/she is willing to give guidance, provide counseling be there when needed. He/she shares his/her knowledge of journalism with the staff. As a supervisor, he/she helps students understand that the publication must come out on schedule, that deadlines must be met and that professional standards and ethics should be followed at all times. He/she uses his/her supervisory position to instruct, knowing that he/she is in a position to teach more and do a better job than when in a formal classroom setting.

Adopted—06-03-81
It is important that the advisor be knowledgeable in the production techniques of the publication he/she advises. This role involves primary concern with the total quality of the publication rather than the day-to-day operation which is properly handled by student staff members.

As a counselor, the advisor has the responsibility to guide students to an understanding of the nature, the functions and the ethics of the student press. As a natural corollary, it is his/her job to have firm, professional contacts in the community so he/she can serve as an effective liaison between the professional media and his/her students, both in making available the best possible models and in providing career information.

As a teacher--and this is perhaps the most important job of the advisor--the advisor should provide instruction that will result in a better publication. The effective advisor tries to emphasize individualized instruction and allows for individual differences in staff members' abilities to learn. He/she points out weak areas and works with students to strengthen their abilities in these areas. He/she makes his/her students confident of what they can do. He/she tries to shape their minds in the direction of a realistic future career. Most important, the advisor must make sure that every staff member has an opportunity to develop as fully as possible his/her potential within the framework of the publication.

To the Administration:

The advisor functions as a liaison with the administration for an understanding of the ethics and responsibilities of a free professional press and of free student publications. In this role, he/she must ensure full communication of administrative policy to student editors as well as communication to administrators of the First Amendment rights of students to print without censorship or prior restraint and the duty of the institution to therefore allow full and vigorous freedom of expression.

Adopted——06-03-81
The advisor must ensure an honest understanding of each side and its objectives by the other and a belief in the principles of full exchange of information in all classes.

As editorial advisor, his/her role is to encourage the student staff to be accurate, fair, complete, intelligent and reasonable in the carrying out of their publication functions.

To Colleagues:

The advisor is a member of the institution's professional staff with obligations to his/her profession, both as a college teacher and as an advisor. As a liaison with regard to the role of the student press, he/she must function as an advisor to other faculty and college staff members about the nature and functions of the college press.

The advisor should, at all time, remain a respected professional educator and in that role can best provide, through example and through dialogue, an effective basis for the successful functioning of ethical student publication.

(National Council of College Publications Advisors, Revised 1980)

Adopted—06-03-81

9703.17 The general statements of philosophy set forth in Board Rules 9703.15 and 9703.16 shall be interpreted and applied in such a way as to be consistent with the specific terms of Board Rules 9703.10 through 9703.14.

Adopted—06-03-81

9704. OTHER CAMPUS NEWSPAPERS. No campus newspaper other than that described in Board Rule 9703 shall be published under the name of a community college with a college masthead and/or nameplate. Clubs, class, etc., may publish newsletters for circulation to their membership using the name of the club on the masthead, provided they follow Board Rule 9703.10.

Adopted—03-30-74
TRAVEL AND TRAVEL EXPENSES AUTHORIZATION – STUDENTS:
TRAVEL EXPENSES AUTHORIZATION – FACULTY.

a. Board of Trustee authorization is required for the following types of
student travel and/or related expenses:

1. Travel out-of-state for cocurricular activities, as defined by Board
Rule 9401. The Board may authorize the use of District funds to
pay the costs associated with the travel.

2. Any out-of-state travel when District funds will be expended to
pay the costs associated with the travel.

b. Board of Trustee approval is not required for the following types of
student travel and related expenses:

1. Travel out-of-state with the use of Associated Student Body
funds, Student Representation Fee funds or other non-District
funds as authorized by the College President, which shall be
reported to the Board as an informational item. Expenditures
of Associated Student body funds or Student Representation
Fee funds shall be made in accordance with procedures
authorized by the Chancellor.

2. Travel in state with the use of Associated Student Body funds,
Student Representation Fee funds or other non-District funds as
authorized by the College President. Expenditures of
Associated Student Body funds or Student Representation Fee
funds shall be made in accordance with the procedure
established by the Chancellor.

c. The Board of Trustees hereby authorizes the President of each college
or one administrator designated by the President to approve the
following types of student travel:

1. Travel in state for student attendance at conferences,
conventions, events and other activities which are performed as
either a class assignment or as a cocurricular activity, and to
pay associated travel and mileage costs with District funds,
provided that funds budgeted for such purpose are available
and approved for such use.

Adopted—12-21-77
Amended—03-29-78
Amended—04-23-80
Amended—10-22-97
Amended—10-06-99
d. Payment of authorized actual and necessary expenses may be provided in advance to the faculty advisor and may include the following:

1. Transportation to and from destination according to the District’s Administrative Regulations; and/or

2. Lodging and meals, subject to rates established in the District’s Administrative Regulations.

e. Reimbursement of expenses may be provided to the faculty advisor and may include the following:

1. Portage where charged as a specific fee;

2. Local transportation at place of event; and/or

3. Other miscellaneous items directly related to the class assignment or cocurricular activity.

f. Items Excluded:

1. Intoxicating spirits;

2. Tips and other gratuities; and/or

3. Personal telephone calls or other expenses of a personal nature.

EC 72242, 72640

Adopted 12-21-77
Amended 03-29-78
Amended 04-23-80
Amended 10-22-97
Amended 10-06-99

9706. AWARDS BANQUETS--STUDENTS. The Board of Trustees hereby authorizes the Chancellor to approve awards banquets for the purpose of awarding student achievement in the performance of class assignments, provided that funds are budgeted for such purpose and are available and approved for such use, pursuant to Administrative Regulations.

Adopted 01-04-78
Amended 11-02-16
ARTICLE VIII

CONDUCT ON CAMPUS

9801. RESPONSIBILITY OF BOARD OF TRUSTEES. The Board of Trustees shall prescribe
and enforce rules relating to the conduct of students, college personnel, associated student
organization employees, and visitors in the colleges of the Los Angeles Community
College District.

Education Code Section 66300

Adopted——04-20-89

Historical Note: Former Board Rule 9801, enacted 3-30-71, repealed 4-20-89.

9802. RESPONSIBILITY OF PRESIDENT OF THE COLLEGE. The president of the
college or his/her authorized representative shall enforce the Board Rules and
Administrative Regulations pertaining to campus conduct and may develop
guidelines, apply sanctions, or take appropriate action consistent with such rules and
regulations.

Adopted——04-20-89

Historical Note: Former Board Rule 9802, enacted 3-30-71, repealed 4-20-89.

9802.10 Primary Responsibility. The president has the primary educational
responsibility of insuring the opportunity of all members of the college
community to attain their educational objectives.

Adopted——04-20-89

Historical Note: Former Board Rule 9802.10, enacted 3-30-71, repealed 4-20-89.

9802.11 Subsidiary Responsibility. The president has the subsidiary
responsibility of maintaining and protecting the health and safety of
members of the college community, property, records, and participants
in approved college activities.

Adopted——04-20-89

Historical Note: Former Board Rule 9802.11, enacted 3-30-71, repealed 4-20-89.
9802.12  Publication of the Standards of Conduct. The president shall publicize the Standards of Conduct each semester.

Education Code Section 66300

Adopted—04-20-89

Historical Note: Former Board Rule 9808, enacted 3-30-71, repealed 4-20-89.

9803.  STANDARDS OF CONDUCT. A student enrolling in one of the Los Angeles Community Colleges may rightfully expect that the faculty and administrators of the Colleges will maintain an environment in which there is freedom to learn. This requires that there be appropriate conditions and opportunities in the classroom and on the campus. As members of the college community, students should be encouraged to develop the capacity for critical judgment, to engage in the sustained and independent search for truth, and to exercise their rights to free inquiry and free speech in a responsible, non-violent manner. In the furtherance of the students’ interest in free inquiry and the search for truth, it is also important that students be able to hear the views of non-students and engage in the free exchange of ideas with non-students.

All persons shall respect and obey civil and criminal law, and shall be subject to legal penalties for violation of laws of the city, county, state and nation. All persons shall respect and obey the rules, regulations and policies of the Los Angeles Community College District.

Conduct in all of the Los Angeles Community Colleges must conform to District and college rules and regulations. Violations of such rules and regulations may result in disciplinary action depending on the individual’s status as student, faculty, staff or visitor. Violations of such rules and regulations include, but are not limited to, the following:

Adopted—04-20-89
Amended—06-28-00

Historical Note: Former Board Rule 9803, enacted 03-30-71, repealed 04-20-89.
9803.10 **Willful Disobedience.** Willful disobedience to directions of college officials acting in the performance of their duties.

Adopted——04-20-89

**Historical Note:** Former Board Rule 9803.10, enacted 3-30-71, repealed 4-20-89.

9803.11 **Violation of College Rules and Regulations.** Violation of college rules and regulations, including those concerning student organizations, the use of college facilities, or the time, place and manner of public expression or distribution of materials.

Adopted——04-20-89

**Historical Note:** Former Board Rule 9803.11, enacted 3-30-71, repealed 4-20-89.

9803.12 **Dishonesty.** Dishonesty, such as cheating or knowingly furnishing false information to the colleges.

Adopted——04-20-89
Amended——02-24-99

**Historical Note:** Former Board Rule 9803.12, enacted 3-30-71, repealed 4-20-89.

9803.13 **Unauthorized Entry.** Unauthorized entry to or use of the college facilities.

Adopted——04-20-89

**Historical Note:** Former Board Rule 9803.13, enacted 3-30-71, repealed 4-20-89.

9803.14 **College Documents.** Forgery, alteration or misuse of college documents, records or identification.

Adopted——04-20-89

**Historical Note:** Former Board Rule 9803.14, enacted 3-30-71, repealed 4-20-89.
Disruption of Classes or College Activities. Obstruction or disruption of classes, administration, disciplinary procedures or authorized college activities.

Adopted 04-20-89
Amended 09-11-96

Historical Note: Former Board Rule 9803.15, enacted 3-30-71, repealed 4-20-89; newly adopted 4-20-89.

Theft of or Damage to Property. Theft of or damage to property belonging to the college, a member of the college community or a campus visitor.

Adopted 04-20-89

Historical Note: Former Board Rule 9803.16, enacted 3-30-71, repealed 4-20-89.

Interference with Peace of College. The malicious or willful disturbance of the peace or quiet of any of the Los Angeles Community Colleges by loud or unusual noise or any threat, challenge to fight, fight, or violation of any rules of conduct as set forth in this Article. Any person whose conduct violates this section shall be considered to have interfered with the peaceful conduct of the activities of the college where such acts are committed.

Penal Code Sections 626 et seq.

Adopted 04-20-89

Historical Note: Former Board Rule 9806, enacted 3-30-71, repealed 4-20-89; Former Board Rule 9803.17, enacted 3-30-71, repealed 4-20-89.

Assault or Battery. Assault or battery, abuse or any threat of force or violence directed toward any member of the college community or campus visitor engaged in authorized activities.

Adopted 04-20-89

Historical Note: Former Board Rule 9803.18, enacted 3-30-71, repealed 4-20-89.
Alcohol and Drugs. Any possession of controlled substances which would constitute a violation of Health and Safety Code Section 11350 or Business and Professions Code Section 4230, any use of controlled substances the possession of which are prohibited by the same, or any possession or use of alcoholic beverages while on any property owned or used by the District or colleges of the District or while participating in any District or college-sponsored function or field trip. "Controlled substances," as used in this section, include but are not limited to the following drugs and narcotics:

- a) opiates, opium and opium derivatives
- b) mescaline
- c) hallucinogenic substances
- d) peyote
- e) marijuana
- f) stimulants and depressants
- g) cocaine

Historical Note: Former Board Rule 9803.19, enacted 3-30-71, repealed 4-20-89.

Lethal Weapons. Possession, while on a college campus or at a college-sponsored function, of any object that might be used as a lethal weapon is forbidden all persons except sworn peace officers, police officers and other governmental employees charged with policing responsibilities.

Historical Note: Former Board Rule 9803.20, enacted 3-30-71, repealed 4-20-89.
9803.21  
**Discriminatory Behavior.** Behavior while on a college campus or at a college-sponsored function, inconsistent with the District's Non-discrimination Policy, which requires that all programs and activities of the Los Angeles Community College District be operated in a manner which is free of "Prohibited Discrimination," defined as discrimination or harassment in violation of state or federal law on the basis of actual or perceived ethnic group identification, race, color, national origin, ancestry, religion, creed, sex (including gender-based sexual harassment), pregnancy, marital status, cancer-related medical condition of an employee, sexual orientation, age, physical or mental disability, or veteran status.

Adopted 04-20-89  
Amended 06-13-07

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Historical Note: Former Board Rule 9803.21, enacted 1-25-89, repealed 4-20-89.

9803.22  
**Unlawful Assembly.** Any assemblage of two or more persons to 1) do an unlawful act, or 2) do a lawful act in a violent, boisterous or tumultuous manner.

Penal Code Section 407

Adopted 04-20-89

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Historical Note: Former Board Rule 91101.14, enacted 3-15-72, repealed 4-20-89.

9803.23  
**Conspiring to Perform Illegal Acts.** Any agreement between two or more persons to perform illegal acts.

Adopted 04-20-89

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Historical Note: Former Board Rule 9807, enacted 3-30-71, repealed 4-20-89.

9803.24  
**Threatening Behavior.** A direct or implied expression of intent to inflict physical or mental/emotional harm and/or actions, such as stalking, which a reasonable person would perceive as a threat to personal safety or property. Threats may include verbal statements, written statements, telephone threats or physical threats.

Adopted 09-11-96
9803.25 **Disorderly Conduct.** Conduct which may be considered disorderly includes: lewd or indecent attire or behavior that disrupts classes or college activities; breach of the peace of the college; aiding, or inciting another person to breach the peace of college premises or functions.

*Adopted 09-11-96*

9803.26 **Theft or Abuse of Computer Resources.** Theft or abuse of computer resources including but not limited to:

a. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose.

b. Unauthorized transfer of a file.

c. Unauthorized use of another individual's identification and password.

d. Use of computing facilities to interfere with the work of a student faculty member or college official, or to alter college or district records.

e. Use of unlicensed software.

f. Unauthorized copying of software.

*Adopted 09-11-96*

g. Use of computing facilities to access, send or engage in messages which are obscene, threatening, defamatory, present a clear and present danger, violate a lawful regulation and/or substantially disrupt the orderly operation of a college campus.

h. Use of computing facilities to interfere with the regular operation of the college or district computing system.

*Adopted 09-11-96*

9803.27 **Performance of an Illegal Act.** Conduct while present on a college campus or at a location operated and/or controlled by the District or at a District-sponsored event, which is prohibited by local, State, or federal law.

*Adopted 05-22-02*
9803.28  **Academic Dishonesty.** Violations of Academic Integrity include, but are not limited to, the following actions: cheating on an exam, plagiarism, working together on an assignment, paper or project when the instructor has specifically stated students should not do so, submitting the same term paper to more than one instructor, or allowing another individual to assume one's identity for the purpose of enhancing one's grade.

Adopted—11-05-08

9804.  **INTERFERENCE WITH CLASSES.** Every person who, by physical force, willfully obstructs, or attempts to obstruct, any student or teacher seeking to attend or instruct classes at any of the campuses or facilities owned, controlled or administered by the Board of Trustees of the Los Angeles Community College District, is punishable by a fine not exceeding five hundred dollars ($500) or imprisonment in a county jail not exceed one year, or by both such fine and imprisonment. As used in this section, "physical force" includes, but is not limited to, use of one's person, individually or in concert with others, to impede access to or movement within or otherwise to obstruct the students or teachers of the classes to which the premises are devoted.

Education Code Section 87708
Penal Code Sections 626.4

Adopted—04-20-89

Historical Note: Former Board Rule 9806.11, enacted 3-30-71, repealed 4-20-89.

9805.  **INTERFERENCE WITH PERFORMANCE OF DUTIES BY EMPLOYEES.** Every person who attempts to cause, or causes, any officer or employee of any of the Los Angeles Community Colleges or any public officer or employee to do or refrain from doing, any act in the performance of his/her duties, by means of a threat to inflict any injury upon any person or property, is guilty of a public offense.

Penal Code Section 71

Adopted—04-20-89

Historical Note: Former Board Rule 9806.12, enacted 3-30-71, repealed 4-20-89.
9805.10  **Assault or Abuse of Instructor.** Every parent, guardian, or other person who assaults or abuses any instructor employed by the District in the presence or hearing of a community college student or in the presence of other community college personnel or students and at a place which is on District premises or public sidewalks, streets, or other public ways adjacent to school premises, or at some other place where the instructor is required to be in connection with assigned college activities is guilty of a misdemeanor.

Education Code Section 87708

Adopted 04-20-89

9806.  **UNSAFE CONDUCT.** Conduct which poses a threat of harm to the individual and/or to others. This includes, but is not limited to, the following types of conduct:

a. Unsafe conduct in connection with a Health Services Program (e.g., Nursing, Dental Hygiene, etc.);

b. Failure to follow safety directions of District and/or College staff;

c. Willful disregard of safety rules as adopted by the District and/or College;

and/or

d. Negligent behavior which creates an unsafe environment.

Adopted 04-14-99
Amended 06-09-99
Amended: 11-02-16
ARTICLE IX

FREEDOM OF SPEECH

9901. COLLEGES AS NON-PUBLIC FORUMS. The colleges of the Los Angeles Community College District are non-public forums, except for those portions of each college designated as Free Speech Areas are hereby designated as limited public forums, which designation may be removed and reverted to non-public forum designation by the Board of Trustees.

Adopted 04-20-89

9902. FREE SPEECH AREAS. The college president shall designate an area or areas on the college campus as areas for free discussion and expression by all persons. A Free Speech Area may only be located where there is a normal flow of student traffic with unlimited accessibility. Necessary campus rules governing the operation of such areas shall govern only the time, place and manner in which said areas are to be used. All such rules shall be equally applied and fair to all persons desiring to use the Free Speech Areas. No restrictions shall be placed on subject matter, topics or viewpoints expressed in Free Speech Areas.

Education Code Section 76120

Adopted 04-20-89

Historical Note: Former Board Rule 91103, enacted 3-15-72, repealed 4-20-89.

9902.10 Responsibilities of Persons Using Free Speech Areas. All persons using the Free Speech Area of a college are expected to monitor the content of their speech such that the expression (1) is not obscene, libelous or slanderous according to current legal standards, (2) does not create a clear and present danger of the commission of unlawful acts on community college premises, (3) is not violative of lawful community college regulations, or (4) does not substantially disrupt the orderly operation of the college. Any person who is found to have expressed speech in violation of this section may be subject to the sanctions applicable respectively to students, staff, faculty or visitors.

EC 76120

Adopted 04-20-89

Historical Note: Former Board Rule 91107, enacted 3-15-72, repealed 4-20-89.

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9902.10
9902.11 Distribution of Materials. Persons using a Free Speech Area shall be allowed to distribute petitions, circulars, leaflets, newspapers, miscellaneous printed matter and other materials, subject to the following restrictions:

9905. Such distribution shall take place only within the geographical limits of the Free Speech Area;

b. Any material being distributed which is discarded or dropped in or around the Free Speech Area other than in an appropriate receptacle must be retrieved and removed or properly discarded by those persons distributing the material prior to their departure from the Free Speech Area that day;

Adopted——04-20-89

Historical Note: Former Board Rule 91106.10, enacted 3-15-72, repealed 4-20-89.

c. Persons distributing material shall not impede the progress of passersby, nor shall they force or coerce passersby into taking the proffered material.

Adopted——04-20-89

Historical Note: Former Board Rule 91106.10, enacted 3-15-72, repealed 4-20-89.

9902.12 Forms of Speech. Persons using a Free Speech Area shall be entitled to exercise their speech privileges in any manner which does not violate the rules of conduct set forth in Article VIII or in this Article, including but not limited to the use of printed materials and the wearing of buttons, badges or other insignia, except that:

9905. No means of amplification may be used, electronic or otherwise, which creates any noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place at the time;

b. No person using the Free Speech Area shall physically touch, strike or impede the progress of passersby, except for incidental or accidental contact, or initiation of such contact by a passerby;

Adopted——04-20-89
c. No person using the Free Speech Area shall solicit donations of money, through direct requests for funds, sales of tickets or otherwise, except where he/she is using the Free Speech Area on behalf of and collecting funds for an organization which is registered with the secretary of state as a nonprofit corporation, or is an approved Associated Student Organization or Club.

EC—76120

9902.13 Time Allotments for Speech. The president of each college or his/her representative may set reasonable time restrictions on the use of Free Speech Areas, in order to ensure that all persons are given equal access to the use of the Free Speech Area. The times at which the Free Speech Area may be used shall be subject to reasonable campus regulations.

Adopted—04-20-89

9903. STUDENT EXERCISE OF FREE SPEECH IN AREAS OUTSIDE OF DESIGNATED FREE SPEECH AREA. The president of each college may designate areas outside of the Free Speech Areas where students, faculty and staff may exercise freedom of expression subject only to reasonable time, place and manner restrictions.

Adopted—04-20-89

9903.10 Bulletin Boards. Students shall be provided with bulletin boards for use in posting student materials at campus locations convenient for student use. The location and number of such bulletin boards shall be determined by the college president or his/her representative.

Each college may have bulletin boards. The use of the bulletin boards shall be open to use only by students or recognized student organizations and shall be based on a first-come, first-served basis.

Posting of materials on bulletin boards shall be subject to the limitations concerning the manner of exercising students' rights of free expression in Free Speech Areas pursuant to Section 9902.10.

All materials displayed shall clearly indicate the author or agency responsible for its production and shall be dated with the date of posting by the College president's designee.

Adopted—04-20-89

Historical Note: Former Board Rule 91106.12, enacted 3-15-72, repealed 4-20-89.

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9903.10
The president of each college shall prescribe reasonable lengths of time during which such printed material may be posted on the bulletin boards with the object of assuring fair access to the bulletin boards for all students.

Adopted — 04-20-89

9903.11 Posting Areas. The president of each college, or his/her representative, may designate areas other than the bulletin boards for display of materials.

Adopted — 04-20-89

Historical Note: Former Board Rule 91106.12, enacted 3-15-72, repealed 4-20-89.

9904. STUDENT USE OF AREAS NOT DESIGNATED FOR FREE SPEECH ACTIVITIES. Student use of classrooms, rooms, buildings, facilities and grounds not designated as Free Speech Areas or otherwise designated for student free speech exercises in accordance with this article shall be governed by the rules and regulations established pursuant to Article X, relating to student activities and events.

Adopted — 04-20-89

9905. VISITOR USE OF AREAS NOT DESIGNATED FOR FREE SPEECH ACTIVITIES. Visitor use of any areas, classrooms, rooms, buildings, facilities and grounds not designated as Free Speech Areas is subject to the Civic Center Permit rules set forth in Chapter VII, Article 2 of these Board Rules.

Adopted — 04-20-89
Amended: 11-02-16
ARTICLE X

EVENTS AND ACTIVITIES OF STUDENTS AND STUDENT GROUPS

(Note: former Article X, which governed campus visitors, is now encompassed in Article XII.)

91001. APPLICATION OF THIS ARTICLE TO NON-FREE SPEECH AREAS. Events and activities conducted on a college campus by students or associated student organization clubs or groups which do not take place in an area designated for student free speech by the president of the college pursuant to Article IX shall be governed by the rules set forth in this Article.

Adopted—04-20-89

91002. PRESIDENT'S AUTHORITY TO CREATE ADDITIONAL RULES. The president of each college may adopt and approve rules not set forth in these rules for the purpose of governing the use of the college's facilities. The president shall not approve any rules which are inconsistent with this Article.

Adopted—04-20-89

Historical Note: Former Board Rule 91104, enacted 3-15-72, repealed 4-20-89.

91003. FUND-RAISING EVENTS FOR NONPROFIT PURPOSES. A college or student body participating with outside organizations in nonprofit fund-raising events such as membership drives, merchandising sales, book collections, or other events when the public is asked to contribute, or solicited to purchase tickets or any merchandise, shall ascertain that the organization is registered with the secretary of state as a nonprofit corporation.

Adopted—04-20-89

Historical Note: Former Board Rule 91102, enacted 3-15-72, repealed 4-20-89.
91004. **SPEAKERS TO CAMPUS GROUPS.** The president of each college shall establish regulations regarding the appearance of visiting speakers in accordance with the following regulations.

Adopted—04-20-89

**Historical Note:** Former Board Rule 91100, enacted 3-15-72, repealed 4-20-89.

91004.10 **Guest Lecturers.** An instructor may invite an individual to participate in his/her class as a guest lecturer. The instructor shall give prior written notice identifying the speaker to the college president or his/her designated representative.

Adopted—04-20-89

**Historical Note:** Former Board Rule 91100.10, enacted 3-15-72, repealed 4-20-89.

91004.11 **Lecturers and Speakers at Student-Sponsored Forums.** Recognized student organizations may invite and hear persons of their own choosing, provided they give prior written notice identifying the speaker to the college president or his/her designated representative.

Adopted—04-20-89

**Historical Note:** Former Board Rule 91100.10, enacted 3-15-72, repealed 4-20-89.

91004.12 **Non-Censorship of Lecturers and Speakers.** Those routine procedures required by an institution before a guest speaker is invited to appear on campus shall be designed only to insure that there is an orderly scheduling of facilities and adequate preparation for the event, and that the occasion is conducted in a manner appropriate to an academic community. The institutional control of campus facilities shall not be used as a device of censorship. It shall be made clear to the academic and larger community that sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the institution.

Adopted—04-20-89

**Historical Note:** Former Board Rule 91100.11, enacted 3-15-72, repealed 4-20-89.
91005. APPLICABILITY OF FREE SPEECH RIGHTS. All free speech rights accorded students in Article IX shall be accorded them in activities conducted under this Article; the college president shall not approve any rules relating to non-Free Speech Areas which would deny students their free speech rights were they conducting such activities in Free Speech Areas.

Adopted — 04-20-89
Amended: 11-02-16
ARTICLE XII

CAMPUS VISITORS

91201. CAMPUS VISITOR DEFINED. An individual who is not a current student of a particular college, nor an employee of the Los Angeles Community College District assigned to that particular college, shall be considered in this and other sections of the Board Rules as a visitor to the campus whenever he/she enters the campus.

Adopted—04-20-89

Historical Note: Former Board Rule 91000, enacted 3-30-71, repealed 4-20-89.

91202. ACTIVITIES OF CAMPUS VISITORS. No visitor on campus shall attend a college activity limited to college personnel without prior approval of the college president or his/her authorized representative. Any visitor on campus may attend a college event or activity which is authorized as open to the public. All rules of conduct set forth in Article VIII are applicable to the conduct of any visitor, and violation of said rules of conduct will constitute grounds for the president of the college to order the visitor to leave the campus pursuant to Rule 91203.

Adopted—04-20-89

Historical Note: Former Board Rule 91001, enacted 3-30-71, repealed 4-20-89.

91203. VISITORS WHO DISRUPT.

91203.10 Directing Visitors to Leave Campus For a Period Lasting Up to Seven (7) Days.

In any case in which a person who is not a student or officer or employee of the Los Angeles Community College District and who is not required by his/her employment to be on the campus or any other facility owned, operated or controlled by the Board of Trustees, enters such campus or facility, and it reasonably appears to the president or his/her designated representative or representatives that such person is

PC-626.6

Adopted—04-20-89
Amended—10-22-97
Amended—05-13-09

Historical Note: Former Board Rule 9806.10, enacted 3-30-71, repealed 4-20-90; Former Board Rule 91002, enacted 3-30-71, repealed 4-20-89.
commiting any act likely to interfere with the peaceful conduct of the activities of such campus or facility or has entered such campus or facility for the purpose of committing any such act, the president or his/her designated representative or representatives may direct such person to leave such campus or facility, and if such person fails to do so or if such person willfully and knowingly reenters upon such campus or facility within seven (7) days after being directed to leave, he/she is guilty of a misdemeanor.

Penal Code Section 626.6

Adopted 04-20-89
Amended 10-22-97
Amended 05-13-09

Historical Note: Former Board Rule 9806.10, enacted 3-30-71, repealed 4-20-90; Former Board Rule 91002, enacted 3-30-71, repealed 4-20-89.

91203.11 Withdrawal of Consent to Remain on Campus For a Period Lasting Up to Fourteen (14) Days.

a. In addition to the procedures available in Section 91203.11 above, the president or his/her designated representative may notify a person that consent to remain on the campus or other facility owned, operated or controlled by the Board of Trustees has been withdrawn for a period lasting up to fourteen (14) days whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.

b. Whenever consent is withdrawn by an authorized officer or employee other than the president, such officer or employee shall as soon as is reasonably possible submit a written report to the president, containing a description of the person from whom consent was withdrawn, including, if available, the person's name, address, and phone number, and a statement of the facts giving rise to the withdrawal of consent. If the president (or in the president's absence, a person designated by him/her for this purpose), upon reviewing the report, finds that there is reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus or facility, he/she may enter written confirmation upon the report of the action taken by the officer or employee. If the president (or in the president's

PC-626.4

Adopted 05-13-09

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absence, the person designated by him/her) does not confirm the action of the officer or employee within 24 hours after the time that consent was withdrawn, the action of the officer or employee shall be deemed void and of no force or effect. However, even if an action of an officer or employee is not ultimately confirmed within the 24 hour period, any arrest made during this period may be deemed to have been made for probable cause.

c. Consent shall be reinstated by the president or his/her designated representative whenever he/she has reason to believe that the presence of the person from whom consent was withdrawn will not constitute a substantial and material threat to the orderly operation of the campus or facility. In no case shall consent be withdrawn for longer than fourteen (14) days from the date upon which consent was initially withdrawn.

d. The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the two-week period. The written request shall state the address to which notice of hearing is to be sent. The president or his/her designated representative shall grant such a hearing not later than seven (7) days from the date of receipt of the request and shall immediately mail a written notice of the time, place, and date of such hearing to such person.

e. Any person who has been notified by the president or his/her designated representative that consent to remain on the campus or facility has been withdrawn pursuant to this subdivision, who has not had such consent reinstated, and who willfully and knowingly enters or remains upon such campus or facility during the period for which consent has been withdrawn is guilty of a misdemeanor. This subdivision does not apply to any person who enters or remains on such campus or facility for the sole purpose of applying to the president for the reinstatement of consent or for the sole purpose of attending a hearing on the withdrawal.

Penal Code Section 626.4

Adopted 05-13-09
Application for a Civil Restraining Order

The Chancellor or the Chancellor’s designee may authorize the Office of General Counsel to apply for a civil restraining order against any person who repeatedly commits acts interfering with the peaceful conduct of the activities of any campus or any other facility owned, operated or controlled by the Board of Trustees. The filing of such an action shall be reported promptly by the Office of General Counsel to the Board of Trustees.

Adopted 05-13-09

91204. NON-STUDENT ON CAMPUS WITHOUT LAWFUL BUSINESS THEREON.
Any person who is not a student, officer or employee of the District, or one who is not required by his/her employment to be on a campus or any other facility owned, operated or controlled by the Board of Trustees, shall not be allowed on any campus or any facility owned operated or controlled by the Board of Trustees, unless he/she has lawful business thereon. “Lawful business” means a reason for being present which is not otherwise prohibited by statute, by ordinance, or by regulation adopted pursuant to statute or ordinance.

Penal Code Section 626.8

Adopted 04-20-89
Amended 05-13-09

Historical Note: Former Board Rule 9809, enacted 3-30-71, repealed 4-20-89.

91205. SOLICITATION OF STUDENT CREDIT CARDS ON LACCD CAMPUSES.
In accordance with Education Code section 99030 et seq., the following policy is intended to regulate the practices of credit card companies offering credit cards to students enrolled in LACCD colleges.

Adopted: 12/17/03

91205.10 Designated College Locations.
Credit card companies offering credit cards to LACCD students are restricted to soliciting students in the following locations:

a. a college’s designated Free Speech Areas in accordance with the District’s Free Speech policy (Board Rule 9902 et seq.) and any applicable college rules and regulations governing the use of Free Speech Areas; and

Adopted: 12/17/03
b. any other college location that may be designated by a college for this use pursuant to a permit for use issued in accordance with the District’s Facilities and Grounds Use Policy (Board Rule 7200 et seq.). Credit card companies issued permits for use for this purpose will be required to observe both the District’s and any college’s rules governing use of facilities and grounds, including paying any applicable costs for use of college facilities and/or grounds for the solicitation of students.

Adopted: 12/17/03

91205.11 College Bulletin Boards. Except as may be authorized in the District’s Advertisement policy (Board Rule 91300 et seq.), credit card companies may not use college bulletin boards or publications to advertise student credit cards. Bulletin boards which have been designated for student free speech use pursuant to Board Rule 9903.10 may not be used to advertise student credit cards.

Adopted: 12/17/03

91205.12 Free Gifts to Students. Credit card companies are prohibited from offering free gifts to students in exchange for filling out credit card applications.

Adopted: 12/17/03

91205.13 College Rules Regarding Solicitation of Credit Cards on Campus. Each college president is authorized to adopt appropriate rules to implement this policy on each campus.

Adopted: 12/17/03

91206. CREDIT CARD EDUCATION. Each college shall integrate credit card and debt education into their new student orientation programs.

Adopted: 12/17/03
Amended: 11-02-16
ARTICLE XIII

ADVERTISEMENTS

ADVERTISEMENTS ON CAMPUS AND/OR ON COLLEGE WEBSITES. The college president may designate sections of registration materials, areas and/or structures on the campus and/or space in college websites or TV or radio stations for the placement of advertisements, commercial or noncommercial. The college president shall not designate any Free Speech Area, as defined in Rule 9902 (relating to the opening of limited public forums on District campuses), for the placement of advertising, but this shall not be construed as a prohibition against the use of advertisements in a Free Speech Area by individuals or groups during their use of the Area.

Adopted—12-02-98
Amended—01-27-99
Amended—12-03-03

91300.10 Advertisement Defined. For the purposes of this Article, an advertisement shall include all printed matter included in designated sections of registration materials, or placed on or distributed at any area and/or structure on campus which is designed for placement of such matter pursuant to Board Rule 91300. An advertisement shall also include corporate logos/names and any other third-party marketing instrument posted on college websites.

Adopted—12-02-98
Amended—12-03-03

91300.11 Disclaimer. Each college president who has designated space in college registration materials, areas, structures and/or websites or TV or radio stations for advertising shall be responsible for ensuring that each designated space contains appropriate disclaimer language to indicate that such advertisement or advertiser is not affiliated and/or endorsed by the District or college.

Adopted—12-03-03
TIME, PLACE AND MANNER RULES GOVERNING ADVERTISEMENTS. The college president shall promulgate rules governing the time, place and manner of advertisements on and/or related to the campus. In addition, no advertisement shall be allowed on the campus concerning any subject matter prohibited by Board Rule 91301.12, which relates to the subject matter of advertisements.

Adopted—12-02-98
Amended—12-03-03

91301.10 Additional Rules. The college president or his/her designee shall promulgate additional rules governing use, cost, duration, and other matters necessary to regulate advertisements on and/or related to the campus. Such rules shall not conflict with any provisions of this Article.

Adopted—12-02-98
Amended—12-03-03

91301.11 Free Speech. No rule or policy shall be promulgated or enforced under this Article which discriminates against the viewpoint or opinion of individuals or groups seeking to advertise on campus and/or a college website or TV or radio station, or of the advertisements they seek to place on campus and/or on a college website or TV or radio station. This Board Rule is subject to the limitations set forth in Board Rule 91301.12.

Adopted—12-02-98
Amended—12-03-03

91301.12 Subject Matter of Advertisements.

a. Any advertisement which discusses or concerns the following subject matter shall not be distributed and/or placed on any campus:

1) Soliciting or urging a particular vote on any election, initiative, or ballot item;

Adopted—12-02-98
2) Assistance in the application process or form preparation for state or federal Financial Aid;

3) Promotion of the manufacturing or consumption of alcoholic beverages;

4) Promotion of the manufacturing or use of tobacco products;

5) Promotion of firearms and lethal weapons; and/or

6) Promotion of illegal substances, as set forth in Board Rule 9803.19.

b. The college president or his/her designee may restrict additional subject matter which the college has a substantial interest in regulating, so long as such restriction is consistent with Board Rule 91301.11, relating to viewpoint discrimination.

c. Nothing in this Board Rule or in this Article shall be construed to disallow or prevent the acceptance of a donation of any structure or tangible thing which has the donor's name or title printed on or affixed to said structure or tangible thing.

Adopted——12-02-98

91301.13 Advertising Agreements. All advertisements placed on campus and/or on college websites or TV or radio stations shall be placed pursuant to a written contract. No contract shall permit an advertising duration of greater than six months, although a contract may permit advertising at more than one location on a campus and/or on a college website or TV or radio station. All advertising contracts shall contain a clause in which the advertiser guarantees that nothing in the advertisements to be placed on campus and/or on a college website or

Adopted——12-02-98
Amended——12-03-03

Chapter IX – Article XIII – Page 3
TV or radio station will be libelous, obscene, misleading, fraudulent, or designed to promote illegal activities, and that the failure of the advertiser to adhere to said guarantee shall constitute a breach of contract by the advertiser. The advertiser shall also agree to indemnify, defend, and hold harmless the District and its employees from any and all liability which may be incurred as a result of the content or placement of the advertisements.

Adopted——12-02-98
Amended——12-03-03

91302. ADVERTISEMENTS IN STUDENT-OPERATED CAMPUS PUBLICATIONS. This Article shall not apply to advertisements placed in District-sponsored, student-operated publications.

Adopted——12-02-98
Amended——01-27-99

91303. REGISTRATION MATERIALS. The college president may permit the use of advertising on or in one or more types of class registration materials, including but not limited to college catalogs, course schedules, and mail-in registration envelopes. The advertisements appearing in registration materials must be consistent with the Board Rules set forth in this Article.

Adopted——12-02-98

91303.10 Rules. The college president shall promulgate rules governing the use of advertising on or in registration materials, if the president has decided to permit such advertising. Any such rules shall not be inconsistent with the Board Rules set forth in this Article.

Adopted——12-02-98
Advertising in Officials Forms. No advertisement shall be permitted to be printed or written on any college or District form which must be submitted to the college or District by a student or prospective student in the course of registering for, adding, or dropping a course. This rule shall not restrict in any manner the placing of advertisements on the envelopes in which such forms are mailed or submitted to the college.

Adopted: 12-02-98

Amended: 11-02-16
ARTICLE II

HEALTH EXAMINATIONS

10201. HEALTH EXAMINATIONS. Each applicant for a position, except part-time assignments for not more than 40 hours per pay period, may be required to pass a physical examination in accordance with procedures established by the Chancellor before performing service. Employees changing position classifications may be required to pass a physical examination according to Administrative Regulations established by the Chancellor.

Adopted 09 11 74
Amended 10 22 75
Amended 06 11 80

10201.10 Health Examinations Not Required - Absence of Ten Days or Less. All employees when absent from duty for reason of illness or injury for not more than five consecutive working days may be readmitted to service at the discretion of the Chancellor, or designated representative.

All employees when absent from duty for reason of illness or injury for more than ten consecutive working days shall submit verification of illness or injury signed by a licensed physician or other practitioner upon forms designated by the Division of Human Resources and may be readmitted to service at the discretion of the Chancellor, or designated representative.

Adopted 09 11 74
10201.11 When Health Examination is Required for Readmission to Service. All employees when absent from duty for reason of illness or injury for more than ten consecutive working days may be required to submit verification of illness or injury and a release to return to service signed by a licensed physician or other practitioner upon forms designated by the Division of Human Resources prior to readmission to service.

Adopted—— 09-11-74
Amended—— 06-11-80

10202. HEALTH EXAMINATION STANDARDS. The health requirements for new employees and employees in service shall be based upon the employee's physical, mental and emotional ability to perform all the duties of the assignment satisfactorily without endangering his/her health or safety or the health and safety of other employees and students.

Adopted—— 09-11-74

10203. SPECIAL HEALTH EXAMINATIONS. An employee may be required to report for a health examination when, in the judgement of his/her College President or Division Head, and the Division of Human Resources, there is evidence that such an examination is warranted.

Adopted—— 09-11-74
Amended—— 06-11-80
EXAMINATION FOR TUBERCULOSIS. Before receiving an assignment, each applicant for a position, except a temporary position exempted by the Education Code, shall provide evidence from a physician or surgeon licensed to practice in California that he/she has submitted to an examination to determine that he/she is free of active tuberculosis. This examination shall consist of an X-ray of the lungs, or an approved intradermal tuberculin test, which, if positive, shall be followed by an X-ray of the lungs. Thereafter all employees shall repeat this examination at least once each four years.

EC—76406
Adopted—03-01-72

PERMANENT EMPLOYEES WHO BECOME PHYSICALLY DISABLED—POINT OF VIEW. A permanent employee who becomes physically disabled while in service will receive special consideration to enable him/her to continue, as long as possible, in productive work for the District. Because of a disability, the individual employee may not be able to carry a full load in his/her regular position. Even so, it is considered a community obligation of the District to seek to utilize his/her services as fully as possible and, if feasible, to keep him/her in gainful employment at least until such time as there is a minimum earned retirement from active service.

Any special assistance given to such an employee will be made only after consideration of the interests of the colleges, the welfare of the students, and the legal obligations of the District.

Adopted—09-11-74
PERMANENT EMPLOYEES WHO BECOME PHYSICALLY DISABLED - COMMITTEE TO CONSIDER AND MAKE RECOMMENDATIONS.

Following careful consideration of the case with his/her staff in cooperation with the medical consultant, the college president or District Office division head may refer the employee's case to the appropriate Committee for the Physically Disabled. The Committee will consider the case of an individual permanent employee after it can no longer be handled under the regular rules and practices.

A. Problems of disabled permanent certificated employees will be considered by a permanent committee of three composed of representatives from each of the following: Division of Human Resources, Educational Services and Council of Vice Presidents of Academic Affairs.

B. Problems of Disabled permanent classified employees will be considered by a permanent committee of three composed of representatives from each of the following: Division of Human Resources, Personnel Commission and Council of Administrative Services.

C. The Employer/Employee Relations Branch will be responsible for coordination of the committees.

Adopted—09-11-76
Amended—11-26-85

PERMANENT EMPLOYEES WHO BECOME PHYSICALLY DISABLED - FUNCTIONS OF THE COMMITTEE. The Committee will perform the following functions:

A. The Committee will consider and make recommendations for adjusting the assignment of permanent employees who become physically disabled and can no longer perform the duties of their regular assignment due to a disability.

Adopted—09-11-74
B. An attempt will be made by the Committee to find an assignment for the permanent employee in an established position in which he can render productive service. The Committee may propose in some cases that the disabled employee be regularly employed on a part-time basis at a correspondingly reduced salary where this type of reduced employment would work to the benefit of the employee and the District.

If such a position is not available:

1. If the permanent employee cannot be placed in any established position, the Committee may recommend reorganization of duties in a college or division so as to result in establishing a position in which he can render productive service.

2. If no position can be established in which the permanent employee can qualify to render satisfactory service and if he/she is eligible, the Committee will seek to assist him/her in obtaining disability retirement.

3. If the permanent employee is not eligible and cannot qualify for productive service, he/she may be referred to existing agencies which provide rehabilitation counseling.

C. Employees whose cases are being processed by the Committee for the Physically Disabled may appear before the Committee and/or be represented by another party.

D. The Committee should seek to promote an attitude among the employees of the District favorable to the utilization and assistance of those who are disabled. These employees should be considered as accepted and valued members of the organization.

 adopted 09-11-74

Chapter X - Article II - Page 5 10209.
HEALTH STANDARDS FOR COLLEGE SAFETY AND POLICE SERVICE OFFICERS. Health standards for college safety and police services officers shall be the same as for other personnel with the exception of the following:

**Vision**
Vision not less than 20/70 in either eye without glasses, correctable to 20/30 in both eyes with glasses; adequate visual field and depth, color and hue perception.

**Auditory**
No significant loss of hearing in the normal voice-range frequencies.

**Physical Ability**
Sufficient agility and strength to make apprehensions of juveniles and adults and to protect self against attack. Ability to pass required physical agility tests, and all required physical training courses of the Los Angeles County Sheriff's Department or equivalent.

**Mental Ability**
Ability to pass psychiatric tests appropriate for Police such as L.A.P.D.

**Height & Weight**
Weight must be proportionate to height.

Adopted—05-10-72
Amended—06-29-77
Amended: 11-02-16
ARTICLE VII
CONFERENCE ATTENDANCE AND TRAVEL

10701. ATTENDANCE AT CONFERENCES - BOARD MEMBERS.

A. Members of the District governing board are authorized, subject to Board approval, to attend and be reimbursed for actual and necessary expenses for meetings or conferences related to public school education as follows:

- Visits to educational institutions.
- Meetings of the California Legislature, its committees, or with any members thereof.
- Meetings of or with accreditation councils or committees.
- Meetings of conferences of any society, association or organization which the Board has approved for membership.
- Meetings with Federal, State or local government officials on matters of District business.
- Meetings with officers or employees of other educational institutions.
- Meetings to interview prospective employees.
- Such other meetings on matters of District business as may be directed by the Board.

B. Travel Authorization and Budget

1. Trustees Traveling for the District.

   a. Authority to Act as Representative. Trustees traveling as a representative of the Board or the District must obtain advance, express authority from the Board, regardless of the funding source. Trustees traveling to attend an educational conference who are not acting in a representative capacity do not need to obtain advance authority.

Adopted—12-03-75
Amended—06-16-76
Amended—06-15-77
Amended—06-25-80
Amended—07-19-80
Amended—12-19-12
b. Authority to Incur Expenses. Trustees must obtain advance, express authority of the Board in order to be reimbursed for expenses by the District, except to visit colleges, college-sponsored events, or events sponsored by District or college auxiliary organizations; to attend District Board meetings or committee meetings; or to attend educational conferences.

c. When the Chancellor requests the assistance of a Trustee to act as a representative of the Board, and advance approval is not possible due to the press of business, the Board may ratify both the representation and the expenses incurred.

2. Travel and Mileage Allowance

a. For each fiscal year, the Trustees shall adopt a budget for mileage, hotel, conference fees and other related expenses for conducting District business. The allowances shall be stated in the following parts:

i. Mileage reimbursement for attending District Board meetings and any District Board committee meeting ("Meeting Mileage");

ii. Other local mileage for District business ("Local Mileage");

iii. Conference expenses ("Conferences");

b. The Trustees shall have equal amounts available for their respective allowances, except as follows:

i. Additional budgetary resources may be allowed for the President of the Board or for a Trustee serving as an ongoing, designated representative of the Board in a local, state or national organization;

ii. The Meeting Mileage allowance shall be increased as necessary for a Trustee to attend any and all District Board meetings or committee meetings of the Board.

Adopted—12-03-75
Amended—06-16-76
Amended—06-15-77
Amended—06-25-80
Amended—07-19-80
Amended—12-19-12
c. Except as provided within this rule, an individual Trustee shall not be entitled to reimbursement for expenses beyond the allocated Local Mileage and Conference allowances, unless another Trustee consents to the transfer of funds from his or her respective allowances to that Trustee's allowances.

d. A Trustee may obtain permission to travel on behalf of the District at his or her own expense.

3. Travel on non-District Funds

a. A Trustee may travel at the Trustee's personal expense on his or her behalf.

b. Trustees who travel on non-District funds shall be responsible individually for appropriate reporting as required by the Conflict of Interest Code, or by other applicable laws, including but not limited to tax laws.

4. Activity Report

a. Trustees who utilize their Conference allowance or travel as a District or Board representative shall provide a brief, written report regarding those activities in order to be reimbursed, or if advances were provided in keeping with District policies, within thirty (30) days after completion of the activity.

Adopted——12-03-75
Amended——06-16-76
Amended——06-15-77
Amended——06-25-80
Amended——07-19-80
Amended——12-19-12
10702. **TRAVEL AUTHORIZATION - EMPLOYEES.** The Board of Trustees hereby delegates to the Chancellor or a designee authority to authorize employees to attend conferences, conventions, meetings of committees, commissions, in-service training, and other groups, and to perform similar services or travel in the performance of assigned duties. Reimbursement for actual and necessary expenses while performing such services for the District shall be in accordance with Board Rule 10704 provided that funds budgeted for such purpose are available and approved for such use. Advance travel funds may be granted not to exceed 90 percent of estimated expenditures excluding transportation costs for trips, or for deposits for inservice training facilities. Advance must total a minimum of $100.00. A substitute may be provided in the absence of the employee.

Adopted—10-06-76  
Amended—08-18-82  
Amended—04-20-89  
Amended—08-08-90

10703. **AUTHORIZATION BY CHANCELLOR FOR ATTENDANCE AT CONVENTIONS OR MEETINGS UNDER CERTAIN CONDITIONS.** The Chancellor may authorize or direct employees to attend meetings or to perform other services within or beyond the limits of the Los Angeles Community College District without loss of salary and without expenses, other than mileage separately authorized, when, in his judgement, it is desirable to have representation at such meetings or to have such services performed. The authority granted herein shall include the authority to assign substitutes when necessary.

Adopted—10-27-74  
Amended: 11-02-16
10704. **REIMBURSABLE EXPENSES.** Reimbursement for actual and necessary expenses may include:

Transportation to and from destination, including related parking expenses
Lodging and meals
Tips or gratuities associated with meals, not to exceed 15% of the subtotal cost of each meal where gratuity is given and supported by a printed transaction receipt
Daily tips or gratuities involving overnight travel related to portage, housekeeping and valet not to exceed $5 per day
Conference fees
Business related telephone calls
Additional portage where charged as a specific baggage handling fee in special circumstances where conference or presentation materials require transport
Local transportation at place of meeting
Other miscellaneous items directly related to District business

Items excluded:

Intoxicating spirits (except when charged as part of a conference meal which cannot be segregated from the meal cost)
Personal telephone calls or other expenses of a personal nature

Adopted 12-03-75
Amended 02-15-78
Amended 06-24-09

10705. **RENTAL OF MOTOR VEHICLES.** Employees may, during authorized travel outside of Los Angeles County, rent a motor vehicle for use within a radius of 100 miles of the point of rental provided that such vehicle is needed to accomplish the purpose of the travel in the most practical manner.

Adopted 12-03-75
10706. **REQUEST FOR REIMBURSEMENT.** When the Board authorizes an employee to attend a convention or perform similar services with traveling expense to be paid by the Board, the request for reimbursement shall be itemized and accompanied by an affidavit of the correctness of said charges.

**Adopted** 12-03-75  
**Amended** 11-26-85

10707. **OTHER REIMBURSEMENTS.** Any reimbursement received by a person attending a convention or performing similar services from sources other than the Board shall be deducted from the bill for expenses submitted for reimbursement.

**Adopted** 12-03-75  
**Amended** 11-26-85

10711. **TRANSPORTATION COST.** When transportation is by public conveyance, allowance for air or train travel shall be at the coach rate. First class travel accommodations shall be permitted only when coach accommodations would be impractical. Reimbursement for travel by private automobile to destinations beyond a 100 mile radius of the Los Angeles City Hall shall be at a rate of fifty-six and one half cents (56.5¢) per mile. All such travel shall not exceed the cost of the appropriate available common carrier to the destination. Priority of availability for determination of payment shall be: (1) Air, (2) Rail, (3) Bus.

**Adopted** 08-01-73  
**Amended** 12-03-75  
**Amended** 08-15-79  
**Amended** 06-26-91  
**Amended** 05-07-97  
**Amended** 03-10-99  
**Amended** 03-20-02  
**Amended** 12-19-07 (Effective Date 1/1/08)  
**Amended** 07-23-08 (Effective Date 7/1/08-12/31/08)  
**Amended** 01-14-09 (Effective Date 1/1/09)  
**Amended** 01-13-10 (Effective Date 1/1/10)  
**Amended** 04-13-11 (Effective Date 1/1/11)  
**Amended** 08-10-11 (Effective Date 7/1/11)  
**Amended** 12-19-12 (Effective Date 1/1/13)
10716. **ACTIVITIES WHILE TRAVELING ON DISTRICT FUNDS.** All persons associated with this District traveling on District funds shall not knowingly patronize any facility that discriminates its membership policy based upon race, religion, national origin, or sex.

Adopted 03-28-73
ARTICLE IX

GRIEVANCE PROCEDURE FOR MANAGEMENT EMPLOYEES

10901. GRIEVANCE PROCEDURES FOR MANAGEMENT EMPLOYEES.

10901.10 Grievance Defined. A grievance is defined as a formal written complaint alleging a violation, misinterpretation or misapplication of a written rule or regulation of the Los Angeles Community College District.

The grievance procedure is not for the adjustment of complaints relating to the following:

a. Any and all matters relating to the selection, hiring, or promotion of employees.

b. Suspensions, demotions, and dismissals for which review procedures are provided by the Education Code.

c. The review of performance evaluations in which the overall evaluation is indicated that the employee is satisfactory or above.

d. The review of a written open non-confidential reference submitted in conjunction with a selection or evaluation for a position.

e. Accusatory statements or charges relating to the professional fitness or moral fitness of an employee.

Adopted 02 03 82
Amended 07 29 87
Amended 09 02 92
f. Notices of Unsatisfactory Service issued to classified management employees which are the basis for further disciplinary action or Notices of Unsatisfactory Service issues to probationary classified management employees.

Adopted 02-03-82
Amended 07-29-87
Amended 09-02-92

10901.11 Definitions.

a. **Grievant** - A grievant means an administrator who has filed a complaint in accordance with this procedure.

b. **Group Grievances** - Grievances of a similar or like nature may be consolidated upon the written consent of the grievants and respondents.

c. **Administrator** - Administrator means management employee.

d. **Day** - A day, for the purpose of this Article, is defined as any day of the calendar year, except Saturdays, Sundays, and legal (or school) holidays within the grievant's assignment period.

e. **Division Head** - A division head is defined as a management employee assigned the administrative responsibility for a division in the District Office.

f. **Management Employee** - A management employee is defined as management, consistent with the provisions of Government Code section 3540, et. seq.

Adopted 02-03-82
Amended 07-29-87
g. **Respondent** - The respondent in any grievance shall be the management employee who has the authority to adjust the complaint or grant the remedy sought.

h. **Representative** - An employee of the Los Angeles Community College District or the Los Angeles Community College Administrators Association or the Los Angeles Community College Management Association, as appropriate, chosen by the grievant or respondent to represent same.

Adopted 02 03 82
Amended 07 29 87

10901.12 **General Provisions.**

a. Either party to the complaint may elect to represent himself/herself at any step in the grievance procedure or be accompanied by a representative who shall be an administrator in the Los Angeles Community College District or an employee of the Los Angeles Community College Administrators Association or Management Association, as appropriate, providing only that he/she shall serve as a representative without loss of salary. Prior approval for absence from regular duties shall be granted by the appropriate administrators to the grievant and representative, if any, when such regular duties conflict with required attendance at conferences conducted pursuant to this procedure. By mutual agreement, other person, such as witnesses may also attend the grievance meetings.

Adopted 09 03 82
Amended 07 29 87
b. Grievance meetings and/or hearings will be scheduled at mutually convenient times and places during District business hours. The parties to the grievance and their representatives shall attend grievance meetings and/or hearing(s) without loss of salary.

c. The Employer-Employee Relations Branch of the Division of Human Resources shall be available to any administrator for assistance and counsel regarding the proper procedures and actions at any step in the Grievance Procedure.

d. The grievant and respondent have a professional obligation to seek in a cooperative and respectful manner an early adjustment to the grievance.

e. If a grievance is not processed by the grievant at any step in accordance with the time limits of this Article, it shall be deemed withdrawn. If the District fails to respond to the grievance in a timely manner at any step, the running of its time limit shall be deemed a denial of the grievance and termination of the step in questions, and the grievant may proceed to the next step. All time limits and grievance steps may be shortened, extended or waived by mutual written agreement.

f. The filing or pendency of a grievance shall not delay or interfere with implementation of any District action during the process thereof unless the parties agree to the contrary.

Adopted 09-03-82
Amended 07-29-87
g. Processing and discussing the merits of a grievance shall not be considered a waiver by the District of the defense that the matter is not grievable or that the grievance should be denied for other reasons which do not go to the merits.

Any investigation or other handling or processing of any grievance by the grieving employee shall be conducted so as to result in minimal interference with or interruption of District business at the employee's work.

The immediate supervisor or management employee shall inform the grievant of any limitation upon his/her authority which prevents full resolution of the grievance and shall direct the grievant(s) to the employee who has the authority to resolve the grievance.

Any level of review may be waived by mutual agreement of the parties to the grievance. Any time limits established in this procedure may be extended by mutual agreement of the parties to the grievance. By mutual agreement the grievance may revert to a prior level for reconsideration.

The grievant and respondent shall have access to documents and District records which directly relate to the adjustment of the grievance.

Adopted—02-03-82
Amended—07-29-87
The Procedure.

a. **Step One** - Within twenty (20) working days after the grievant knew or by reasonable diligence could have known of the condition upon which the grievance is based, the grievance must be presented in writing to the immediate administrator (respondent) who has the authority to adjust the grievance. The written grievance shall contain a clear, concise statement of the grievance, including the specific rule, regulation, policy, or procedure which has been allegedly violated; the remedy sought; and the name of the employee's representative, if any.

A meeting between the grievant and the immediate administrator or his/her designee shall take place within five (5) days from presentation of the grievance. The immediate administrator or his/her designee shall reply in writing within five (5) days following the meeting. The decision shall contain a clear and concise statement as to the reason for said decision.

Adopted 02-03-82
Amended 07-29-87
Step Two - (If the respondent in Step One is the Chancellor, Step two is waived and appeal must be made in accordance with Step Three.) If the grievance is not resolved in Step One, the grievant, within five (5) days after receipt of the decision in Step One, must present a written appeal to the College President or Division Head. (If respondent in Step One was the College President or Division Head, the Vice Chancellor Human Resources shall conduct Step Two.) The written appeal shall again contain a clear, concise statement of the grievance; the circumstances on which the grievance is based; the decision rendered at Step One; the remedy sought; and the name of the grievant's representative, if any. The grievant shall send a copy of the appeal to the Step One authority.

Within five (5) days of receipt of the grievance appeal, a meeting shall take place to discuss the matter. The College President, Division Head or his/her designee (Chancellor, if applicable) shall reply in writing within ten (10) days following the meeting.

A copy of the reply shall be sent to the Chancellor, each of the parties, the Office of Employer-Employee Relations, and Step One authority.

Adopted 02 03 82
Amended 07 29 87
c. Step Three - Request for Hearing. If the grievance is not resolved in Step Two, the grievant, within ten (10) days after receipt of the decision in Step Two (Step One, if applicable), must present a written Request for Hearing to the Office of Employer-Employee Relations. The grievant shall simultaneously send a copy of the request to the Step One and Step Two authorities if applicable. Within fifteen (15) working days of receipt of the request, the Office of Employer-Employee Relations shall select an arbitrator from a permanent panel of seven (7) arbitrators listed below:

Edna Francis          Melvin Lennard
Thomas Roberts       Thomas Christopher
William Rule         Joseph Gentile
Walter Kaufman

If one or more of the arbitrators on the panel no longer wish to serve, such person(s) shall be placed by mutual agreement of the Administrators Association, the Management Association, and the District.

Adopted 02-03-82
Amended 07-29-87
Within five (5) working days of receipt of the filing for arbitration, the Office of Employer-Employee Relations shall contact the first arbitrator on the rotated list for appointment as arbitrator. Should he/she not be available to hold a hearing within 30 working days of the selection, the Office of Employer-Employee Relations shall contact the next arbitrator on the list and go through the same process. The process shall be repeated until an arbitrator is obtained who is available within the 30 working days. If no member of the panel is available within the prescribed time limits, the arbitrator available at the earliest date shall be chosen.

The hearing shall be conducted in accordance with the rules and procedures prescribed in Section 11513 of the Government Code of the State of California. No other Section of the State Administrative Procedure Act shall apply to this grievance procedure. The hearing shall be private with attendance limited to parties to the grievance and their representatives, if any, witnesses while testifying, and representatives of the Office of Employer-Employee Relations.

Adopted 02-03-82
Amended 07-29-87
The Office of Employer-Employee Relations shall be responsible for the arrangements of the hearing, the recording of the proceedings, the maintenance of records, and such other services required to assist the arbitrator in fulfilling his/her responsibilities. Neither party shall communicate with the arbitrator without first contacting the other party to explain the purpose of the intended communication.

The hearing shall be tape recorded. A transcript of the record shall be prepared at the request of either party or the arbitrator. The cost of the transcript shall be borne by the party requesting the transcript, except that the parties shall share the cost of the transcript if it is requested by the arbitrator. If no request for transcript is made, the parties shall have access to the tapes.

Either party may request the presence of witnesses and the production of records. The arbitrator shall be empowered to direct the attendance of any District employee to attend the hearing without loss of salary to the employee and to direct the production of records relevant to the hearing.

Representatives for parties shall exchange all documentary material to be entered as evidence at least five (5) working days before the first day of the hearing. The names of witnesses shall be exchanged at least five (5) working days before the first day of the hearing.

Adopted 02-03-82
Amended 07-29-87
The arbitrator's decision shall be based solely and exclusively on the evidence and arguments presented by the parties to the grievance and the record in the case. The arbitrator's decision shall be limited to the specific finding regarding the alleged misinterpretation, misapplication, or violation of the written rule, regulation, policy or procedure of the Los Angeles Community College District.

The arbitrator shall have the authority to grant or recommend the payment of salary if it is proven that the grievant has rendered service and has not been paid for that service; the arbitrator may require the District to pay the salary due for such service. Other monetary awards may be granted in accordance with the principle of arbitration to make the injured party whole. If a monetary award, other than salary for services rendered, is made in excess of $2,500, the Board of Trustees shall review the arbitrator's decision and render a final decision as to the amount of the award to be granted.

The arbitrator shall have no power to grant a remedy exceeding that sought by the grievant.

Adopted 02-03-82
Amended 07-29-87
The arbitrator shall render written findings, conclusions, and decisions within sixty (60) days of the termination of the hearing. Either party to the grievance may appeal the decision of the arbitrator to the Board of Trustees by presenting a written appeal to the Board of Trustees within ten (10) days after receipt of the decision. If not appealed, the decision, findings, and conclusions shall be final and binding on both parties.

On appeal, the Board of Trustees shall, within two Board meetings of receipt of the appeal, consider the matter and may change or modify the arbitrator's decision; however, before such a modification or change is made the Board must independently review the record. At the request of either party, the Board of Trustees shall hear representatives of the grievant and respondent in any such appeal before rendering a decision in the matter. The Board of Trustees, within two Board meetings following the Board meeting in which the matter is considered, shall render written findings, conclusions, and decision which shall be based solely upon the record and shall be binding upon the parties.

The District shall pay for the services and expenses of the hearing officer.

Copies of all documents and communications related to the process of the grievance shall be filed in the Employer-Employee Relations Office and shall be kept separate from the personnel files of all the participating parties.

Adopted 02-03-82
Amended 07-29-87
Amended: 11-02-16
ARTICLE XI

UNCLASSIFIED ASSIGNMENTS

101104. UNCLASSIFIED EMPLOYEES. Notwithstanding any Board Rule to the contrary, a person may be employed as an unclassified employee as authorized by the Education Code.

Adopted—12-18-74

101104.10 Professional Expert Salary Rates. Salary rates for Professional Expert classes shall be as follows:

Professional Expert A. Persons assigned as speakers at various rates of $150 or more per session.

Professional Expert B. Persons assigned as speakers at various rates less than $150 per session.

Professional Expert C. Persons assigned as specialized resource personnel at various rates of $30 or less per assigned hour.

Professional Expert D. Persons assigned as specialized resource personnel at various rates of $30 or less per assigned hour.

Professional Expert E. Persons who are assigned to direct and conduct and/or participate and assist in a special project of the District at various rates of $6,000 or more per project. Such assignments shall be reported to the Board as non-routine items. The limit in effect for reporting to the Board Professional Expert E assignments shall be increased at a rate proportionate to the increase of the highest base rate on the salary schedule for regular full-time faculty members.

Adopted—09-09-87
Professional Expert F. Persons who are assigned to direct and conduct and/or participate and assist in a special project of the District at various rates less than $6,000 per project.

Adopted—09–09–87

101105  RATES OF PAY.

The following rates of pay shall apply to unclassified non-student worker positions, effective July 1, 2008.

A. Pay for a Community Recreation Aide position shall be $8.00 or minimum wage, whichever is higher.

B. Pay for a Community Recreation Assistant I position shall be $8.25 or $.25 higher than the Community Recreation Aide position rate of pay, whichever is higher.

C. Pay for a Community Recreation Assistant II position shall be $8.75 or $.75 higher than the Community Recreation Aide position rate of pay, whichever is higher.

D. Pay for a Community Recreation Assistant III position shall be $9.75 or $1.75 higher than the Community Recreation Aide position rate of pay, whichever is higher.

E. Pool Lifeguard shall be $10.00 or $2.00 higher than the Community Recreation Aide position rate of pay, whichever is higher.

Adopted—07–09–08
101107. EMPLOYMENT OF STUDENTS WITH CRIMINAL RECORDS. Any student currently enrolled in District classes may be employed in the unclassified service to perform non-instructional duties without regard to prior criminal record or parole status except those who are determined to be sexual psychopaths or those whose employment would not be in the best interest of the District as determined by the Board of Trustees. The Chancellor is authorized to establish administrative regulations to provide for the employment of students with criminal records.

Adopted 03-24-76

101108. COMPENSATORY TIME OFF FOR CLASSIFIED SERVICE EMPLOYEES. At the direction of the Chancellor or his designated representative, classified service employees may be granted compensatory time off in lieu of overtime compensation at an amount equal to the employee's overtime rate of compensation.

Education Code Section 88027

Adopted 04-25-73
Amended 04-28-76

101109. INSTRUCTIONAL DEVELOPMENT GRANTS-ASSIGNMENT AND PAYMENT. Employees may be awarded instructional development grants in accordance with the following provisions:

D. The employee submits an application for an instructional development grant according to procedures established by the Chancellor.

B. The grant application is reviewed and recommended for approval by the Instructional Development Grant Committee.

C. The recommended grant has been approved by the Chancellor or designee.

D. The Chancellor shall establish the necessary administrative procedures for the processing of such grants and for the review and approval for all expenditures prior to their commitment.

Adopted 09-28-77
Amended: 11-02-16
ARTICLE XII

CHILD DEVELOPMENT CENTERS

101201. CHILD DEVELOPMENT CENTER EMPLOYEES. Each person employed in a position requiring a Child Development Center permit for the supervision and instruction of children is a certificated employee. All Board Rules shall apply to such employees in the same manner as they do to other certificated employees except that:

a) Child Development Center Director must hold a Bachelor of Art degree in Child Development or closely related field, be eligible for the California Child Development Center Permit at the Site Supervisor level, which must include six semester units of course work in administration of programs plus one 2 or 3 unit Adult Supervision and Early Childhood Mentoring course and two years of full time experience in a lead teacher or director position in a licensed Early Childhood Education program.

b) Child Development Center Teacher must hold a Bachelor of Art degree in Child Development or closely related field, or possess a valid California Elementary Credential, be eligible for a valid California Child Development Center Permit at the Master teacher level and have completed a minimum of 350 days of experience in an instructional capacity in a licensed Early Childhood Education program, working at least three hours a day within the last four years. Experience may include internships, paid and/or volunteer work.

Adopted—06-19-74
Amended—01-12-77
Amended—02-25-09
101202. **ALLOCATION TO CHILD DEVELOPMENT CENTER SALARY SCHEDULE.**
New Child Development Center employees shall be allocated to the salary at rates per pay period according to the current salary schedule for the effective date of the election. The step and column placement shall be determined from the following tables:

A. **Step Placement**

<table>
<thead>
<tr>
<th>Years of Applicable</th>
<th>Step</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experience</td>
<td></td>
</tr>
<tr>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

B. **Column Placement**

<table>
<thead>
<tr>
<th>Points</th>
<th>Column</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum requirements</td>
<td>A</td>
</tr>
<tr>
<td>Minimum plus 20</td>
<td>B</td>
</tr>
<tr>
<td>Minimum plus 40</td>
<td>C</td>
</tr>
<tr>
<td>Minimum plus 60 or BA</td>
<td>D</td>
</tr>
<tr>
<td>Minimum plus 80 or BA plus 20</td>
<td>E</td>
</tr>
</tbody>
</table>

The requirements for filing such salary verification and effective dates are to be the same as provided in Board Rule 10517.

**Adopted** 06-19-74
**Amended** 08-20-75
**Amended** 01-12-77

101203. **ILLNESS PAY FOR SUBSTITUTES PAID ON THE CHILD DEVELOPMENT CENTER SALARY SCHEDULE.** Substitute Child Development Center employees shall be eligible for illness benefits on the same basis as provided in Board Rule 101020.11.

**Adopted** 06-19-74
**Amended** 01-12-77
APPROVED EXPERIENCE-CHILD DEVELOPMENT CENTER EMPLOYEES.
New Child Development Center employees shall be allowed credit for the types of paid experience which are listed below, for the purpose of allocation to the salary schedule; provided, that proof of such experience has been submitted according to the provisions of Board Rule 10517 and the Chancellor or his designated representative has approved such experience; and provided further, that no more than one year of credit may be granted for experience acquired during any one calendar year.

Experience as an hourly rate instructor or teacher in special day and evening classes for adults shall be computed on the basis of four hours of classroom teaching as the equivalent of one day. No such credit shall be given for evening experience on any date for which full-time experience is granted.

A. Experience as a certificated employee in a public school.

B. Experience after receipt of bachelor's degree as a teacher, librarian, registrar, counselor, supervisor, or administrator in an approved private elementary or secondary school, or approved private college or university.

C. Experience as a teacher or supervisor in an approved public or private nursery school or head start program.

Adopted—08 20 75
Amended—01 12 77

MINIMUM REQUIREMENTS. The minimum requirements for granting point allowance for allocation on the Child Development Center salary schedule may be met by either of the following:

A. Associate degree conferred by an accredited college upon the completion of a standard two-year college course.

B. Sixty semester units of credit in an accredited college or university.

Adopted—08 20 75
Amended—01 12 77
101206. COLUMNAR ADVANCE. To qualify for a columnar advance on the Child Development Center preparation salary schedule, the employee must possess the requisite total number of points according to the following schedule:

<table>
<thead>
<tr>
<th>Column</th>
<th>Points in Excess of Minimum Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>20</td>
</tr>
<tr>
<td>C</td>
<td>40</td>
</tr>
<tr>
<td>D</td>
<td>60 or BA</td>
</tr>
<tr>
<td>E</td>
<td>80 or BA plus 20</td>
</tr>
</tbody>
</table>

Adopted 08-10-75
Amended 01-12-77

101207. SALARY RATES FOR DAY-TO-DAY CHILD DEVELOPMENT CENTER SERVICE. Child Development Center employees assigned on a day-to-day or intermittent basis shall be paid a flat rate per day. The daily rate is based upon eight hours of service. Service for less than eight hours shall be paid at a proportional rate that the service bears to eight.

Adopted 08-20-75
Amended 01-12-77

101208. DELEGATION OF AUTHORITY TO COLLEGE PRESIDENTS FOR MANAGEMENT OF CHILD DEVELOPMENT CENTERS. The College Presidents or their designees shall have authority to act on behalf of the Board with respect to licensing and regulatory issues affecting their respective campuses' Child Development Centers.

22 C.C.R., 101152(a)(1)

Adopted 09-01-10
Amended: 11-02-16
ARTICLE XIV

COLLECTIVE BARGAINING

101400. COLLECTIVE BARGAINING PUBLIC NOTICE PROCEDURE

101400.10 Presentation of Initial Proposals. The initial collective bargaining proposal procedure is begun by a request from either a certified exclusive representative of a unit of District employees or the District to present an initial proposal to the Board of Trustees. When a request is received, the following actions must be taken at public meetings of the Board of Trustees:

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

b. The public shall have an opportunity to respond to the exclusive representative's or District's initial proposal at a subsequent public Board meeting. The public response shall be indicated on the Board meeting agenda, and shall be taken in accordance with Paragraph 101400.14 below and Board Rule 2501.11e.

Adopted—08-22-84
Amended—02-16-00
c. After the public has had a reasonable opportunity to respond to the District's initial proposal, the Board of Trustees shall adopt the District's initial proposal at a public meeting. The adoption shall be indicated as an action item on the Board agenda. There shall be no amendment of the District's initial proposal unless the public is first afforded a reasonable opportunity to respond to the proposed amendment at a public meeting. An initial proposal may be adopted by the Board subject to later amendment. Neither the Board nor its representatives will engage in negotiations on an initial proposal/amendment until the proposal/amendment is adopted by the Board at public meeting.

Adopted — 08 22 84

101400.11 New Subjects of Meeting and Negotiating. If new subjects of meeting and negotiating arise after the presentation of the initial proposals, the following procedure shall be followed:

a. All new subjects of meeting and negotiating, whether proposed by the exclusive representative or the District, shall be posted by the District on the Board Room bulletin board on the first floor of the District's Educational Services Center within twenty-four (24) hours after their presentation in negotiations.

b. If the Board of Trustees' votes on any new subject of meeting and negotiating proposed by the District, the vote shall be made public.

Adopted — 08 22 84

Amended — 02 16 09
1) If the vote is taken during a public meeting of the Board of Trustees, the vote shall be recorded in the minutes of the Board and thereafter shall be a public record, or

2) If the vote is taken during closed session, the vote shall be recorded on the posted notice of the new item, and shall remain posted for a minimum of twenty-four (24) hours.

c. The Board of Trustees may, at its discretion, require that any new subject of meeting and negotiating proposed by the District be presented at a public meeting to afford the public an opportunity to respond.

Adopted 08 22 84
Amended 02 16 00

101400.12 Reopener to an Executed Collective Bargaining Agreement. 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 District, the public notice procedure outlined in 101400.10 shall be followed.

Adopted 08 22 84
101400.13 Amendment to an Executed Collective Bargaining Agreement. When the District and the exclusive representative agree to amend an executed collective bargaining agreement in accordance with the agreement, the following procedure shall be followed before the Board of Trustees approves said amendment:

a. The amendment shall appear on the agenda as a noticed motion for action at a subsequent Board meeting.

b. The public shall have an opportunity to respond to the amendment at a subsequent Board meeting. The public response shall be indicated on the Board agenda and shall be taken in accordance with Paragraph 101400.14 below.

c. The Board of Trustees may, at its discretion, require that any amendment to an executed collective bargaining agreement proposed by the District be presented at a public meeting to afford the public an opportunity to respond.

Adopted 08 22 84
Amended 02 16 00
101400.14 Public Response. Public response, as provided for by Paragraph 101400.10b above shall be taken in accordance with Board Rule 2501.11 which addresses Agenda and Public Agenda Speakers.

a. Persons who wish to address the Board on a collective bargaining proposal shall present a request to the Chancellor as Secretary of the Board or designee giving a name, address and telephone number by 10:00 a.m. on the day of the Board meeting. The request shall include the name of the organization or group represented, if any, and shall inform the Chancellor or designee that the statement relates to a collective bargaining proposal on the Board's agenda.

b. Twenty (20) minutes shall be the maximum time allotment for public comment on collective bargaining proposals regardless of the number of speakers. At the discretion of a majority to extend the time, the time may be extended. If there is not a majority vote to extend the time, the twenty (20) minutes maximum rule will apply.

c. The general rules of decorum contained in Board Rules 2501 and 2502 shall apply at all times.

d. New subjects or meeting and negotiating, or amendments or reopeners to an existing agreement, which have been processed in accordance with the provisions of Paragraph 101400.11, 101400.12 or 101400.13 above, may be the subject of a nonagenda item addressed by a member of the public in accordance with the Board Rules.

Adopted 08-22-84
Amended 02-16-00
101400.15 Information Available to the Public.
Information regarding collective bargaining proposals shall be made available to the public in accordance with Government Code Sections 3540 et seq. and Government Code Sections 6250 et seq.

a. The District's initial collective bargaining proposals, new subject of bargaining, proposed amendments or reopeners to executed collective bargaining contracts, shall be public records. Copies of any District proposal shall be available at the public meeting when it is presented to the Board as an informative item. Thereafter, interested persons may obtain copies from the Office of Employer-Employee Relations. In addition, copies of any District proposals shall be available for inspection at any public meeting where the initial proposal is presented to the Board as an action item.

b. Initial collective bargaining proposals, new subjects of bargaining and proposed amendments or reopeners to executed collective bargaining contracts offered by an exclusive representative shall be public records. One copy of each proposal, new subject, proposed amendment or reopener shall be posted on a central bulletin board in the District Office. Interested persons may obtain copies from the Office of Employer-Employee Relations.

Adopted—08-22-84
Complaints. Individuals and/or groups wishing to lodge charges or complaints regarding alleged violations of this procedure by District employees may do so in accordance with the Board's rules and regulations regarding complaints contained in Board Rule 2501.10. Such allegations shall be referred to the Office of the Vice Chancellor of the Division of Human Resources.

Adopted—08-22-84
Amended—02-16-00
Amended: 11-02-16
ARTICLE XV
PERSONAL PROPERTY DAMAGE

101500. REPLACEMENT OR REPAIR OF EMPLOYEES' PERSONAL PROPERTY. The Board of Trustees may pay the cost of replacing or repairing property of any employee when such item(s) is damaged or stolen in the line of duty without any fault or negligence of the employee while in the scope of employment and as a result of a condition over which the Board of Trustees has care and control. If the item(s) was damaged beyond repair, the actual value of such item(s) may be paid. The value of damaged items shall be based on their current replacement cost.

101500.10 Maximum and Minimum Payment. The maximum payment for any one loss shall not exceed $500.00. Payments for losses under $100.00 shall not require approval of the Board of Trustees. All other claims shall be submitted to the Board of Trustees by the Business Services Division.

Adopted 01 06 70
Amended 12 01 04

101500.11 Written Request and Authorization. A written request for reimbursement for property damaged or stolen shall be filed by the employee who experienced the loss within thirty (30) days from the date of occurrence or discovery with the College President or Division Head, or his/her designee, who shall investigate the claim as necessary.

Adopted 01 06 70
Amended 12 12 73
Amended 08 06 80
Amended 05 16 90
101500.12 Claims Reimbursement. Claims for personal property which has been damaged or stolen shall be evaluated by the College President or Division Head in accordance with procedures established by the Administration to implement this Rule. Claims of less than $100.00 shall be submitted directly to the Business Services Division for payment. Claims of $100.00 to $500.00 shall be submitted to the Business Services Division, Risk Management Department, where they will be prepared for submission to the Board of Trustees for approval. Each location shall establish a fund from which such claims will be paid. Claims over $500.00 are to be filed on the Claims for Damage to Person or Property form and shall be submitted to the Business Services Division, Risk Management Department for submission to the District’s claims administrator for processing.

Adopted: 10-06-70
Amended: 12-12-73
Amended: 08-06-80
Amended: 05-16-90
Amended: 12-01-04
Amended: 11-02-16
ARTICLE XVIII

VOLUNTEERS

101800. VOLUNTEERS. Each college is authorized to use the services of volunteers willing to serve without pay as nonteaching aides to assist the certificated, administrative, and teaching personnel of the District. No college may use the services of volunteers in lieu of classified employees, and no college may refuse to employ a person in a vacant classified position and use volunteers instead nor may any college abolish any of its classified positions and use volunteers instead.

Education Code Section 72401

Adopted—07-11-85

101801. SUPERVISION. Any person, serving without compensation as a volunteer must be under the supervision and direction of the certificated administrative or teaching personnel of the District.

Education Code Section 72401

Adopted—07-11-85

101802. EMPLOYMENT. Persons serving without pay as volunteers are not employees of the District. They shall not receive any of the rights of benefits accorded to employees of the District except as provided in this Article.

Education Code Section 72401

Adopted—07-11-85
101803. INCIDENTAL EXPENSES. Persons serving without pay as volunteers may receive reimbursement for incidental expenses, as provided in Chapter 7, Article V of these Board Rules (Board Rule 7500 et seq.) and in Article VII of this Chapter (Board Rule 10701 et seq.).

EC—724523

Adopted—07-11-85

101804. LIABILITY. Persons serving without pay as volunteers shall be provided workers' compensation coverage under the provisions of Division 4 (commencing with Section 3200) of the California Labor Code. This shall not apply to students participating in student government or activities.

Education Code Section 72506

Adopted—07-11-85
Amended—02-11-98

101805. RULES AND REGULATIONS. The Chancellor or the Chancellor's designee shall have authority to adopt from time to time such rules and regulations as are necessary to implement this Article and are not inconsistent with it.

EC—72282

Adopted—07-11-85
Amended: 11-02-16
CHAPTER XII
COMMUNITY SERVICES

12001. DEFINITION. Community services consists of comprehensive educational, cultural, recreational, civic center, and community planning programs which a community college may provide for its community over and beyond regularly scheduled day and evening offerings. Community colleges have specific obligations:

12001.10 Profitable Use of Leisure Time. To contribute to and promote the cultural, intellectual, and social life of the College District community and the development of skills for the profitable use of leisure time.

12001.11 Educational Services. To provide educational services designed to meet the needs of community groups and the College District community at large.

12001.12 Center of Community Life. To become a center of community life by encouraging the use of college facilities and services by community groups when such use does not interfere with the college's regularly scheduled day and evening programs.

12001.13 Leadership and Coordination. To provide the community with the leadership and coordination capabilities of the college.

Adopted 12-23-69
Amended 06-09-70
Amended 03-12-08

12002. COMMUNITY SERVED. These services are provided for the community as a whole, or for some segment of the community, and exclude public school and adult education programs for which state apportionment is received.

Adopted 12-23-69
Amended 06-09-70
12002.10 Age Groups Served. Community service activities and/or offerings shall be conducted primarily for the college-age community or older; however, exceptions may be made when the college deems that lower-age groups in the community will be materially benefited by unique opportunities that can be provided only by the college.

Adopted 12-23-69
Amended 06-09-70
Amended 03-12-08

12003. COMMUNITY SERVICES ACTIVITIES AND/OR OFFERINGS. The Los Angeles Community Colleges are authorized to establish and maintain activities and/or offerings suitable for inclusion in the Community Services programs as delineated in this section.

12003.11 Recreation. Recreational activities and offerings may be conducted as a service to the community. Fees may be assessed to make the activities entirely self-supporting.

12003.12 Lectures and Other Special Events. Lectures and other special events may be included in a college’s Community services program. Admission may be charged to make the event entirely self-supporting.

12003.13 Not-for-Credit Short-term Offerings. Not-for-credit short-term offerings may be established as part of the Community services program. Fees may be assessed to make the offerings entirely self-supporting.

Adopted 12-23-69
Amended 06-09-70
Amended 06-25-80
Amended 09-03-03
Amended 03-12-08

12004. Fees. Reasonable fee may be charged for Community Services activities and/or offerings based upon a Districtwide formula.

Adopted 06-09-70
Amended 06-25-80
Amended 03-12-08
12005. CAPITAL OUTLAY. General funds may be used for those capital outlay expenditures which are directly essential to the operations of the program of community services as defined in this chapter.

Adopted—12-23-69
Amended—06-09-70
Amended—06-25-80

12006. COMMUNITY SERVICES PROGRAM. All expenditures for community services shall be itemized under Community Services Activity Series 6800 of the District budget.

Adopted—12-23-69
Amended—06-09-70
Amended—06-25-80

12007. CIVIC CENTER. See Chapter VII, Article II, of these Board Rules.

Adopted—12-23-69
Amended—06-09-70
Amended—06-25-80
Amended: 11-02-16
CHAPTER XIII
ARTICLE I
AUXILIARY ORGANIZATIONS

13100. RECOGNITION AND ESTABLISHMENT OF AUXILIARY ORGANIZATIONS. Recognition of the establishment of an auxiliary organization by the Board of Trustees pursuant to Education Code Sections 72670 et seq. and California Code of Regulation, Title 5, Sections 59250 et seq. shall require:

13100.10 That a recommendation is submitted to the Board of Trustees by the Chancellor when the organization will serve the District; or, by the Chancellor on behalf of the college president when the organization will primarily serve a particular college;

13100.11 A public hearing on the recommendation to be held at the time, place and in the manner determined by the Board of Trustees;

13100.12 The approval of the establishment of the auxiliary organization by the Board of Trustees. Approval by the Board of Trustees shall include a designation of the recognized services, programs and functions and an identification of the number and category or categories of members of the board of directors of the auxiliary organization; and

13100.13 The approval of a written agreement between the District and the auxiliary organization under which one or more of the services, programs or functions described in Section 59259 of Title 5 are to be performed.

Adopted—12-16-81

XIII - 1

13100.13
RECOGNIZED SERVICES, PROGRAMS AND FUNCTIONS.
Auxiliary organizations may be recognized and established for the purpose of providing supportive services and specialized programs for the benefit of the Los Angeles Community College District. The services, programs and functions which may be undertaken by auxiliary organizations and which have been determined by the Board of Trustees and the Board of Governors to be appropriate include:

- Student association or organization activities;
- Bookstores;
- Food and campus services;
- Student union programs;
- Facilities and equipment, including parking;
- Loans, scholarships, grants-in-aid;
- Workshops, conference, institutes and federal projects;
- Alumni activities;
- Supplementary health services;
- Gifts, bequests, devises, endowments and trusts;
- Public relations 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; or unless said function is essential to satisfy the nonprofit 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 any auxiliary organization as part of a joint powers agreement.

Adopted 12-16-81
COMPOSITION OF BOARDS OF DIRECTORS. The board of directors of each auxiliary organization shall have the following composition:

13102.10 Student Associations or Organizations. The board of directors shall consist primarily of students. The college president or his/her representative may attend and participate in meetings of board of directors in order to advise on policy and to provide for the control and regulation required by Education Code Section 76060.

13102.11 Other Auxiliary Organizations. Any other District approved auxiliary organization that is established pursuant to Section 72670 et seq. of the Education Code shall have a board of directors appointed in accordance with the organization's articles or incorporation or bylaws and consisting of voting membership from one or more of the following categories:

- Administration and staff with no audit or oversight responsibility over the Auxiliary Organization;
- Faculty;
- Members of the Community;
- Students.

Adopted—12 16 81
Amended—11 19 97

13102.12 Size of Board of Directors. The size of the board of directors of an auxiliary organization shall be at least large enough to accommodate the one or more categories from which board members are selected.

13102.13 Interim Boards of Directors. Nonprofit corporations that existed prior to the effective date of these Rules and that are recognized and established as auxiliary organizations under these Rules may continue to be governed by the boards of directors existing at the time of recognition. Thereafter, vacancies in or additions to the membership of the boards of directors shall be made so as to include membership from one or more of the categories set forth in Board Rule 13102.11.

Adopted—12 16 81
13102.14 Professional Assistance. Each auxiliary organization formed pursuant to Section 72670 et seq. of the Education Code shall have the benefit of the advice and counsel of at least one attorney admitted to practice in the State of California and at least one licensed certified public accountant; however, neither the attorney nor the certified public accountant need be a member of the board of directors.

Adopted 12-16-81

13103. BUSINESS MEETINGS. The board of directors of each auxiliary organization shall conduct its business in public meetings in accordance with Section 54950 et seq. of the Government Code; and shall, during each fiscal year, hold at least one business meeting each quarter.

Adopted 12-16-81

13104. SALARIES, WORKING CONDITIONS AND BENEFITS OF FULL-TIME EMPLOYEES.

13104.10 Except as otherwise provided in this Board Rule, the board of directors of each auxiliary organization shall, pursuant to Education Code Section 72672, provide salaries, working conditions and benefits for its full-time employees that are comparable to those provided District employees performing substantially similar services. For those full-time employees who perform services that are not substantially similar to the services performed by District employees, the salaries established shall be comparable to the salaries prevailing in other educational institutions in the area or commercial operations of like nature in the area.

Adopted 12-16-81
13104.11 The board of directors of each auxiliary organization may provide retirement benefits different from those provided comparable District employees and may withhold retirement benefits or permanent status benefits or both from temporary employees. For the purpose of this Rule, a temporary employee is:

a. An employee employed for a specific research project, workshop, institute or other special project funded by any grant, contract or gift; or

b. An employee whose contract of employment is for a fixed term not exceeding three years.

13104.12 The board of directors of each auxiliary organization may withhold permanent status benefits from executive employees. For the purposes of this Rule, an executive employee is any management employee with responsibility for the development and execution of the auxiliary organization's policies and includes, but is not limited to, general managers, managers, directors, and the like as determined by the board of directors of each auxiliary organization.

13104.13 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.

Adopted—12-16-81
13105. EXPENDITURES AND FUND APPROPRIATION. The board of directors of an auxiliary organization shall approve all expenditure authorizations. Appropriations of funds for use outside of the normal business operations of the auxiliary organizations shall be approved in accordance with Board of Trustee policy and further consistent regulations adopted by the Chancellor.

Adopted 12-16-81

13106. ACCOUNTING AND REPORTING. The board of directors of all auxiliary organizations except those exempted in Section 72673 of the Education Code, shall

13106.10 Utilize a standard accounting and reporting system established by the Chancellor in consultation with representatives of the Board of Governors.

13106.11 Implement financial standards which will assure the fiscal viability of such various auxiliary organizations. Such standards shall include proper provision for professional management, adequate working capital, adequate reserve funds for current operations, capital replacements contingencies and adequate provisions for new business requirements.

Each auxiliary organization serving the District shall submit its programs and budgets for review at a time and in a manner specified by the Chancellor. Similarly, the programs and budgets for auxiliary organizations primarily serving a college in the District shall be submitted to that college president for review, and to the Chancellor.

Adopted 12-16-81
Should the Chancellor or president, as appropriate, determine that any program or appropriation planned by an auxiliary organization is not consistent with District or 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 Chancellor or president to be operating outside the acceptable policy of the Board of Governors, the District, or the college, then that program or appropriation shall be discontinued by direction of the Chancellor or president until further review is accomplished and an appropriate adjustment is made.

Adopted—12-16-81

13107.  FUNDS.

13107.10 All money collected by or on behalf of a student body auxiliary organization shall be deposited in trust by the chief fiscal officer of the college. All such money shall be accounted for properly and, subject to the approval of the college president or designee and the appropriate officer of said organization, be deposited or invested in any one or more of the ways specified in Sections 76063 and 76064 of the Education Code.

The chief fiscal officer of the college shall be custodian of all unexpended funds and money collected by or on behalf of a student body auxiliary organization and shall provide the necessary accounting records and controls for such funds. These funds may be expended by the custodian only upon the submission of an appropriate claim schedule by officers of said organization.

13107.11 Trust funds shall be used specifically for the purpose designated in the instrument creating the trust.

Adopted—12-16-81
13107.12 Funds of an auxiliary organization shall be used of purposes consistent with District and college policy where applicable, and shall not be used:

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

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

13107.13 An indemnity bond shall be obtained by an auxiliary organization for its fiscal officer who is responsible for handling funds of the auxiliary organization.

13107.14 Grants, bequests, trusts, donations and gifts accepted by an auxiliary organization shall be maintained in accordance with policies and regulations established by the Chancellor.

13107.15 Funds derived by an auxiliary organization from indirect cost payments and which are not needed to provide adequate working capital, reserve funds for current operations, capital replacements, contingencies and adequate provisions for new business requirements shall be appropriated in a manner consistent with policies established by the District; uses of such funds shall be regularly reported to the Board of Trustees through the Chancellor.

Adopted—12 16 81
13107.16 No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the District, or by any college within the District, to any of its auxiliary organizations for the purpose of either avoiding laws or regulations which constrain community college districts or providing the District with an unfair advantage with respect to the application of any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for handicapped students.

Adopted—12-16-81

13108. AUTHORITY AND RESPONSIBILITY OF AUXILIARY ORGANIZATIONS.

13108.10 Auxiliary organizations shall not offer courses or programs for which State funding is received.

13108.11 All services, programs and activities that may be undertaken by an auxiliary organization shall be maintained for the general benefit of the educational program of the District and its colleges. Upon Board of Trustee approval an auxiliary organization may assume any of the services, programs and activities listed in Board Rule 13101 in order:

a. To provided the fiscal means and the management procedures that allow the college and/or District to carry on educationally related activities not normally funded by the State;

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

Adopted—12-16-81

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13108.11
c. To provide fiscal procedures and management systems that allow effective coordination of the auxiliary activities with the college and/or District in accordance with sound business practices.

13108.12 The Chancellor shall decide, after consulting with the donor, whether a donor's proposed gift to the District should be accepted by the District or referred to an auxiliary organization. Gifts to the District or any 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 Rules.

13108.13 An auxiliary organization may not enter into any contract or other business arrangement involving real property either by leases involving payments of more than $25,000 per annum and duration terms of more than one year, or by purchase without prior notification and consultation with the Chancellor.

13108.14 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 books, school fees, and living expense, except as provided under Rule 13107.11. A record of such financial assistance shall be forwarded on a timely basis to the campus financial aid's office and shall be documented on student financial aid recipient records kept in that office. All such financial assistance provided from student body organization funds shall be approved by the campus financial aid's office before such funds are expended, and shall not exceed amounts to be provided under regulations of federal and state financial aid programs.

Adopted—12-16-81
The District shall maintain a list of all auxiliary organizations in good standing.

a. All auxiliary organizations which, after periodic review in manner specified by Board Rules 13109.11 and 13109.12, are found to be in compliance with applicable laws and regulations, shall be included on this list.

b. When the Chancellor has reason to believe that a particular organization should be removed from this list, he or she shall give the board of directors of such organization reasonable notice that a conference will be held to determine whether grounds for removal do in fact exist, and representatives of said board shall be entitled to be present at such conference and to be heard. Based upon such conference, the Chancellor shall decide whether a particular organization should be removed from the list. The Chancellor may remove such an auxiliary organization from said list, and may make such other provisions consistent with law as may be appropriate with respect to an auxiliary organization not included on said list. Such actions shall be reported to the Board of Trustees.

Adopted—12 16 81
13108.16 Payroll Deduction for Auxiliary Organizations. Auxiliary organizations formed and operating pursuant to this chapter may receive employee payroll deductions upon submission and District approval of their request and upon receipt by the District of an employee's revocable authorization. The Chancellor shall establish administrative procedures for the implementation of this section. Such procedures may include, but shall not be limited to the establishment of minimum participation levels and the number of authorizations or revocations an employee may request in any year.

Adopted—02-17-88

13109. RECORD KEEPING.

13109.10 Records and Annual Audit. An auxiliary organization shall maintain adequate records and shall prepare an annual report showing its operations and financial status as may be required by the Board of Governors or District.

Adopted—12-16-81

13109.11 Compliance Review by Chancellor. For an auxiliary organization serving the District, the Chancellor's designee shall inspect and review all auxiliary organization procedures and practices to determine compliance with policies, rules and regulations of the Board of Governors and the District, and make his/her recommendations to the Chancellor and the board of directors of the auxiliary organization regarding said procedures and practices. This shall be done at the end of the first complete year after approval and at least every three years thereafter. The decision of the Chancellor shall be made after he/she has invited comments from the board of directors of the auxiliary organization. Reports and statements shall cover all activities of the organization.

Adopted—12-16-81

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13109.11
13109.12 Compliance Review by College. For an auxiliary organization which primarily serves a single college, the Dean of Administrative Services shall inspect and review all procedures and policies to determine compliance with Education Code 72670 et seq. and with policies, rules and regulations of the Board of Governors and the District, and policies of the college, and to make his or her recommendations to the president of the college and the governing board of the auxiliary organization regarding said procedures and policies. The decision of the president on the recommendations of the Dean of Administrative Services shall be made after he or she has invited comments from the governing board of the auxiliary organization. This review shall also determine compliance with any written agreement with the District and with the auxiliary organization's articles of incorporation and bylaws and shall be conducted on an annual basis.

Adopted 12-16-81
Amended 05-26-82

13109.13 Audit. Each auxiliary organization shall have an annual fiscal audit of any and all funds. The audit shall be performed by a certified public accountant in accordance with procedures prescribed by the Board of Governors, as contained in the California Community Auxiliary Organization Accounting and Reporting System. Copies of the annual audit report shall be submitted to the Board of Trustees and to the Board of Governor's Office within 30 days after it is received by the auxiliary organization. Thereafter it shall be a public record, except as otherwise provided by law. Such audits may be conducted as part of a fiscal audit of the District itself.

Adopted 12-16-81
Auxiliary organizations shall annually publish an audited statement of their financial condition which shall be disseminated as widely as feasible and be available to any person on request. A reasonable fee may be charged to cover the costs of providing a copy. When an auxiliary organization primarily serves a single college of the District, the auxiliary organization shall comply with this requirement by:

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

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

c. Publishing or noticing the audited statement in accordance with Board Rules 13109.10 and 13109.11 in a campus bulletin or other appropriate medium if a campus newspaper in unavailable.

Adopted—12-16-81

13110. WRITTEN AGREEMENT. A written agreement between the Los Angeles Community College District and each auxiliary organization is required for the performance by such auxiliary organization of any of the services, programs and functions listed in Board Rule 13101. If any auxiliary organizations performs more than a single service, program or function, then the written agreement may cover any number of the functions it performs or a separate agreement may cover each function performed.

The written agreement shall, among other things, provide for the following:

A. The services, programs, or functions the auxiliary organization is to manage, operate or administer.

Adopted—12-16-81
B. A statement of the reasons for administration of the functions by the auxiliary organization instead of by the District or college under usual District procedures.

C. The areas of authority and responsibility of the auxiliary organization and the District or college.

D. The facilities and services to be made available by the District or college to permit the auxiliary organization to perform the services, programs or functions specified in the written agreement.

E. The charge or rental to be paid to the District by the auxiliary organization for the facilities used or services provided in connection with the performance of its function. The charge or rental specified shall not require involved methods of computation, and should be identified in sufficient time before it is incurred so that the organization may determine to what extent it shall be liable therefor.

F. Full reimbursement to the District for services performed by the District or by District employees under the direction of or in support of the auxiliary organization.

G. A simple but equitable method of determining in advance to what extent the organization shall be liable for indirect costs relating to federally-sponsored programs.

H. The responsibility for maintenance and payment of operating expenses.

I. Proposed expenditures for public relations or other purposes which would serve to augment District appropriation for operation of the District. With respect to expenditures for public relations or other purposes which would serve to augment District appropriations for operation of the District, the auxiliary organization may expend funds in such amount and for such purposes as are approved by the board of directors of the auxiliary organization.

Adopted—12-16-81

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13110.
The board of directors shall file with the Chancellor a statement of such policy on accumulation and use of public relations funds for all auxiliary organizations. The statement shall include the policy and procedure on solicitation of funds, source of funds, amounts, and purposes for which the funds will be used, allowable expenditures, and procedures of control.

In case of an auxiliary organization serving a college of the District, the college president shall file such a statement with the Chancellor.

J. The disposition to be made of net earnings derived from the operation of the auxiliary organization, including earnings derived from facilities owned or leased by the auxiliary organization, and provisions for reserves.

K. The disposition to be made of net assets and liabilities on dissolution of the auxiliary organization or cessation of the operations under the agreement.

L. The covenant of the auxiliary organization to maintain its organization and to operate in accordance with Sections 72670 through 72682 of the Education Code and with the regulations contained in Chapter 5 (commencing with Section 59520) of Division 10, Part IV of Title 5 of the California Administrative Code, as well as District Board Rules.

Adopted—12-16-81

13111. USE OF COLLEGE OR DISTRICT NAME. Except for student body associations organized and operating under Education Code Section 76060 et. seq., no organization may use the name of the Los Angeles Community College District or a community college of the District or otherwise represent a relationship with the Los Angeles Community College District or a college of the District unless it has been recognized and established as an auxiliary organization by the Board of Trustees and is in good standing with the District.

Adopted—12-16-81
13112. The Chancellor or his/her designee shall provide, and may from time to time revise rules and procedures for the administration of and in conformance with these Rules.

Adopted 12-16-81

13113. DEFINITIONS:

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

B. Board of Trustees. The term Board of Trustees as used herein means the Board of Trustees of the Los Angeles Community College District.

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

D. Chancellor. The term Chancellor as used herein means the Chancellor of the Los Angeles Community College District or designee.

E. District. The term District as used herein means the Los Angeles Community College District.

Adopted 12-16-81
Amended: 11-02-16
CHAPTER XIV

CONFLICT OF INTEREST CODE FOR THE
LOS ANGELES COMMUNITY COLLEGE DISTRICT

14000. 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 Los Angeles County Board of Supervisors, the code reviewing body for the Los Angeles Community College District, has adopted the Fair Political Practices Commission regulation (2 C.C.R. section 18730) as a model Conflict of Interest Code for use by all agencies for which the Board of Supervisors is a reviewing body. Accordingly, the Los Angeles Community College District incorporates by reference, the definitions contained in the Political Reform Act, regulations of the Fair Political Practices Commission (2 C.C.R. section 18100 et seq.) and any amendments to the Act or regulations. The Fair Political Reform Act; the regulations of the Fair Political Practices Commission (2 C.C.R. section 18100 et seq.); any amendments to the Act or regulations; along with Administrative Regulation C-5 in which disclosure categories are set forth; and Administrative Regulation C-6 in which members, employees, and consultants are designated, constitute the Conflict of Interest Code for the Los Angeles Community College District.

The Board designates the Office of General Counsel as the location responsible for sending out Statements of Economic Interest to individuals who hold designated positions, for receiving the completed Statements of Economic Interests, and for maintaining original and duplicate Statements of Economic Interest in accordance with this Conflict of Interest Code.

Adopted—09-26-85
Amended—03-02-88
Amended—09-23-92
Amended—08-21-02

Individuals holding designated positions shall file Statements of Economic Interests with the Office of General Counsel in accordance with the timelines set forth in 2 C.C.R. section 18730. Within five days of receipt of the statements for the chancellor, board members, and the student board member, the Office of General Counsel shall make and retain copies and forward the originals of these statements to the Los Angeles County Board of Supervisors. Statements for all other designated individuals will be retained by the Office of General Counsel.
All retained statements, original or copied, shall be available for public inspection and reproduction in accordance with Government Code section 81008 and the Board policy regarding inspection of public records (Board Rule 7700).

Adopted—09-26-85
Amended—03-02-88
Amended—09-23-92
Amended—08-21-02
Amended: 11-02-16
Chapter XVII

Article II

PROVISIONS REGARDING RELOCATION

17200 GENERAL

17200.10 Purpose

The purpose of these Rules and Regulations is to implement the California Relocation Assistance Law, Government Code Sections 7260, et seq. (the "Law") and the Relocation Assistance and Real Property Acquisition Guidelines adopted by the Department of Housing and Community Development, Title 25, California Code of Regulations, Sections 6000 et seq. (the "Guidelines").

Adopted 07-13-05

17200.11 Authority

These Rules and Regulations have been adopted by resolution of the District pursuant to Section 7267.8(a) of the California Government Code, and are intended to be in conformity with the Law and Guidelines.

Adopted 07-13-05

17200.12 Effective Date; Applicability

The effective date of these Rules and Regulations shall be the date of their adoption by the District. These Rules and Regulations supersed all other Rules and Regulations for Relocation and Acquisition of Real Property previously adopted by the District. If there are conflicts between these Rules and Regulations and applicable state and federal laws or regulations, the applicable state or federal laws or regulations shall control and these Rules and Regulations shall be deemed to be amended accordingly.

Adopted 07-13-05
Nothing in these Rules and Regulations shall be construed to require the District to provide any relocation or other assistance, payments, or benefits, or to provide any notices, or to follow any procedures, beyond that required by the Law or Guidelines. No greater rights or obligations beyond those set forth in the Law and Guidelines are created or conferred by these Rules and Regulations.

Adopted——07-13-05

17200.13  **Extent of Relocation Payments**

In the event that the District, in its sole and absolute discretion, and without establishing any precedent, makes any additional relocation payments beyond that required by law because the District finds that said payment may be reasonably necessary under the circumstances of the particular case to carry out the purposes of a project, such a payment may not be used as a precedent for other payments to Displaced Persons.

Adopted——07-13-05

17200.14  **Exemptions from Relocation Assistance Payments**

The requirement to provide relocation assistance and benefits shall not apply to a purchase of real property which is offered for sale by the owner, property being sold at execution or foreclosure sale, property being sold pursuant to court order or under court supervision, or any purchase to which Government Code Section 7267.2 of the Act is not applicable.

Adopted——07-13-05

17200.15  **Priority of Federal Law and Federal Projects**

If the District engages in an acquisition with federal financial assistance that results in a relocation of a Displaced Person, the District shall make relocation assistance payments and provide relocation advisory assistance as required under the applicable federal law.

Adopted——07-13-05
17200.16  **Severability**

If any provision of these Rules and Regulations or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Rules and Regulations which can be given effect without the invalid provision or application, and to this end, the provisions of the Rules and Regulations are severable.

Adopted——07-13-05

17201.  **DEFINITIONS**

17201.10  **Acquisition/Acquires**

"Acquisition" or Acquires@ means obtaining ownership or possession of real property by purchase, eminent domain, or otherwise.

Adopted——07-13-05

17201.11  **Appeals Board**

"Appeals Board" means the Los Angeles Community College District Relocation Appeals Board. The Appeals Board is constituted to hear appeals on complaints from a Displaced Person (as defined below) who believes that s/he is aggrieved by an administrative determination by the District as to eligibility for assistance or the amount of payment relating to relocation resulting from any displacement activity undertaken by the District. The Appeals Board shall be comprised of representatives appointed by the District’s Chancellor.

Adopted——07-13-05

17201.12  **Appraisal**

"Appraisal" means a written statement independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property as of a specific date, supported by the presentation and analysis of relevant market information.

Adopted——07-13-05
17201.13  **Average Annual Net Earnings**

"Average annual net earnings" means one-half of any net earnings of a business before federal, state and local income taxes, during the two taxable years immediately preceding the taxable year in which such business moves from the real property being acquired, or during such other two year period as the District determines to be more equitable for establishing such earnings, and includes any compensation paid by the business to the owner, owner's spouse or owner's dependents during such period.

For the purpose of determining the average annual net earnings of the "owner", the term "owner" as used herein includes the sole proprietor in a sole proprietorship, the principal parties in a partnership, and the principal stockholders of a corporation, as determined by the District. For purposes of determining a principal stockholder, stock held by a person, the person's spouse and their dependent children will be treated as one unit.

Adopted—07-13-05

17201.14  **Business**

"Business" means any lawful activity, except a farm operation, provided such lawful activity is not in unlawful occupancy (as defined in below), and conducted for any of the following:

A. Primarily for the purchase, sale, lease, or rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities or any other personal property;

B. Primarily for the sale of services to the public;

C. Primarily by a nonprofit organization; or

D. Solely for the purpose of a moving expense payment, for assisting in the purchase, sale, resale, manufacture, processing or marketing of products, commodities, personal property or services by the erection and maintenance of an outdoor advertising display, whether or not such display is located on the premises on which any of the above activities are conducted.

Adopted—07-13-05
17201.15. **Date of Acquisition**

The date on which the deed or other conveyance to the real property being acquired by the District is recorded in the office of the County Recorder, or the date on which the District takes possession of the real property pursuant to an order of the County Superior Court in a condemnation action.

Adopted—07-13-05

17201.16. **Department**

"Department" means the California Department of Housing and Community Development.

Adopted—07-13-05

17201.17 **Chief Facilities Executive**

"Chief Facilities Executive" means the Chief Facilities Executive, or his or her designee, who is responsible for the displacement of any individual, family, business, or non-profit organization for a public use.

Adopted—07-13-05

17201.18 **Displaced Business**

"Displaced business" means any business which qualifies as a Displaced Person.

Adopted—07-13-05

17201.19 **Displaced Farm Operation**

"Displaced farm operation" means any farm operation which qualifies as a displaced person under 17201.26 hereof.

Adopted—07-13-05
17201.20  **Displaced Person**

1.  "Displaced Person" means both of the following:

   A. Any person who moves from real property, or who moves his or her personal property from real property, either:

      (1) As a direct result of a written notice of intent to acquire or actual acquisition by the District, in whole or in part, for a program or project undertaken by the District or by any person having an agreement with or acting on behalf of the District, or as a result of a written order from the District to vacate the real property; or

      (2) As a direct result of the rehabilitation, demolition or other displacing activity undertaken as the District may prescribe under a program or project undertaken by the District, of real property on which the person is a residential tenant or conducts a business or farm operation as a lawful occupant, in any case in which the displacement, except as provided in Government Code Section 7262.5 (see paragraph 3 of this Section), lasts longer than 90 days.

   For purposes of this section, "residential tenant" includes any occupant of a residential hotel unit, as defined in subdivision (b) of Section 50669 of the California Health and Safety Code, and any occupant of employee housing, as defined in Section 17008 of the California Health and Safety Code, but shall not include any person who has been determined to be in unlawful occupancy of the displacement dwelling.

   B. Solely for the purpose of Government Code Sections 7261 and 7262, any person who moves from real property, or moves his or her personal property from real property, either:

      (1) As a direct result of a written notice of intent to acquire or the acquisition of other real property, on which the person conducts a business or farm operation, for a program or project undertaken by the District.

Adopted—07-13-05

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(2) As direct result of the rehabilitation, demolition, or other displacing activity as the District may prescribe under a program and project undertaken by the District, of other real property on which the person conducts a business or farm operation, in any case in which the District determines that the displacement is permanent.

C. A Displaced Person shall not include any of the following:

(1) Any person who has been determined to be in unlawful occupancy of the displacement dwellings.

(2) Any person whose right of possession at the time of moving arose after the date of the District’s acquisition of the real property.

(3) Any person who has occupied the real property for the purpose of obtaining assistance under these Rules and Regulations.

(4) In any case in which the District acquires property for a program or project (other than a person who was an occupant of the property at the time it was acquired), any person who occupies the property for a period subject to termination when the property is needed for the program or project.

Adopted—07-13-05

17201.21 District

“District” means the Los Angeles Community College District when it is carrying out a project which causes a person to be a displaced person for a public project.

Adopted—07-13-05

17201.22 District

“District” means the Los Angeles Community College District.

Adopted—07-13-05
17201.23 **Family**

"Family" means two or more individuals, one of whom is the head of household, plus all other individuals who by blood, marriage, adoption or mutual consent live together as a family unit.

Adopted——07-13-05

17201.24 **Farm Operation**

"Farm operation" means any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use, and customarily producing these products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

Adopted——07-13-05

17201.25 **Federal Project**

"Federal project" means any project undertaken by a federal agency or any project receiving federal financial assistance.

Adopted——07-13-05

17201.26 **Initiation of Negotiations**

"Initiation of negotiations" means the initial written offer to purchase made by the District to the owner of the real property to be purchased, or to the owner's representative.

Adopted——07-13-05

17201.27 **Nonprofit Organization**

"Nonprofit organization" means a corporation, partnership, individual or other public or private entity, engaged in a business, professional or institutional activity on a non-profit basis, necessitating fixtures, equipment, stock in trade, or other tangible property for the carrying on of the business, profession or institutional activity on the premises.

Adopted——07-13-05
17201.28 Ownership

"Ownership" means holding any of the following interests in a dwelling, or a contract to purchase one of the first six (6) interests:

A. A fee title;
B. A life estate;
C. A 50-year lease.
D. A lease with at least twenty (20) years to run from the date of acquisition of the property;
E. A proprietary interest in a cooperative housing project which includes the right to occupy a dwelling;
F. A proprietary interest in a manufactured home and mobile home;
G. A leasehold interest with an option to purchase.

In the case of one who has succeeded to any of the foregoing interests by devise, bequest, inheritance or operation of law, the tenure of ownership, but not occupancy, of the succeeding owner shall include the tenure of the preceding owner.

Adopted——07-13-05

17201.29 Person

"Person" means any individual, partnership, corporation, limited liability company, or association.

Adopted——07-13-05

17201.30 Personal Property

"Personal property" means tangible property which is situated on real property vacated, or to be vacated, by a displaced person and which is considered personal property and is non-compensable (other than for moving expenses) under the state law.

Adopted——07-13-05
In the case of a tenant, personal property includes fixtures and equipment, and other property which may be characterized as real property under state or local law, but which the tenant may lawfully and at his or her election determine to move, and for which the tenant is not compensated in the real property acquisition.

In the case of an owner of real property, the determination as to whether an item of property is personal or real shall depend upon how it is identified in the closing or settlement statement with respect to the real property acquisition.

Adopted——07-13-05

17201.31 Post-Acquisition Tenant

"Post-Acquisition Tenant" means a tenant who (a) lawfully begins to occupy property after the District acquires it, or (b) lawfully occupies property after the private acquisition of that property by a person with a written agreement with the District regarding the financing of the purchase or development of the property.

Adopted——07-13-05

17201.32 Prepaid Expenses

"Prepaid expenses" means items paid in advance by the seller of real property and pro-rated between such seller and the buyer of such real property at the close of escrow including, but not limited to, real property taxes, insurance, homeowners' association dues and assessment payment.

Adopted 07-13-05

17201.33 Small Business

"Small Business," means a business having not more than 500 employees working at the site being acquired or displaced by a program or project, which site is the location of economic activity. Sites occupied solely by outdoor advertising signs, displays, or devices do not qualify as a small business for purposes of these Rules and Regulations.

Adopted——07-13-05
17201.34 Tenant

A “tenant” is a person who rents or is otherwise in lawful possession of a dwelling, including a sleeping room, which is owned by another.

Adopted——07-13-05

17201.35 Unlawful Occupancy

A person or business is considered to be in unlawful occupancy if, among other reasons: the person or business has been ordered to move by a court of competent jurisdiction; or the person’s tenancy has been lawfully terminated by the owner for cause, the tenant has vacated the premises, and the termination was not undertaken for the purpose of evading relocation assistance obligations; or the person is in violation of the lease or rental agreement; or the person’s occupancy is in violation of applicable local, regional, state, or federal ordinances, laws, or regulations.

Adopted——07-13-05

17202. RELOCATION ADVISORY ASSISTANCE

A. Advisory Assistance to be Provided by the District

Programs or projects undertaken by the District shall be planned in a manner that (i) recognizes, at an early stage in the planning of the programs or projects and before the commencement of any actions which will cause displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations; and (ii) provides for the resolution of these problems in order to minimize adverse impacts on displaced persons and to expedite program or project advancement and completion. The District shall ensure the relocation assistance advisory services described herein are made available to all persons displaced by the District.

Adopted——07-13-05
In accordance with California Government Code section 7261(a), the District may provide relocation advisory assistance (but not benefits, payments or other forms of assistance) if it determines, in its sole discretion, that any person occupying property immediately adjacent to the property where the displacing activity occurs is caused substantial economic injury as a result thereof. Any Post-Acquisition Tenant may be eligible for advisory services to the extent determined by the District in its sole discretion, but not benefits, payments or other forms of assistance.

The relocation advisory assistance provided by the District shall include such measures, facilities and/or services as may be necessary or appropriate in order to:

1. Inform eligible persons no later than the close of escrow on a property, about the availability of relocation benefits, the eligibility requirements therefore, and the procedures for obtaining such benefits and assistance;

2. Determine and make timely recommendations on the needs and preferences, if any, of Displaced Persons for relocation assistance;

3. Provide information on the availability, sales prices, and rentals of comparable sales and rental housing, and comparable commercial properties and locations, and as to security deposits, closing costs, typical down payments, interest rates and terms for residential property in the area;

4. Assist each Displaced Person complete applications for payments and benefits;

5. Assure that each Displaced Person shall not be required to move from a dwelling unit unless such person has had a reasonable opportunity to relocate to a comparable replacement dwelling, except in the case of:

   a. A major disaster;

   b. A state of emergency declared by the President or Governor; and,

Adopted——07-13-05
c. Any other emergency which requires the person to move immediately from the dwelling because continued occupancy of the dwelling by the person constitutes a substantial danger to the health or safety of the person;

6. Assist each eligible, displaced business in obtaining, and becoming established in, a suitable replacement location;

7. Provide services required to insure that the relocation process does not discriminate on any basis that violates applicable state and federal anti-discrimination laws;

8. Provide other advisory assistance to eligible persons to minimize their hardships, such as counseling and referrals with regard to housing, financing, employment, training, health and welfare;

9. Inform all persons who are expected to be displaced about the eviction policies to be pursued in carrying out the project;

Adopted——07-13-05

17202.10 Information Program

A. Notice of Eligibility Status

The District shall strive to provide each Displaced Person with notification of his or her eligibility status as soon as it has been established.

B. Language of Information Material

The District shall strive to prepare relocation information material in English, and where appropriate, the language most easily understood by the recipient

Adopted——07-13-05
17202.11 **Determination of Relocation Needs**

A. **Interviews**

Following the initiation of negotiations to acquire a parcel of real property, the District shall seek to interview each eligible person, business concern, including nonprofit organizations, and farm operations occupying such property to obtain information upon which to plan for counseling and assistance needs. When a person cannot be interviewed or the interview does not produce the information to be obtained, the District shall try to obtain the information by other means.

B. **Coordination with Other Agencies**

The District will coordinate its interview activities with the survey activities, if any, of other agencies.

C. **Contracting for Relocation Services**

The District may enter into a contract with any individual, firm, association, corporation, or governmental agency for the purpose of providing relocation advisory assistance.

D. **Coordination of Relocation Assistance**

The District shall strive to coordinate its relocation assistance program with other work necessitating displacement of persons, and with activities of other public entities in the City or nearby areas, for the purpose of planning relocation activities and coordinating the availability of replacement dwelling resources in the implementation of the District’s relocation assistance program.

Adopted 07-13-05
17202.12  Relocation Plans

A.  Requirement Generally

The District shall prepare a Relocation Plan unless the District's action will only result in an insignificant amount (as determined by the District) of non-residential displacement, in which case the District shall provide assistance and benefits as required by the Act, Guidelines, and these Rules and Regulations, but shall not be required to prepare a Relocation Plan.

If a relocation Plan is required, it shall include:

1.  A diagrammatic sketch of the displacement area;

2.  Projected dates of displacement;

3.  A written analysis of the aggregate relocation needs of all persons to be displaced, and an explanation as to how these needs are to be met;

4.  Where necessary, an analysis of replacement housing resources;

5.  A description of the relocation advisory services program, including procedures for locating and referring eligible persons to comparable replacement housing;

6.  A description of the relocation payments to be made and a plan for disbursement;

7.  A cost estimate for carrying out the plan and identification of the source of the necessary funds;

8.  Where necessary, a plan by which any last resort housing is to be built and financed (if applicable);

9.  A standard information statement to be sent to Displaced Persons;

10.  Temporary relocation plans, if any;

Adopted  07-13-05
11. A description of relocation office operation procedures, if any;

12. Plans for citizen participation, if needed;

13. An enumeration of the coordination activities with other agencies;

14. The comments of the relocation committee, if any; and,

15. A determination by the District that the necessary resources will be available as required.

Adopted—07-13-05

17203. RELOCATION PAYMENTS TO DISPLACED BUSINESSES

A. Payments Required

The District shall compensate the owner of a displaced business for the expenses described in Section 702 through Section 708 or Section 709 through Section 715. Whenever the acquisition of real property used for a business necessarily causes the business to move from other real property upon which the same business is conducted, or to move its personal property therefrom, such business shall receive payments for moving and related expenses under Section 702 and Section 703 in connection with its move from such other real property.

B. Moving Expenses

1. Actual Reasonable Moving Expenses

A displaced business shall be compensated for the actual reasonable expenses incurred for moving the business including moving personal property. In all cases the amount of payment shall not exceed the reasonable cost of accomplishing the activity in connection with which a claim has been filed. The moving and related expenses shall include:

Adopted—07-13-05
a. Transportation of persons and property not to exceed a distance of fifty (50) miles from the site from which the business was displaced, unless the District determines that relocation beyond such distance of fifty (50) miles is justified;

b. Packing, crating, unpacking, and uncrating personal property;

c. Storage of personal property for a period up to twelve (12) months, when determined by the District to be necessary for the relocation;

d. Insurance of personal property while in storage or transit;

e. The reasonable replacement value of property lost, stolen, or damaged (not through the fault or negligence of the displaced business, its agents or employee) in the process of moving, where insurance covering such loss, theft, or damage is not reasonably available; and,

f. The cost directly related to displacement of modifying the machinery, equipment, or other personal property to adapt it to the replacement location or to utilities available at the replacement location or modifying the power supply.

Claims for payment under this subsection shall be subject to the following limitations:

(1) Reimbursement costs shall be reasonable in amount.

(2) The cost could not be avoided or substantially reduced at an alternate available and suitable site to which the business was referred.

Adopted—07-13-05
g. The cost of any license, permit, or certification required by a displaced business concern to the extent such cost is necessary to the reestablishment of its operation at a new location;

h. The reasonable cost of consultants including: architects, engineers, or others provide general or specialized services necessary for (i) planning the move of the personal property, or (ii) moving the personal property, or (iii) installing the relocated personal property at the replacement location. In order to avoid duplication of payment, all such services shall not be deemed "necessary" when the services have been or will be provided by the District or consultants retained by the District. The necessity of other services not provided by the District shall be determined by the District in its sole discretion.

Payment for any and all of the above general or specialized services must be approved in writing by the District prior to their use. Information on the area of expertise and the qualifications of such persons must be provided for review and a reasonable hourly rate or fee must be approved by the District before any costs are incurred, otherwise, such services are not reimbursable. An itemized statement of all services shall be provided to the District stating the dates of such services; the location where services were provided; the name, address and telephone of person or firm providing services.

i. Where an item of personal property which is used in connection with any business is not moved but is replaced with a comparable item, reimbursement is not to exceed the lesser of:

Adopted——07-13-05

Chapter XVII - Article II - Page 18 17203.
(1) The reasonable replacement cost of the personal property, minus net proceeds (if any) realized from the sale of all or part of the property,

(2) The estimated reasonable cost of moving the personal property, as determined by the District.

In order to obtain a payment under this section, the District may require that the displaced business sell the personal property for which the payment is claimed at the highest price offered after reasonable efforts have been made over a reasonable period of time to market the personal property to interested potential purchasers. If this requirement is imposed, the displaced business may be reimbursed for the reasonable costs of such efforts to sell the personal property.

j. If the District determines, at its sole discretion, that the cost of moving any item of personal property would be disproportionate in relation to its value, the allowable reimbursement for the expense of moving such property shall not exceed the difference between the cost of replacing the same with a comparable item available on the market and the amount which would have been received for such property on liquidation.

Adopted—07-13-05

17204. Actual Direct Loss of Tangible Personal Property

A displaced business may be compensated for the actual direct loss of its personal property that is attributable to moving or discontinuing the business. The total amount of the payment by the District for such loss shall not exceed an amount equal to the estimated, reasonable cost of moving the personal property, as determined by the District. Subject to such limitation, the actual direct loss of personal property for which claims may be filed shall be determined on the basis of the lesser of:

Adopted—07-13-05

Chapter XVII - Article II - Page 19
A. The in-use value (fair market value of the personal property for continued use at its location prior to displacement) minus net proceeds realized from the sale of all or part of the property; and

B. The estimated reasonable costs of relocating the property.

The actual direct loss of personal property shall be computed and based on an appraisal obtained by either (a) the District, or (b) the displaced business provided that such appraisal is approved by the District.

In order to qualify for a payment under this section, the displaced business shall make a bona fide effort to sell the personal property for which the loss is claimed at the highest price offered after reasonable efforts have been made over a reasonable period of time to market the personal property to interested prospective purchasers. The reasonable cost of an effort to sell the personal property shall be added to the determination of loss under this section.

If personal property which is sold or abandoned is promptly replaced with a comparable item, no payment for the actual direct loss of such personal property shall be made to the displaced business by the District.

Adopted—07-13-05

17205.  **Actual Reasonable Expenses in Searching for a Replacement Business**

Actual Reasonable Expenses incurred in searching for a replacement business site which may include: transportation within a radius of fifty (50) miles from the existing site, meals and lodging if necessary, an amount to cover time spent during normal working hours and proven reasonable fees paid to a real estate broker or agent to locate to a new site. The maximum total amount of reimbursement for searching expenses for a new location is One Thousand and No/100 ($1,000.00). Receipted invoices, bills, receipts, must be certified and submitted for all expenses claimed. Costs incurred in inspecting sites beyond a fifty (50) mile radius are not eligible.

Adopted—07-13-05
Actual Reasonable Expenses To Reestablish A Small Business or Nonprofit Organization

A. Eligible Reestablishment Expenses

In addition to moving expense payments, a farm, nonprofit organization or small business shall be entitled to actual and reasonable reestablishment expenses, not to exceed $10,000.00. Reestablishment expenses shall be only those expenses that are reasonable and necessary and include, but are not limited to:

1. Repairs or improvements to the replacement property as required by federal, state or local law, code or ordinance.

2. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.

3. Construction and installation costs for exterior signing to advertise the business.

4. Provision of utilities from right-of-way to improvements on the replacement site.

5. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting.

6. Licenses, fees and permits when not paid as part of moving expenses.

7. Feasibility surveys, soil testing and marketing studies.

8. Advertisement of replacement location.

9. Professional services needed for the purchase or lease of the replacement site.

Adopted—07-13-05
10. Estimated increased costs of operation during the first 2 years at the replacement site for:
   a. Lease or rental charges,
   b. Personal or real property taxes,
   c. Insurance premiums, and,
   d. Utility charges, excluding impact fees.

11. Impact fees or one-time assessments for anticipated heavy usage.

12. Other items essential to the reestablishment of the business.

Adopted—07-13-05

17207. **Ineligible Reestablishment Expenses**

The following, nonexclusive list of expenses do not qualify as reestablishment expenses:

A. Purchase of capital assets, such as, office furniture, machinery, or trade fixtures;

B. Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation;

C. Interior or exterior refurbishment at the replacement site which are for aesthetic purposes, except as provided above;

D. Interest on money borrowed for the move or purchase of replacement property; and,

E. Payment to a part-time business in a personal residence that does not contribute materially to the household income.

Adopted—07-13-05
17208. **Alternate Payment**

A. **Determination of Payments**

1. **Amount of Payment**

A displaced business which moves or discontinues, and which meets the eligibility requirements stated herein, may elect to be paid, in lieu of the relocation benefits that it is otherwise entitled to, a payment equal to the average annual net earnings of the business, except that such payment shall not be less than one thousand dollars ($1,000) nor more than twenty thousand dollars ($20,000). Said dollar limitation shall apply to a single business operation in its entirety regardless of whether it is carried on under one or more legal entities.

Adopted—07-13-05

17208.10 **Determination of Number of Businesses**

In determining whether one or more legal entities, all of which have been acquired, constitute a single business operation, the District shall consider:

A. The extent to which the premises and equipment are shared;

B. The extent to which substantially identical or intimately interrelated business functions are pursued and business and financial affairs are commingled;

C. The extent to which such entities are held out to the public, and to those dealing with such entities, as one business;

D. The extent to which the same person or closely related persons owns, control, or manage the affairs of the entities.

Adopted—07-13-05

17208.11 **Eligibility**

A displaced business is eligible for the payment provided for herein only if the District determines that:

Adopted—07-13-05
A. The business is not operated solely for rental purposes and cannot be relocated without a substantial loss of its existing patronage;

B. The business is not part of a commercial enterprise having more than three (3) other establishments which are not being acquired for a project and which is engaged in the same or similar business. Whenever the sole remaining facility of a business has been displaced from its principal location:

   1. Has been in operation for less than two years;
   2. Has had average annual gross receipts of less than $2,000 for the two taxable years before displacement of the major component of the business; or
   3. Has had average annual net earnings of less than $1,000 for the two taxable years before displacement of the major component of the business, the remaining facility will not be considered another establishment for purposes of this section; and,

C. The business:

   1. Has average annual gross receipts of at least $5,000 for the two taxable years before displacement; or
   2. Has average annual net earnings of at least $1,000 for the two taxable years before displacement; or
   3. Contributed at least one-third of the total gross income of the owner(s) during each of the two taxable years before displacement. If the District determines that the two year period is not representative of average receipts, earnings or income, the District may use a more representative period.
   4. If application of the above criteria creates an inequity or hardship, the District may waive said requirements.

Adopted—07-13-06

Chapter XVII - Article II - Page 24 17208.11
17208.12  Loss of Goodwill

When payment under this section precedes settlement of a claim for compensation for loss of business goodwill in a condemnation action, the District, before tendering payment, shall state in writing what portion of the payment, if any, is considered to be compensation for loss of goodwill and explain in writing that any payment made pursuant to Code of Civil Procedures 1263.510 et seq., will be reduced in the same amount.

Adopted—07-13-06

17209.  CLAIM AND PAYMENT PROCEDURES; TERMINATION OF RELOCATION ASSISTANCE

A  Filing of Claims

All claims for relocation assistance and payments filed with the District shall be submitted within eighteen (18) months of the date on which the claimant receives final payment for the property or the date on which claimant moves, whichever is later. The District may, in its sole discretion, extend this period upon a proper showing of good cause.

1. Documentation in Support of Claim

a. Moving Expenses

i. Commercial Moves

Except in the case of a Displaced Person business electing to a self move, a claim for payment of actual reasonable moving expenses shall be supported by a bill or other evidence of expenses incurred.

Each claim in excess of one thousand dollars ($1,000) for the cost of moving the business operation shall be supported by at least three (3) competitive bids. If the District determines that compliance with the bid requirement is impractical, or if estimates in an amount less than one thousand dollars ($1,000) are obtained, a claim may be supported by estimates in lieu of bids.

Adopted—07-13-05
17209.10  **Self-Moves**

Approval of a self-move will only be granted when the Displaced Person has a permanent replacement site to move to. If so, the District may, at its sole discretion, approve a payment for moving expenses, in an amount not to exceed the lowest acceptable bid or estimate obtained by the District. A self-move to storage may be approved by the District prior to the move.

Adopted——07-13-05

17209.11  **Loss of Property**

A claim by a displaced business for payment for the actual direct loss of tangible personal property must be supported by written evidence of loss which may include appraisals, certified prices, bills of sale, receipts, canceled checks, copies of advertisements, offers to sell, auction records, and other records appropriate to support the claim or the District may agree as to the value of the property left in place.

Adopted——07-13-05

17209.12  **Proof of Earnings**

If a displaced business elects to receive an in lieu payment, the business must provide proof of its earnings to the District. Proof of earnings may be established by income tax returns, financial statements and accounting records or similar evidence acceptable to the District.

Adopted——07-13-05

17209.13  **Payment of Moving Expenses**

A.  **Advance Payment**

A Displaced Person may apply for payment of his or her anticipated moving expenses in advance of the actual move. The District shall provide advance payment whenever later payment would result in financial hardship to the Displaced Person. When determining whether there exists “financial hardship”, the District shall consider the financial limitations and difficulties experienced by low and moderate income residents and small farm and business operations.

Adopted——07-13-05
17209.14  **Direct Payment**

By prearrangement between the District, the Displaced Person, and the mover, evidenced in writing, the Displaced Person or the mover may present an unpaid moving bill to the District, and the District may pay the mover directly.

Adopted—07-13-05

17209.15  **Methods Not Exclusive**

The specific provisions of these Rules and Regulations are not intended to preclude the District’s reliance upon other reasonable means of effecting a move, including contracting moves and arranging for assignment of moving expense payments by displaced persons.

Adopted—07-13-05

17210.  **GRIEVANCE PROCEDURES**

A.  **Purpose**

These Grievance Procedures are established in an attempt to resolve disputes between a claimant and the District at the lowest possible administrative level while affording the claimant an opportunity to have a full and fair review of his or her case. Therefore, all relevant evidence should be presented at the lowest level of these proceedings. If evidence could have been presented at a lower level and the claimant failed to do so, the Relocation Appeals Board may refer the matter back to the lower level for consideration and determination prior to their considering such evidence.

B.  **Right of Review**

Any claimant who is not satisfied with a determination as to eligibility and/or amount of payment may have his or her claim reviewed and reconsidered in accordance with the procedures stated herein.

Adopted—07-13-05
C. Request for Further Written Information

A claimant must first request the District's designated representative to provide him with a full written explanation of the determination and the basis therefore. This request must be made within the same 18 months of the relocation.

D. Informal Oral Presentation

The claimant may request an informal hearing with the Chief Facilities Executive. All such requests shall be in writing and be accompanied by a relocation complaint form. Claimant shall have the burden of determining whether the District requires submittal of a complaint form. The request for an informal hearing must be submitted to the Chief Facilities Executive within 18 months of the relocation.

If the request is granted, claimant shall be given an opportunity to make an oral presentation to the Chief Facilities Executive concerning the claim. The claimant may be represented by an attorney or other designated person at the presentation. After the conclusion of the presentation, the Chief Facilities Executive shall prepare a summary of the matters discussed and determinations made, place a copy of the summary in claimant's file, and serve a copy thereof upon the claimant.

E. Written Request for Review and Reconsideration

At any time up to 18 months after the relocation, a claimant may file a written request for formal review and reconsideration. The request may include any statement of fact within the claimant's knowledge or belief or other material which claimant believes may have a bearing on the appeal.

Adopted—07-13-05
F. Formal Review and Reconsideration by Chief Facilities Executive

1. The Chief Facilities Executive shall consider the request for review and decide whether to modify the initial determination. When a claimant seeks review, the Chief Facilities Executive shall inform claimant he or she has the right to be represented by an attorney, to present his or her case by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination, as may be required, for a full and true disclosure of facts, and to seek judicial review once claimant has exhausted its administrative appeal.

2. The Chief Facilities Executive shall review the initial determination in light of:

   a. All material upon which the District based its original determination including all applicable rules and regulations. No evidence or witness testimony shall be relied upon unless the claimant has been given an opportunity to controvert the evidence or cross-examine the witness.

   b. The reasons given by the claimant for requesting review and reconsideration of the claim.

   c. Any additional written, relevant materials submitted by the claimant.

   d. Any further information which the Chief Facilities Executive may, in his or her discretion, obtain by request, investigation or research, to insure fair and full review of the claim.

3. The Chief Facilities Executive’s determination on review shall include, but is not limited to:

   a. The Chief Facilities Executive’s decision;

   b. The factual and legal basis upon which the decision is based, including any pertinent explanation or rationale; and,

Adopted—07-13-05

Chapter XVII - Article II - Page 29 17210.
c. A statement of claimant's right to seek further review of his or her claim by the Relocation Appeals Board and an explanation of the steps the claimant must take to obtain this review.

In case of complaints dismissed for untimeliness or for any other reason not based on the merits of the claim, the Chief Facilities Executive shall furnish a written statement to claimant stating the reason for the dismissal of the claim.

G. Appeals Board Review

Claimant may appeal the Chief Facilities Executive's determination by requesting a formal hearing before a Relocation Appeals Board, which shall be three people designated by the Chancellor or his or her designee. To do so, claimant must request in writing that the Chief Facilities Executive schedule such a hearing.

1. Within fifteen (15) days from the date of receipt of claimant's written request, he or she will be notified of the formal hearing date. If the claimant requests additional time to prepare material for consideration and shows good cause therefor, the hearing date may be continued to another date.

2. The Relocation Appeals Board shall have the authority to affirm, reverse or revise the Chief Facilities Executive's determination.

3. The Relocation Appeals Board shall notify the claimant that he or she has the right to be represented by an attorney or others at claimant's own expense, to present his or her case by oral or documentary evidence; to submit oral or documentary evidence; to submit rebuttal evidence to conduct such cross examination as may be required for a full and true disclosure of facts; and to seek judicial review once claimant has exhausted administrative appeal.

Adopted—07-13-05

Chapter XVII - Article II - Page 30 17210.
4. The Relocation Appeals Board shall review the Chief Facilities Executive’s determination taking into consideration all material upon which the challenged determination was made, all applicable rules and regulations, the reasons given by the claimant for requesting review, any additional relevant evidence, oral or documentary, submitted by either the claimant or the District’s representatives. No evidence may be relied upon by the Relocation Appeals Board where the claimant has been improperly denied an opportunity to rebut evidence or cross-examine a witness.

5. The Relocation Appeals Board shall make its finding within six weeks from the date on which the formal hearing is concluded or the date of receipt of the last material submitted, whichever is later.

6. The Relocation Appeals Board’s finding shall be made in writing and shall contain its recommendation, the factual and legal basis upon which the recommendation is made and a statement informing the claimant of his or her right to seek judicial review.

7. The Relocation Appeals Board’s finding in the matter shall be final and conclusive, and the claimant shall be deemed to have exhausted his/her administrative remedies upon the issuance of the Relocation Appeals Board’s findings. The claimant and the District office of legal counsel shall be served with a copy of the Relocation Appeals Board’s finding.

H. Time Limits

A claimant desiring either an informal oral presentation or seeking a formal review and reconsideration, including seeking the review of the Relocation Appeals Board, shall make a request within eighteen (18) months following the later of (i) the date he/she moves from the property. The Chief Facilities Executive may, at its sole discretion, extend any of the time limits specified in this Article upon a showing of good cause.

Adopted——07-13-05
I. Review of Files by Claimant

The claimant may inspect all files and records bearing upon his or her claim or the prosecution of the claimant’s grievance, except to the extent the confidentiality of the material sought or the disclosure thereof is protected or prohibited by law.

J. Effect of Determination

Determinations made by the District with respect to acquisition and relocation policies and procedures shall be applicable to all eligible persons in similar situations regardless of whether any such eligible person seeks a review. All written determinations shall be filed in the records of the District and available for public inspection.

K. Right to Counsel

Any claimant has the right to be represented by an attorney at his or her expense at any and all stages of the proceedings set forth in this Article.

L. Further Review

If the District denies the eligibility of a claimant for a payment, or disapproves the full amount claimed, or refuses to consider the claim on its merits because of untimely filing, or any other ground, the District’s notification to the claimant of its determination shall inform the claimant of its reasons therefor, and shall also inform the claimant of the applicable procedures for obtaining further review of this determination.

M. Judicial Review

Nothing in this section shall in any way expand, preclude or limit a claimant from seeking judicial review of a claim upon exhaustion of such administrative remedies as are specified in these Rules and Regulations.

Adopted 07-13-05

Chapter XVII - Article II - Page 32  17210.
ARTICLE II

STUDENTS AND BOARD OF TRUSTEES
SHARED GOVERNANCE POLICY

18200. In order to provide students the opportunity to participate effectively in District and college governance, students shall be provided an opportunity to participate in formulation and development of district and college policies and procedures that have or will have a "significant effect on students." This right includes the opportunity to participate in processes for jointly developing recommendations to the Board of Trustees regarding such policies and procedures.

Except in unforeseeable, emergency situations, the Board of Trustees shall not take action on a matter having a significant effect on students until it has provided students with an opportunity to participate in the formulation of the policy or procedure or the joint development of recommendations regarding the action.

The Board of Trustees and College Presidents shall give reasonable consideration to recommendations and positions developed by students regarding district and college policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.

Nothing in this Board Rule shall be construed to impinge upon the due process rights of faculty, or the faculty's right to “consult collegially” with the Board of Trustees on “academic and professional matters” as defined in Board Rule 18004. Nothing in this Board Rule shall detract from any negotiations or negotiated agreements between collective bargaining agents and the Board of Trustees.

Adopted—01/09/02

18201. STUDENT AFFAIRS COMMITTEE: The Board of Trustees recognizes the Board's Student Affairs Committee, comprised of the Student Trustee and the ASO Presidents from the District's colleges, as the representative body of the students to offer opinions and to make recommendations to the Board of Trustees with regard to District and procedures that have or will have a significant effect on students. The selection of student representatives to serve on District committees, task forces, or other governance groups shall be made, after consultation with designated parties, by the Student Affairs Committee.

Adopted—01/09/02
18202. **ASSOCIATED STUDENTS ORGANIZATIONS:** The Board of Trustees recognizes the Associated Students Organization (ASO), at District's colleges, as the representative body of the students to offer opinions and to make recommendations to the College President on college policies and procedures that have or will have a significant effect on students. The selection of student representatives to serve on college committees, task forces, or other governance groups shall be made, after consultation with designated parties, by the ASO.

Adopted 01/09/02

18203. **DEFINITIONS:** District and college policies and procedures that have or will have a significant effect on students' include the following:

A. grading policies;
B. codes of student conduct;
C. academic disciplinary policies;
D. curriculum development;
E. courses or programs which should be initiated or discontinued;
F. processes for institutional planning and budget development;

Adopted 01/09/04

G. standards and policies regarding student preparation and success;
H. student services planning and development;
I. student fees within the authority of the District to adopt; and
J. any other District and college policy, procedure, or related matter that the Board of Trustees determines will have a significant effect on students.

Title 5, C.C.R., Section 51023.7

Adopted 01/09/02
Amended: 11-02-16

Chapter XVIII - Article II - Page 2 18203.